

Louisiana RS 49:214.31.B. guides the interaction of the Office of Coastal Management (OCM) and the Office of Conservation activities. It states:

B. Permits issued pursuant to existing statutory authority of the office of conservation in the Department of Natural Resources for the location, drilling, exploration and production of oil, gas, sulphur or other minerals shall be issued in lieu of coastal use permits, provided that the office of conservation shall coordinate such permitting actions pursuant to R.S. 49:214.32(B) and (D) and shall ensure that all activities so permitted are consistent with the guidelines, the state program and any affected local program.

In interpretation of that statute, and in agreement with the Office of Conservation, permitting of those activities which are under the regulatory authority of the Office of Conservation is handled by that office. This includes drilling and maintenance of oil and gas wells, and activities under Commissioner's Statewide Order 29B. All ancillary activities including access to the location, dredging or filling for site preparation, placement of pilings to assist in barge placement, deposition of fill for shell pads, road construction, construction of containment levees and other such surface altering activities must be permitted by the Office of Coastal Management. Furthermore, any activity that creates a discharge to coastal waters must be permitted by OCM.

To help guide coastal users, we have developed the following Frequently Asked Questions (FAQs) and responses.

#### **What is "Site Clearance"?**

The term "Site Clearance" is often used to refer to the activities carried out for Site Clearance Verification which is the trawling or side scan sonar activities to locate and remove any objects and obstructions remaining after exploration and/or production, and to verify that the site is clear of such items. More accurately, the term also refers to the work to plug and abandon a well, remove the pilings, structures and pipelines, and occurs prior to Site Clearance Verification. Applicants should be clear as to the terminology since "**Site Clearance Verification**" does not require a coastal use permit, however "**Site Clearance**" may require a Coastal Use Permit (CUP). See the next FAQ for guidance as to criteria requiring a CUP application.

#### **Do I need a CUP for Well Plug and Abandon and/or Site Clearance activities?**

The actions needed to plug and abandon a well, remove the pilings, structures and pipelines, occur prior to Site Clearance Verification and may require a Coastal Use Permit (CUP). Any dredging necessary for access to the site, including propwashing, requires a CUP application. Any excavation to expose existing flowlines for cutting, capping and abandoning in place or for the removal of any existing structures requires a CUP application. Projects near environmentally or administratively sensitive features must be reviewed and approved by the responsible oversight agency prior to issuance of an authorization to ensure there will be no adverse impacts to such resources. Environmentally and administratively sensitive features include: oyster seed grounds, wildlife management areas, state wetlands restoration projects, Master Plan features, oyster leases, bird rookeries, etc.; or if the project is located within one-quarter mile of a barrier island; located on a chenier, barrier beach, dune, salt dome or similar isolated, raised landform; or there are any impacts to vegetated wetlands (emergent or submergent). An applicant may obtain this approval by contacting each of the

appropriate agencies, but the most efficient method to obtain this determination is to submit a CUP application. In many cases plug and abandonment and site clearance activities are determined to be “NDSI” (i.e. have no direct and significant impact on coastal resources), however, an application is necessary to verify whether an NDSI determination is appropriate. If there is no dredging, propwashing, or excavation and no environmentally or administratively sensitive features are impacted, plug and abandon and site clearance activities do not require a CUP application. If pipelines are associated with the well, and were installed after August of 1980 under CUP authorization, the lines are required to be removed, which would require a CUP for such removal. Failure to remove pipelines as required by an Office of Coastal Management authorization is a violation of the State’s Coastal Program. Trawling for debris or running side scan sonar during Site Clearance Verification, as required by the LA DNR Office of Conservation, does not require a CUP.

**What are the permitting requirements for workover and other well maintenance activities?**

Well maintenance activities, including workover activities, do not, in and of themselves, require a Coastal Use Permit (CUP), however, any excavation required for access or operations would require a CUP. Additionally, if pilings, shell pads, platforms or other structures are required, those activities require a CUP. Projects near environmentally or administratively sensitive features must be reviewed and approved by the responsible oversight agency prior to issuance of an authorization to ensure there will be no adverse impacts to such resources. Environmentally and administratively sensitive features include: oyster seed grounds, wildlife management areas, state wetlands restoration projects, Master Plan features, oyster leases, bird rookeries, etc.; or if the project is located within one-quarter mile of a barrier island; located on a chenier, barrier beach, dune, salt dome or similar isolated, raised landform; or there are any impacts to vegetated wetlands (emergent or submergent). An applicant may obtain this approval by contacting each of the appropriate agencies, but the most efficient method to obtain this determination is to submit a CUP application. In many cases these are determined to be “NDSI”, but a CUP application is necessary to verify this is the case. Please note that if sidetracking an existing well and a new well serial number is required, a new CUP application is necessary prior to applying for the Office of Conservation drilling permit for the new well serial number. For those situations where a drill barge is on an existing location and the side track drilling does not require a new well serial number, then no additional CUP application permit will be required from Office of Coastal Management provided the activities associated with sidetrack drilling do not include additional excavation for access, propwashing, shell pad, or installation of pilings and/or platforms.