Tulane Engineering Forum
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New Orleans, Louisiana

Oil & Gas Exploration, The Critical Path
South Louisiana
Environmental & Regulatory Process

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I. Regulatory Agencies
II. Permitting Process
III. Flowchart/Decision Tree
REGULATIONS

Who Regulates Oil & Gas Operations within Sensitive Areas?

&

Under What Authority?
Lead Regulatory Agencies

- **U.S. Department of the Army, Corps of Engineers**
  - Section 10 of the Rivers & Harbors Act – 1899
  - Section 404 of the Clean Water Act – 1972
    (Formerly known as the Federal Water Pollution Control Act-1948)

- **LA Department of Natural Resources, Office of Coastal Management**
  - Coastal Zone Management Act 1972
U.S. Department of the Army, Corps of Engineers
New Orleans District

Jurisdictional Boundaries
Louisiana Department of Natural Resources
Office of Coastal Management

Coastal Zone Boundary
Oil & Gas Permit Compliance

Section 10 Activities

Well Head & Heater Platform

Production Barge
Access Road & Drilling Pad

Dredging Operation

Section 404 Activities
Pipeline Installation

Section 10/404 Activities
FEDERAL, STATE, & LOCAL
Environmental/Regulatory Agencies

LEAD AGENCIES
• U.S. Department of the Army, Corps of Engineers, New Orleans District, Regulatory Branch
• Louisiana Department of Natural Resources, Office of Coastal Management

SECONDARY AGENCIES
• Louisiana Department of Environmental Quality, Office of Water Resources
• Local Municipalities

COMMENTING AGENCIES
FEDERAL COMMENTING AGENCIES

- Environmental Protection Agency (EPA)
- U.S. Fish & Wildlife Service (US FWS)
- National Marine Fisheries Service (NMFS)
- U.S. Coast Guard (USCG)
- Federal Aviation Administration (FAA)
- Federal Energy Regulatory Commission (FERC)
- Federal Land Management Agencies
  - NPS, USFS, BLM, BIA etc.
STATE COMMENTING AGENCIES

- LA Department of Wildlife & Fisheries
- LA Department of Environmental Quality
- LA State Historical Preservation Officer
- Bureau of Parks & Recreation
- Port Commission(s)
- Levee District(s)
- LA Department of Health & Hospitals
- LA Department of Transportation & Development
- LA Department of State Lands
LOCAL COMMENTING AGENCIES

- County/Parish Councils or Police Juries
- City Governments
- Local Coastal Zone Advisory Boards
- Citizen Groups (NGOs-Non Government Organizations)
Other Regulatory Authorizations and/or Considerations

- Permit to Drill: LA Dept. of Conservation
- SWPPP: LA Dept. of Environmental Quality
- Hydro-Static: LA Dept. of Environmental Quality
- Air Emission: LA Dept. of Environmental Quality
- Discharge: LA Dept. of Environmental Quality
- Driveway: LA Dept. of Transportation & Development
- Facilities Plans: US Coast Guard & LA DEQ (OTM, SPCC & FRP)
- Special Use: US Fish & Wildlife Service (Dept. Properties)
REGULATORY PROCESS

PREPARATION, REVIEW & ISSUANCE

1. Project Identification
2. Site Specific Information
3. Due Diligence/Site Characterization
4. Project Design
5. Application Assembly & Submittal
6. Agency Review
7. Supplementary Information
8. Permit Issuance
Due Diligence/Site Characterization

(Operator's Protection & Information)

• Site Description
  - Location, Ecological Setting, Current Operations, Land Uses & Access Issues

• Environmental Setting
  - Past Usages, Water Wells, Remediation Activities &/or other Potential In-Ground or Surface Contamination.

• Regulatory Review
  - Evaluation of Agency Compliance Records Historical & Current.
    (i.e., Landfills, Air Quality, Norm, Enforcement Actions, Wastewater Discharge, etc.)
Project Design
(Operator Efforts)

• Avoid & Minimize Adverse Impacts
• Comply with Landowner Requests (if possible)
• Identify & Design Project to Avoid or Contend with:
  1. Findings of the ‘Environmental Due Diligence’
  2. Site Conditions – Topography
  3. Ingres & Egress – Right to Access (Canals, Roads &/or Production)
  4. Foreign Line Crossings – Below & Above (Private & Public)
  5. Ecological Restrictions – Seasonal Restrictions
  6. Cultural Sites – Archeological, Historical & Modern Features
Supplemental Resources Reports
(Agency Requested Information)

- Wetland Delineation
- Oyster Assessment
- Needs & Alternatives Analysis
- Threaten & Endangered Species Survey
- Cultural Survey
- Landowner Statements
- Compensatory Mitigation Plan
- Environmental Assessment
- Environmental Impact Statement
Flowchart/Decision Tree
-- Oil & Gas Property Cradle to Grave --

1. Project Description
   Position
   (State/Parish/Coordinate)

2. Proposed Activity

3. Compliance/Enforcement

4. Resolution of Issues
   - Not Justified/Justified

   4.1 Approval

   4.2 Process:
      - Federal, State & Local Env./Reg. Agencies
      - Approval

5. Access to Drill
   - Process:
     - Federal, State & Local Env./Reg. Agencies
     - Approval

6. Drill
   - Process:
     - State & Local Env./Reg. Agencies
     - Approval

7. Production PLs/Fac.
   - Process:
     - Federal, State & Local Env./Reg. Agencies
     - Approval

8. Site Abandonment
   - Process:
     - Federal, State & Local Env./Reg. Agencies
     - Approval

9. Project Closure
   - Approval
Flowchart/Decision Tree

-- Oil & Gas Property Cradle to Grave --

Access to Drill
- Federal, State & Local Env./Reg. Agencies
  - Approval

Process:
- US COE
- LA OCM
- LA DHH
- LA SHPO
- Parish
- Local Authority
- LA DOTD
- Levee Board
- LA OofC
- USCG
- LA DEQ

Wetlands
- Navigable Waters
- Engineering
- Levees
- Geo-Technical
- Waterways
- Comp. Mitigation
- Wetland Restoration
- T&E Species
- Real Estate
- Cultural Resources
- Scenic Streams
- Special Projects

State Lands
- Railroad
- Utilities
- Landowners
- FAA
- LA DWF
- LA State Police
- Fire Dept.
- Fire Marshal

Water Quality Cert.
- Effluent Discharge
- Air Emissions
- SWPPP
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