DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMIT

Permittee Texas Parks and Wildlife Department

General Permit Number **SWG-1994-00026**

Issuing Office U.S. Army Corps of Engineers, Galveston District (Corps)

Project Description: To authorize the construction, maintenance, and repair of artificial reefs as part of work conducted by the Texas Parks and Wildlife Department.

Project Location: Gulf of Mexico, within Galveston District Area of Responsibility excluding Louisiana waters, in waters depths of 300 meters or less.

Permit Conditions:

1. The time limit for completing the work authorized herein ends on **20 June 2021 or** if the Department of the Army authorization is within two years of the expiration of this General Permit, **within 2 years of the Department of the Army approval**.

2. Texas Parks and Wildlife Department shall notify the Corps prior to initiation of work in waters of the United States, including wetlands. The notification shall include:
    a. A completed and signed Department of the Army (DA) application (Form ENG 4345).
    b. A copy of all DA authorizations previously issued for the work area.
    c. A vicinity map, plan view, typical cross section, and a description of the proposed method of construction. Drawings shall include:
        i. A vicinity map with the precise location of the project with geographic coordinates.
        ii. A plan view of the proposed reef including pertinent structures, elevations, clearances, dimensions, types and quantities of materials, the relative locations of all structures and boundaries of the reef site.
        iii. A cross section drawing showing dimensions pertinent structures, elevations, clearances, dimensions, types and quantities of materials, the relative locations of all structures and boundaries of the reef site.
        iv. Mapped location of any special aquatic resources (i.e. oyster reefs, sea grass, wetlands, etc.) located within 0.5 miles of any portion of the proposed project. The size of each special aquatic resource and its distance edge of the project boundary must be depicted on this map.
        v. Mapped location of any shipping lanes, general navigation channels located, Safety Fairways, and/or National Marine Sanctuaries within 2 miles of any portion of the proposed project.
        vi. Water depths and vertical clearances measured in feet from Mean Lower Low Water (MLLW) as used by the National Ocean Service (NOS) navigation charts.

    d. A statement that the work will be conducted in compliance with the terms and conditions of this General Permit.
    e. A statement of estimated start and completion dates.
    f. Description of site conditions as evidenced by marine survey or inspection.
    g. Anchoring methods to be used.

3. Texas Parks and Wildlife Department shall notify the Corps, in writing, of the date that the work authorized herein commences.

4. Authorization under this general permit does not obviate the need to obtain all necessary local, state, or Federal agency authorizations required by law.

5. The permittee must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Permit Condition 6 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

6. When structures or work authorized by this permit are still in existence at the time they are transferred to new ownership, the permittee must obtain and submit to the Corps a signed statement from the new owner(s) stating that they agree that the terms and conditions of this permit will continue to be binding on the new owner(s).

7. No structure or work that may affect historic properties listed or eligible for listing in the National Register of Historic Places is authorized until the Corps and applicant has complied with the provisions of Section 106 of the National Historic Preservation Act.

    a. The Corps will review all proposed activities for cultural resource requirements, and, when appropriate, coordinate these activities with the Texas Historical Commission (THC). If potential historic properties are located in the project area, they shall be avoided by a sufficient margin as designated by the Corps and the THC. If avoidance of the potential historic properties is not feasible, further archeological investigations shall be required prior to authorization under this general permit.

    b. If any previously unknown historic or archeological remains are located while accomplishing the activity authorized by this permit, you must immediately cease and desist and notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

8. No structure or work will be authorized that is likely to jeopardize the continued existence of a threatened or endangered species or which is likely to destroy or adversely modify critical habitat of such species as identified under the federal Endangered Species Act. Furthermore, no structure or work that may affect federally listed threatened and endangered species shall be authorized until the Corps and the applicant have complied with the provisions of Section 7 of the Endangered Species Act.

9. No impact to special aquatic sites is authorized by this General Permit. This includes: submerged beds of sea grasses; macro-algae; coral reefs; live bottom (areas supporting dense growth of sponges, sea fans, soft corals, and other sessile micro- invertebrates generally associated with rock outcrops); or live oyster reefs.

10. If the determination is made that the adverse effects of the proposed work are more than minimal, then the applicant will be notified that either: (1) That the project does not qualify for authorization under the General Permit and instruct the applicant on the procedures to seek authorization under an individual permit; (2) that the project is authorized under the General Permit with specific modifications or conditions.

11. Texas Parks and Wildlife Department must allow representatives from the appropriate Corps office to inspect the authorized activity to ensure that it is, or has been, accomplished in accordance with the terms and conditions of the permit.

12. No structures or work will be allowed to obstruct any federal navigation channels, anchorages, or fairways.

13. No sites shall be placed within 2 nautical miles of the Safety Fairways.

14. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

15. When structures or work authorized by this permit are determined by the District Engineer to have become abandoned, or obstructive to navigation, or cease to be used for the purpose for which they were permitted, such structures or other work must be removed and the area cleared of all obstructions, and written notice given to the Chief of Compliance, Galveston District Regulatory Branch within 30 calendar days of completion.

16. Aids to navigation will be permitted and placed in accordance with United States Coast Guard (USCG) Regulation 33 CFR 66.

17. No sites under this general permit shall be placed within 500 feet of sensitive biological habitats associated with the topographic features of the Central and Western Planning Areas of the Gulf of Mexico. For a list and a map of the identified biologically sensitive topographic features in the Gulf of Mexico, see Attachment A.

18. No sites shall be placed within 1000-ft of proposed, active, or out of service pipelines not associated with the rig being reefed. No reef materials or anchors associated with reef construction activities shall be placed on top of active, out of service, or abandoned lines not associated with the rig being reefed.

19. No construction shall occur within danger zones or restricted areas identified in 33 CFR 334, or within marine sanctuaries established pursuant to the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1432).

20. All material(s) to be placed on the reef(s) is(are) to be selected to avoid/minimize movement of reef materials caused by sea conditions or currents and is(are) to be clean and free of asphalt, creosote, petroleum, other hydrocarbons, toxic residues, loose, free floating material, or other deleterious substances. Such materials may require inspection by the Corps or their designee prior to placement.

21. No fish attractors shall be authorized by this General Permit to be placed at artificial reef sites in accordance to the guidelines stated in the 1990 Texas Artificial Reef Plan.

22. Texas Parks and Wildlife Department will be responsible for any materials which are moved by sea conditions or which break loose from reefs, and will be responsible for any damage caused by such materials.

23. No work shall be performed until notification is given to the owner (lease holder) or operator of any marked utilities or structures in the block or adjacent blocks where the reef is to be located.

24. The permittee shall maintain a minimum vertical clearance above the reef that is no less than 85 feet of clearance. Projects proposing clearance less than 85 feet must be cleared by the USCG prior to application. Applications submitted with clearance depths less than 85 feet not approved by the USCG will be authorized under the General Permit with special conditions requiring authorization prior to commencement of work.

25. The Corps will copy furnish the Department of Defense Siting Clearinghouse, U.S. Coast Guard, National Oceanic and Atmospheric Administration - National Ocean Service, and the Bureau of Safety and Environmental Enforcement authorizations under this General Permit.

26. Texas Parks and Wildlife Department may request a written waiver to exceed specified limits of the General Permit as long as the adverse effects of the proposed work are no more than minimal. The activity will not be authorized until the district engineer issues the waiver.

Further Information:

1. Congressional Authorities:
   (X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).
   ( ) Section 404 of the Clean Water Act (33 U.S.C. 1344).
   ( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.
   a. Authorization under this General Permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
   b. Authorization under this General Permit does not grant any property rights or exclusive privileges.
   c. Authorization under this General Permit does not authorize any injury to the property or rights of others.
   d. Authorization under this General Permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In authorizing a project under this General Permit, the Federal Government does not assume any liability for the following:
   a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
   b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
   c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
   d. Design or construction deficiencies associated with the permitted work.
   e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office to authorize the activity under this General Permit as not contrary to the public interest will be made in reliance on the information provided by the applicant.

this General Permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. The applicant fails to comply with the terms and conditions of this permit.
b. The information provided by the applicant to support their permit application proves to have been false, incomplete, or inaccurate (See 4 above).
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring the applicant to comply with the terms and conditions of their authorization under this General Permit and for the initiation of legal action where appropriate. The applicant will be required to pay for any corrective measures ordered by this office, and if they fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you, the applicant, for the cost.

This General Permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

(DISTRICT ENGINEER)

6/17/14

(DATE)

ROBERT W. HEINLY, CHIEF
POLICY ANALYSIS BRANCH
FOR COLONEL RICHARD P. PANNELL

Leasing Activities

Information

Western and Central Gulf of Mexico Topographic Features Stipulation Map Package

for Oil and Gas Leases in the Gulf of Mexico

May 2014

BOEM

Bureau of Ocean Energy Management

Introduction

These maps indicate the areas affected by the Topographic Features Stipulation which is routinely applied to leases in the vicinity of certain geographic features. For specific information regarding the stipulation, see the appropriate Notice of Sale and the Biological NTL No. 2009-G39.
(http://www.boem.gov/Regulations/Notices-To-Lessees/2009/09-G39.aspx)

For additional information you may contact Dr. Matthew Johnson of the BOEM, Gulf of Mexico Region, Office of Environment Biological Sciences Unit at matthew.johnson@boem.gov or (504) 736-7517.

SWG-1994-00026 ATTACHMENT A

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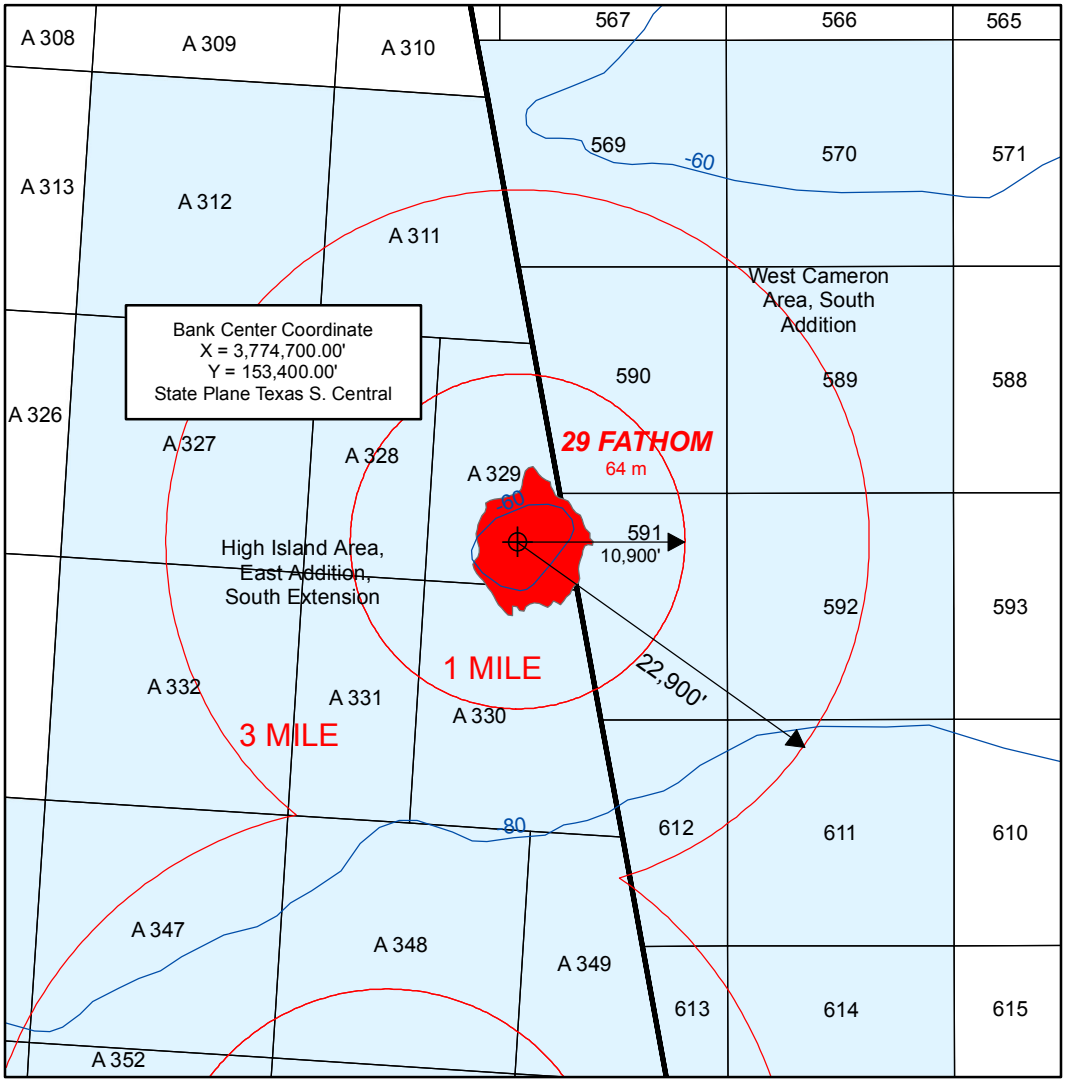
Gulf of Mexico OCS Region

Topographic Features



29 FATHOM

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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All coordinates for the Gulf of Mexico Region leases and cadastre data are done on the North American Datum of 1927 (NAD 27).
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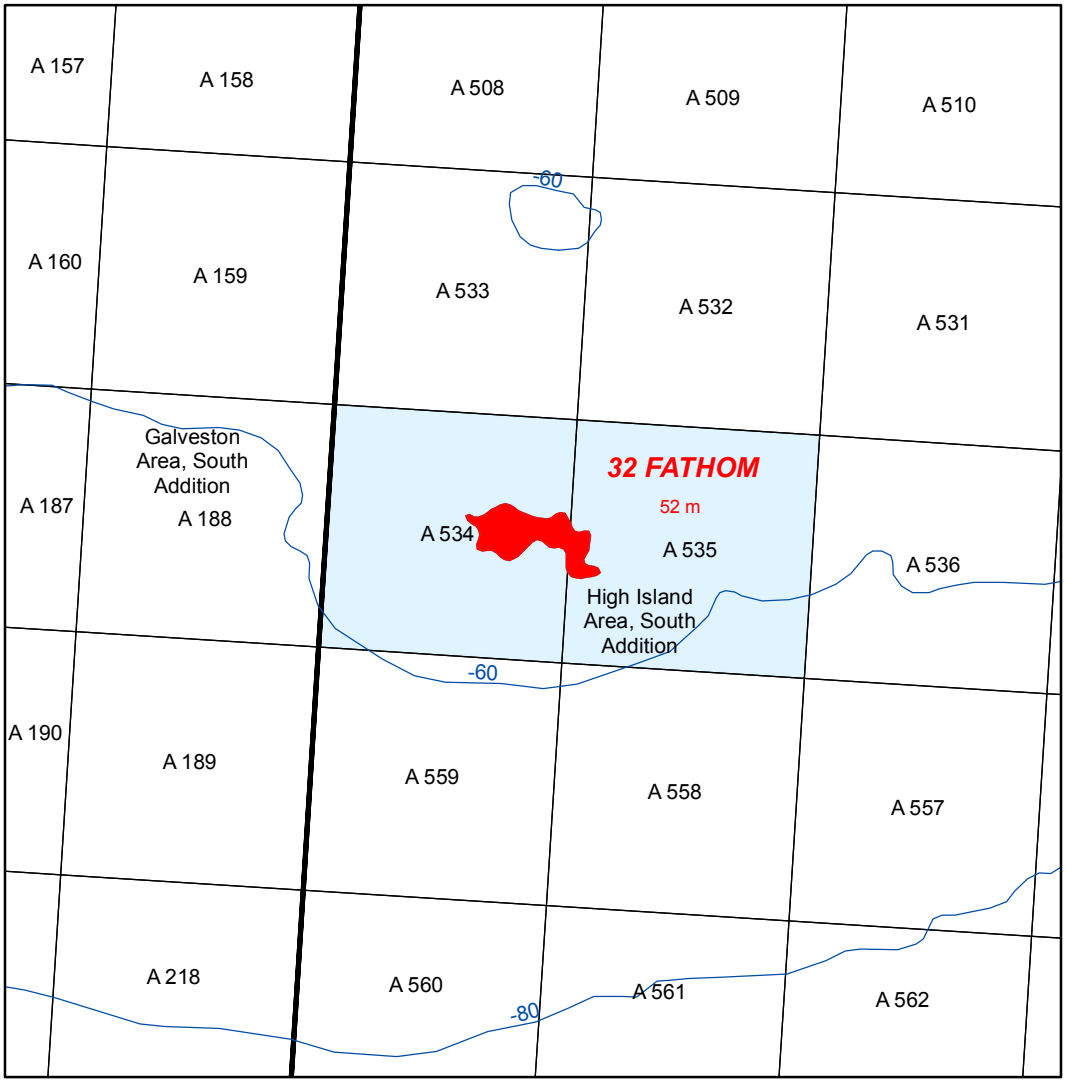
Topographic Features



32 FATHOM

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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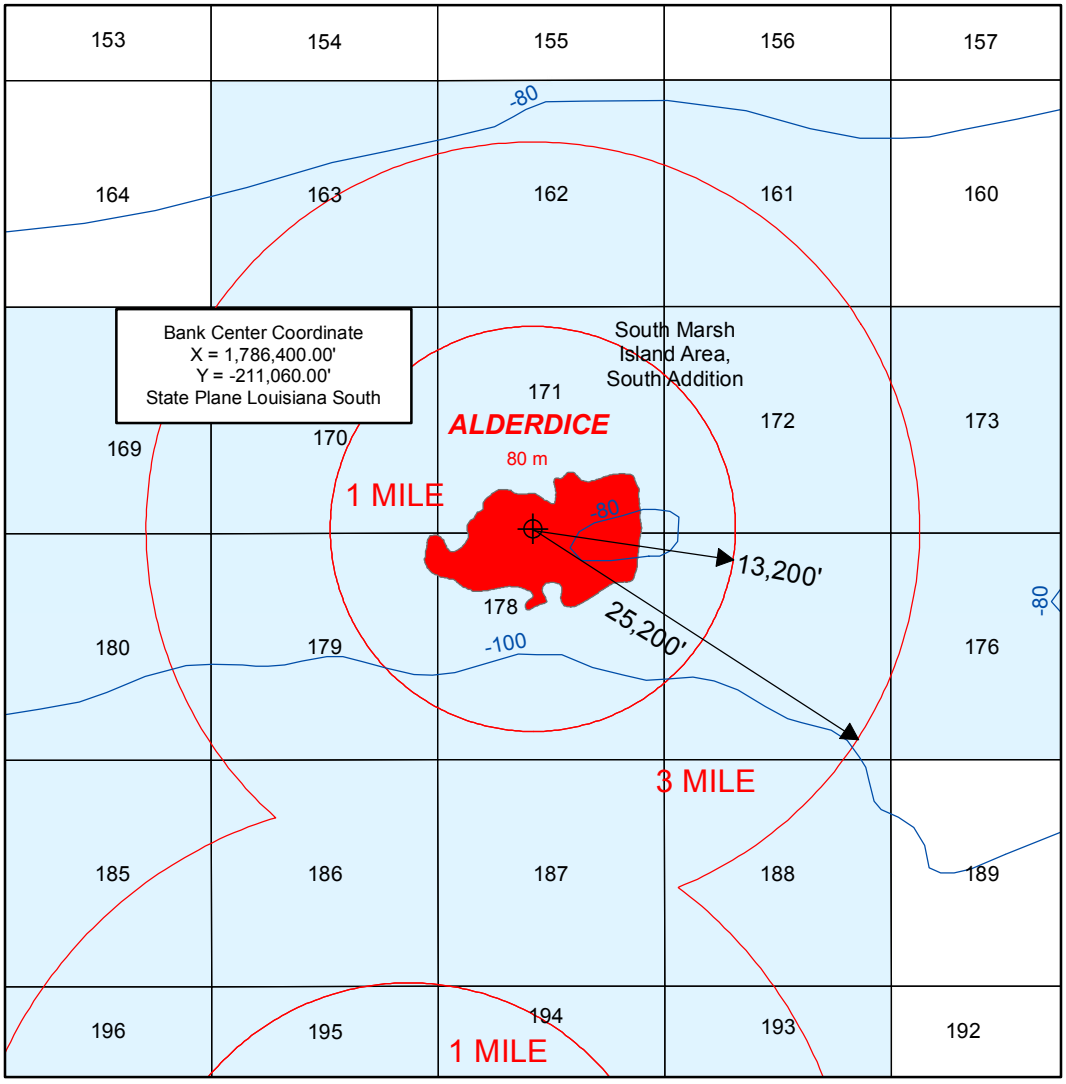
Topographic Features



ALDERDICE

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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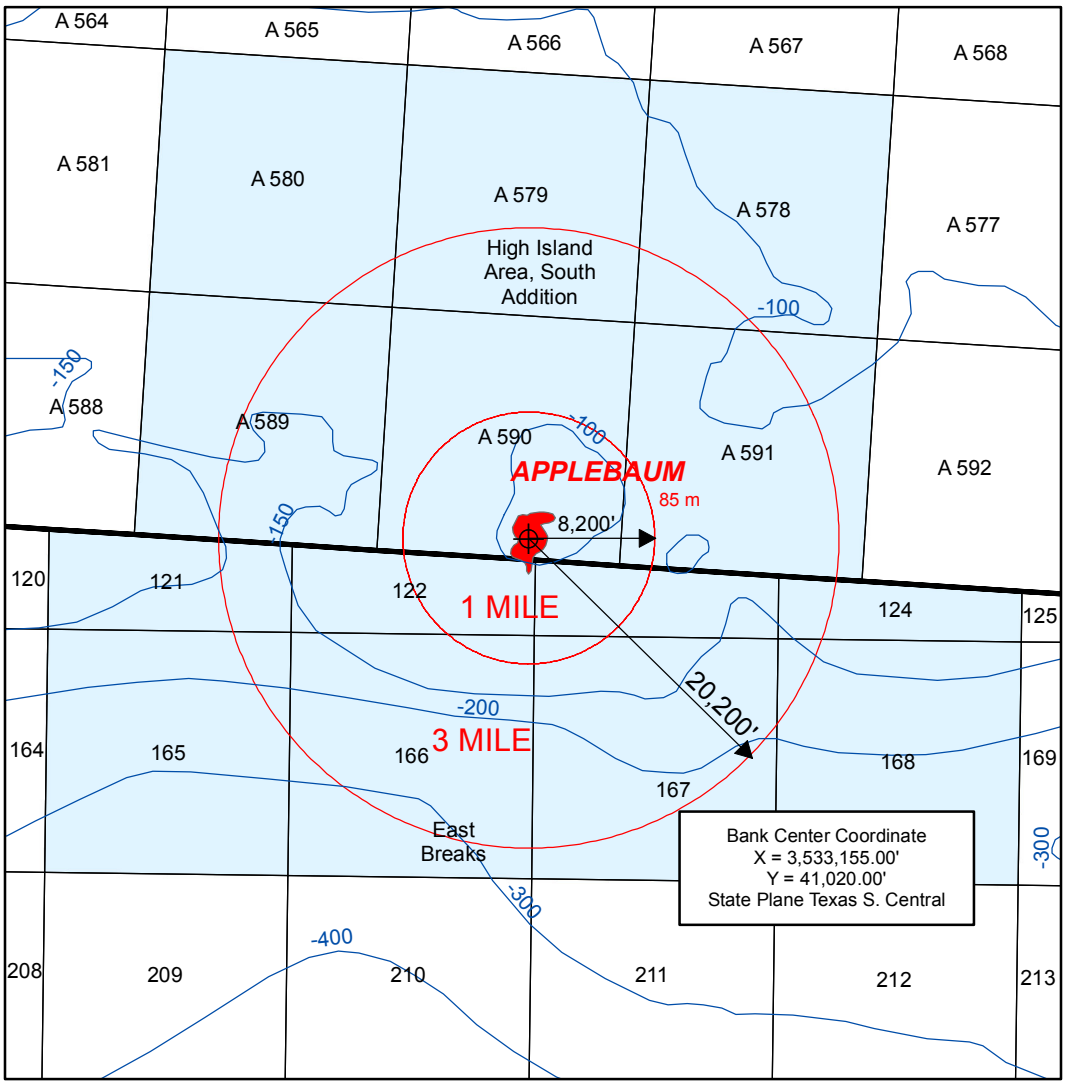

APPLEBAUM

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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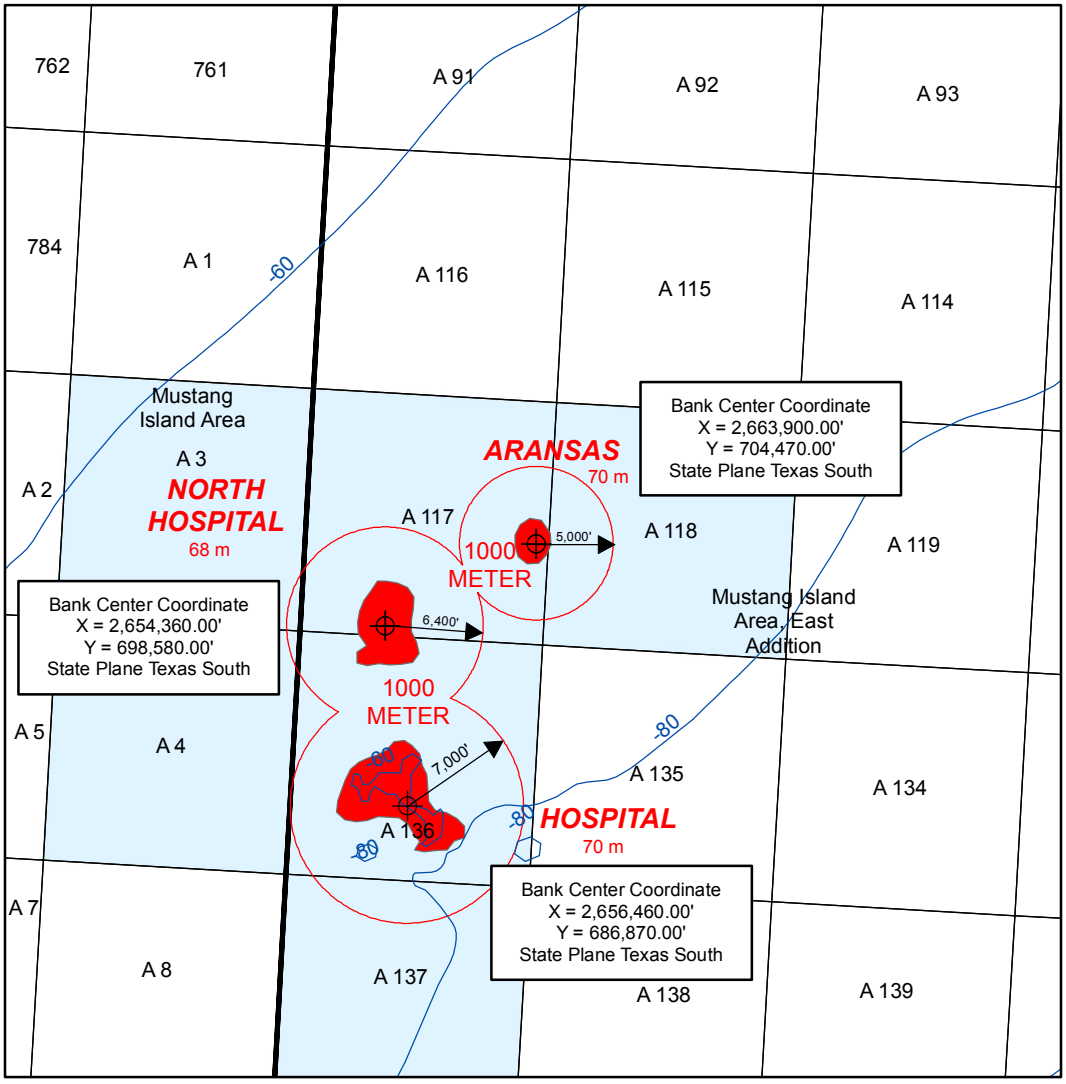

ARANSAS

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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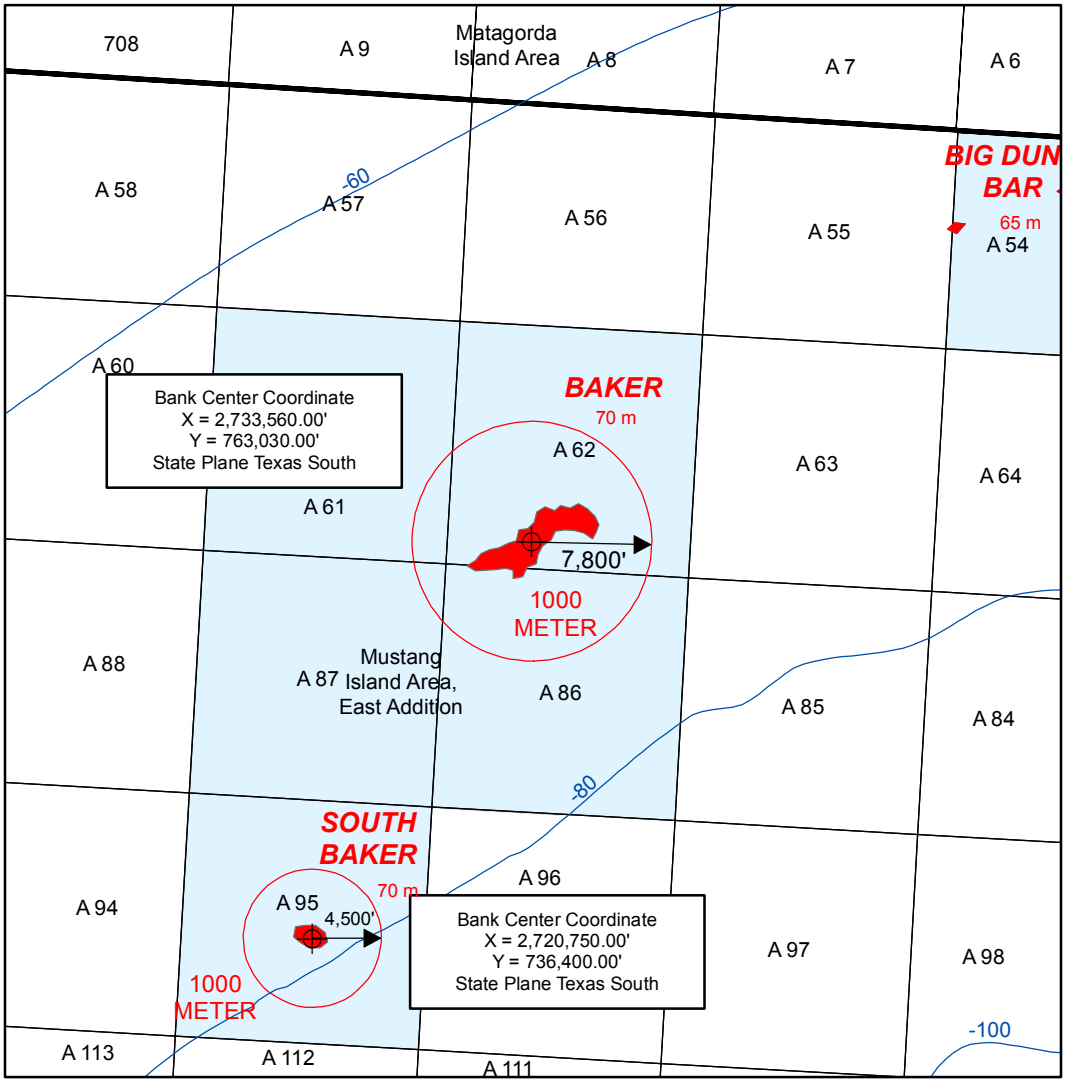

BAKER

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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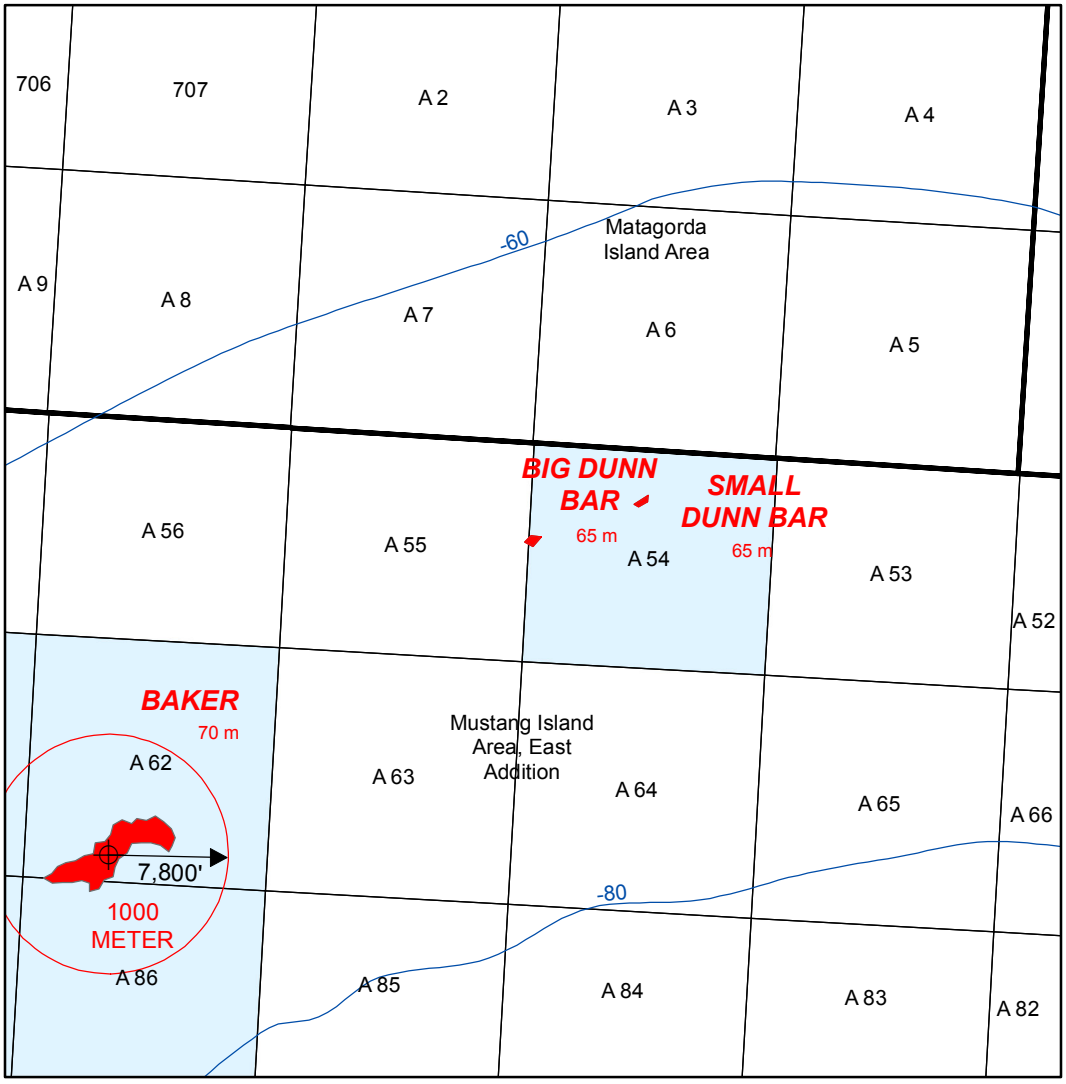
Topographic Features



BIG DUNN BAR

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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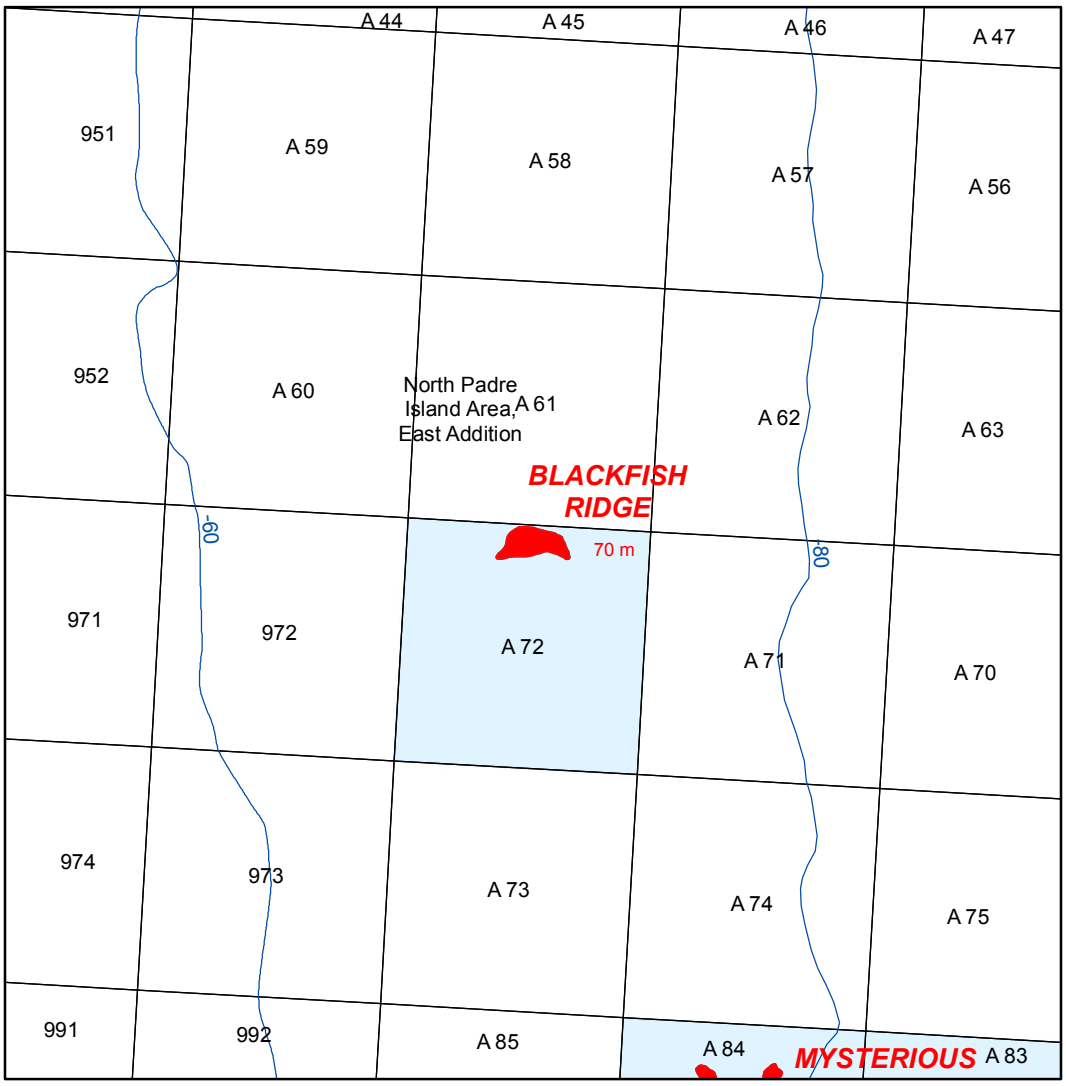
Topographic Features



BLACKFISH RIDGE

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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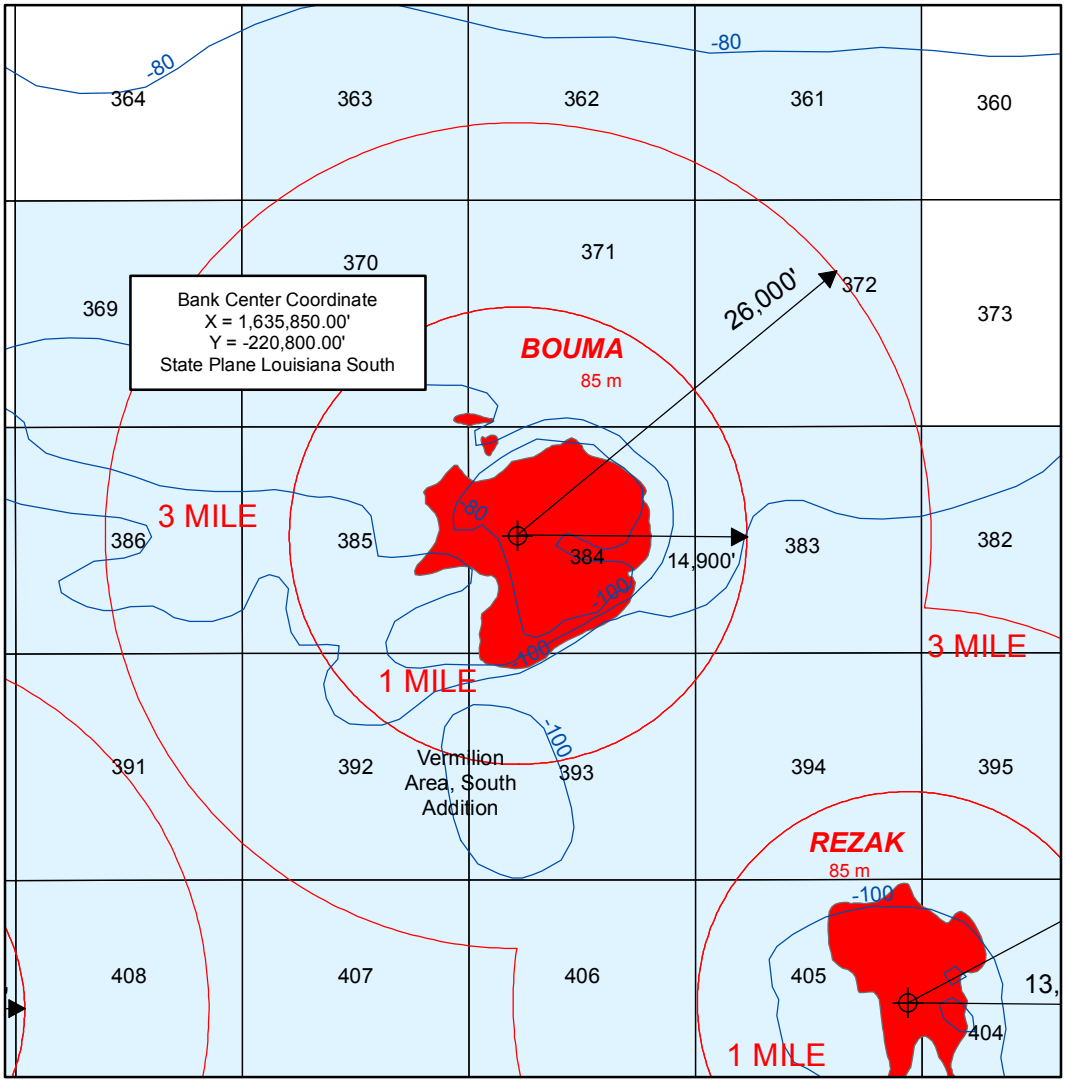
Topographic Features



BOUMA

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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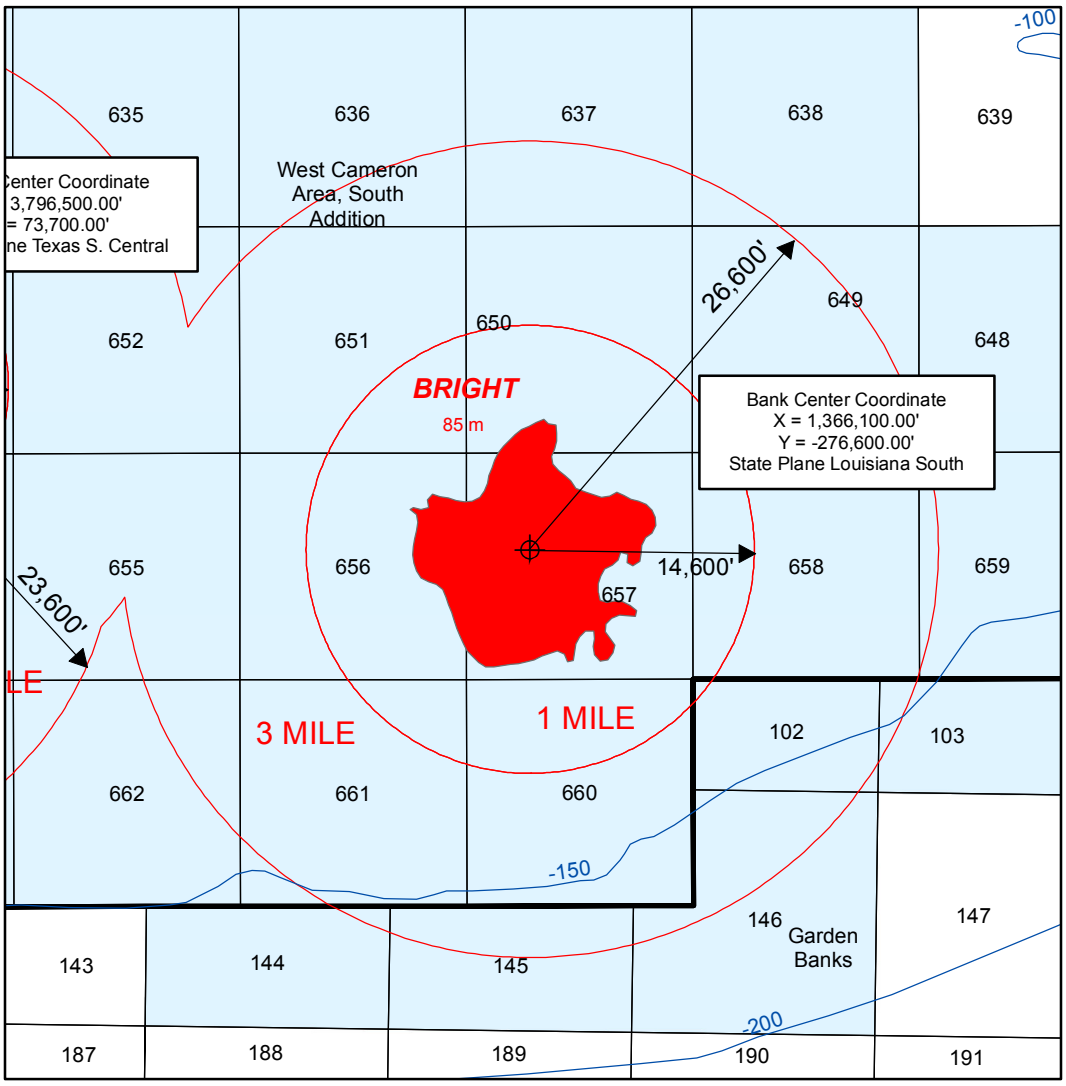
Topographic Features



BRIGHT

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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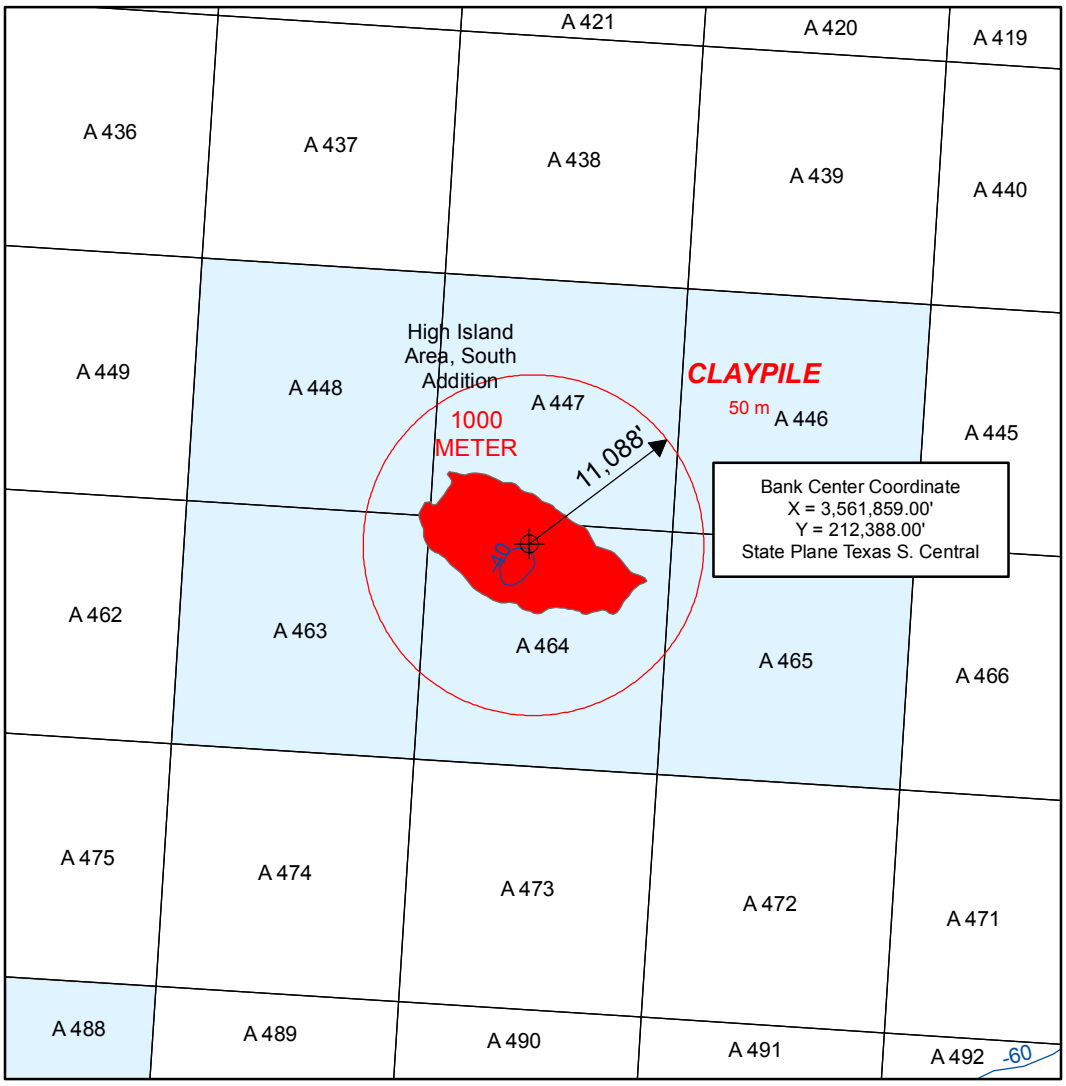
Topographic Features



CLAYPILE

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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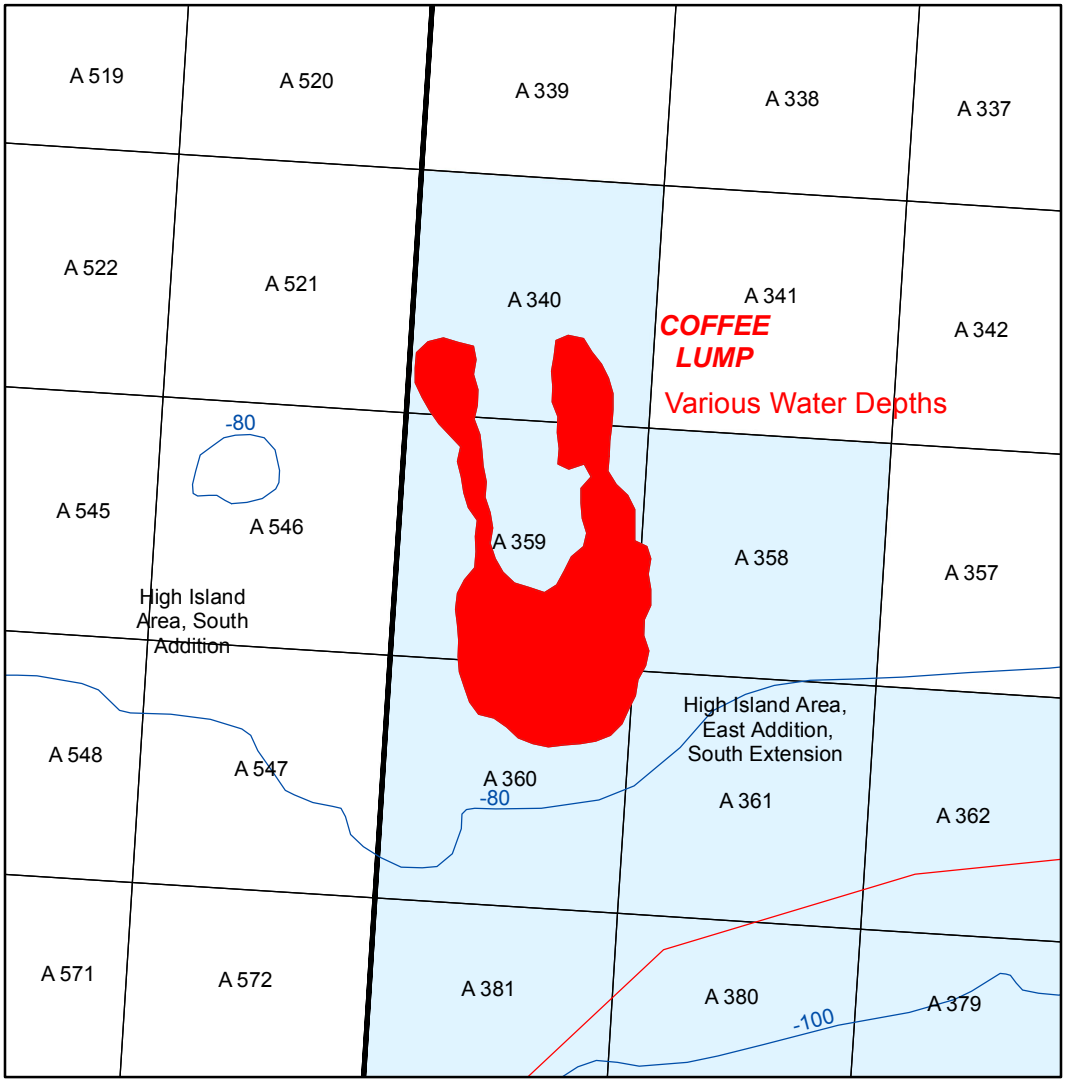
Topographic Features



COFFEE LUMP

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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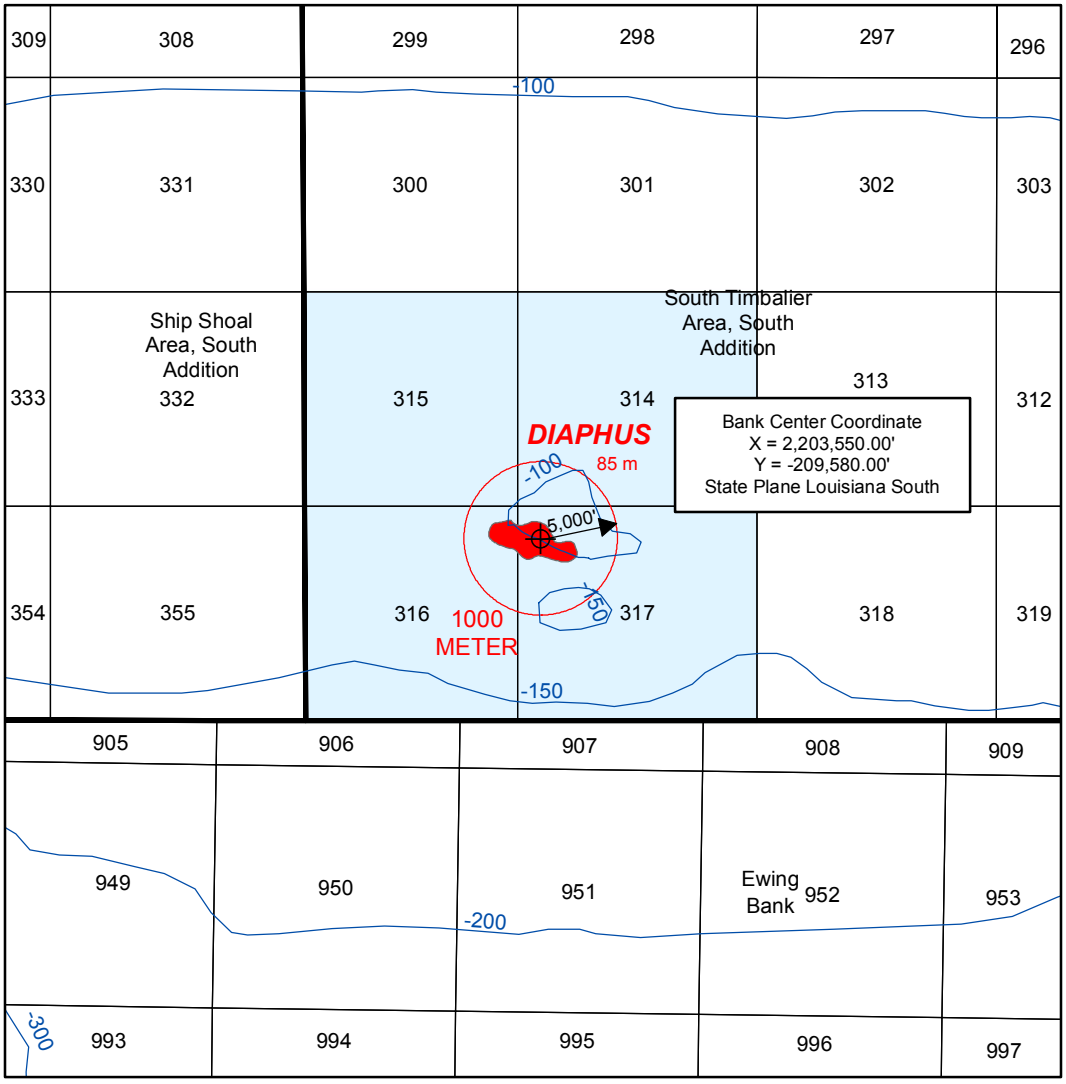
Topographic Features



DIAPHUS

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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United States Department of the Interior
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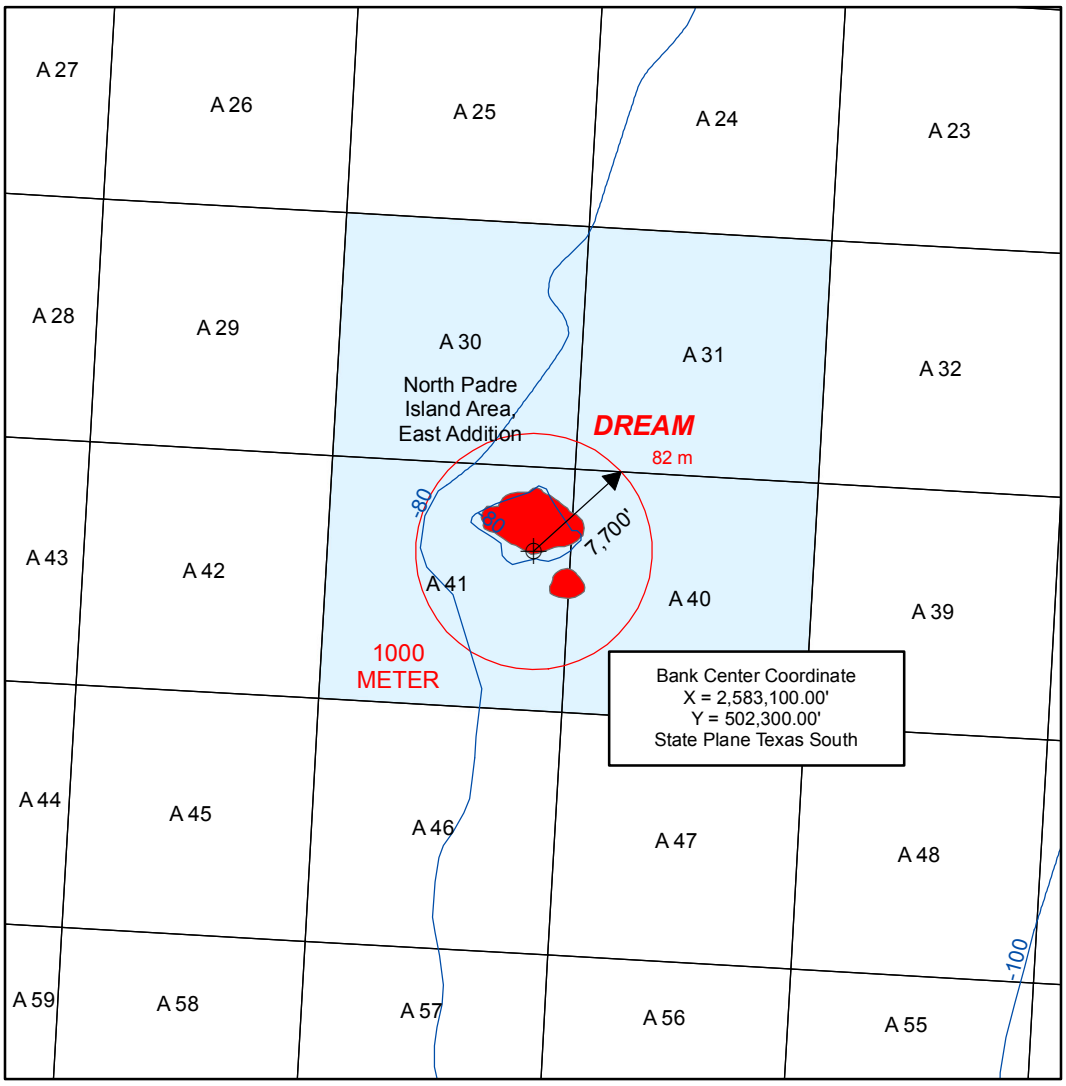
Gulf of Mexico OCS Region

Topographic Features



DREAM

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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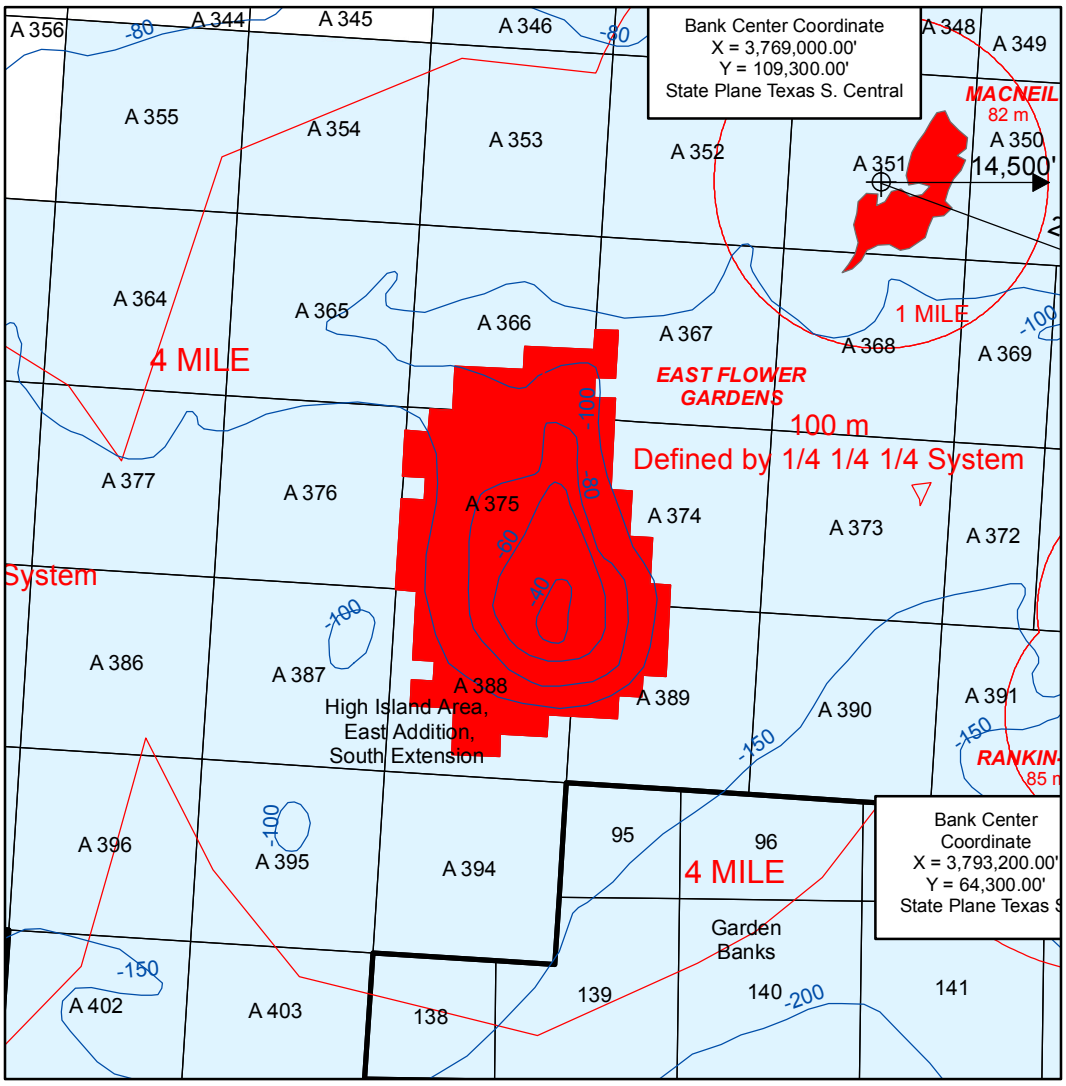
Gulf of Mexico OCS Region

Topographic Features



EAST FLOWER GARDENS

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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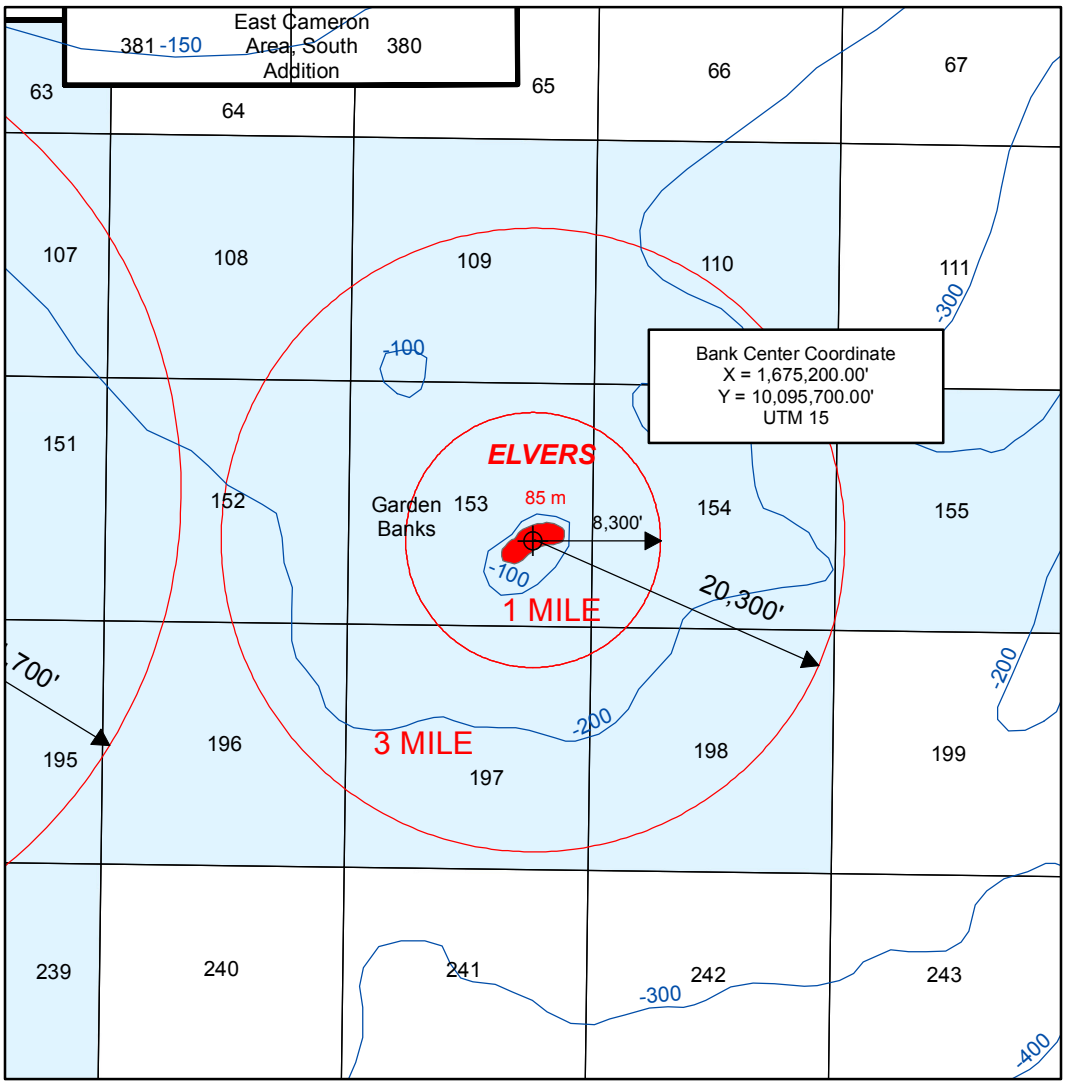
Topographic Features



ELVERS

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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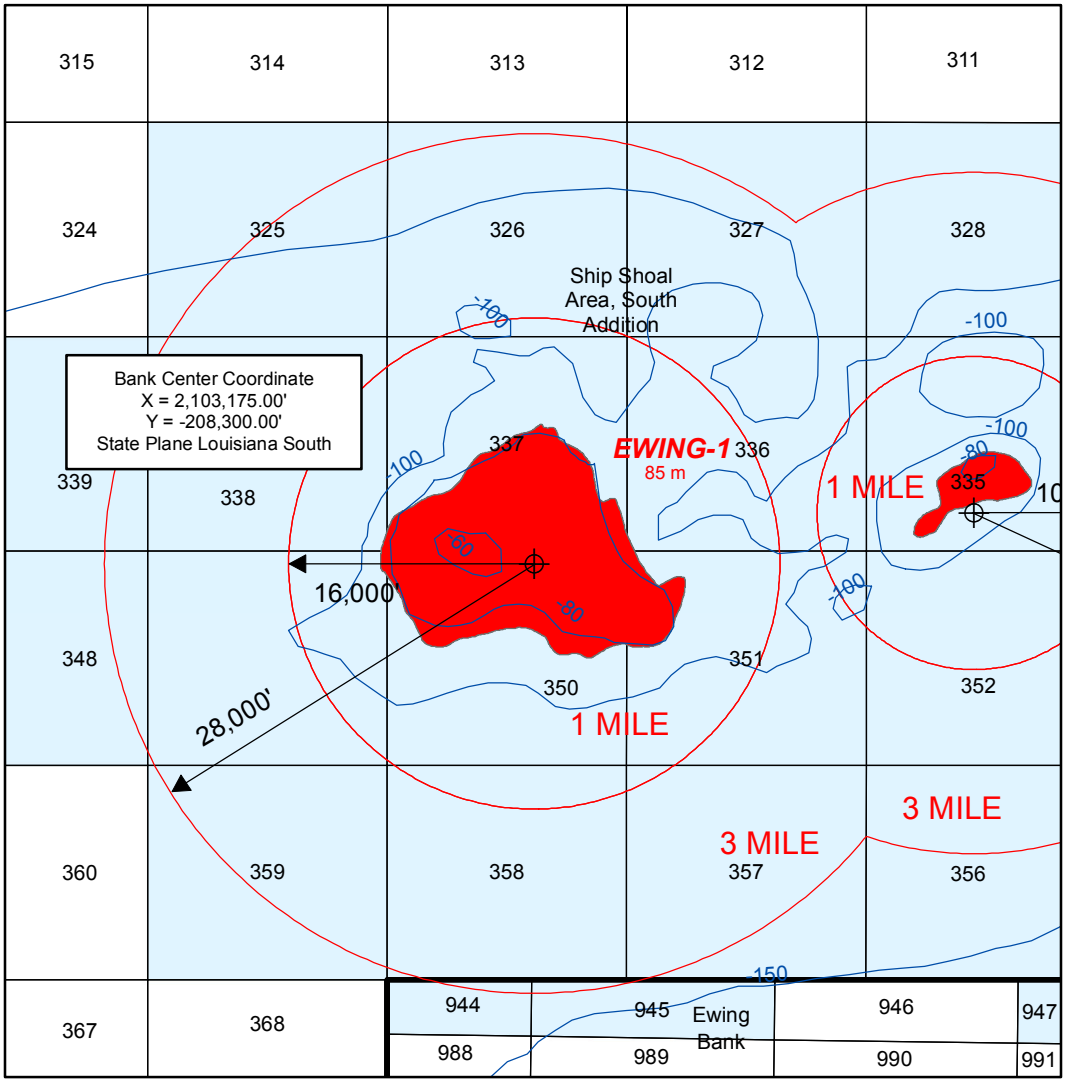
Topographic Features



EWING-1

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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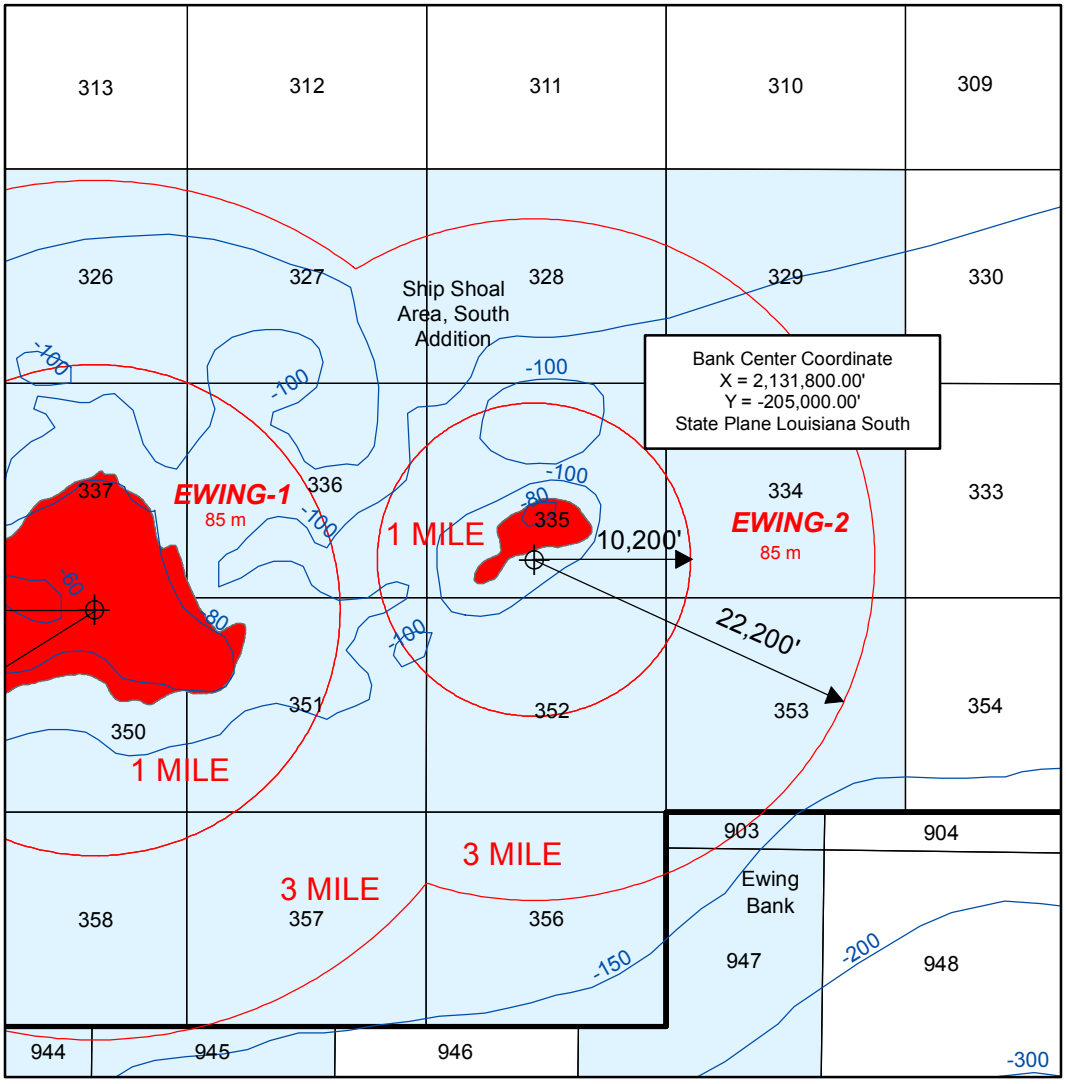
Topographic Features



EWING-2

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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United States Department of the Interior
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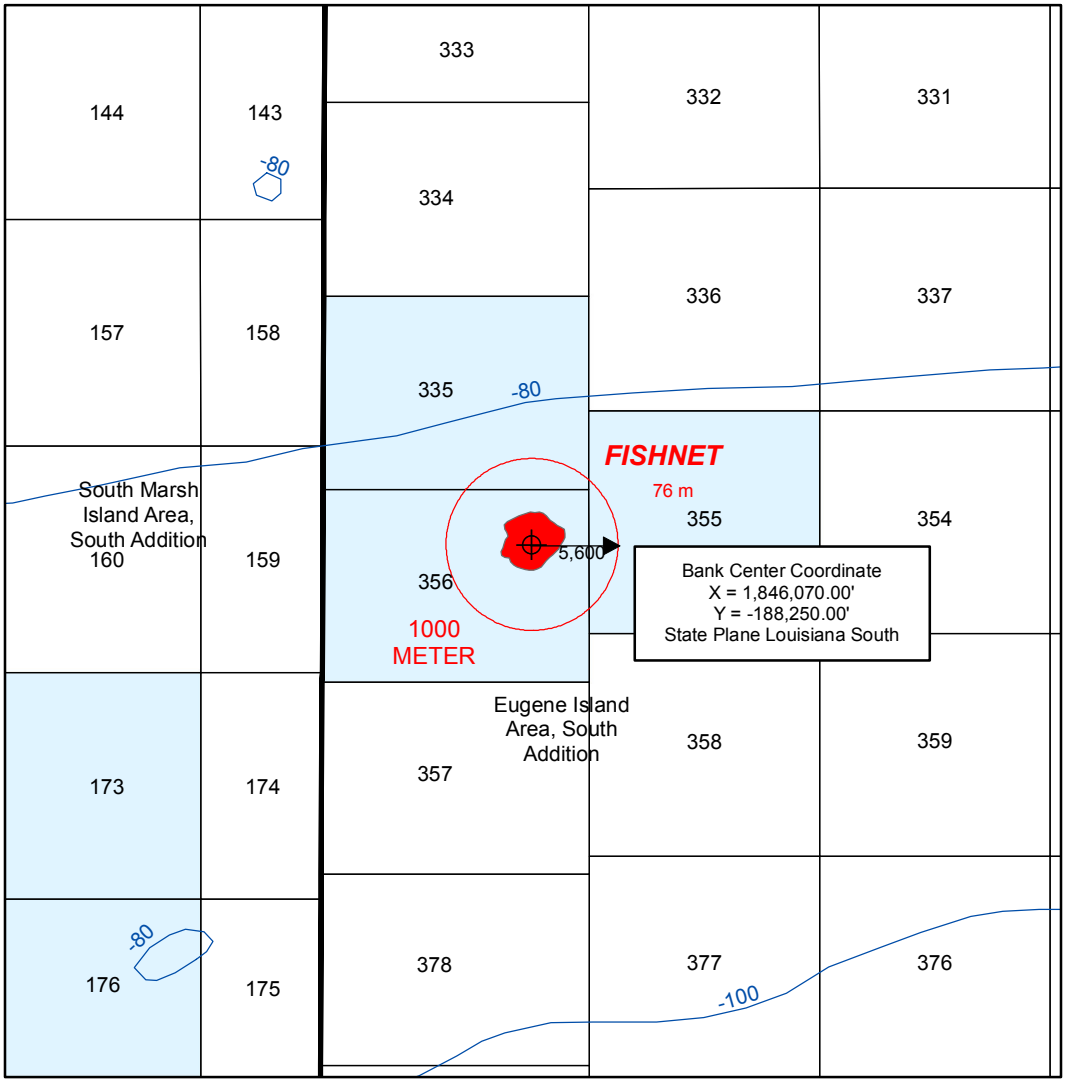
Topographic Features



FISHNET

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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United States Department of the Interior
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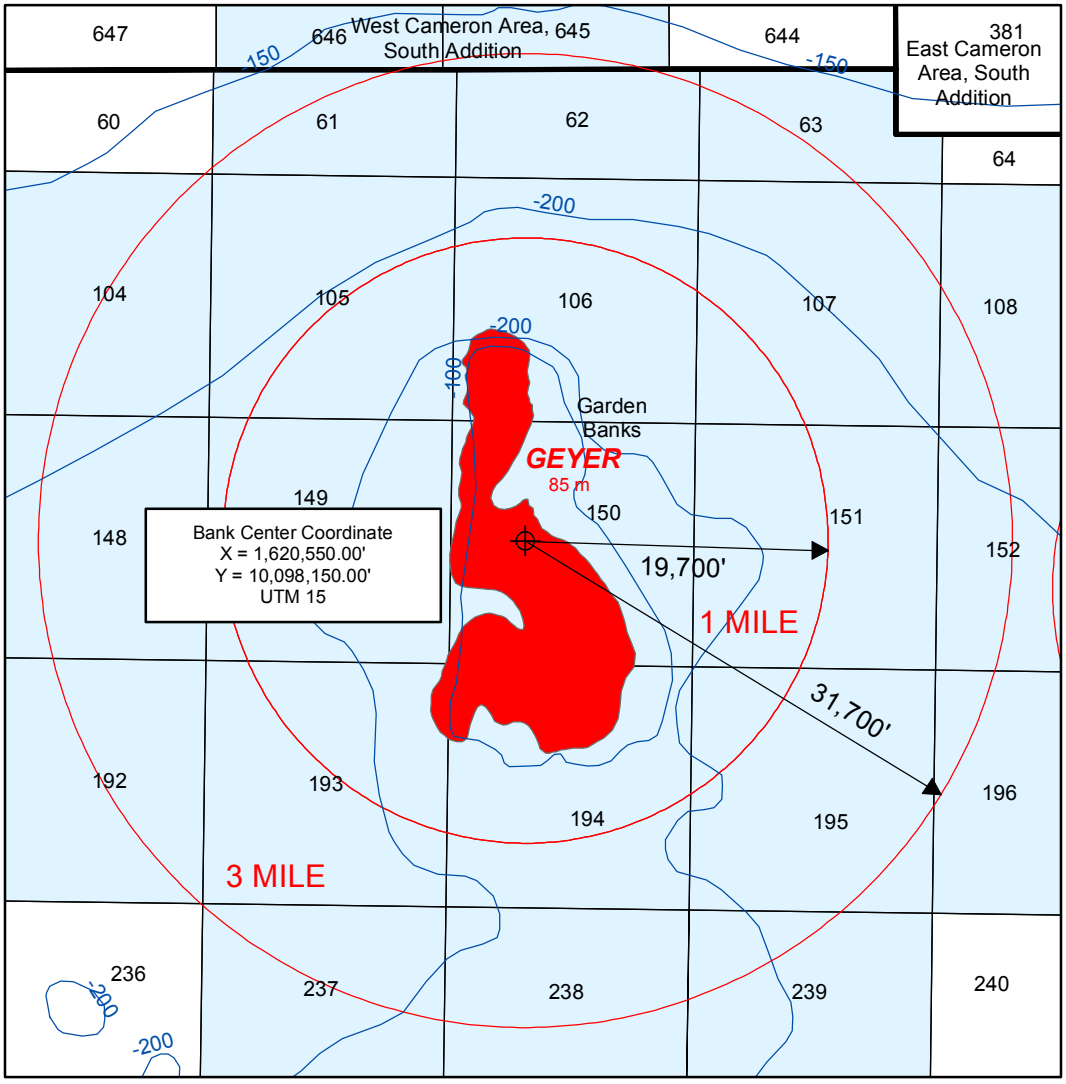
Gulf of Mexico OCS Region

Topographic Features



GEYER

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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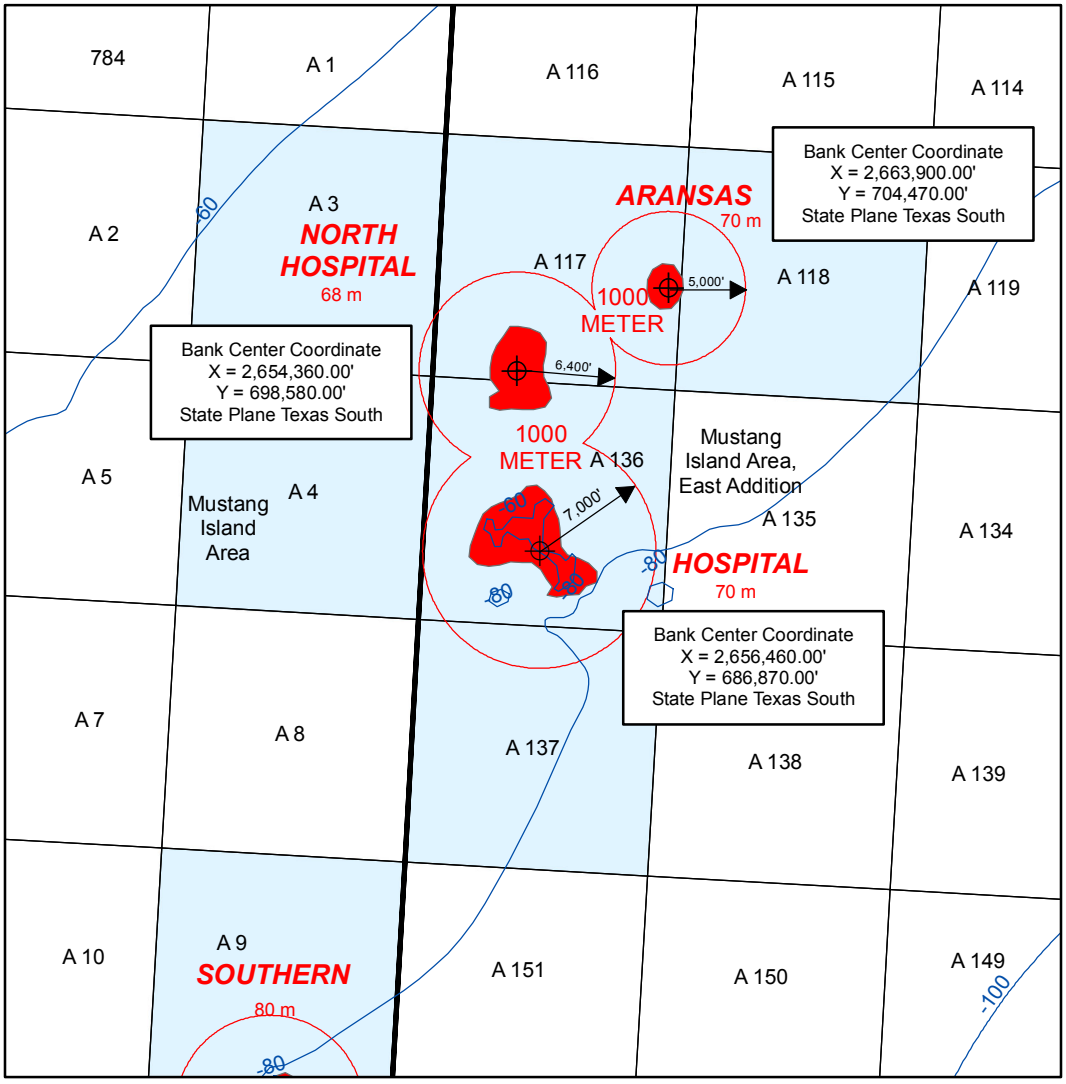
Topographic Features



HOSPITAL

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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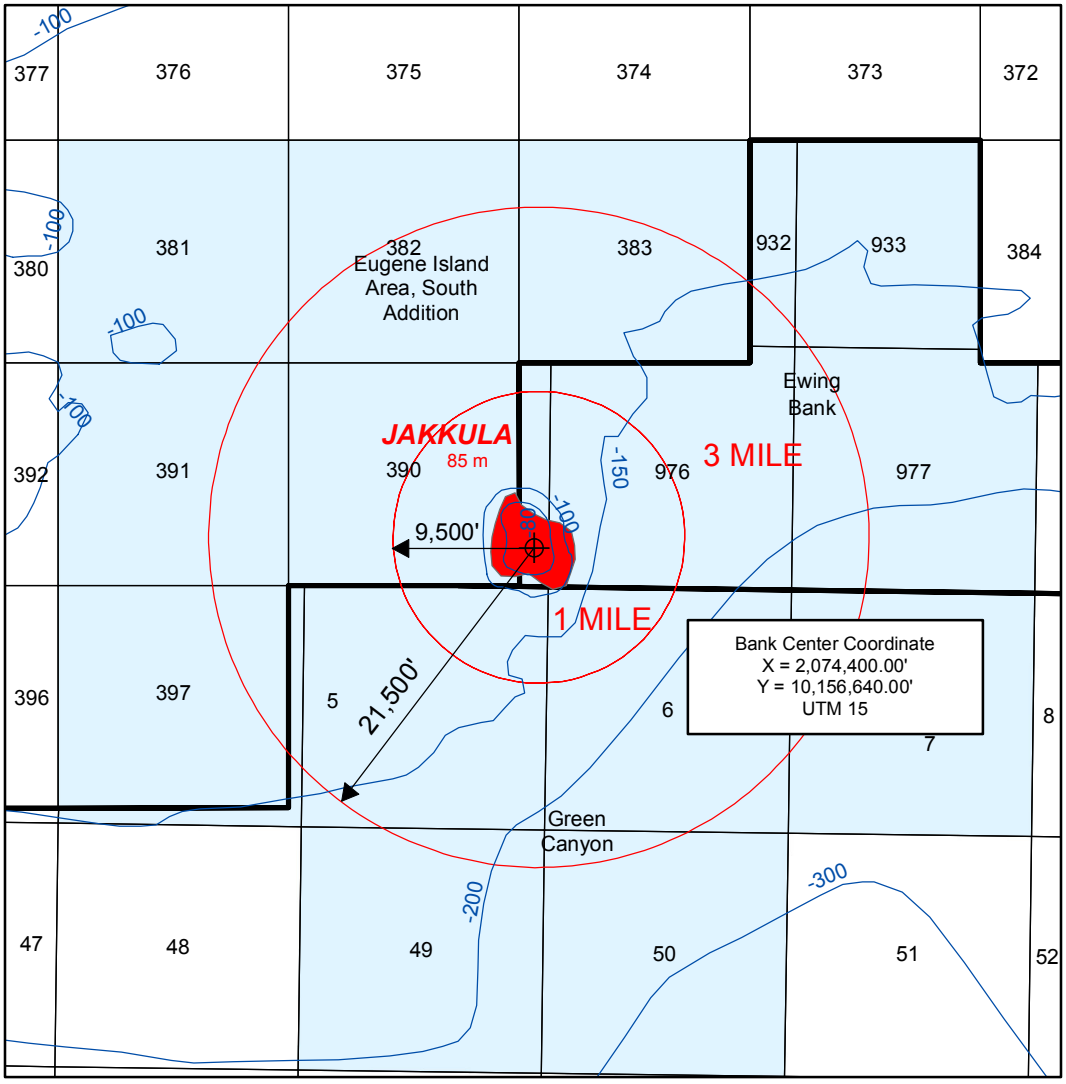
Topographic Features



JAKKULA

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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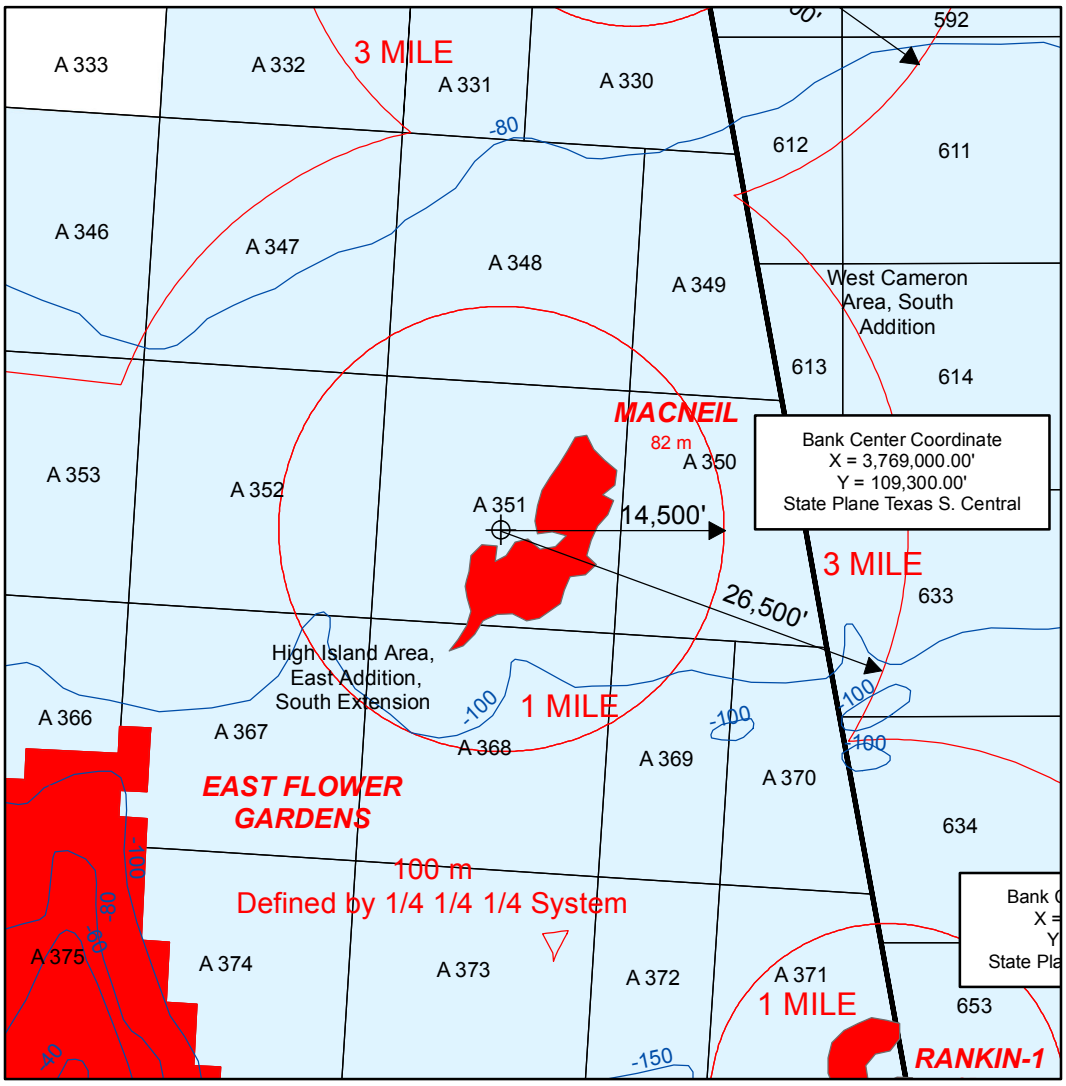
Topographic Features



MACNEIL

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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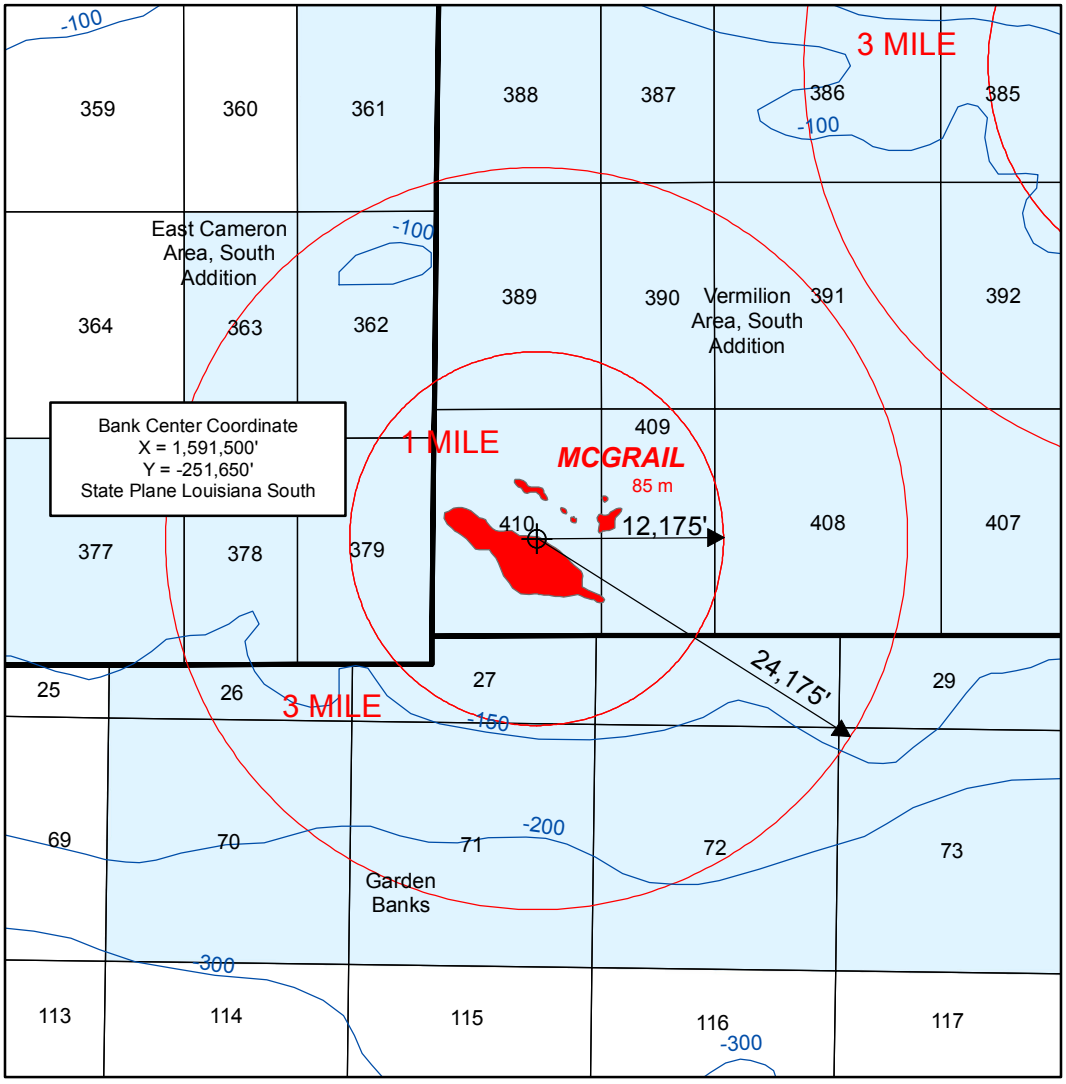
Topographic Features



MCGRAIL

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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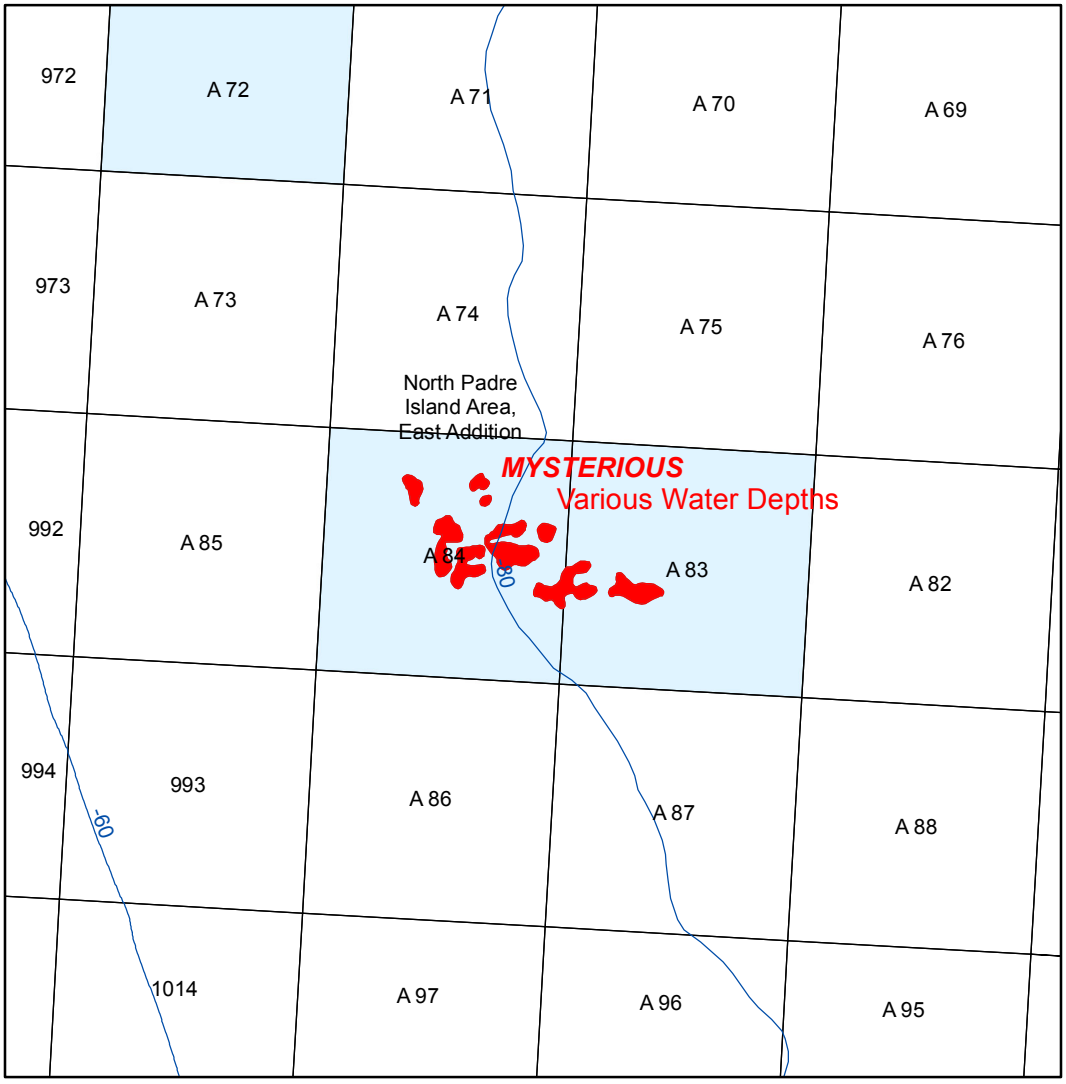
Topographic Features



MYSTERIOUS

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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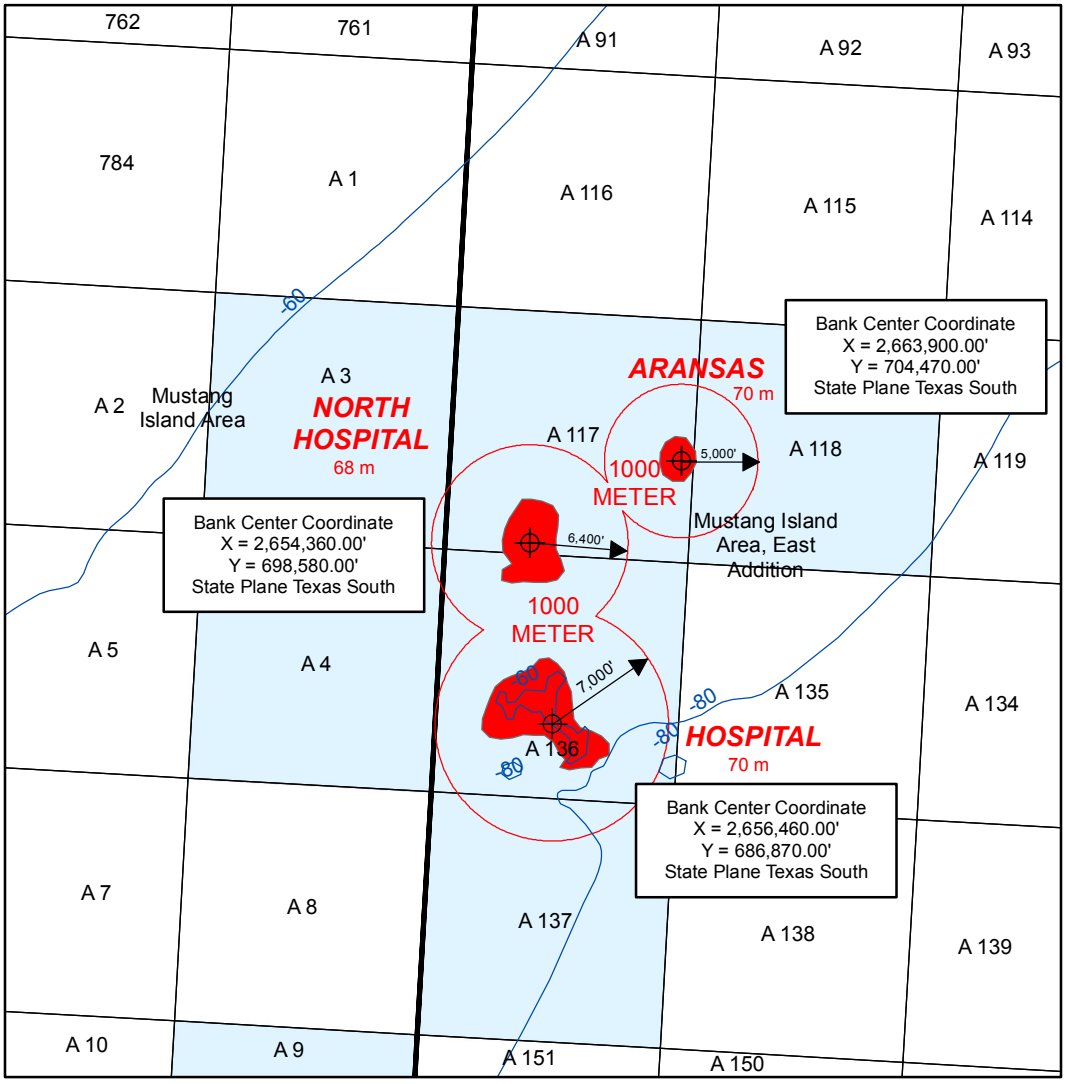
Topographic Features



NORTH HOSPITAL

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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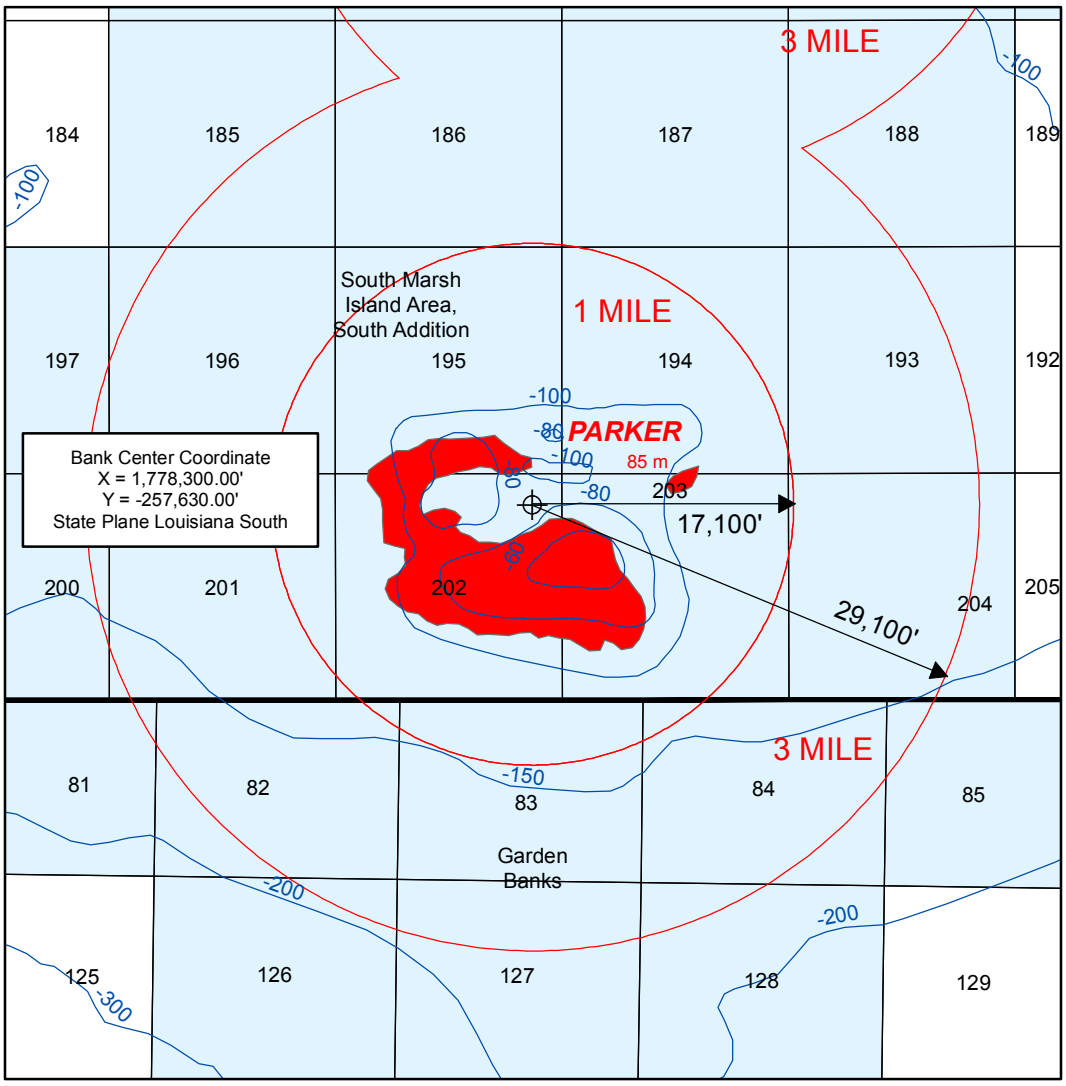
Topographic Features



PARKER

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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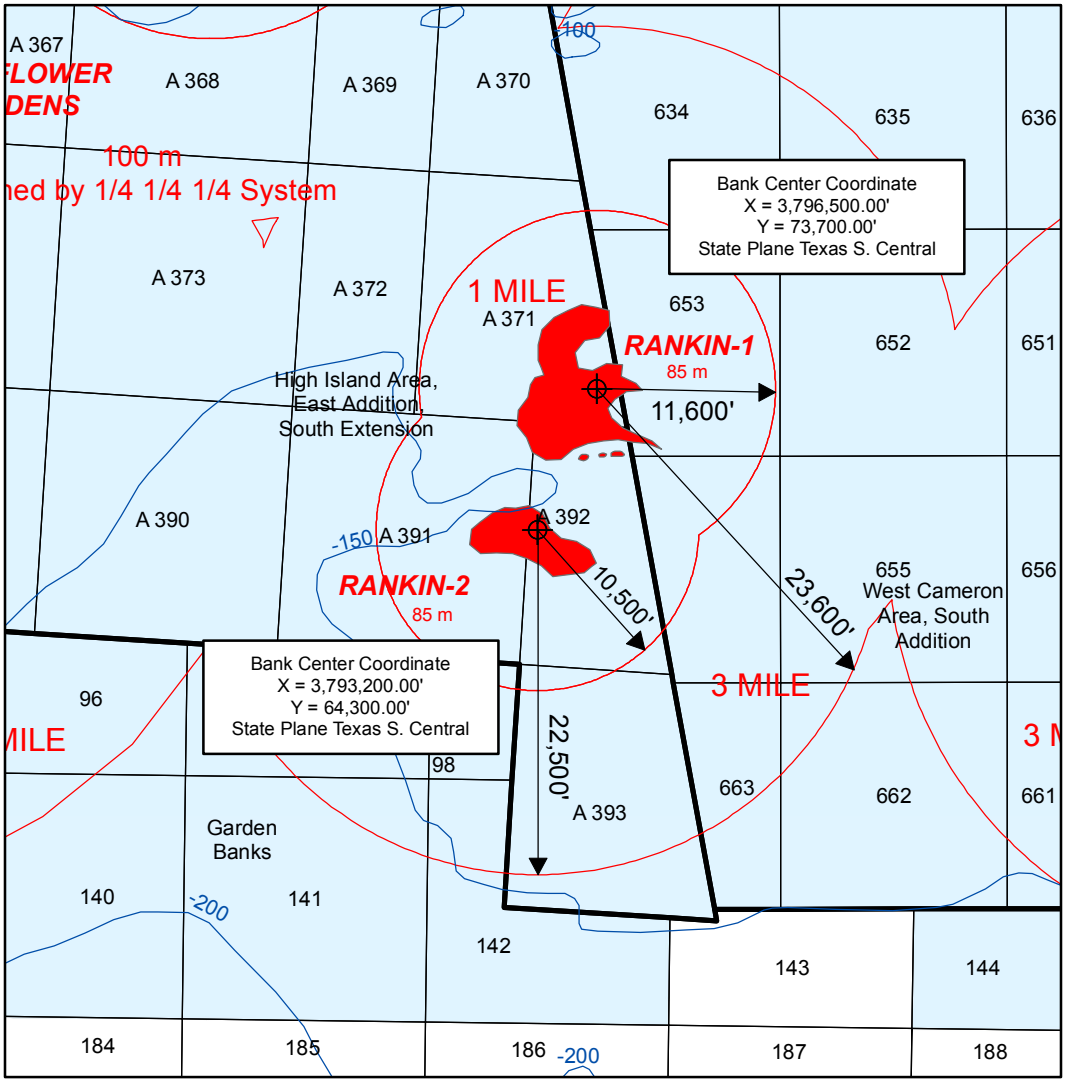
Topographic Features



RANKIN-1

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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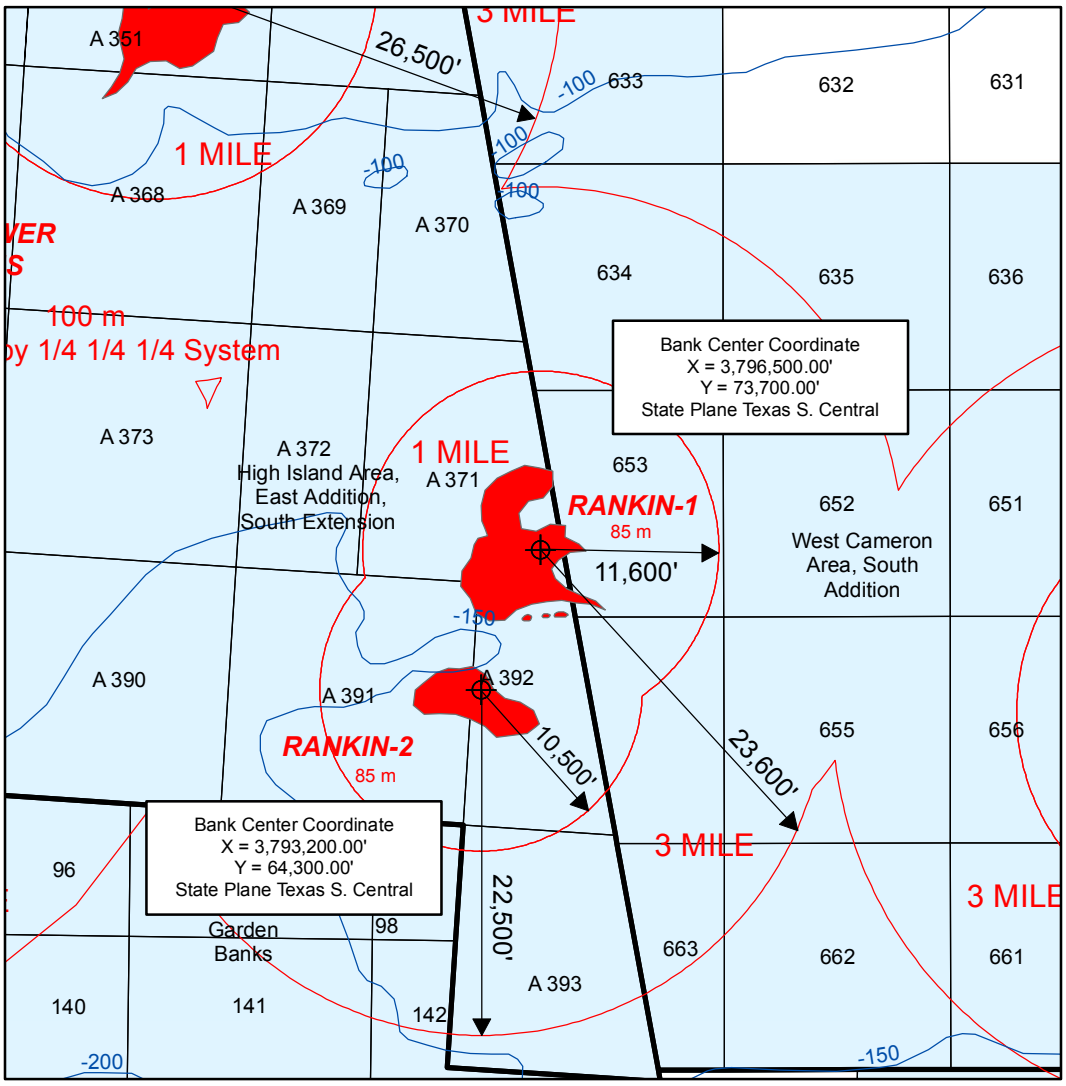
Topographic Features



RANKIN-2

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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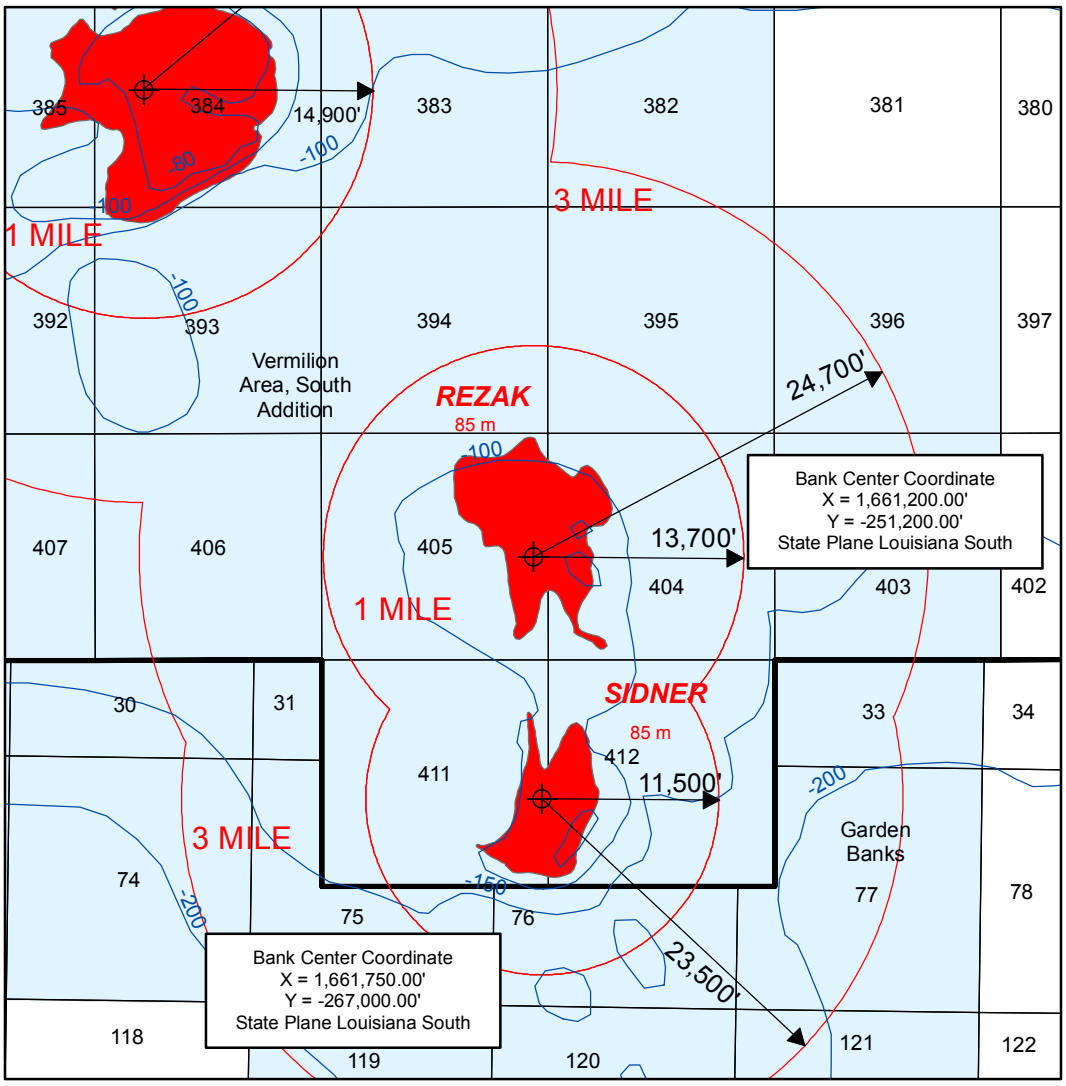
Topographic Features



REZAK

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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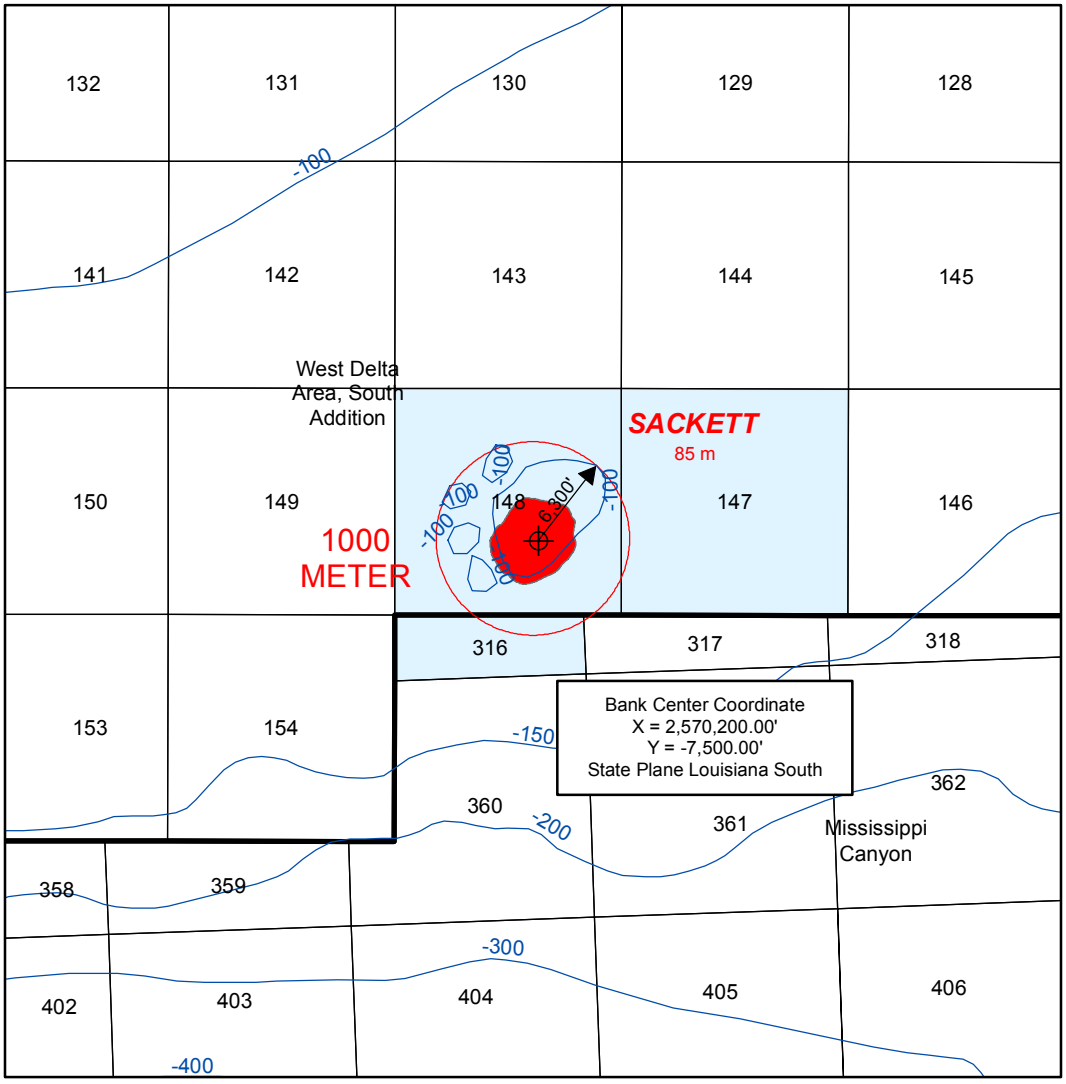
Topographic Features



SACKETT

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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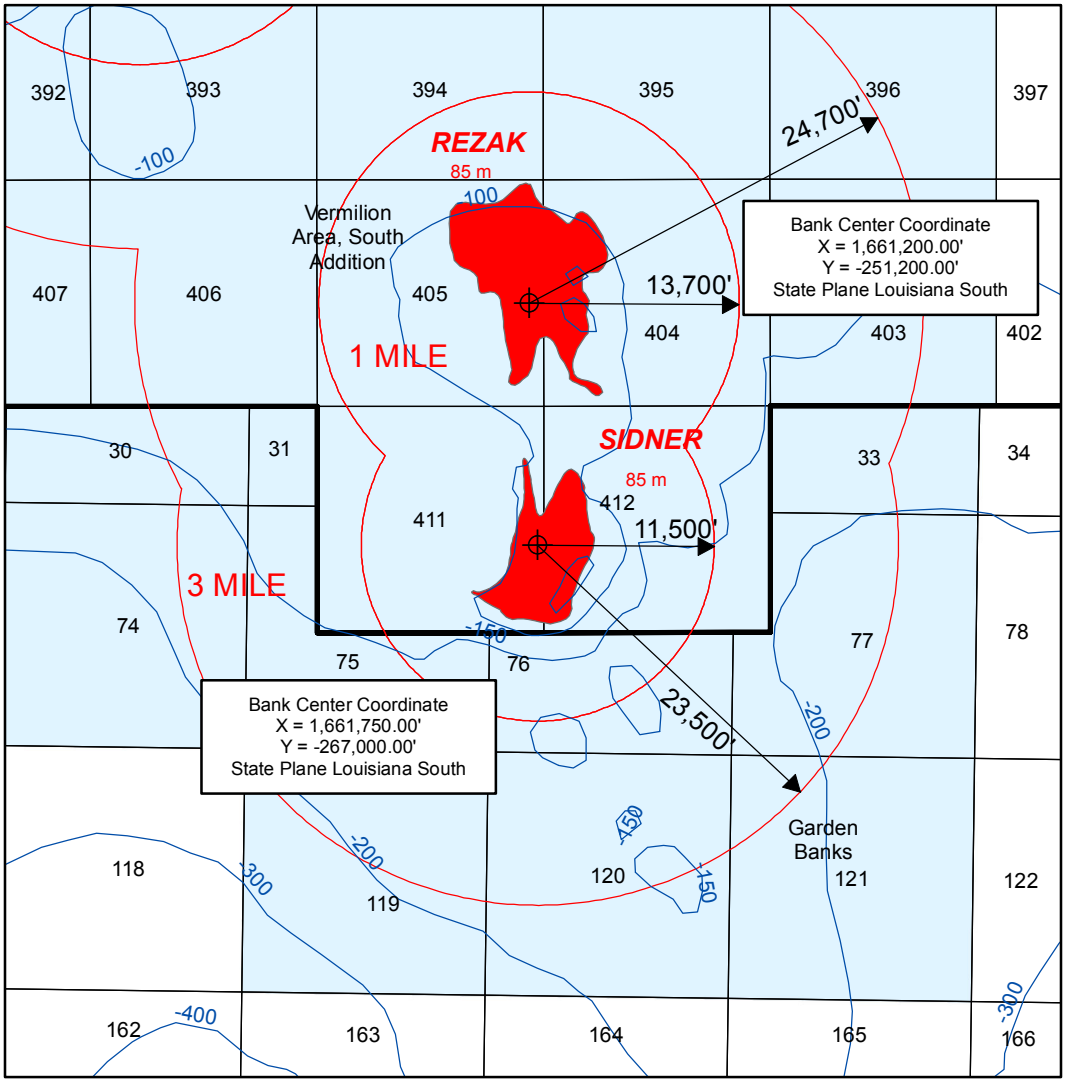
Topographic Features



SIDNER

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

BOEM
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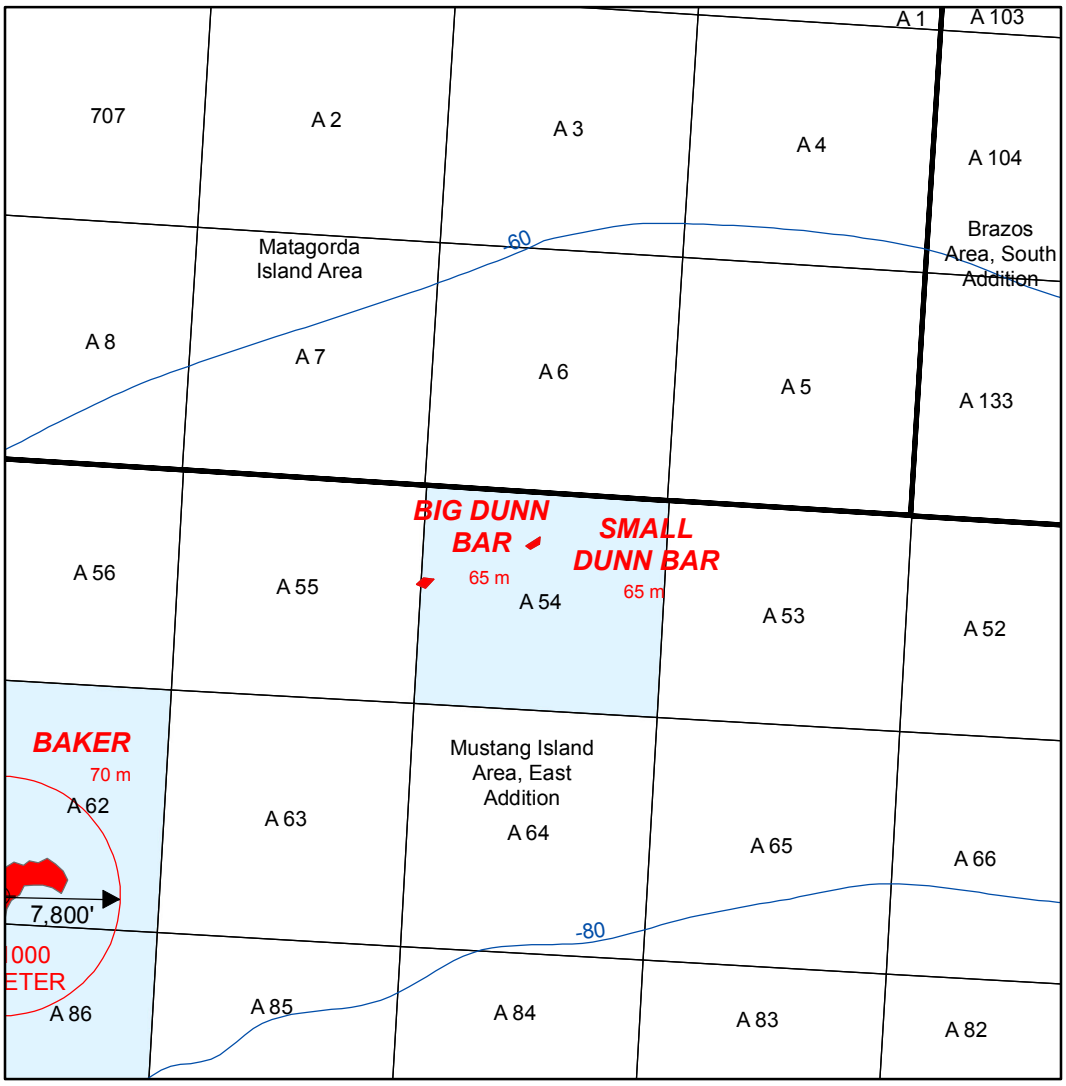
Topographic Features



SMALL DUNN BAR

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

BOEM
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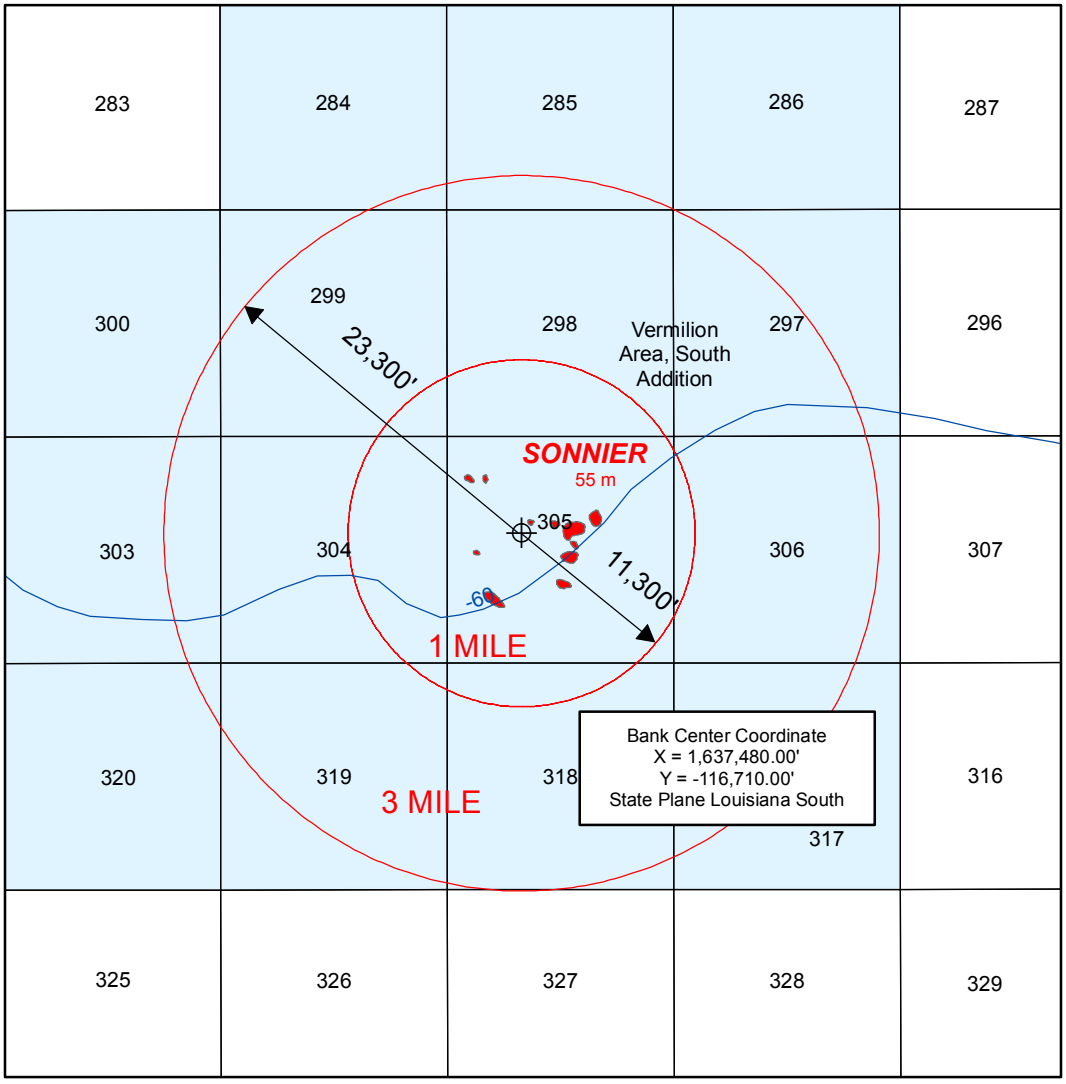
Topographic Features



SONNIER

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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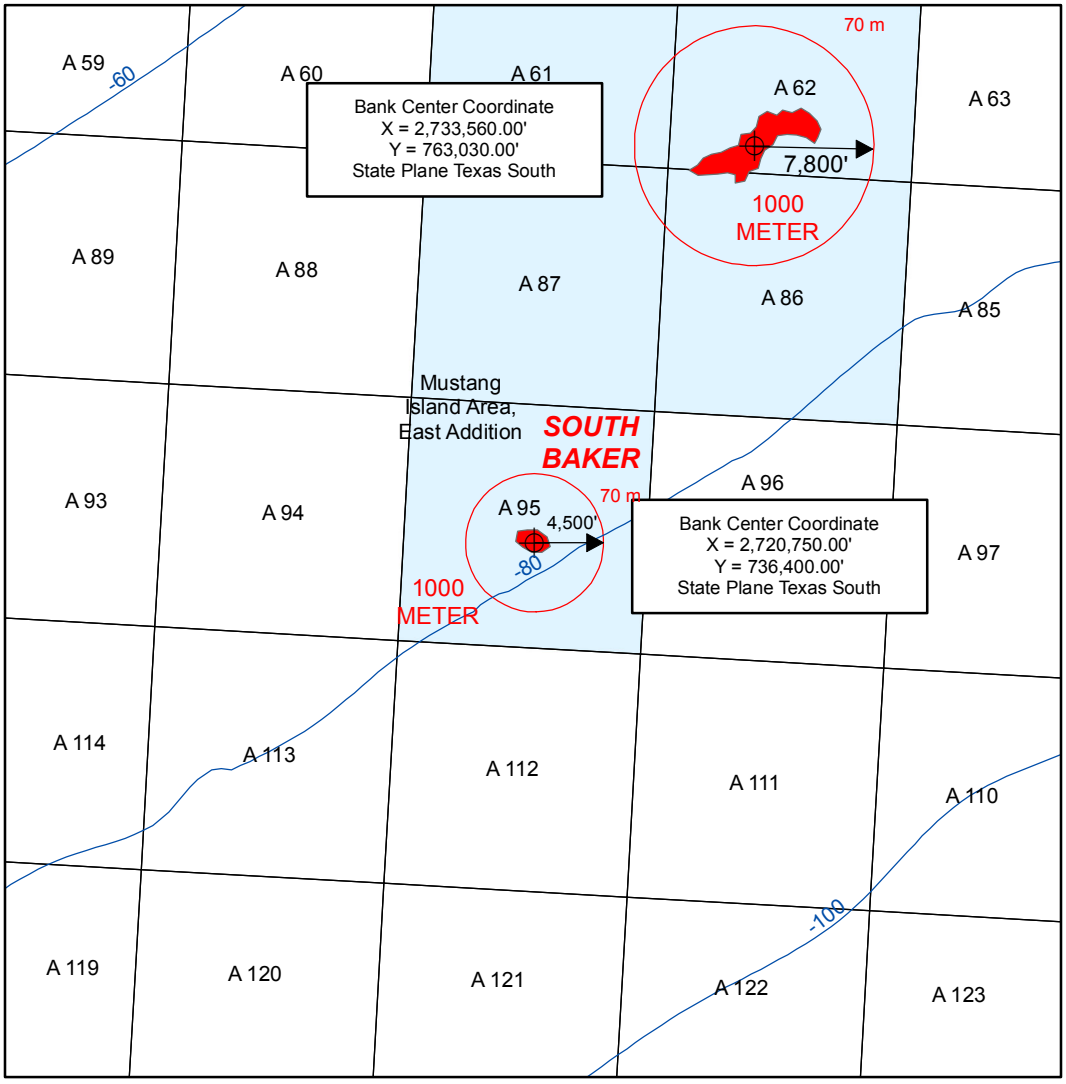
Topographic Features



SOUTH BAKER

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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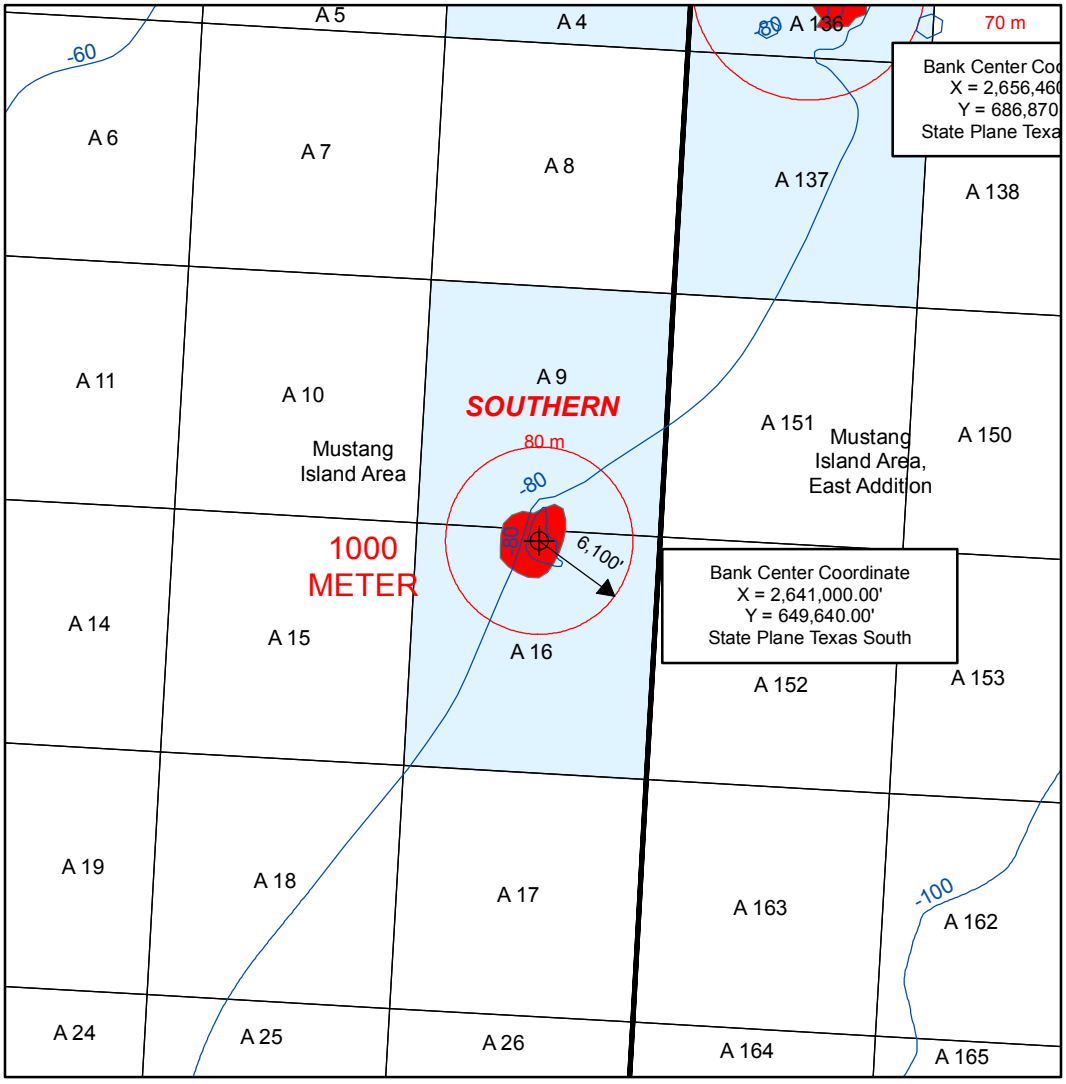
Gulf of Mexico OCS Region

Topographic Features



SOUTHERN

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

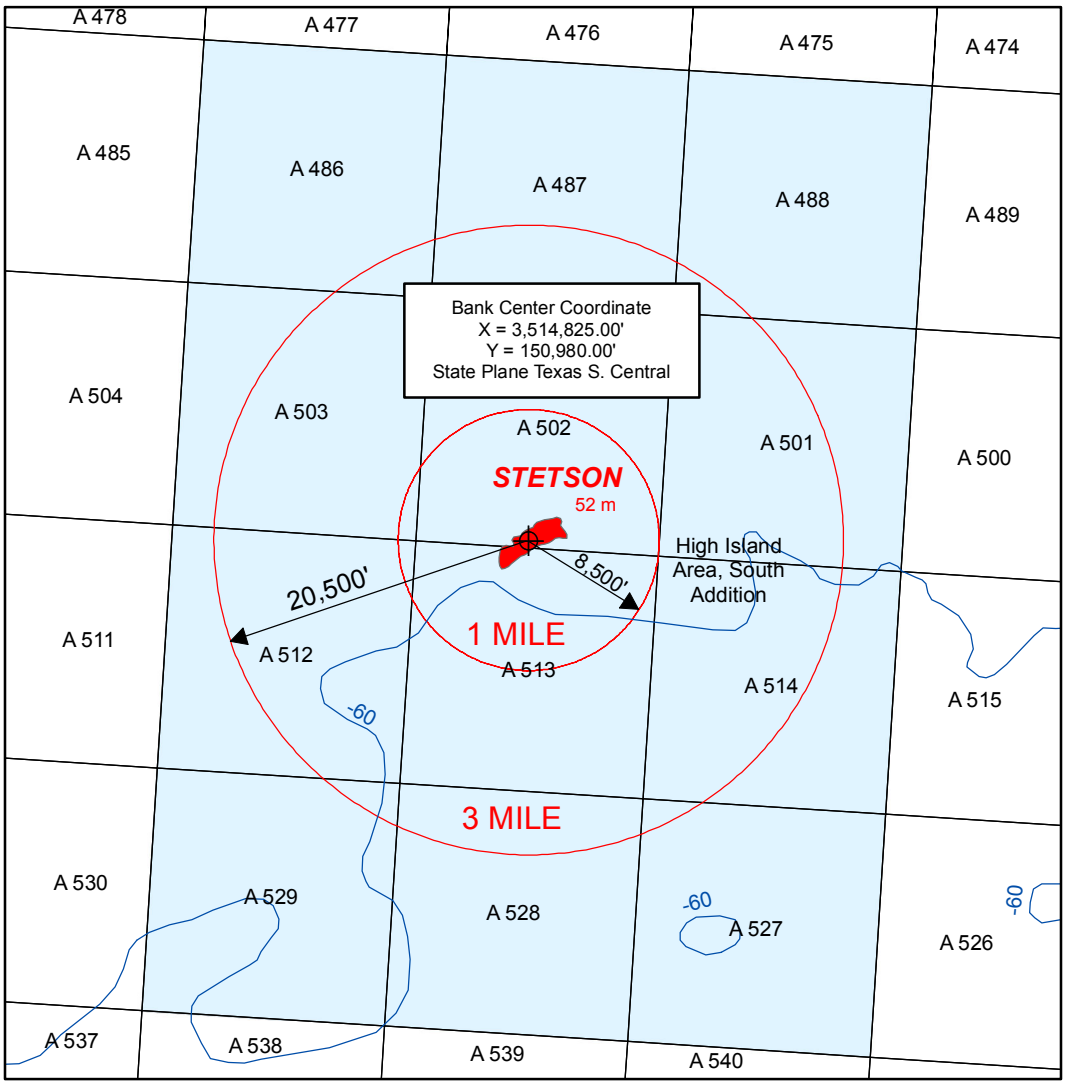
0 5,000 10,000 15,000 20,000 Feet

BOEM
Bureau of Ocean Energy Management

Note: This map is not an Official Record for offshore boundaries and not intended for navigational purposes.
All coordinates for the Gulf of Mexico Region leases and cadastre data are done on the North American Datum of 1927 (NAD 27).
Only the coordinates shown on Official Protraction Diagrams (OPDs) constitute an Official Record for offshore coordinate values.
Refer to: http://www.boem.gov/Oil-and-Gas-Energy-Program/Mapping-and-Data/Maps-And-Spatial-Data.aspx

United States Department of the Interior
Bureau of Ocean Energy Management
Gulf of Mexico OCS Region

Topographic Features



STETSON

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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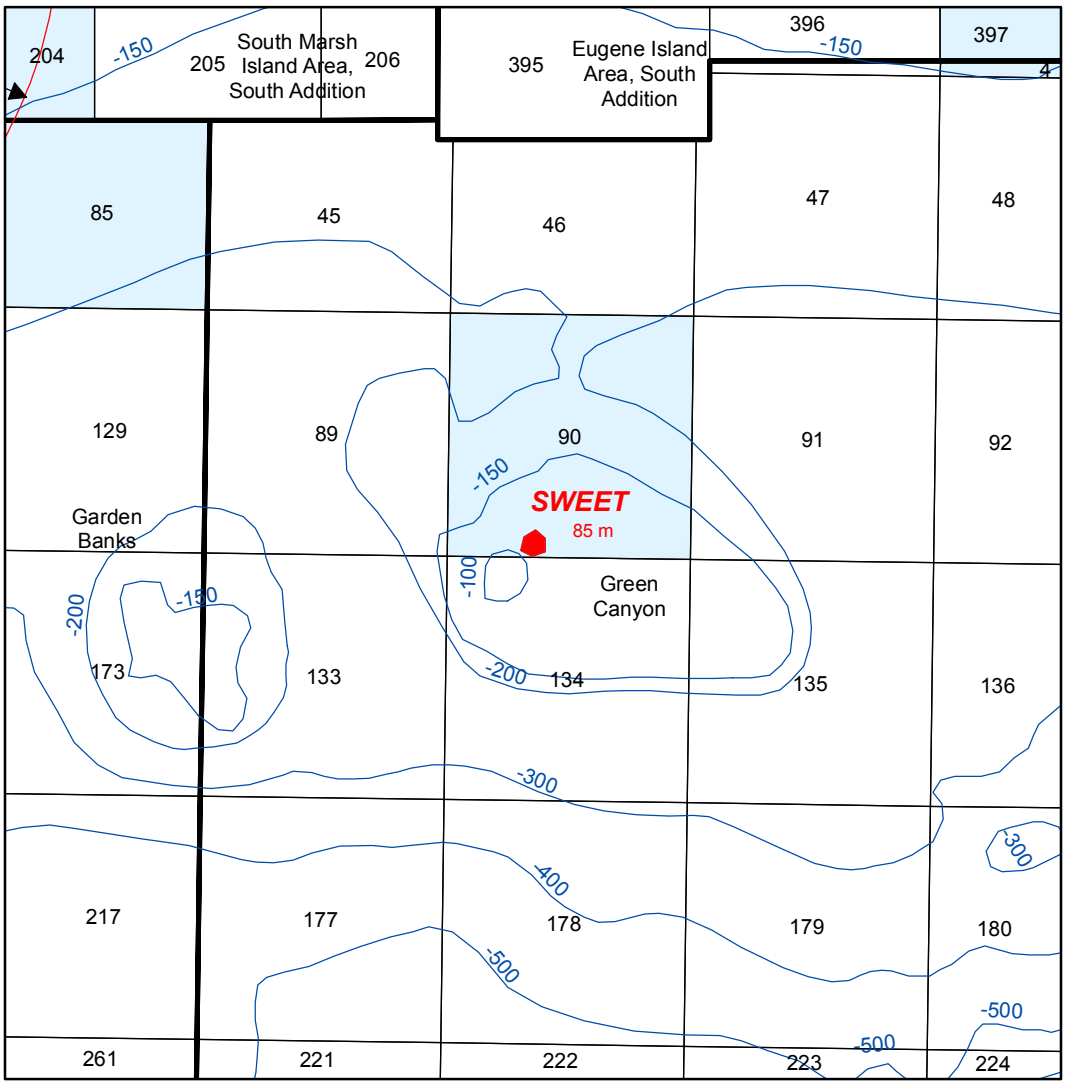
United States Department of the Interior
Bureau of Ocean Energy Management
Gulf of Mexico OCS Region

Topographic Features



SWEET

No Activity Zone
Topographic Stipulation Blocks
Stipulation Zone
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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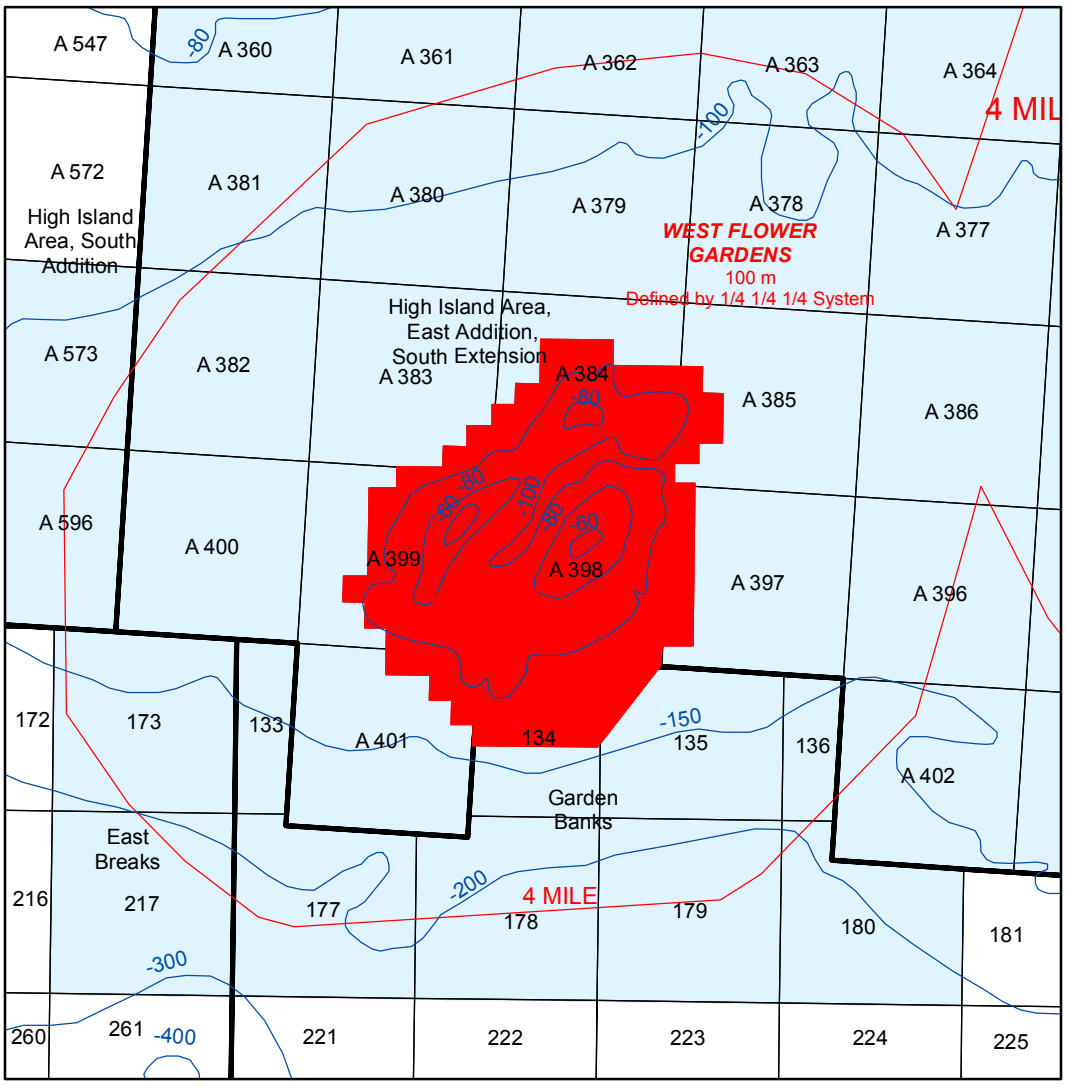
United States Department of the Interior
Bureau of Ocean Energy Management
Gulf of Mexico OCS Region

Topographic Features



WEST FLOWER GARDENS

No Activity Zone
Stipulation Zone
Topographic Stipulation Blocks
Water Depth (Meters)

NAD 27

0 5,000 10,000 15,000 20,000 Feet

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