United States Department of the Interior

NATIONAL PARK SERVICE
Padre Island National Seashore
P. O. Box 181300
Corpus Christi, Texas 78480-1300

IN REPLY REFER TO:
L3025

March 29, 2007

Dear Non-federal Oil and Gas Operators,

Please find enclosed an updated version of the Operator's Handbook for Non-Federal Oil and Gas Development in Units of the National Park System. The National Park Service (NPS) Geologic Resources Division (GRD) has developed this handbook to help existing and prospective non-federal oil and gas operators in units of the National Park System:

- Understand the NPS nonfederal oil and gas regulations at 36 CFR Part 9, Subpart B (36 CFR 9B),
- Prepare a plan of operations, or where applicable, a 36 CFR §9.32(e) application, and
- Conduct nonfederal oil and gas operations in units of the National Park System in a manner that protects park resources and values.

Operators should first familiarize themselves with the NPS regulations by reading the overview in Chapter 1, the NPS oil and gas regulations in Appendix A, and the plan of operations permitting process in Chapter 2. Operators can then focus on the following chapters pertaining to the particular types of activities that are planned such as Geophysical Exploration Operations in Chapter 3, Drilling and Production Operations in Chapter 4, Directional Drilling Operations in Chapter 5, and Existing Oil and Gas Production Operations in Chapter 6. Information on Well Plugging and Surface Reclamation, Transpark Pipelines, and 9B Flowlines and Gathering Lines can be found in Chapters 7, 8, and 9, respectively. Chapters 10, 11, and 12 cover performance bonds, spill control and emergency preparedness plans, and operator liability.

The NPS would like to remind operators of several necessary steps that need to be followed to make permitting, compliance, and day-to-day operations run smoothly. The park will require strict adherence to these steps that have been the cause of confusion and/or misunderstandings over the past few years.

1) **Notification:** An operator must notify the NPS at least 5 days prior to beginning an oil and gas operation on NPS lands. Operations include all onsite activities such as, mobilization, site construction, drilling operations, well workovers, well plugging, maintenance, etc. This notification will help to ensure that park staff is available to inspect and monitor compliance with the approved plan of operations. This will also

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allow park staff time to determine if the proposed activity is covered in an existing plan and whether or not any further compliance is necessary. Failure to follow this minimum 5 day notification process could delay an operator's planned activity. In the event of an emergency situation where there is imminent danger to people or park resources the 5 day notification requirement may be waived. All activities associated with an emergency situation will still require strict adherence to NPS policies and regulations to protect park resources and immediate notification of park staff.

2) **Workovers:** A well workover is defined as work performed on an existing well to improve, maintain, or restore a well's production. A workover is done using a truck-mounted rig and typically lasts one to several weeks. Activities proposing a full scale drill rig will not be considered as a workover.

3) **Compliance timeline:** Currently the timeline to have a plan of operations approved by the NPS is about 3-4 months from the time the park is notified by an operator of their intention to conduct activities within the park, to the completion of all required environmental compliance. Due to an increase in the number of drilling plans being received, additional consultation with other Federal agencies, and White House review, this timeline could take as long as 6 months.

4) **Mowing:** Operators are required to control vegetation around their operations (pads, roads, and other facilities) by cutting or mowing to improve appearance and reduce fire hazard. The fire season at Padre Island National Seashore is typically identified as February 1st through August 31st, with July and August being the most active. However, grass is a flashy fuel and can carry an intense fire at any time of the year. The park requires operators to control vegetation around their operations on a monthly basis during the active fire season (February 1st through August 31st) to provide an adequate fire break. Outside of the fire season, September through January, mowing can be conducted on a bi-monthly basis. The mowing schedule and equipment to be used shall be communicated to park personnel to prevent potential damage to park resources such as rutting of the ground from tires or introduction of exotic vegetation. Mowing may be timed to occur during times when vegetation contains seed heads so that it can be baled and utilized in future rehabilitation activities at that specific operation. Use of NPS approved herbicides can only occur where no other alternative method of control, including mechanical or physical methods exists. The use of ANY herbicide to control vegetation MUST be cleared through park staff and usage data MUST be reported to park staff for NPS reporting system requirements when spraying operations are completed. All herbicides must be applied by a state certified and licensed applicator and must be applied according to label directions.

5) **Heavy Equipment:** Heavy equipment (defined as any vehicle larger than a 1-ton configuration or any multi-axle vehicle) needs to be escorted year-round. Any vehicle that is one ton, or less, does not need to be escorted down the beach regardless of the bed configuration (i.e. flat-bed, pick-up style bed, or welding bed), unless these vehicles are towing anything. Equipment such as graders and front end loaders will not be allowed to drive down Park Road 22 regardless of whether or not they are escorted and must be transported on trailers to where they will be used. Case-by-case exceptions were made in the past where these vehicles could be driven down the park road, but these exceptions were taken to be an approval for all such future vehicles to be allowed this exception without notifying the NPS. Therefore, for future reference, any piece of heavy equipment will need to be trailered into the park.

6) **Escorts:** From April 1 through August 31, ALL escorts MUST have NPS-certified turtle training and two escorts, 1 in front and 1 in back, is required. No specialized NPS-certified turtle, or other training is required of escorts from September 1 through March 31, and one escort should be sufficient unless an operator chooses to use more than one.

7) **Wet Line:** All escorts and vehicles in the caravan are required to drive above, or on the dune side of, the wet line on the Gulf beach. The wet line is defined as the furthest extent of the high tide and can be identified by a line of marine debris or sargassum washed up on the beach. NPS approval must be obtained prior to driving below the wet line. This is required year-round.

8) **Holidays:** Heavy equipment will not be operated on Holiday weekends which include Memorial Day, Independence Day, and Labor Day.

Padre Island National Seashore would like to thank all non-federal oil and gas operators for their efforts to reduce impacts to park resources and visitors while working within the Park. If we can be of further assistance, please feel free to contact Mr. Darrell Echols of my staff at 361-949-8173, extension 223, or Mr. Mark Biel at extension 234.

Sincerely,

Betty W. Frantum
Acting Superintendent

Enclosure

cc: Linda Dansby, NPS, IMSF-RMO
Carol McCoy, NPS, WASO-GRD