Commander's note

I would like to take this opportunity to address a recent criticism about the Corps. As many of you have undoubtedly read or heard, some media and local officials have stated that we have not been working in an expeditious manner befitting the nature of the emergency the Gulf Coast is now facing. These allegations are simply false.

The New Orleans District's role in the Deepwater Horizon oil spill response is under our regulatory authority. We understand how this role can impact emergency response efforts. Since the very first emergency permit request arrived, my team has been operating under our emergency permitting procedures, putting in countless hours, taking time from family and friends, to ensure a swift yet thorough review of each permit request. Despite what others report, we are working both weekends and holidays (actually, since 2005, this is common place for Team New Orleans).

My team does not need me to defend their dedication and efforts in helping in the response efforts. Their production speaks for itself. Under the standard Department of the Army permitting procedures, the permit process generally takes between 90 and 120 days for a decision. Since the first permit request arrived on May 5, 2010, our Regulatory Branch has received 40 emergency permit requests, of which the Corps has issued 32 permits and denied two, while five were withdrawn by the applicants. Furthermore, 15 permits were issued the same day and nine were issued the following day.

However, it must be clear that the greater complexity of the request or its potential for adverse impacts, the longer the review process will take. Under our regulatory authority, the Corps must consider all of the available information and the insight of experts before making a decision to issue or deny a request. When the need arises, we have and will continue to ask for additional information. To act otherwise would be irresponsible on our part.

The Deepwater Horizon oil spill is an unprecedented disaster with impacts that will be felt for years. Many of the emergency requests reflect the type of innovation and ingenuity necessary to prevent or reduce these impacts. Yet, we must determine and avoid any approaches that have the potential of producing greater short and long-term damage than the oil they are designed to stop. To do so, the Corps will continue to ensure that these good ideas are supported with good science and good engineering.

Building Strong,
Col. Al Lee

Emergency permits issued for more than 470,000 feet of oil protection

On May 5, 2010, the United States Army Corps of Engineers New Orleans District received an emergency permit request from the Louisiana National Guard for the construction of a pier in the Mississippi River Gulf Outlet to allow the unloading of oil boom. This was the first emergency permit request received for response to the Deepwater Horizon oil discharge. Since that time, the District has received 40 emergency permit requests.

Of these emergency requests, the District has issued 32 permits, denied two requests and one is currently pending. Five have since been withdrawn by the applicant. 15 of these permits were issued on the same day the request was received, nine were issued the following day, four in two days, one in three days, one in four days, one in five days and one in 15 days (the state of Louisiana's sand berm concept).

The needs and innovation can be reflected in the types of emergency permits requested, from the initial pier construction to the place of an X-tex fabric fence near the Wilkinson Canal in Plaquemines Parish.

In total, the New Orleans District issued emergency permits covering:

- 309,900 feet of oil boom
- 208,560 feet of sand berm
- 73,979 feet of Tiger Dams
- 59,400 feet of HESCO baskets
- 14,450 feet of barges
- 5,333 feet of inflatable coffer dams
- 2,846 feet of sand bags
- 2,160 feet of rock closures
- 1,703 feet of sheet pile buckhead
- 1,250 feet of earthen plugs

If all of the permitted projects (not including the sand berm) are constructed, approximately 471,021 linear feet of potential oil protection would be in place.

The Corps of Engineers will continue to operate under its emergency regulatory operations as long as needed. Additionally, it is standing by and ready to respond if its current role in the emergency response needs to be expanded.

Photograph courtesy of USCG Petty Officer 3rd Class Kelly Parker

Photograph courtesy of USCG Petty Officer 3rd Class Ann Marie Gordon

Emergency rock dike decision rendered

After carefully reviewing all of the applicant's supporting documentation and comments provided by federal and state resource agencies as well as the scientific community, the New Orleans District denied Jefferson Parish emergency authorization to construct rock dike structures in two passes of the Barataria Basin.

For every permit request, the Corps must decide whether the intended project's benefits outweigh its potential adverse impacts. For this permit, the Corps considered all of the technical information provided by the parish, as well as the many concerns expressed by federal and state resource agencies and the scientific community.

The most prevalent of the agency concerns was that the dikes would increase the water velocities in the area, likely resulting in scour and breaching of the barrier island chain; that the structures would disrupt the littoral process and result in increased erosion; and that restricting tidal passes may force water to seek new outlets for drainage, most likely through the lower elevation portions of the existing islands. In addition to these concerns, the Corps was concerned about increased exposure to the numerous pipelines located in the passes in which accidental damage would present a threat to critical energy infrastructure and for further environmental contamination.

The Jefferson Parish Department of Environmental Affairs originally submitted a request for emergency authorization to construct five rock dikes on June 7, 2010. Following the receipt of the request, the Corps conducted three meetings with parish, the parish's contractor and federal and state resource agencies on June 10, June 18, and June 23. During these meetings the parish's modeling and agency concerns were discussed, resulting in the parish reducing the scope of the project to two of the original five passes, Pass Abel and Four Bayou Pass.

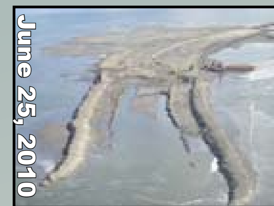
The Corps' final decision was the result of the Corps' internal technical review and a thorough examination of the parish's technical data, all agency and nongovernmental organizations' comments and the parish's responses to additionally requested information. Ultimately, the project's potentially numerous short and long-term adverse environmental impacts to the basin required denial of the requested permit.

Work on E-4 of the sand berm reaches 1,100 feet

On June 3, 2010, the U.S. Army Corps of Engineers issued a permit allowing construction to begin on six specified reaches of the state of Louisiana's sand berm concept. These reaches, E3 and E4 near the Chandeleur Islands and W8-W11 to the west of Mississippi River, total 208,560 feet of sand berm and are designed to serve as a barrier against encroaching oil.

As part of the permit's special conditions, the Corps and interested resource agencies are closely monitoring the progress of these sand berms' construction. As of July 7, 2010, construction of the 18-mile long reach E4 has created approximately 1,100 feet or 0.2 miles of berm.

Under the NOD-20 emergency permit, any applicant of an issued permit must submit within 30 days of approval either a restoration plan to restore the impacted site or a full Department of the Army permit application to continue construction or maintain existing structures. The state's application was received on July 1, 2010 and is currently under review.


June 25, 2010


July 2, 2010


July 4, 2010


July 6, 2010


July 6, 2010


July 7, 2010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