



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF

Operations Division
Western Evaluation Section

July 7, 2010

SUBJECT: (General Permit) NOD-20
BASE FILE: MVN-2010-1588-WJJ

Terrebonne Levee and Conservation District
Attn: Reggie Dupre
220-A Clendenning Road
Houma, Louisiana 70363

South Lafourche Levee District
Attn: Windell A. Curole
17904 Hwy 3235
Galliano, Louisiana 70354

Dear Sirs:

Receipt is acknowledged of your enclosed requests dated July 6, 2010 for an emergency authorization to close numerous breaks in the spoil bank along the Twin Pipelines to protect wetlands with the construction/placement of a geotextile fabric barrier (while the threat of oil intrusion exists resulting from Deepwater Horizon Oil Spill). **Access will be via airboat; no dredging is required or permitted for this action.** Locations of the breaks are in Terrebonne and Lafourche Parishes, as such: Phase I- Montegut to Isle Jean Charles; Phase II- Isle Jean Charles to Bayou Point Aux Chenes; Phase III- Bayou Point Aux Chenes to Catfish Lake; and Phase IV- Catfish Lake to Golden Meadow.

We have reviewed your request and find that the work qualifies under (General Permit) **NOD-20 for emergency operations**, as long as all conditions of this permit are met. **This office may reevaluate its decision on this permit at any time the circumstances warrant.** This authorization does not obviate you from acquiring a Louisiana Coastal Use Permit or any other federal, state, or local approvals that may be required by law.

The following conditions are hereby made a part of this emergency authorization:

1. The authorized activities shall be done in accordance with your request and performed in a manner that will avoid adverse impacts to the environment and aquatic resources, to the maximum extent possible.

2. The Chitimacha Tribe of Louisiana has stated that the project area is part of the aboriginal Chitimacha homelands. If during the course of work at the site, prehistoric and/or historic aboriginal cultural materials are discovered, the applicant will contact the Chitimacha Tribe of Louisiana at P.O. Box 661, Charenton, LA 70523, and the Army Corps of Engineers, New Orleans District (CEMVN) Regulatory Branch. CEMVN, Regulatory Branch will initiate the required Federal, State, and Tribal coordination to determine the significance of the cultural materials and the need, if applicable, for additional cultural resource investigations.
3. The permittee shall assure that any contractors, foremen, and/or workers associated with construction of the project are equally aware of the conditions and restrictions associated with this approval.
4. If archaeological materials and/or human remains are discovered during ground disturbing activities, you shall cease/desist all activities in the project area and contact this office.
5. Since this proposed activity occurs within an area impacted by the Deepwater Horizon Oil Spill, the permittee is required to contact the U.S. Coast Guard at (504) 846-5923 prior to commencement of work for the purpose of obtaining clearance to conduct any construction activities within affected areas as authorized by this permit action.
6. 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 duenotice 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.
7. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.
8. You must install and maintain, at your expense, any safety lights, signs and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, on your authorized project (posts and associated structures must be identified by appropriate signage and lighting, per U.S. Coast Guard specifications, as necessary).
9. Posts and associated vertical geotextile fabric fencing are considered temporary structures and shall be removed in their entirety within 30 days upon conclusion of spill clean-up efforts. Any areas affected by the permitted action, or during its implementation, must be restored to pre-construction conditions.
10. Posts and associated vertical geotextile fabric fencing shall be aligned and constructed in a manner which avoids and minimizes impacts to any existing marshes or submerged aquatic vegetation in the vicinity of the project area.

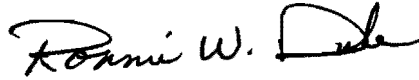
11. Structures shall be maintained in good, working condition throughout the duration of their deployment. Should repairs need to be made (e.g., retrieval and disposal of posts or geotextile material), they shall be conducted in a manner that minimizes damage to aquatic resources. Cleaning of the geotextile fabric fencing and/or associated structures shall not take place in environmentally sensitive areas.
12. Potential impacts of the structures on fish and wildlife passage should be coordinated with the U.S. Fish and Wildlife Service and National Marine Fisheries Service. Wildlife or other marine organism strandings are to be reported immediately to the appropriate State and Federal resource agencies.
13. Permittee shall have a third party biologist on site to document the presence, or lack thereof, of colonial nesting birds and whether the work results in nest abandonment. On-going coordination shall be maintained with responsible resource agencies and this office, in association with any findings.
14. As oil is collected by the geotextile fabric, appropriate equipment and technology (e.g., skimmer boats) shall be used to quickly remove this oil at a frequency necessary to prevent potential pooling of oil in aquatic resources or migration of oil due to storm events.
15. Within 30 days of the removal of the permitted posts and associated vertical geotextile fabric fencing, the permittee shall submit a report to the Corps documenting any deviation from the permitted fencing deployment plan. In addition, the report shall document for each fabric fencing location the total number of linear feet of deployed fabric fencing that were fouled with oil residue. The report shall also provide a narrative documenting both how and where any oiled material was disposed. Finally, the report shall provide a qualitative assessment concerning the effectiveness of the permitted geotextile fabric fencing in protecting targeted areas.
16. Access by airboat shall be limited to within the project site's twin pipeline canal. If airboat access requires passage over emergent wetlands, the same track shall not be traversed more than ten (10) times (in order to protect those emergent wetlands).

This approval is subject to the terms and conditions of (General Permit) NOD-20, dated September 13, 2007, a copy of which is enclosed. **Please note that a formal permit application and drawings must be submitted within the time limits stated in the attached general permit.**

Your project is located within the Louisiana Coastal Zone, as such your formal permit application submittal must be sent through the Louisiana Department of Natural Resources. Should you require information on submitting your application through their office, please contact Mr. Karl Morgan at [REDACTED].

If you have any questions, please feel free to contact Bobby Quebedeaux with this office at (504) 862-2224 or at bobby.d.quebedeaux@usace.army.mil.

Sincerely,



Pete J. Serio
Chief, Regulatory Branch
Operations Division

Enclosure



TERREBONNE LEVEE & CONSERVATION DISTRICT



July 6, 2010

Mr. Bobby Quebedeaux
Senior Environmental Resource Specialist
U.S. Army Corps of Engineers
New Orleans District
7400 Leake Ave.
New Orleans, LA 70118

Subject: EUA 10-063 Twin Pipelines South Bank Protection

Dear Mr. Quebedeaux,

The Terrebonne Levee & Conservation District (TLCD) respectfully requests an emergency permit be authorized to close numerous breaks in the spoil bank along the Twin Pipelines to protect wetlands in Terrebonne and Lafourche Parishes. The purpose is to construct a barrier against oil while the threat of oil intrusion exists by installing geotextile fabric using airboats. Enclosed is the permit issued by the Department of Natural Resources (EUA-10-063) along with the final plats for this project.

Thank you for your consideration of this request. If you have any questions, or require further information, please do not hesitate to contact me at [REDACTED].

Sincerely,

TERREBONNE LEVEE & CONSERVATION DISTRICT

A handwritten signature in cursive script that reads "Reggie Dupre".

Reggie Dupre
Executive Director

Cc: TLCD Board of Commissioners
Mr. Michel Claudet, Parish President
Mr. Garret Graves, GOCA
Mr. Jerome Zeringue, OCPR
Mr. Mitch Marmande, T. Baker Smith
Mr. Windell Curole, SLLD



**SOUTH LAFOURCHE LEVEE DISTRICT
BOARD OF COMMISSIONERS**



P.O. Box 428 • Galliano, LA 70354
Telephone 985.632.7554 • Fax 985.632.7555
Visit us on the web: www.slld.net

Ronald Callals, *President*

Windell Curole, *General Manager*

July 6, 2010

Mr. Bobby Quebedeaux
Senior Environmental Resource Specialist
U.S. Army Corps of Engineers
New Orleans District
7400 Leake Ave.
New Orleans, LA 70118


Sub: EUA 10-063 Twin Pipelines South Bank Protection

Dear Mr. Quebedeaux:

The South Lafourche Levee District (SLLD) respectfully requests an emergency permit to be authorized to close numerous breaks in the spoil bank along the Twin Pipelines to protect wetlands in Terrebonne and Lafourche Parishes. The purpose is to construct a barrier against oil while the threat of oil intrusion exists by installing geotextile fabric using airboats. Enclosed is the permit issued by the Department of Natural Resources (EUA-10-063) along with the final plats for this project.

Thank you for your consideration of this request. If you have any questions, or receive further information, please do not hesitate to contact me at [REDACTED].

Sincerely,


Windell A. Curole
General Manager

Cc: SLLD Board of Commissioners
Mrs. Charlotte Randolph, Parish President
Mr. Garret Graves, GOCA
Mr. Jerome Zeringue, OCPR
Mr. Mitch Marmande, T. Baker Smith
Mr. Reggie Dupre, TLCD

Ronald Callals	President	Lula Auenson	Vice President
Roy Gisclair	Commissioner	Robert Eymard, Sr.	Commissioner
Bob Faulk	Commissioner	E.J. Gremillion	Commissioner
Clarence Marts, Jr.	Commissioner	Mitch Damos	Commissioner
Monty Vegas	Commissioner	Windell Curole	Executive Secretary

BOBBY JINDAL
GOVERNOR



ROBERT D. HARPER
SECRETARY

State of Louisiana
DEPARTMENT OF NATURAL RESOURCES
OFFICE OF COASTAL MANAGEMENT

June 29, 2010

CERTIFIED MAIL
NO. _____

Terrebonne Levee and Conservation District
20 A Cleandening Rd
Houma, LA 70363

South Lafourche Levee District
17904 Hwy 3235
Galliano, LA 70354

RE: EUA 10-063

**Terrebonne Levee and Conservation District
South Lafourche Levee District**

Description: Twin Pipeline South Bank Protection. Proposed closures to numerous breaks in the spoil bank to protect wetlands in both Terrebonne and Lafourche Parishes using geotextile fabric. The geotextile fabric will be secured to prevent oil from going through breaches. No dredge or fill is required. Access will be via airboat.

Location: Phase I – Montegut to Isle Jean Charles
(A) Lat. 29° 25' 18.48"N, Long. 90° 33' 10.17"W
(P) Lat. 29° 24' 23.78"N, Long. 90° 29' 36.84"W

Phase II – Isle Jean Charles to Bayou Point Aux Chenes
(A) Lat. 29° 24' 19.62"N, Long. 90° 29' 19.80"W
(X) Lat. 29° 23' 33.11"N, Long. 90° 23' 49.20"W

Phase III – Bayou Point Aux Chenes to Catfish Lake
(1) Lat. 29° 23' 27.72"N, Long. 90° 23' 05.95"W
(BB) Lat. 29° 21' 34.36"N, Long. 90° 18' 28.33"W

Phase IV – Catfish Lake to Golden Meadow
(A) Lat. 29° 21' 26.98"N, Long. 90° 18' 13.74"W
(V) Lat. 29° 19' 49.74"N, Long. 90° 14' 50.42"W

Terrebonne Parish/Lafourche Parish, LA

To Whom It May Concern:

Post Office Box 4487 • Baton Rouge, Louisiana 70804-4487
11 North Third Street • Baton Rouge • Suite 1078 • Baton Rouge, Louisiana 70801
225-389-2591 • Fax 225-382-7480 • <http://www.dnr.louisiana.gov>
Louisiana Department of Natural Resources

We have reviewed the information presented to the Office of Coastal Management (OCM) in your Emergency Use Authorization request dated June 21, 2010. Pursuant to the provisions contained in the LAC (Title 43, Part 1, Chapter 7 §723.B.3.), the Emergency Use Authorization request is hereby granted. This Emergency Use Authorization provides only for that work necessary to accomplish that work described above necessary to protect the marshlands from oil spill contamination and is contingent upon acceptance of the following conditions:

1. This Emergency Use Authorization is strictly limited to the activity as described in your request and accompanying plats.
2. Dredge and fill activities for site access are not authorized.
3. The applicant agrees, by virtue of the commencement of authorized activities, to submit to OCM, a complete application packet (\$100 application fee, Joint Application Form, vicinity plats, plan plats, cross section plats, etc.) for the activity not more than thirty (30) days from the date of this authorization. You may obtain a free application packet by calling our office at (225) 342-7591 or (800)-267-4019; or by visiting our website at <http://www.dnr.state.la.us/erm/coastmgt/cup/cup.asp>.
4. The applicant agrees, by virtue of the commencement of authorized activities, to avoid to the maximum extent practicable, vegetated wetland impacts, and if necessary to mitigate for those unavoidable adverse impacts to vegetated wetlands, including submerged aquatics, should OCM determine that mitigation is necessary. Should OCM deem mitigation to be necessary, the applicant agrees, by virtue of the commencement of authorized activities, to submit and fulfill a mitigation plan that has been approved by OCM.
5. The applicant agrees, by virtue of the commencement of authorized activities, to adjust, alter, or remove any structure or other evidence of the authorized emergency use if, in the sole opinion of OCM, it proves to be beyond the scope of the authorized activity or has been abandoned.
6. The applicant agrees, by virtue of the commencement of authorized activities, to hold and save the State of Louisiana, the Department of Natural Resources (DNR), and their officers and employees harmless from any damage to persons or property which might result from the emergency use.
7. The applicant agrees, by virtue of the commencement of authorized activities, to certify that the emergency use has been completed in an acceptable and satisfactory manner and in accordance with the plans and specifications approved

by OCM as referenced herein. OCM may, when it deems appropriate, require that such certification be given by a registered engineer.

8. The applicant agrees, by virtue of the commencement of authorized activities, to ensure that this Emergency Use Authorization, or a copy thereof, shall be available for inspection at the work site at all times during operations.
9. The applicant agrees, by virtue of the commencement of authorized activities, to notify OCM of the date on which initiation of the authorized emergency activity began. The applicant shall notify OCM by mailing the enclosed green initiation card on the date of initiation of the authorized activities.
10. The applicant agrees, by virtue of the commencement of authorized activities that should changes in the location or the section of the existing waterways, or in the generally prevailing conditions in the vicinity be required in the future, in the public interest, applicant shall remove the fencing and restore the site upon request of OCM.
11. Unless otherwise specified, this Emergency Use Authorization will expire 30 days from the date of this letter, if the work has not been initiated or if the applicant has not submitted a complete Coastal Use Permit Application to OCM for the authorized activity. This expiration condition will be waived only if the applicant notifies OCM of the reason(s) for the delay and proposes an acceptable schedule for initiation of the work, or submits a complete Coastal Use Permit Application.
12. The following conditions have been provided by the Louisiana Department of Wildlife and Fisheries:

Ecological Studies:

According to the Louisiana Department of Natural Resources (LDNR) OCM, the proposed spoil bank restoration constitutes an emergency; therefore, Ecological Studies will not object to LDNR's issuance of an emergency use authorization.

Ecological Studies requests that the applicant notify each oyster lease holder affected within 500 feet of the proposed activity prior to commencement of the proposed activity.

Louisiana Natural Heritage Program:

Our database indicates the presence of bird nesting colonies within one mile of this proposed project. **Please be aware that entry into or disturbance of active breeding colonies is prohibited by the Louisiana Department of Wildlife and**

Fisheries (LDWF). In addition, LDWF prohibits work within a certain radius of an active nesting colony.

Nesting colonies can move from year to year and no current information is available on the status of these colonies. If work for the proposed project will commence during the nesting season, conduct a field visit to the worksite to look for evidence of nesting colonies. This field visit should take place no more than two weeks before the project begins. If no nesting colonies are found within 400 meters (700 meters for brown pelicans) of the proposed project, no further consultation with LDWF will be necessary. If active nesting colonies are found within the previously stated distances of the proposed project, further consultation with LDWF will be required. In addition, colonies should be surveyed by a qualified biologist to document species present and the extent of colonies. Provide LDWF with a survey report which is to include the following information:

1. qualifications of survey personnel;
2. survey methodology including dates, site characteristics, and size of survey area;
3. species of birds present, activity, estimates of number of nests present, and general vegetation type including digital photographs representing the site; and
4. topographic maps and ArcView shapefiles projected in UTM NAD83 Zone 15 to illustrate the location and extent of the colony.

Please mail survey reports on CD to: Louisiana Natural Heritage Program
La. Dept. of Wildlife & Fisheries
P.O. Box 98000
Baton Rouge, LA 70898-9000


To minimize disturbance to colonial nesting birds, the following restrictions on activity should be observed:

- For colonies containing nesting wading birds (i.e., herons, egrets, night-herons, ibis, roseate spoonbills, anhingas, and/or cormorants), all project activity occurring within 300 meters of an active nesting colony should be restricted to the non-nesting period (i.e., September 1 through February 15).

- For colonies containing nesting gulls, terns, and/or black skimmers, all project activity occurring within 400 meters (700 meters for brown pelicans) of an active nesting colony should be restricted to the non-nesting period (i.e., September 16 through April 1).

EUA 10-063
Terrebonne Levee and Conservation District
South Lafourche Levee District
June 29, 2010
Page 6

Sincerely,



Karl Morgan,
Acting Administrator

AGREED TO AND ACCEPTED this _____ day of _____, 200_____

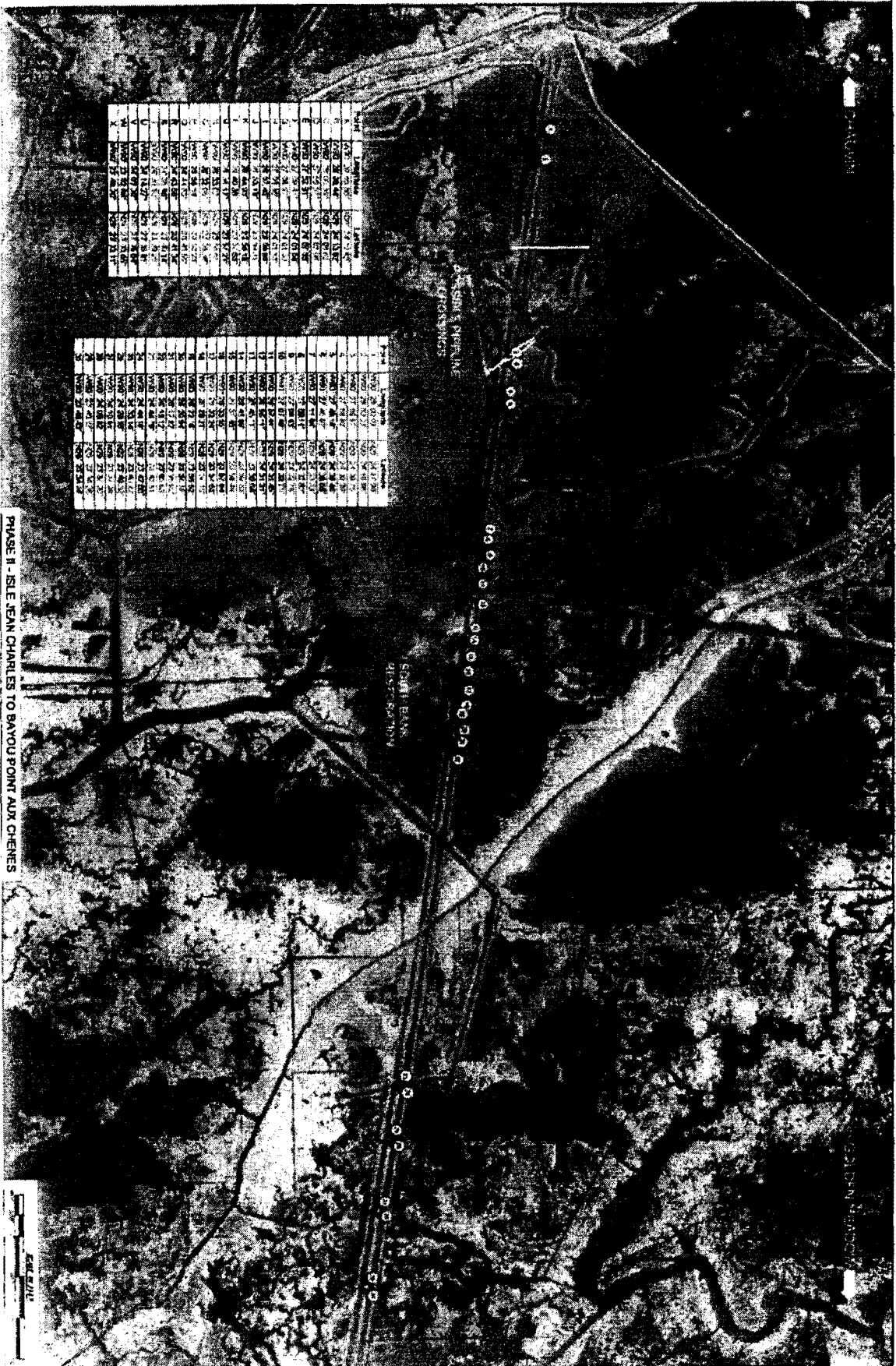
by _____
(applicant's signature)

KM/kl

Attachments (green card and plats)

CC: Pete Serio, COE w/plats
David Butler, LDWF w/plats
Peggy Rooney, OCM/SS w/plats
Rod Pierce, OCM/FI w/plats
Kirk Kilgen, OCM/FI w/plats
James Miller, Terrebonne Parish w/plats
Nicholas Matherne, Lafourche Parish w/plats

E.M.P. 10-0-02
 Final Plans
 03
 06-29-10



PHASE II - ISLE JEAN CHARLES TO BAYOU POINT AUX CHENES



EAIR 10-053
 Final 1945
 12-29-10



Point	Coordinates	Notes
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100-10-100
Fossiliferous
UT 86-29-0



EUH 10-063
P. 1
Final Profs
11-22-10





DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

Operations Division
Regulatory Branch

SEP 13 2007

SUBJECT: MVN-1997-4840-CX
(General Permit)NOD-20

SPECIAL PUBLIC NOTICE

ANNOUNCEMENT OF GENERAL PERMIT TIME EXTENSION
FOR EMERGENCY OPERATIONS
WITHIN THE NEW ORLEANS DISTRICT

On March 9, 2007, this district issued a public notice announcing consideration of a time extension to the general permit for emergency operations. All available information and comments were considered in determining that the overall public interest would be best served by issuing the time extension. A copy of the extended general permit for emergency operations is attached.

We have reserved the right to modify, suspend, or revoke this general permit any time we determine it is in the public's interest to do so. Interested parties are invited to submit written comments or suggestions for modifications or improvement of this general permit to the Regulatory Branch of this district at any time.

BY THE AUTHORITY OF THE SECRETARY OF THE ARMY:

A handwritten signature in cursive script that reads "Pete Serio".

Pete J. Serio
Chief, Regulatory Branch

Attachment



DEPARTMENT OF THE ARMY
NEW ORLEANS DISTRICT, CORPS OF ENGINEERS
P.O. BOX 60267
NEW ORLEANS, LOUISIANA 70160-0267

REPLY TO
ATTENTION OF:

Operations Division
Regulatory Branch

SEP 13 2007

SUBJECT: MVN-1997-4840-CX
(General Permit)NOD-20

GENERAL PERMIT

EMERGENCY OPERATIONS

WITHIN THE NEW ORLEANS DISTRICT

Authorization No.: (General Permit)NOD-20
Initial Effective Date: November 1, 1982
Expiration Date: October 31, 2012

Under authorization granted by Part 325.8(b) of Title 33, Code of Federal Regulations, the District Commander at New Orleans has granted this general permit for certain emergency operations as described. This permit authorizes work and structures under the following legislation:

- a. Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 USC 403).
- b. Section 404 of the Clean Water Act (33 USC 1344).

This permit does not authorize any work under Section 9 of the Rivers and Harbors Act of March 3, 1899 (33 USC 404) or Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 USC 1413).

This permit is applicable only within the boundaries of the New Orleans District of the U.S. Army Corps of Engineers.

Work authorized by this general permit is the minimum amount necessary to respond to such emergencies as oil or gas well blowouts, pipeline explosions or ruptures, explosions, fires, oil or hazardous materials spills, and shipwrecks or sinkings of vessels in navigation channels or similar situations which would result in an imminent safety and/or environmental hazard, loss of property, or immediate economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process an application.

Approval to perform work under this general permit does not replace normal permitting approval required under our regulations. Authorization under the general permit is a temporary approval to allow the applicant to perform work under emergency situations. After the emergency situation has been addressed, the applicant must either restore the site to as near pre-project conditions as practical, or must apply for a permit to maintain the work initially authorized under the general permit. Permit applications to maintain work initially authorized under this general permit would be processed in the normal manner to include a public notice, water quality certification from the Louisiana Department of Environmental Quality, and coastal use permit or other approval from the Louisiana Department of Natural Resources, Coastal Management Division, where applicable.

The activities authorized by this general permit include, but are not limited to:

- a. Emergency placement of a drilling rig in open waters to drill a shutoff well.
- b. Emergency dredging and disposal of dredged material for movement of equipment to evacuate personnel, fight fires, shutoff blow-out wells, install and service pollution control equipment, and repair ruptured pipelines.
- c. Emergency dredging and placement of fills to collect and confine oil or hazardous materials.
- d. Emergency dredging and deposition of dredged material to remove or re-float grounded, wrecked, burned out or sunken vessels blocking major navigation channels.
- e. Emergency placement of fills to provide access to a location for placement of drilling rigs to drill shutoff wells.

In addition to the applicable conditions of our standard permit form (copy enclosed), the following conditions apply to this general permit:

- a. Dredging and other activities will be the minimum necessary to meet the emergency.
- b. Restoration is required in accordance with the following:
 - (1) Restoration plans must be submitted to the Regulatory Branch of this district within 30 days of the date when the approval was granted by the New Orleans District for the emergency work under the general permit.
 - (2) The District Commander will consult with appropriate federal, state, and local agencies prior to approval of restoration plans.
 - (3) The restoration work must begin within 30 days of approval of plans or lesser time when so specified by the District Commander or his representative, unless a specific time extension is granted by the New Orleans District.
 - (4) Once begun, restoration work will be diligently prosecuted until completed.

(5) Disturbed wetland areas shall be restored to as near preproject conditions as practicable.

c. In appropriate cases when it may be in the public interest to allow maintenance of structures, fills, or dredged areas installed under this general permit authorization, permittees must apply for and receive a Department of the Army permit. If the permit application is denied, restoration will proceed in accordance with condition b., immediately above.

d. Applications to maintain facilities authorized by this general permit must be submitted within 30 days of the date when the approval was granted by the New Orleans District for the emergency work under the general permit, unless a specific time extension is granted by the New Orleans District. Permit applications will be processed using regular procedures, including a public notice where applicable.

e. Requests to maintain facilities authorized under this general permit must include a completed application form, letter-sized drawings illustrating the location and scope of the work, and be mailed to the Regulatory Branch at the letterhead address above. Applications for work in the Louisiana Coastal Zone must also be sent to the Louisiana Department of Natural Resources, Coastal Management Division.

f. This general permit may be modified, suspended, or revoked by the District Commander any time it is found to be in the public interest to do so.

g. Approval under this general permit does not relieve permittees from obtaining emergency permits or other approvals from any required state or local agency, or the consent of the landowner. For emergency work within the Louisiana Coastal Zone, applicant's must also contact Louisiana Department of Natural Resources, Coastal Management Division (CMD) at (225) 342-7591 for specific approval before performing the emergency work. CMD has a similar emergency general permit, CUP-GP-29.

h. Other conditions may be added in individual approvals for work under this general permit to address site specific conditions or situations.

Procedures to be followed in administering this general permit are as follows:

a. The initial contact may be made in person or by telephone to one of the following numbers.

(1) Regulatory Branch
(504) 862-2255

(2) Eastern Evaluation Section
(504) 862-2044

(3) Central evaluation Section
(504) 862-2276

(4) Western Evaluation Section
(504) 862-2261

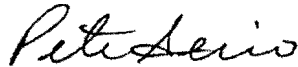
For work within the Louisiana Coastal Zone also contact the Louisiana Department of Natural Resources, Coastal Management Division at (225) 342-7591.

b. Authorization under this general permit may be granted upon initial contact provided the requester can present sufficient information on the location, nature, and extent of the work to establish that the emergency situation exists. Depending on the extent of the emergency, immediate verbal authorization may be granted to perform the work, however, in other cases a written request explaining the emergency, with sketches and maps, may be needed to establish that the project qualifies for approval under the provisions of the emergency general permit.

c. If authorization to proceed is granted at the initial contact, the permittee must supply written documentation of the work to be done within 1 working day of the approval being granted, including necessary maps, drawings, and sketches.

d. Permittees will supply all other information necessary to establish a complete file.

e. Written approval will be granted after all necessary information has been provided.



Pete J. Serio
Chief, Regulatory Branch

Enclosures

**U.S. Environmental Protection Agency
Comments on Corps of Engineers Emergency Authorization Request
Twin Pipelines Geotextile Fabric (EUA-10-063)**

July 2, 2010

The U.S. Environmental Protection Agency has reviewed the subject emergency authorization request. We do not object to issuance of a permit for this activity, which we view as a potentially less environmentally damaging alternative to the proposed rehabilitation of the twin pipeline canal spoil bank. To the extent feasibly and appropriate in the context of an emergency response, we would recommend the following conditions be included in a permit for the geotextile fabric.

- 1) Posts and associated vertical geotextile fabric fencing should be considered temporary structures and removed in their entirety upon conclusion of spill clean-up efforts, or after a period of no more than 12 months, whichever is less. Should posts or associated vertical sorbent fabric fencing continue to be needed to arrest incoming oil for more than 12 months, authorization may be extended provided the applicant re-initiates review and coordination by the Corps of Engineers and other appropriate Federal and State resource agencies. Any areas affected by the permitted action, or during its implementation, must be restored to pre-construction conditions.
- 2) Posts and associated vertical geotextile fabric fencing should be aligned and constructed in a manner which avoids and minimizes impacts to any existing marshes, oyster beds or submerged aquatic vegetation in the vicinity of the project area.
- 3) Potential impacts of the structures on fish and wildlife passage should be coordinated with the U.S. Fish and Wildlife Service and National Marine Fisheries Service. Wildlife or other marine organism strandings are to be reported immediately to the appropriate State and Federal resource agencies.
- 4) Structures should be maintained in good, working condition throughout the duration of their deployment. Should repairs need to be made (e.g., retrieval and disposal of posts or geotextile material), they should be conducted in a manner that minimizes damage to aquatic resources. Cleaning of the geotextile fabric fencing and/or associated structures should not take place in environmentally sensitive areas.
- 5) Posts and associated structures should be identified by appropriate signage and lighting, per U.S. Coast Guard specifications, as necessary.
- 6) As oil is collected by the geotextile fabric, appropriate equipment and technology, e.g., skimmer boats, should be used to quickly remove this oil at a frequency necessary to prevent potential pooling of oil in aquatic resources or

migration of oil due to storm events.

7) Within 30 days of the removal of the permitted posts and associated vertical geotextile fabric fencing, the permittee shall submit a report to the Corps documenting any deviation from the permitted fencing deployment plan. In addition, the report should document for each fabric fencing location, the total number of linear feet of deployed fabric fencing that were fouled with oil residue. The report shall also provide a narrative documenting both how and where any oiled material was disposed. Finally, the report should provide a qualitative assessment concerning the effectiveness of the permitted geotextile fabric fencing in protecting targeted areas.

Thank you for your consideration of these comments. If you have any questions or wish to discuss this matter further, please contact John Ettinger at [REDACTED]

From: [Richard Hartman](#)
To: [Quebedeaux, Bobby D MVN](#); [Rachel Sweeney](#); [patrick.williams](#); [Miles Croom](#); [john ettinger](#); [Patti Holland \(E-mail\)](#)
Subject: Re: EUA - 10 - 063 Twin Pipelines Geotextile fabric
Date: Friday, July 02, 2010 12:43:08 PM

Bobby - NOAA's National Marine Fisheries Service views this proposal as a clearly lesser damaging alternative to the project I just sent you comments on. We suggest it is more appropriate to authorize this alternative under emergency authorization procedures than the original project.

Richard Hartman

Quebedeaux, Bobby D MVN wrote:

> All,
> Emergency authorization is requested, see attachment and email below (the
> co-applicants are Terrebonne Levee and Conservation District (TLCD), 220 A
> Clendenning Rd, Houma, LA 70363 and South Lafourche Levee District (SLLD),
> 17904 Hwy 3235, Galliano, LA, 70354). "The purpose is to construct a barrier
> against oil while the threat of oil intrusion exists" by installation of
> GEOTEXTILE FABRIC. Note: DNR has already issued permit, see attachment.
> Also, DNR is using EUA-10-063 for this project and EUA-10-073 for prior
> pending proposal (dredge and fill)- same footprint.
>
> Please review and send any comments by noon, Tuesday, July 6, 2010. Thanks.
> Bobby
>
> Bobby Quebedeaux
> Senior Environmental Resources Specialist
>
> U.S. Army Corps of Engineers
> New Orleans District
> Regulatory Branch, Western Section
> (504) 862-2224 office
> (504) 862- 2574 fax
> <http://www.mvn.usace.army.mil/ops/regulatory/index.asp>
>
> -----Original Message-----
> From: Jerome Zeringue [<mailto:Jerome.Zeringue@LA.GOV>]
> Sent: Thursday, July 01, 2010 4:20 PM
> To: Quebedeaux, Bobby D MVN; Duke, Ronnie W MVN
> Subject: RE: EUA - 10 - 063 Twin Pipelines Geotextile fabric
>
> Hey Ronnie,
> I wanted to forward the EUA request on behalf of Terrebonne Parish and ask if
> you need any additional information for your consideration.
>
> Thanks Ronnie
>
> Jerome Zeringue
> Deputy Director
> CPRA
> 450 Laurel Street, Baton Rouge, LA 70801
> [REDACTED] Phone)
> [REDACTED] (Fax)
> jzee@la.gov (Email)
>

>

>

> -----Original Message-----

> From: Karl Morgan

> Sent: Tuesday, June 29, 2010 4:39 PM

> To: 'Marc J. Rogers'; Jerome Zeringue; Karl Leonards (DNR)

> Cc: Regina Staten; Kirk Kilgen; Rod Pierce;

> 'bobby.d.quebedeaux@usace.army.mil'; Stephen Chustz (DNR); Louis Buatt;

> Windell Curole; Mitch J. Marmande; Reggie Dupre;

> 'ronnie.w.duke@usace.army.mil'

> Subject: RE: EUA - 10 - 063 Twin Pipelines Geotextile fabric

>

> Marc,

>

> I have issued Emergency Use Authorization 10-063 for closure of the breaches

> using geotextile fabric as an interim measure that can be implemented

> immediately to protect against oil crossing the barrier. No dredging is

> permitted under this authorization as airboats can be used to transport the

> materials equipment. The authorization is attached. Please read the

> conditions carefully.

>

> We will continue to evaluate the requested project and await the plats

> showing the location of the equipment tracking. We have assigned the

> dredging project a new number EUA 10-073.

>

> Let me know if you have any questions.

>

> Karl Morgan

>

>