

DEPARTMENT OF THE ARMY

COMPLETE STATEMENT

OF

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ASSISTANT SECRETARY OF THE ARMY
(CIVIL WORKS)**

BEFORE THE

**ENERGY AND COMMERCE COMMITTEE
SUBCOMMITTEE ON ENERGY AND ENVIRONMENT
UNITED STATES HOUSE OF REPRESENTATIVES**

ON

“COMBATING THE BP OIL SPILL”

May 27, 2010

Introduction

Mr. Chairman and Members of the Subcommittee, I am Jo-Ellen Darcy, Assistant Secretary of the Army (Civil Works). Thank you for the opportunity to be here today to discuss the U.S. Army's ongoing efforts to support the oil spill response in Coastal Louisiana and assessment of impacts to navigation and the ecosystem. In the midst of the response to the tragic Deepwater Horizon oil spill, the Corps of Engineers (Corps) continues to provide reliable navigation on the river systems and waterways along the Gulf coast as it maintains vigilant monitoring and assessment of the oil impacts. In addition, the Corps has provided modeling support for river discharges and is offering emergency review under Section 404 and Section 10 authorities of a proposed barrier plan, developed at the local level, intended to prevent the oil from reaching the coastal wetlands. The Corps has also reviewed and provided input to an interim Environmental Protection Agency (EPA) Region 6 Oil Solidifier Policy and supports its implementation.

Navigation Assessment

Currently, the oil spill is not affecting dredging operations or navigation in any rivers or waterways along the Gulf. So far there have been no incidences of deep-draft vessels getting oil on their hulls as they approach the southwest pass on the Mississippi River. The U.S. Coast Guard, working with navigation interests, has established cleaning stations in the Lower Mississippi River to clean those vessels before they proceed up the River to New Orleans, similar to what was done in the 2009 Mississippi River oil spill. The Corps continues daily monitoring of any impacts to navigation and dredging operations as a result of the oil spill and maintains continued coordination with navigation interests and appropriate agencies.

Modification of Mississippi River Flows

The Corps New Orleans District, Mississippi Valley Division, and the Engineer Research and Development Center Coastal and Hydraulics Laboratory have analyzed a number of water management conditions and possible actions to determine whether we could modify river flows to keep oil away from the mouth of the Mississippi River and wetlands on either side of the River. This analysis included possible deviations from the statutory 70/30 split at the Old River Control Structure between the Mississippi River and the Atchafalaya Basin. Numerical modeling analysis has shown that diverting water from the Atchafalaya Basin to the Mississippi River at the Old River Control structure would have minimal influence on the movement of the oil in the Mississippi River Delta region. Due to the extreme flooding of the Tennessee and Cumberland basins early this month, Mississippi River discharges below New Orleans will nearly double. However, even with these forecasted increases in discharge we do not anticipate increased flows that would allow opening the Bonnet Carre' spillway to reduce oil entering the Mississippi Sound area. With respect to the smaller freshwater diversion structures, those structures are currently operating near design capacity and the modeling suggests that this may help slow the movement of oil into the project marshes from the marsh/open water boundaries in the immediate vicinity of the structures. This team continues to evaluate

other water management scenarios to determine if they will help address the oil spill issues.

Participation in baseline sediment sampling

The Corps Engineering Research and Development Center is also working with the United States Geological Survey program to collect and analyze baseline sediment samples in the wetlands and navigation areas. These pre-oil spill samples will provide critical comparisons to post-emergency sediments that will be required for efforts to continue with Louisiana coastal restoration through the beneficial uses of dredged material.

Review of Permit from Louisiana to create a barrier to Intercept Oil

On May 11, 2010, the Corps received a permit request from the State of Louisiana for the construction of an approximately 100 mile long barrier intended to intercept the oil before it enters the marshes. On May 12, 2010, the Corps met with the federal and state agencies to review the permit and solicit federal and state agency comments. On May 14, 2010, the Corps forwarded agency comments to the State of Louisiana. Subsequently, the State of Louisiana modified their plan and submitted a permit modification on May 14, 2010. The major change to their application was to remove borrow sites within a mile of the Chandeleur islands and shift to borrow sites further into the Gulf. The Corps is refining the Environmental Assessment based on the engineering analysis. The Corps is reviewing the permit request under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. As this request was rendered in the context of the Oil spill, the Corps is working with the National Incident Commander to evaluate the request.

Engineer Research and Development Center (ERDC) Support

In addition to ERDC Coastal and Hydraulics Laboratory support, seven people have deployed from the ERDC Environmental Laboratory to support U.S. Fish and Wildlife Service's Natural Resource Damage Assessment (NRDA) activities. Activities include, but are not limited to, providing expert NRDA strategy development, development of bird injury study plans, global positioning systems collection and integration of field data, primary GIS and mapping support.

ERDC stands ready to assist in the development of a common operating plan for the multi-agency oil spill response. As the Department of Army lead for environmental restoration research and development, ERDC is prepared to assist in formulating and implementing strategies for long-term monitoring and remediation of wetland and barrier island areas affected by the oil spill. ERDC is also prepared to provide analysis for the eventual remediation of contaminated barrier sediment and material, removal and ecological restoration.

Conclusion

This concludes my testimony, Mr. Chairman. Again, thank you for allowing me to testify on the ongoing efforts of the Army in response to the oil spill. I will be happy to answer any questions you or the other Members of the Subcommittee may have.