



US Army Corps  
of Engineers®  
St. Paul District

# **Special Public Notice**

10 April 2025

**Emergency Processing Procedures for Activities  
Subject to Executive Order 14156 (National Energy  
Emergency) for Minnesota and Wisconsin**

Authorities:  
Section 404 Clean Water Act and  
Section 10 Rivers and Harbors Act

The purpose of this notice is to advise the public that the United States (U.S.) Army Corps of Engineers, Mississippi Valley Division has approved the use of special emergency processing procedures by the St. Paul District in accordance with 33 CFR § 325.2(e)(4) for the National Energy Emergency established by Executive Order (EO) 14156, which was issued on January 20, 2025 under the President's legal authorities, including the National Emergencies Act (50 U.S.C. 1601 et seq) and section 301 of title 3, United States code. These special emergency processing procedures have been established pursuant to Sec. 4 of EO 14156 for activities associated with the identification, siting, production, transportation, refining, and generation of domestic energy sources, including energy infrastructure, that require Department of the Army authorization under Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and/or Section 103 of the Marine Research, Protection, and Sanctuaries Act of 1972, as amended. For the reasons stated in Sec. 1 of EO 14156, the President has found that these activities would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen, and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard permitting procedures.

**BACKGROUND:** In accordance with 33 CFR § 325.2(e)(4) and in response to EO 14156, Declaring a National Energy Emergency, the U.S. Army Corps of Engineers, St. Paul District, Regulatory Division (Corps) is announcing the establishment of the special emergency processing procedures for the purposes of EO 14156 and providing information to the public about the use of those special emergency processing procedures in the states of Minnesota and Wisconsin. This information applies to activities covered by the National Energy Emergency declared in EO 14156 requiring Corps authorization under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act.

**COORDINATION PROCESS FOR EMERGENCY WORK:** If the situation qualifies as an emergency under EO 14156 and the project requires Corps authorization under Section 404 or Section 10, immediately contact the Corps district office or field office where the emergency exists using the contact information located at: <https://www.mvp.usace.army.mil/Missions/Regulatory/Regulatory-Team-Contact-Information/>. A Corps representative will initiate an evaluation to determine if the activity requires a Corps permit and is eligible for expedited processing under these emergency procedures.

Use of these special emergency processing procedures is allowed if the following steps are followed:

- A. BEFORE WORK COMMENCES the applicant must obtain approval under these special emergency processing procedures. The Corps will determine whether the proposed action is an emergency based on information the applicant provides.

**No work may proceed without written Corps authorization.**

- B. The following information must be provided to the St. Paul District via the emails listed in Section C:

1. Name of responsible party (having legal interest to perform the work) and daytime phone number and email. Agents representing the applicants must provide written verification of their designation as agent.

2. Work Description:

- a. The description of work must include an explanation of the nature and circumstance of the emergency and why the proposed actions are necessary to control the immediate impacts of the emergency.
- b. The project description must include all proposed new work, and any work completed and/or begun without prior written authorization from the Corps.
- c. Dredging: Provide area (square feet) to be dredged and estimated cubic yards of material to be dredged. Provide location of disposal area and retention method of dredged material.
- d. Filling of Waters and Wetlands: Provide area (square feet) to be filled, type of waters or wetlands, and estimated cubic yards of material that will be placed in waters or wetlands. Provide type and source of fill material and retention method.
- e. Legible Site Plan showing proposed work area: Construction drawings, if available, are to be provided.
- f. Vicinity Map showing the work area: Street address, city, county, state, include Section, Township, and Range, etc.
- g. GIS shapefiles of project site plan, waters and wetlands, and fill areas.

3. Statement from applicant acknowledging the following:

- a. They will perform all mitigation required by Corps.
- b. The work would be performed in a manner that would avoid and minimize impact to waters of the United States to the maximum extent practicable.
- c. Should the permittee discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by the Corps, they must immediately notify the district engineer of what they have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal, and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
- d. Description of the potential impacts that may occur to species federally listed as threatened or endangered under the Endangered Species Act, or to designated critical habitat.
- e. The work would be completed in an expeditious manner.
- f. In areas of temporary water and wetland fill, the impacted area would be restored as near as possible to pre-emergency conditions.
- g. If the work may result in a discharge into waters of the United States, the project proponent will seek water quality certification or a waiver from the appropriate certifying authority.

- h. If the work will affect a coastal use or resource, the project proponent will request coastal zone consistency concurrence from the appropriate coastal management agency.

C. Information should be sent directly to the following emails:

1. Minnesota: [usace\\_requests\\_mn@usace.army.mil](mailto:usace_requests_mn@usace.army.mil)
2. Wisconsin: [usace\\_requests\\_wi@usace.army.mil](mailto:usace_requests_wi@usace.army.mil).

Please include "ENERGY EMERGENCY" and the county name in the subject line of the email (e.g. Washington County).

D. AFTER APPROVED EMERGENCY WORK IS COMPLETE, the district may require the permittee, through a permit condition, to submit the following information to the Corps:

1. Description of completed work including any required restoration or mitigation activities.
2. Delineation of the amount and location of water and wetland fill.
3. As-built drawings.

**ADDITIONAL INFORMATION:** If you have any questions concerning these special emergency processing procedures, please contact Ben Orne in our St. Paul office at (651) 290-5280 or [Benjamin.G.Orne@usace.army.mil](mailto:Benjamin.G.Orne@usace.army.mil). Additional information about the implementation of these procedures is available at: <https://www.mvp.usace.army.mil/Missions/Regulatory/>.

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