



MOBILE DISTRICT REGULATORY TRANSFORMATION WORKSHOP

FRIDAY
JANUARY
16
8 AM - 4 PM

Regulatory 101

Allison Monroe

Chief, Regulatory Division
Mobile District



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Mission

To protect the Nation's aquatic resources and navigation capacity, while allowing reasonable development through fair and balanced decisions.



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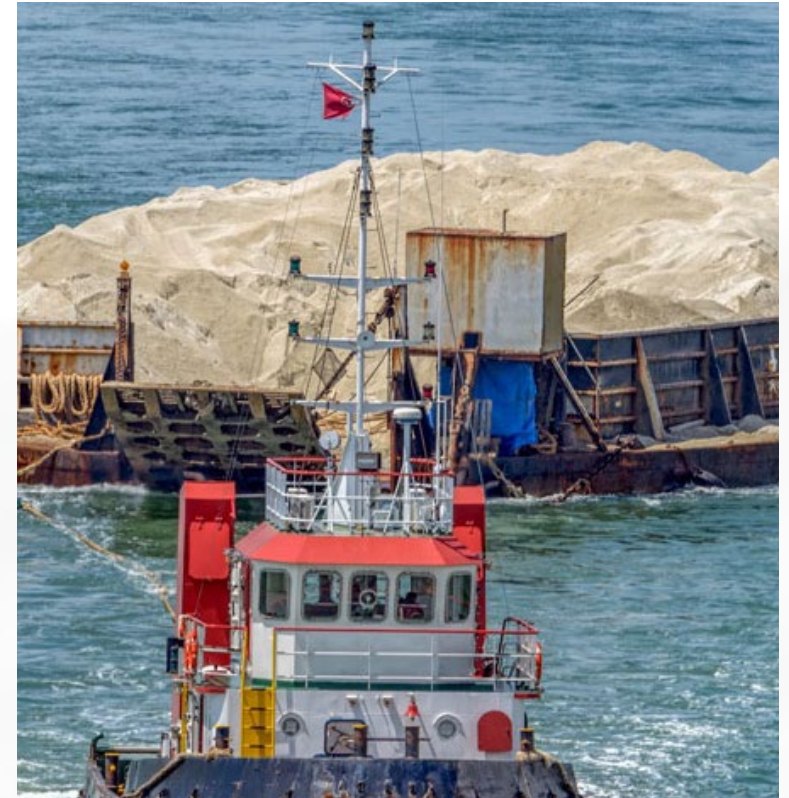
Authorities



**Section 10 Rivers and Harbors
Act (RHA)**
Structures/work



Section 404 Clean Water Act (CWA)
Discharge of dredged/fill material



**Section 103 Marine Protection,
Research, and Sanctuaries Act (MPRSA)**
Ocean Disposal



Section 10 Rivers and Harbors Act

Permits are required for structures/work in navigable waters of the U.S. or that would affect the course, location, condition, or capacity of any navigable water of the U.S.

Navigable Waters of the U.S. – All waters subject to the ebb and flow of the tide, and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.



Typical Activities Requiring Sec 10 RHA Permit

- Docks and Piers
- Marinas
- Boat ramps and Boat Slips
- Bulkheads
- Utility or pipeline crossings (over or under)
- Dredging and filling



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Section 404 Clean Water Act

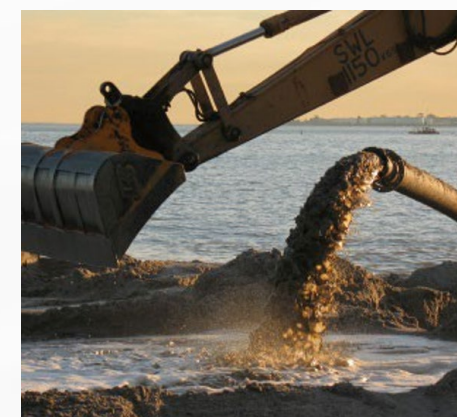
Permits are required for the discharge of dredged or fill material in waters of the U.S.

Waters of the U.S. – The definition of “waters of the U.S.” has been a subject of dispute and addressed in several major Supreme Court cases. It includes navigable waters, rivers/streams, adjacent wetlands, lakes/ponds.



Typical Activities Requiring Sec 404 CWA Permit

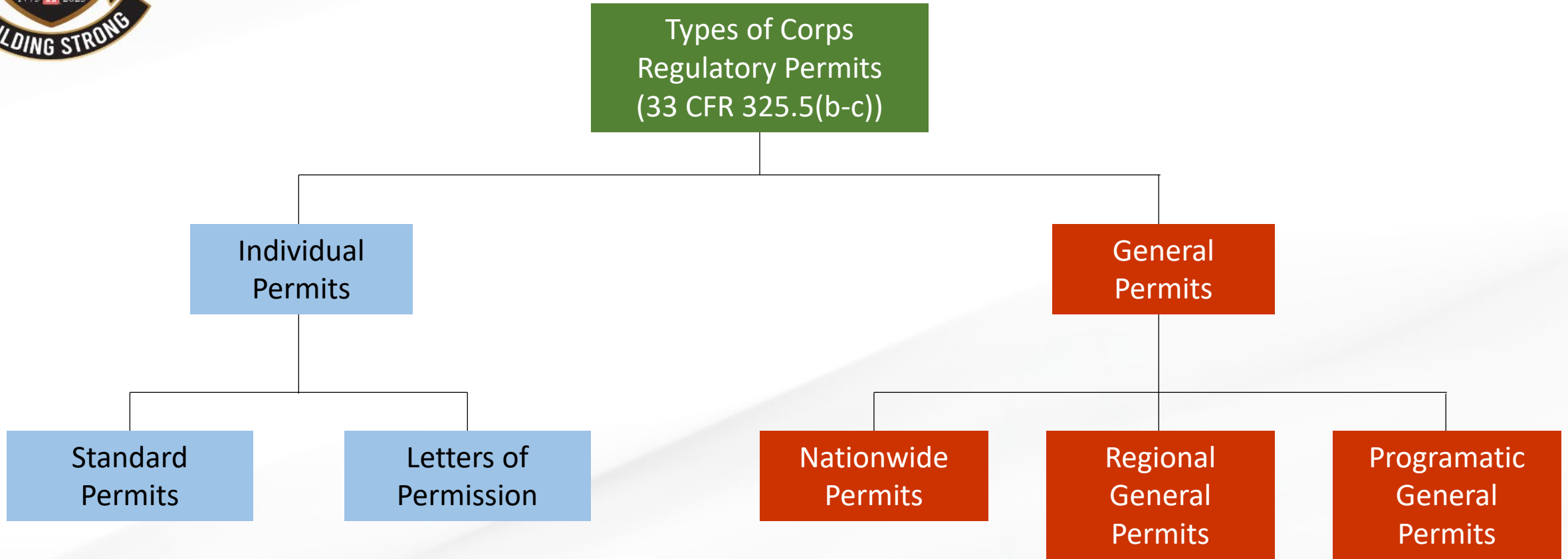
- Residential/Commercial/Institutional Developments
- Bank Stabilization
- Linear Projects (utility lines, roads)
- Beach nourishment
- Stream channelization/relocation



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Types of Permits





Types of Permits

General Permits – critical to success of program

Streamlined authorization process for **categories of activities** that are similar in nature and would result in minimal adverse impact

- **Nationwide Permits** – developed at National level
- **Regional General Permits** – developed at District level
- **Programmatic General Permits** – developed at District level

GOAL: 60 days or less

Individual Permits

Project-specific authorizations

- **Letters of Permission** – abbreviated process, minor work, non-controversial, Sec 10 RHA only
- **Standard Permits** – large, complex, and/or controversial projects

GOAL: 120 days or less



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General Permits

Nationwide Permits (NWP)

- Issued Nationally by USACE Headquarters
- Valid for 5 years unless modified, suspended, or revoked
- Current NWPs expire March 14, 2026.
- Issued for categories of activities that are similar in nature
- Activities must meet NWP terms, general conditions, and any regional conditions
- Special conditions may be added.

Regional and Programmatic General Permits (RGP and PGP)

- Issued by the District for categories of common activities
- Activities must have no more than minimal adverse impacts
- Valid for 5 years unless modified, suspended, or revoked
- 7 RGPs in Alabama
- 9 RGPs in Mississippi
- 7 PGPs with Alabama Power Company



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Individual Permits

Standard Permits

- Impacts exceed 0.5 acres
- Larger, complex projects, more than minimal impacts
- Public Notice
- Public Interest Review
- Compliance with Section 404(b)(1) Guidelines
- Preparation of an Environmental Assessment or Environmental Impacts Statement for compliance with National Environmental Policy Act (NEPA)

Letters of Permission

- Activities subject to Sec 10 RHA only
- Minor work, no significant impacts
- Should encounter no appreciable opposition



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STATS

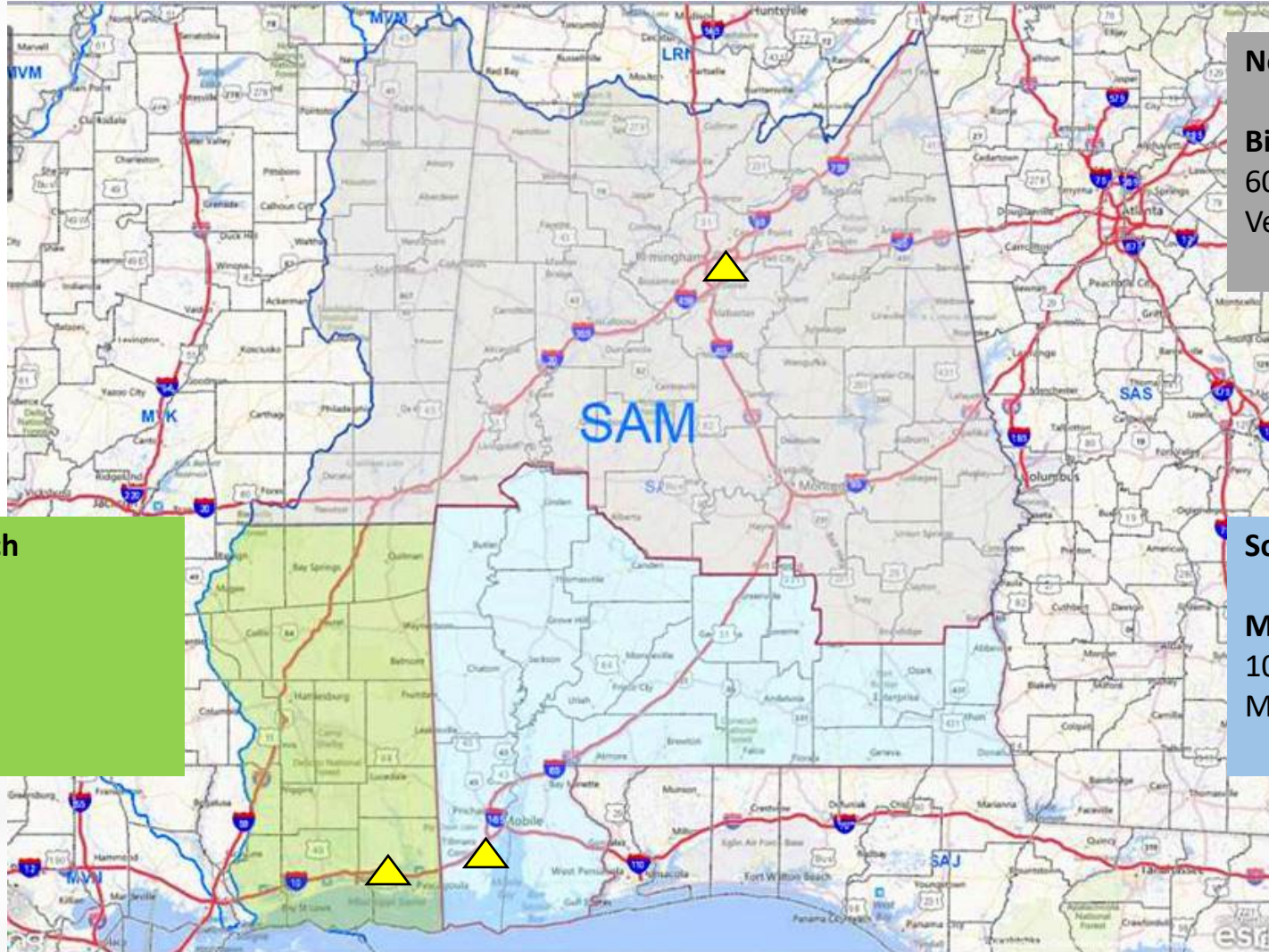
- Number of written authorizations for work affecting WOTUS issued by Corps Districts in FY25:
 - **50,760** (21% increase from FY24)
 - Standard Permits (SP) = 2,739
 - Standard Individual Permits (SIP) = 1,243
 - Letters of Permission (LOP) = 1,496
 - General Permits (GP) = 48,021
 - Nationwide Permits (NWP) = 28,859
 - Regional General Permits RGP) = 11,025
 - Programmatic General Permits (PGP) = 8,137
- Number of permits denied in FY25: **41**
- TAKEAWAY: **94.6% of authorizations in FY25 were completed using General Permits.**



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Mobile District - Area of Responsibility



North Branch

Birmingham Field Office

600 Vestavia Parkway, Suite 203
Vestavia Hills, AL 35216

South Mississippi Branch

Biloxi Field Office

1141 Bayview Avenue
Biloxi, MS 39530

South Alabama Branch

Mobile District Office

100 Canal Street
Mobile, AL 36602



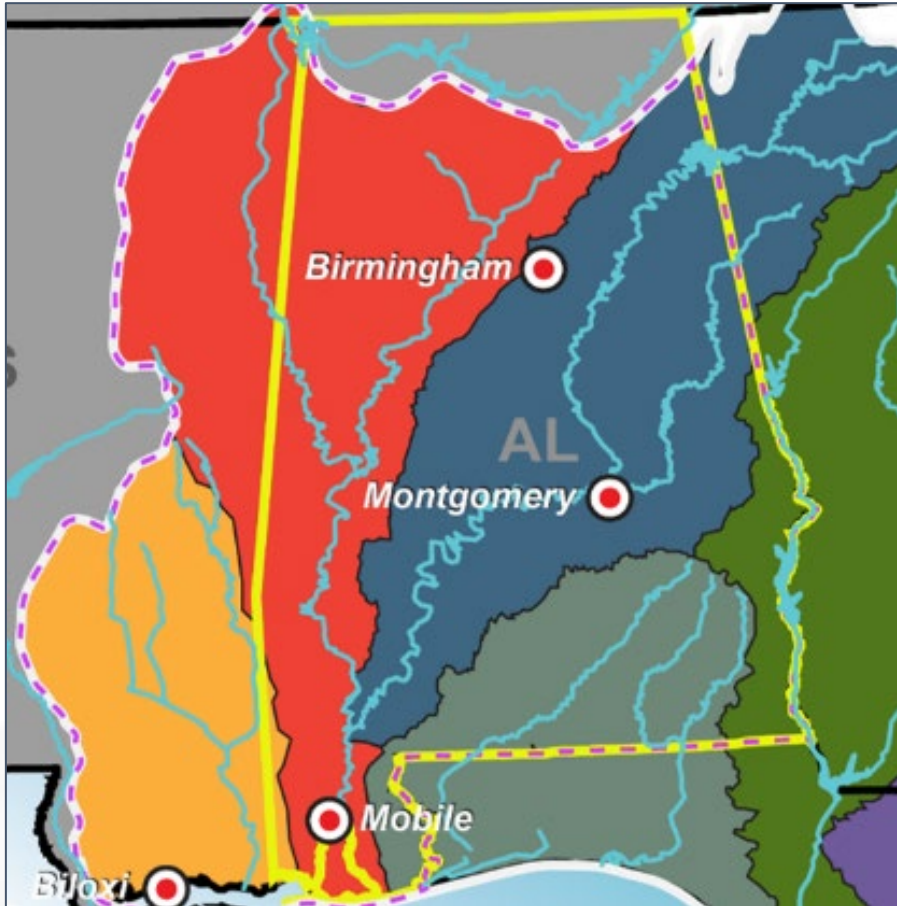
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2025 Snapshot



Budget, FTE, and Mission Success Criteria

	FY22 (\$000)	FY23 (\$000)	FY24 (\$000)	FY25 (\$000)	FY26 (\$000)
Allocation	\$5.542	\$5.611	\$6.554	\$6.397	
FTEs	31	37	43	36	
General Permit Decisions within 60 days or less	61%	62%	83%	88%	94%

FY25 Completed Actions

- 1,113 Completed General Permits (NWP, RGP, PGP)
- 223 Completed Individual Permits (SP, LOP, Mod)
- 2,086 Completed Total Actions (NPR, FOIA, Appeals, etc.)

Current Pending Actions

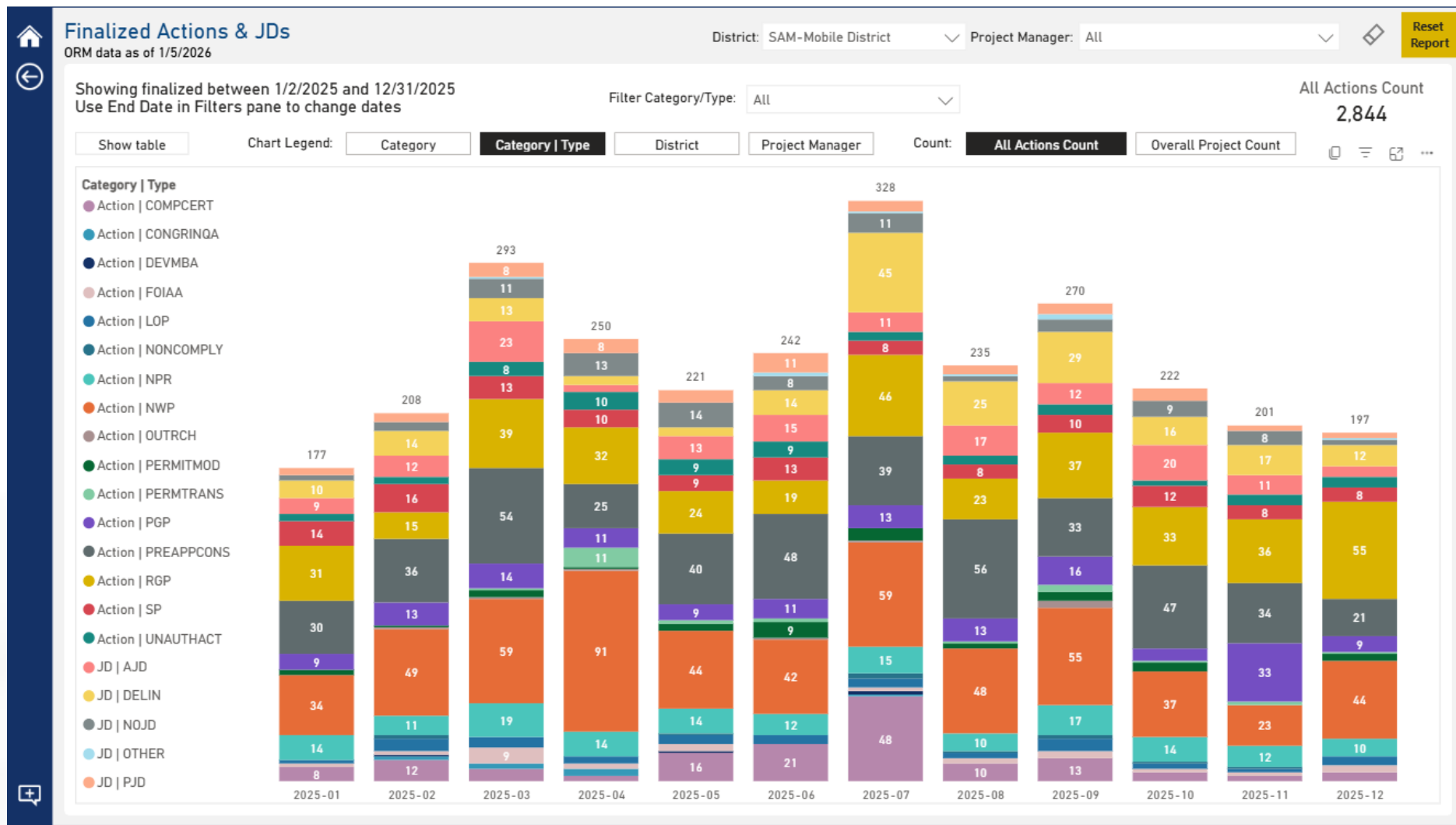
- 459 Pending Total Actions (on 6 Jan.)



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Finalized Actions and JDs (CY25)



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Efficiencies

- **Mississippi General Permits** – Issued by State and USACE
- **Alabama Power Company General Permits** – Issued by APCO
- **Alabama Regional General Permits** – Issued by USACE

MS SLOPES – MOU with FWS

AL SLOPES – MOU with FWS

ALDOT WRDA 214 Positions

DMR WRDA 214 Position



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What's New

- **Regulatory Request System (RRS)** – submit applications online
- **New Website** – same information, new look
- **Nationwide Permits** – expire 14 March 2026
- **Alabama General Permits** – expire 30 Sept 2026
- **WOTUS** – Currently operating under Pre-2015, Post Sacket regulatory regime
EPA and Army *proposed* revised definition on 20 Nov 2025
- **NEPA Implementing Procedures for USACE permits** - 33 CFR 333

EO 14171 – Return to In-Person Work

EO 14156 – Declaring a National Energy Emergency

EO 14241 – Immediate Measures to Increase American Mineral Production



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Questions?

<https://www.sad.usace.army.mil/Missions/Regulatory/>

Phone: **(251) 690-2658** (Project Manager on Duty)



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