



# 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.



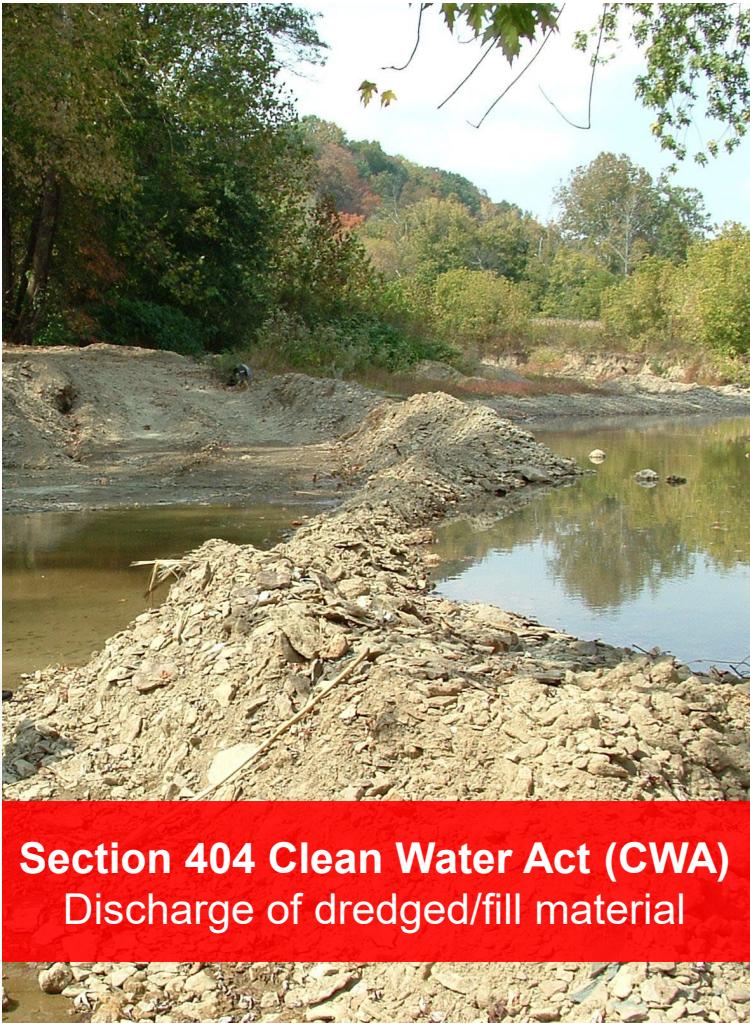
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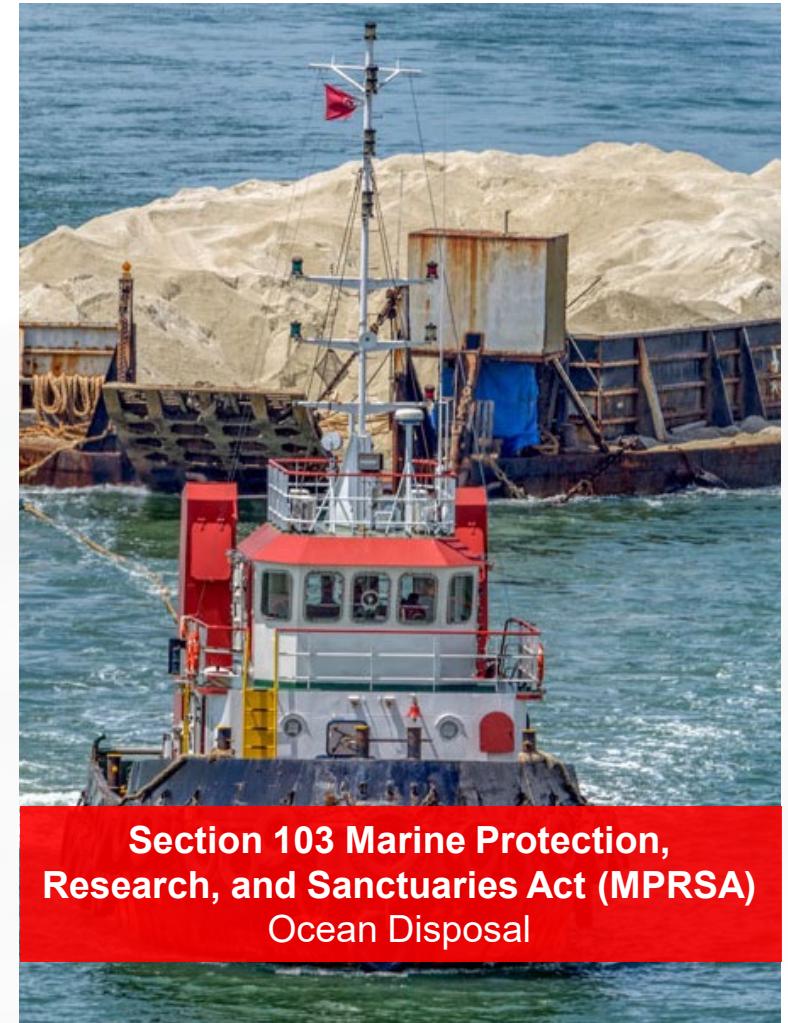
# Authorities



**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

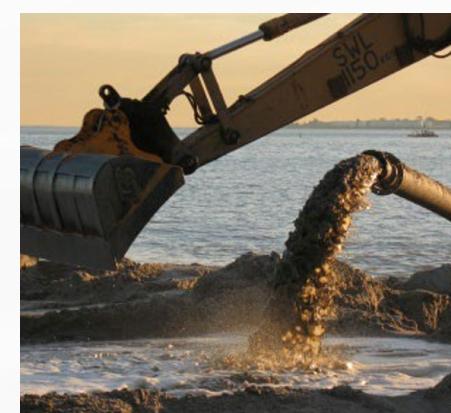
Permits are required for the discharge of dredged or fill material in waters of the U.S.

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 Corps  
Regulatory Permits  
(33 CFR 325.5(b-c))

Individual  
Permits

Standard  
Permits

Letters of  
Permission

General  
Permits

Nationwide  
Permits

Regional  
General  
Permits

Programmatic  
General  
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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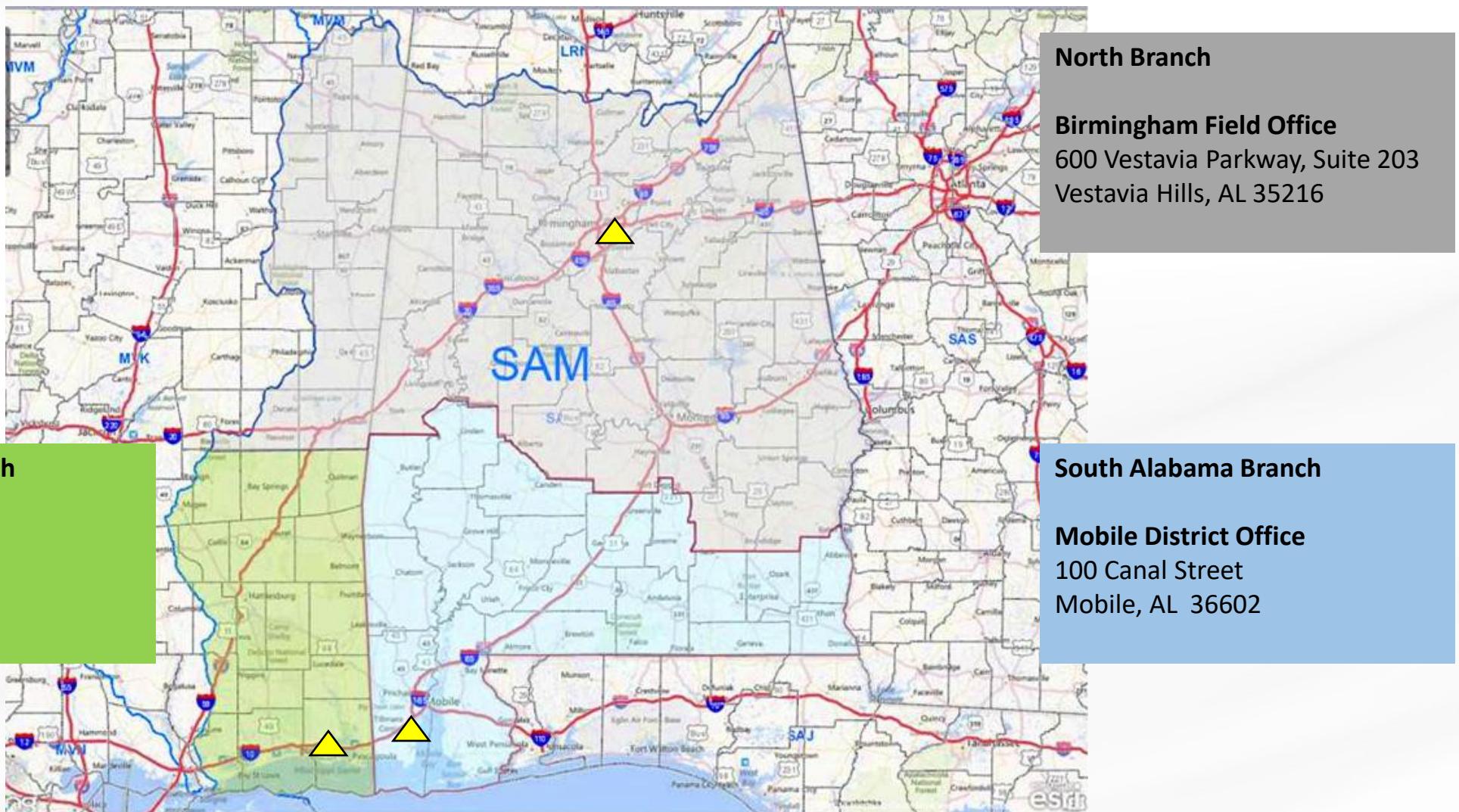


# STATS

- 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.**



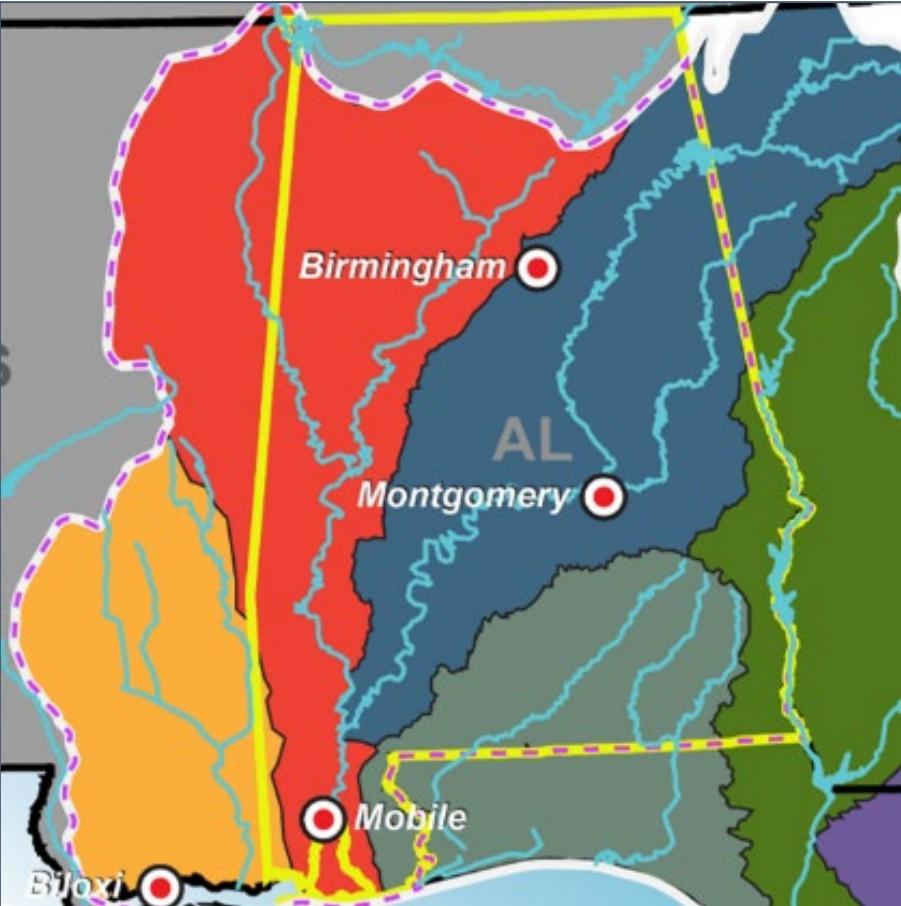
# Mobile District - Area of Responsibility



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# 2025 Snapshot



## Budget, FTE, and Mission Success Criteria

|                                                 | FY22<br>(\$000) | FY23<br>(\$000) | FY24<br>(\$000) | FY25<br>(\$000) | FY26<br>(\$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

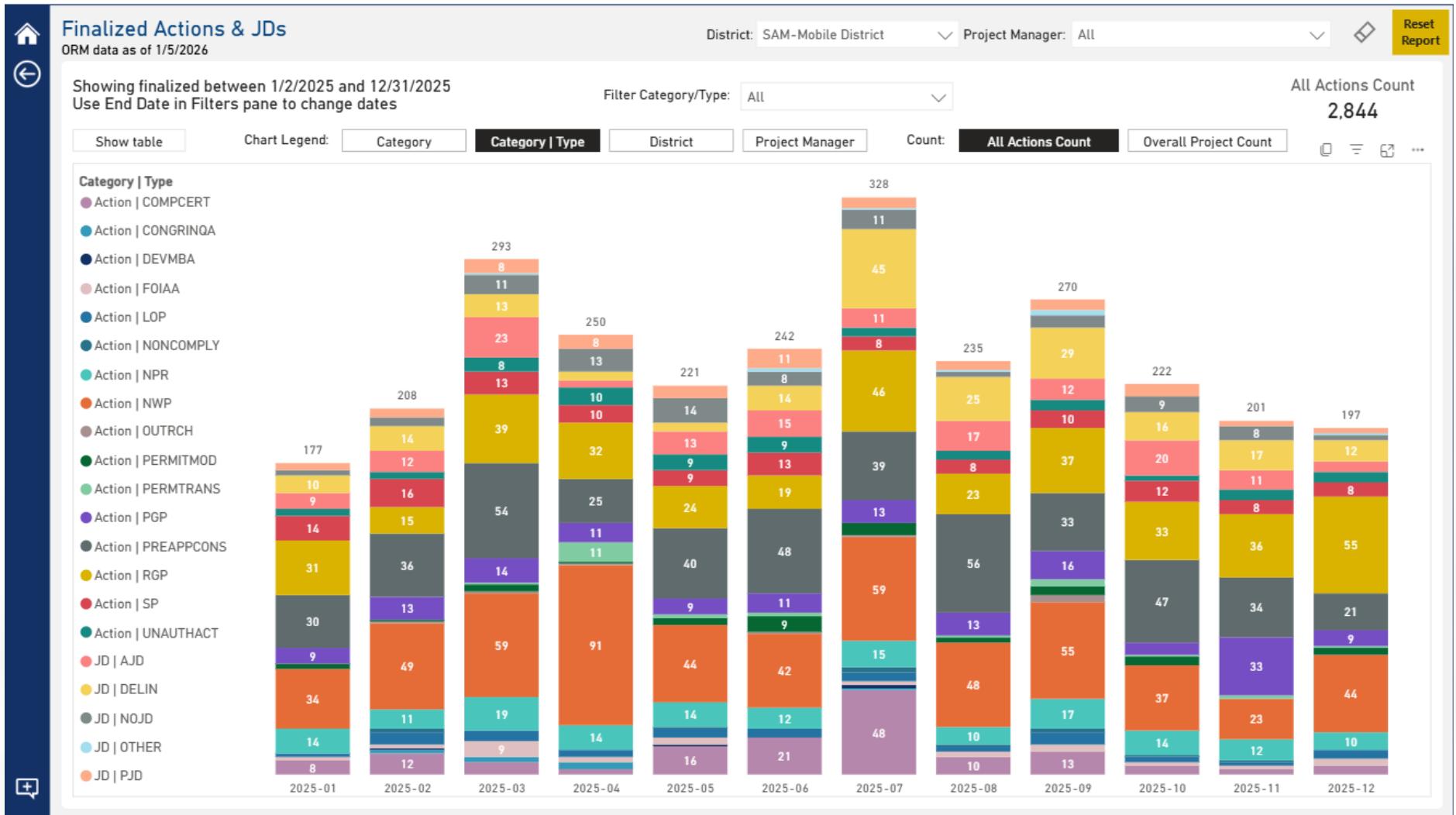
- 459 Pending Total Actions (on 6 Jan.)



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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)

