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Regulatory Program Overview

*Fred Anthamatten
Regulatory Branch Chief*

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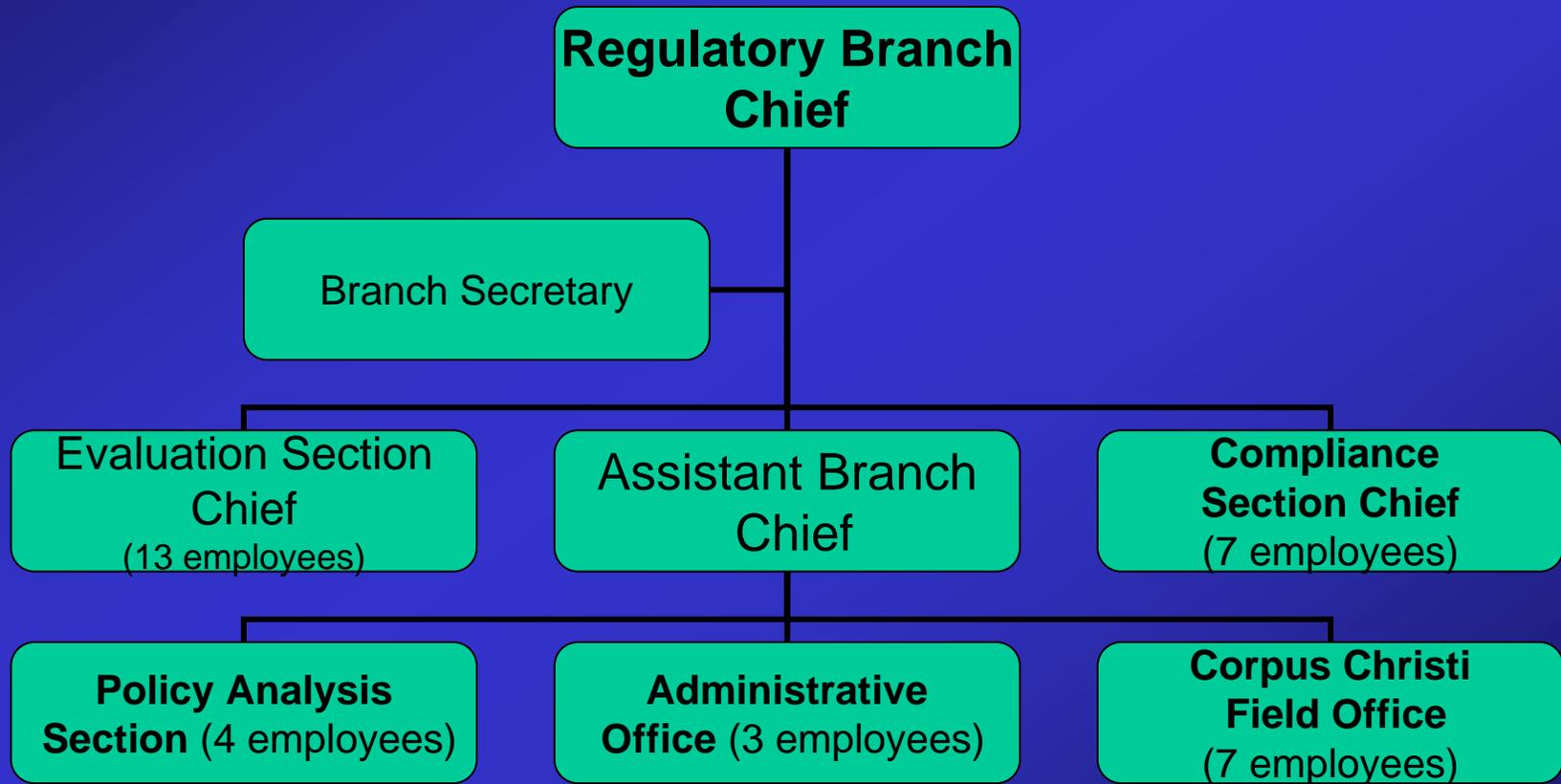
Regulatory Authorities

- *Sections 9 and 10 of the Rivers and Harbors Act of 1899*
- *Section 404 of the Clean Water Act*
- *Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972*



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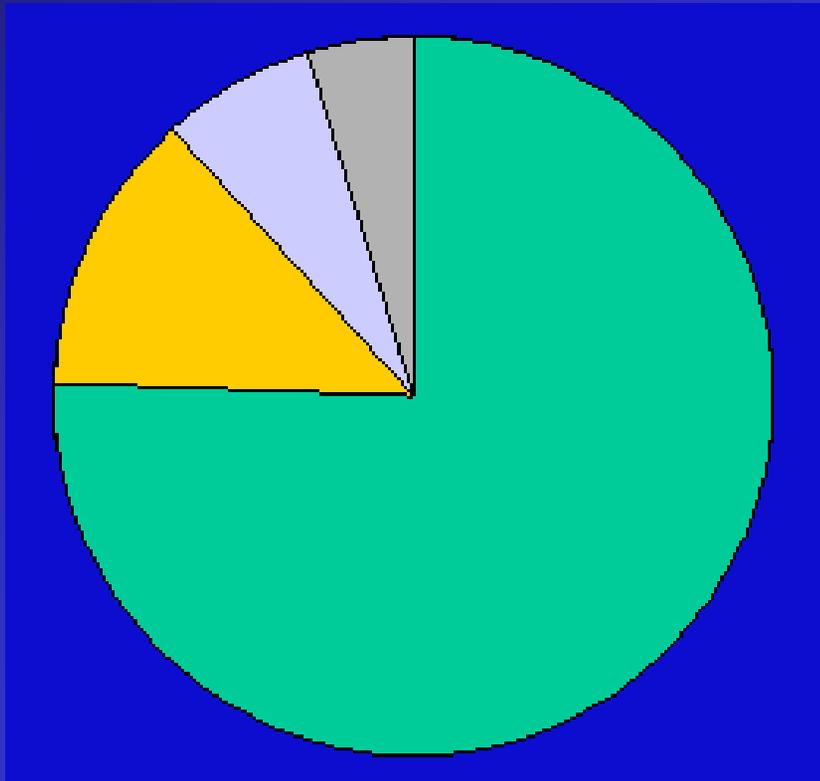
Regulatory Branch Organization Chart





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Galveston District **Regulatory Program** **All Permit Decisions** **FY 2006**

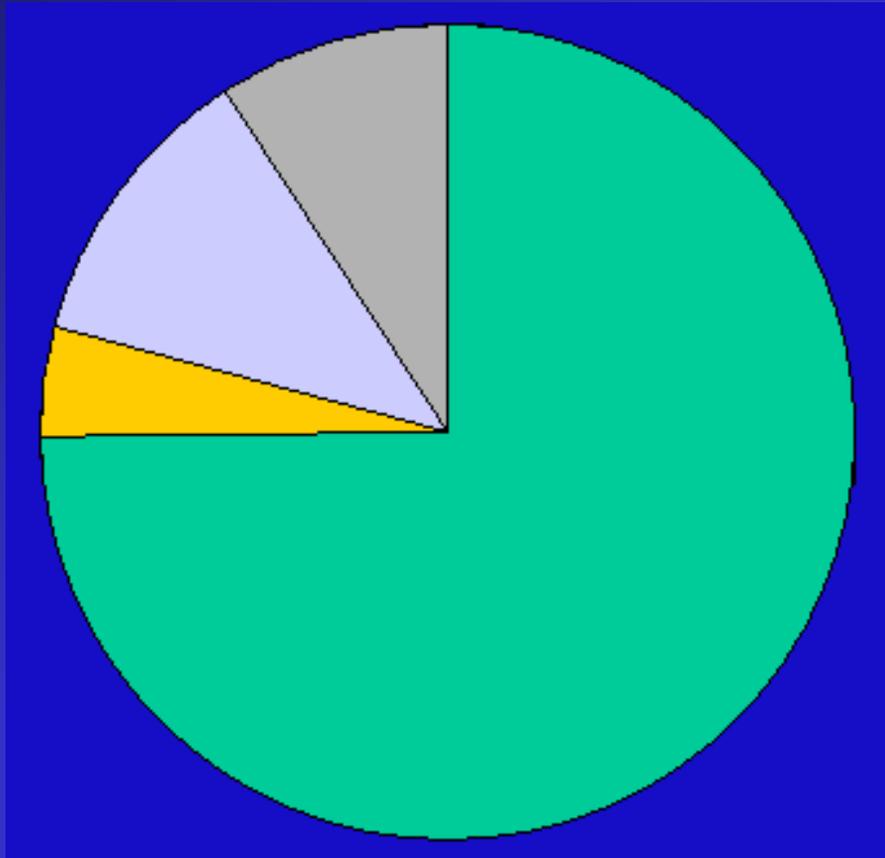


<i>Individual Permit</i>	270
<i>Letter of Permission</i>	147
<i>Nationwide GP</i>	1,198
<i>Regional GP</i>	404
<i>Denials</i>	0
<i>Withdrawn</i>	102



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Southwestern Division Regulatory Program Individual Permit Decisions Completed by District in FY 2006



Galveston District 270

Fort Worth District 17

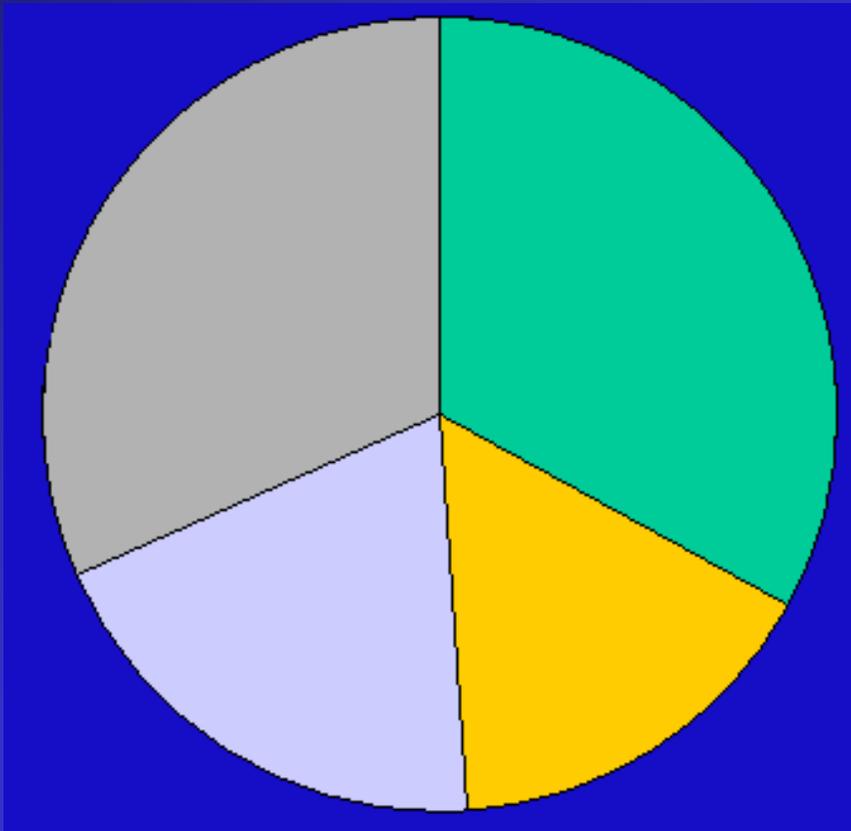
Little Rock District 42

Tulsa District 33



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Southwestern Division Regulatory Program General Permit Decisions Completed by District in FY 2006



<i>Galveston District</i>	<i>1,602</i>
<i>Fort Worth District</i>	<i>765</i>
<i>Little Rock District</i>	<i>947</i>
<i>Tulsa District</i>	<i>1,539</i>



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Major Projects

- **Ship channel deepening and widening projects requiring EIS:**
 - Freeport Channel Widening
 - Matagorda Ship Channel Improvement Project
- **Liquefied Natural Gas Projects:**
 - 2 proposed projects (Port Arthur LNG and Calhoun County LNG)
 - 3 proposed project amendments (Sabine Pass LNG, Golden Pass LNG-Sempra, and Freeport LNG)



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Regulatory Program Initiatives



- ***Database transition from RAMS to ORM, ORMII***
- ***New performance measures***
- ***Rapanos guidance on jurisdiction issued***
- ***New RGPs (Lake Livingston, oilfield, piers)***
- ***Assisted Galveston Permit Service Center start-up***
- ***Great Plains Region supplement to delineation manual in 1-year trial phase***
- ***NWP regional conditions developed (Lead District)***
- ***Mitigation Banks being evaluated: Mill Creek, Pineywoods & Forestar***
- ***Riverine Forested HGM Regional Guidebook in development***
- ***Public education seminars required in settlement agreements***



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Two U.S. Supreme Court Decisions (21 Feb 06)



- ***Rapanos. Determine if wetlands having a surface hydrologic connection to a man-made ditch that drains into traditional navigable waters are waters of the U.S.***
- ***Carabell. Determine if a wetland is “adjacent” if separated by a man-made berm from a tributary (i.e., a man-made ditch) to navigable waters.***



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Interagency Guidance Issued on June 5, 2007



Which waters are jurisdictional?

- Fact-specific analysis to determine whether there is a significant nexus with a traditional navigable water.
- Certain categories of waters must be referred to EPA for their concurrence.



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Regulatory Program Information



- *Regulatory Branch: 409-766-3925*
- *Corpus Christi Field Office: 361-814-5847*
- *Galveston District Regulatory Home Page:
www.swg.usace.army.mil/reg/*