

THE GALVESTON DISTRICT REGULATORY PROGRAM

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REGULATORY PROGRAM





REGULATORY PROGRAM AUTHORITIES



Section 10 of the Rivers and Harbors Act of 1899 (RHA)

- Structures and/or work in, or affecting, the course, location, or condition of a navigable water of the United States.
- Oldest “Environmental law” in the U.S.

Section 404 of the Clean Water Act (CWA)

- Regulates the discharge of dredged and/or fill material into waters of the US, including adjacent wetlands.

Section 103 of the Marine, Protection, Research, and Sanctuaries Act (MPRSA)

- Regulates activities involving the transport of dredged material for the purpose of dumping in the ocean waters.



REGULATORY PROGRAM MISSION



Protecting the Nation's aquatic resources and navigation capabilities, while allowing reasonable development, through fair and balanced permit decisions.

- The Regulatory Program is neither an opponent, nor a proponent, of a proposed project. A project can not be contrary to the public interest.
- The Corps Regulatory Program evaluates and enforces permits for all work, and development that occurs in our Nation's waterways, including wetlands.
- The permit review goal is to achieve no net loss of aquatic resources, via assessment of resource functions, within the project watershed(s).



CHALLENGES AND TRENDS



- Increase in number of large-scale projects along the coast
- Complex projects are now “the norm” in Texas
- Regulatory program operating with “flat budget” since FY14
- Required coordination by law with multiple state and Federal agencies
- Increase frequency of changing regulations, policies and guidance
- Limitations on capacity for placement of dredged material
- Mitigation requirements



ADDRESSING THE CHALLENGES AND TRENDS



- Changes in Regulations
- Development of Programmatic General Permits
- Initiation of Paperless process
- Reauthorization of Nationwide Permits
 - Reduced Regional Conditions
 - Reduced Preconstruction Notifications (PCN)
- Organization Flexibility
- Strategic engagement-early in project development
- Manage expectations
- Defendable permit decision