



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, AL 36628-0001

CESAM-RD

14 April 2025

SPECIAL PUBLIC NOTICE

**EMERGENCY PROCESSING PROCEDURES FOR ACTIVITIES SUBJECT TO
EXECUTIVE ORDER 14156 (DECLARING A NATIONAL ENERGY EMERGENCY)**

The purpose of this notice is to advise the public that the U.S. Army Corps of Engineers (USACE), Mobile District has established special emergency processing procedures in accordance with 33 CFR 325.2(e)(4) for the National Energy Emergency established by Executive Order (E.O.) 14156, which was issued on January 20, 2025 under the President's legal authorities, including the National Emergencies Act (50 USC 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 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 Protection, Research, and Sanctuaries Act of 1972, as amended. For the reasons stated in Sec. 1 of E.O. 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. These alternate procedures will be utilized until E.O. 14156 is rescinded.

1. In accordance with 33 CFR Part 325.2(e)(4), "an emergency" is defined as a situation which 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 procedures.
2. To the maximum extent possible, eligible activities will be processed using the existing general permits program, to include both nationwide permits (NWP) and regional general permits (RGP). More specifically, potential applicable NWPs may include, but are not limited to, NWP-3, for Maintenance of any previously authorized structure; NWP-8, for Oil and Gas Structures on the Outer Continental Shelf; NWP-12, for Oil and Gas Pipeline Activities; NWP-17, for Hydropower Projects; NWP-25, for Structural Discharges; NWP-49, for Coal Remining Activities; NWP-50, for Underground Coal Mining Activities, and NWP-57, for Electric Utility Line and Telecommunications Activities. These activities would be

accomplished under the authorities of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

3. For actions which do not qualify for authorization under the terms and conditions of a general permit, descriptions of the proposed action will be provided and reasonable efforts will be made to receive comments from interested federal, state, and local agencies, tribes, and the affected public.
4. The District will make a permit decision after considering or addressing submitted comments. It is anticipated that this process can be finalized within 30 business days for most actions.
5. For those actions which require notification, applicants must obtain approval. The following information must be provided to the Mobile District Office:
 - a. Name, mailing address and day-time phone number of responsible party (having legal interest to perform the work). Any agent representing the applicant must provide written verification of their designation as agent.
 - b. Work Description:
 - (i) The description of work must include an explanation of the nature and circumstance of the emergency.
 - (ii) The project description must include all proposed new work, and any work completed and/or begun without prior written authorization from the USACE.
 - (iii) Dredging: Provide area (square feet) of area to be dredged, method of dredging, dredge depth, and estimated cubic yards of material to be dredged. Provide location of disposal area and retention method of dredged material.
 - (vi) Filling of Waters and Wetlands: Provide area (square feet) of area to be filled, type of wetlands or other waters of the U.S., and estimated cubic yards of material that will be placed in wetlands or other waters of the U.S. Provide type and source of fill material and retention method.
 - (v) Legible Site Plan showing proposed work area. Construction drawings, if available, are to be provided.
 - (vi) Vicinity Map showing the work area: street address, city, county, state, include central Latitude and Longitude; Section, Township, and Range; river mile (if applicable), etc.

(vii) GIS shapefiles of project site plan, waters of the United States impact boundaries.

c. Statement from applicant addressing the following:

(i) All mitigation, as required by USACE, would be performed.

(ii) The work would be performed in a manner that would avoid and minimize impact to waters of the US, including wetlands to the maximum extent practicable.

(iii) Should the permittee discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by the USACE, 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;

(iv) 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.

(v) The work would be completed in an expeditious manner.

(vi) In areas of temporary wetland fill, the impacted area would be restored as near as possible to pre-emergency conditions.

(vii) 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.

(viii) 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.

d. Information must be provided to either of the following:

Via email: CESAM-RD@usace.army.mil

OR

Via the Regulatory Request System at <https://rrs.usace.army.mil/rrs>

e. **After approved emergency work is complete** the permittee may be required, through permit condition, to submit the following information to the USACE:

- (i) Description of completed work including any required restoration or mitigation activities;
 - (ii) Delineation and amount of aquatic resources impacted;
 - (iii) As-built drawings;
 - (iv) Hydrographic surveys; and/or
 - (v) Proof-of-purchase of the appropriate number of in-kind, mitigation credits from a USACE-approved mitigation bank.
6. The Mobile District has established these special emergency processing procedures for the purposes of E.O. 14156 for the Mobile and Nashville Districts' areas of responsibility (AOR) within the state of Alabama.
7. Furthermore, the Mobile District will implement the special emergency processing procedures established by the Vicksburg District for the purposes of E.O. 14156 within its area of responsibility in the state of Mississippi.
8. Special emergency processing procedures for the purposes of E.O. 14156 may be updated, as needed.

If you have any questions concerning this publication, you may contact Ms. Allison Monroe via email at allison.f.monroe@usace.army.mil or Ms. Elizabeth Hamilton via e-mail at Elizabeth.A.Hamilton@usace.army.mil. Please refer to the Special Public Notice for Emergency Permit Procedures.

For additional information about our Regulatory Program, please visit our web site at www.sam.usace.army.mil/Missions/Regulatory/

MOBILE DISTRICT
U.S. Army Corps of Engineers