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Jacksonville District Regulatory Transformation Workshop

MAY
14 -15
2025

Program Overview & Updates

Presented by:
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Staff Roles and Responsibilities

- **Division Chief: Jacksonville District, Regulatory Division**
 - Deputy Chief: Program and Business Sections
 - Program Managers
 - Administrative Assistants
 - Branch Chiefs: Regulatory Program Assistants (RPAs) and Section Chiefs
 - RPAs
 - Section Chiefs: Project Managers (Permitting, Enforcement and Compliance, Mitigation Banks)
 - Senior Project Managers
 - Project Managers
 - Junior Project Managers



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Programmatic Instruments & Agreements

- **9 Active Regional General Permits** (potentially 4 new ones in development)
- **34~ Programmatic Agreements** (not including national-level programmatic or programmatic where USACE is a 3rd party user)
 - 9 Programmatic General Permits
 - 6 Programmatic Biological Opinions
 - 15~ non-BO ESA Agreements (i.e. SLOPES)
 - 1 EFH Finding
 - 1 CWA 401 Operating Agreement
 - 1 404q Operating Agreement
 - 1 FEMA information sharing protocol



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Recent Executive Orders (E.O.)

- E.O. 14156 “Declaring Energy Emergency”
- E.O. 14241 “Immediate Measures to Increase American Mineral Production”
- E.O. 14171 “Return to In-Person Work”
- E.O. 14222 “Implementing the President's 'Department of Government Efficiency' Cost Efficiency Initiative”



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E.O. 14156 & Emergency Permitting Procedures

- Directs agencies to implement emergency procedures to facilitate and expedite projects that involve energy production (i.e. electric transmission lines)
- 33 CFR § 325.2(e)(4), states: Division engineers are authorized to approve special processing procedures in emergency situations
 - Emergency procedures are alternative procedures and should not be viewed as being the equivalent to a procedural waiver or to the lack of any procedures
 - I.e. under normal circumstances, public notices require a 21 - 30 day comment period. Under emergency procedures, public notices may require 7-14 days (or sometimes less)).
- Emergency Agency Coordination
 - ESA
 - NHPA
 - Other
- On April 4, 2024, Jacksonville District received approvals from South Atlantic Division Engineer to authorize Emergency Permitting Procedures for activities subject to E.O. 14156.



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Jacksonville District Biological Opinion (JAXBO) Overview

- National Marine Fisheries Service Programmatic Biological Opinion for Routine Projects
- 10 categories
- Project Design Criteria (PDCs)
- Current iteration JAXBO in place since 2017
- NMFS ESA ORM Data for Finalized Actions (1/13/2020 – 1/13/2025):
 - **NMFS ESA Totals**
 - All Consultations = 17,264
 - “Programmatic” = 16,018
 - Total JAXBO = 15,890
 - Total “Informal” and “Formal” = 1,246
 - **JAXBO Percentages**
 - 92% All NMFS Consultations
 - 99% All NMFS Programmatic



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JAXBO Re-initiation of Consultation

“JAXBO 2.0”

- Re-initiation of consultation submitted to NMFS on **March 12, 2025**.
- Noteworthy changes:
 - Coverage for all newly listed species/designated critical habitats (DCH) (giant manta ray, queen conch, Nassau grouper DCH, Caribbean coral DCH, etc.)
 - Aquatic resource impacts (mangroves, seagrasses, etc.) so long avoidance, minimization, and mitigation is incorporated
 - Increase in size/impact thresholds for many activities (i.e. new shoreline stabilization 500 lf > 1,000 lf)
 - Rebuild/repair public fishing piers
 - Allowance to update PDCs without reinitiation
- JAXBO 2.0 Projections
 - ~1,081/1,246 would qualify under the current draft PDCs in 2.0
 - Reduce individual consultations by **86% +/-**
- *Bonus* inclusion of programmatic coverage for Essential Fish Habitat



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Regional and Programmatic General Permits

- New Standard Operating Procedures recently requiring GPs to start renewal process 18 months prior to expiration to avoid laps
 - Also includes timeline milestones to keep process on track
- In-progress GPs:

GP Number and Type	GP Name	Verifying Authority	Expiration Date	Status
SAJ-112 (RGP)	Coral Nurse Structures	USACE	4/6/2025	Decision documents in review with Office of Counsel
SAJ-96 (PGP)	Minor Structures in Pinellas County	Pinellas County	4/29/2025	Decision documents in review with Office of Counsel
SAJ-114 (RGP)	Fill in Bay and Walton Counties	USACE	8/21/2025	Public notice and permit instrument in draft
SAJ-86 (RGP)	Fill in Bay and Walton Counties	USACE	9/22/2025	Public notice and permit instrument in draft
SAJ-92 (RGP)	Improvements to Existing Roadways (FDOT)	USACE	10/27/2025	Public notice and permit instrument in draft
SAJ-105 (RGP)	Fill in Bay County	USACE	12/21/2025	Public notice and permit instrument in draft
SAJ-71 (PGP)	Live Rock Aquaculture	NMFS	2/3/2026	Scoping updates / Coordination with NMFS / Public Notice and draft permit instrument to be drafted
SAJ-83 (PGP)	Minor Fill in Big Cypress Reservation	STOF	2/17/2026	Scoping updates
SAJ-82 (RGP)	Minor Structures and Fill in Monroe County	USACE	6/24/2026	Scoping updates
PGP	State Programmatic General Permit	State of Florida	8/16/2026	Scoping updates / Coordination with FDEP



2026 Nationwide Permit (NWP) Renewals

- **2021 NWPs**
 - Expire 14 March 2026
- **SAJ working following actions:**
 - Tribes have been notified of 2026 NWP reissuance effort for early engagement
 - Drafting pre-filing meeting requests for General Water Quality Certification to the certifying agencies
 - Drafting proposed Regional Conditions (RCs) for 2026 NWPs
 - Reducing RCs
- **Next Steps:**
 - Federal Register Notice for proposed rule awaiting review by Office of Personnel Management
 - District Public Notice on RCs, Water Quality Certification, Coastal Zone Management, coordination/consultation letters, etc.



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Questions?



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