



US Army Corps  
of Engineers®



## APPROVAL OF EMERGENCY PERMITTING PROCEDURES

### FOR ACTIVITIES SUBJECT TO EXECUTIVE ORDER 14156 IN PUERTO RICO AND THE U.S. VIRGIN ISLANDS

The purpose of this notice is to advise the public that the United States (U.S.) Army Corps of Engineers (Corps), Caribbean 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 U.S.C. 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 Research, Protection, and Sanctuaries Act of 1972, as amended. For the reasons stated in Sec. 1 of the 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 **These alternate procedures will be utilized until E.O. 14156 is rescinded.**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 325.2(e)(4), an "emergency" is 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 permit application under standard procedures.
2. This emergency permitting procedures include submission requirements and coordination protocols, including abbreviated consultations with Federal and Commonwealth/Territory resource agencies.
3. Emergency Permitting Procedures under E.O. 14156:
  - a) Applicants must submit application/requests through the Regulatory Request System (RRS) platform (<https://rrs.usace.army.mil/rrs>).

- b) All applications will be subject to meeting eligibility criteria. Requests for expedited permits associated with the identification, siting, production, transportation, refining, and generation of domestic energy sources, including energy infrastructure, will be reviewed to determine if there is truly an emergency situation associated with the request as defined by E.O. 14156 and 33 CFR 325.2(e)(4).
- c) Optional Pre-Application Request: The purpose of the pre-application meeting is to allow the Corps and any other agencies in attendance to provide input that may allow the applicant to gather information that, if included in the final project submittal, may expedite and would facilitate streamlined application review process.
- d) Applicants incorporate recommendations and submit complete package.
- e) The Corps determines permitting type and will evaluate if the proposed action qualifies for authorization under the terms and conditions of any given Nationwide Permit (NWP) or Regional General Permit (RGP).
- f) For projects qualifying under any NWP or RGP, the Corps would initiate abbreviated consultations with the resource agencies, as appropriate. It is anticipated that this process can be finalized within 30-business days for most actions.
- g) For those actions which do not qualify for authorization under the terms and conditions of the NWP program or a RGP, the following procedures will be used:
  - The Corps would prepare and advertise a Public Notice with an abbreviated comment period.
  - Descriptions of the proposed action will be transmitted to representatives from each of the commenting agencies, including the Commonwealth/Territory agencies responsible for Section 401 Water Quality Certification and Coastal Zone Management Consistency if required.
  - Emergency procedures are alternative procedures and are not a procedural waiver or to the lack of any procedures. They will not be

utilized to avoid providing prior public notice of a proposed project where practicable or to bypass procedural requirements of other laws. The Caribbean District will make a permit decision after satisfying all necessary permitting procedures and considering/addressing any comments submitted by other agencies and the public.

4. The purpose of this public notice is to announce the establishment of the special emergency processing procedures for the purposes of E.O. 14156 and provide information to the public about those special emergency processing procedures.

If you have any questions concerning these special emergency processing procedures, please contact the Caribbean District Regulatory Branch by email at [RD-Antilles@usace.army.mil](mailto:RD-Antilles@usace.army.mil).