

***Association of State Wetland Managers
Hot Topics Webinar Series
Nationwide Permits Webinar #3***

**Interactive Discussion with States and Tribes on Reviewing the
Proposed Rule to Reissue the §404 Nationwide Permits**



FEDERAL REGISTER

Vol. 81 Wednesday,
No. 105 June 1, 2016

Part III

Department of Defense

Department of the Army, Corps of Engineers
33 CFR Chapter II
Proposed To Retain and Modify Nationwide Permits; Proposed Rule

July 6, 2016

3:00 pm – 5:00 pm Eastern

Webinar Moderators

Jeanne Christie and Peg Bostwick

Association of State Wetland Managers

ASWM Webinar Series on Nationwide Permits



To register, go to:
www.aswm.org

Nationwide Permit Rule Webinar #1

The New Nationwide Permit Rule – What You Need to Know

Wednesday, June 8, 2016 – 3:00 p.m. ET

Recording currently available on www.aswm.org

Nationwide Permit Rule Webinar #2

Panel on State Processes for Reviewing the Proposed NWP's and Lessons Learned

Tuesday, June 14, 2016 – 3:00 p.m. ET

Recording currently available on www.aswm.org

Nationwide Permit Rule Webinar #3 ← Today's Webinar (States and Tribes)

An Interactive Discussion about State Concerns with the Proposed Nationwide Permits

Facilitated by Jeanne Christie and Peg Bostwick, Association of State Wetland Managers

Wednesday, July 6, 2016 – 3:00 p.m. ET

Nationwide Permit Rule Webinar #4 (ASWM planning not to hold this session)

Additional Discussion about Concerns with the Proposed Nationwide Permits

Facilitated by Jeanne Christie and Peg Bostwick, Association of State Wetland Managers

Monday, July 11, 2016 – 3:00 p.m. ET

A photograph of a lush green forest with a stream in the foreground. The stream is surrounded by tall grasses and other vegetation. In the background, there are many trees with green leaves. A blue rectangular text box is overlaid on the center of the image.

Welcome!

If you have any technical difficulties during the webinar you can send us a question in the webinar question box or call Laura at (207) 892-3399.

Webinar Agenda



Welcome and Introductions
(5 minutes)

**Technical Details for
Interactive Discussion**
(5 minutes)

Introductory Remarks
(5 minutes)

Interactive Discussion
(~90 minutes)



Photo credits: ACOE

Webinar Coordinator



Brenda Zollitsch
Policy Analyst
ASWM

Webinar Moderators



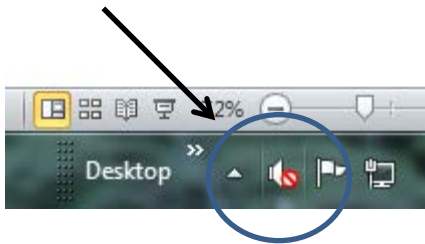
Jeanne Christie
Executive Director
ASWM



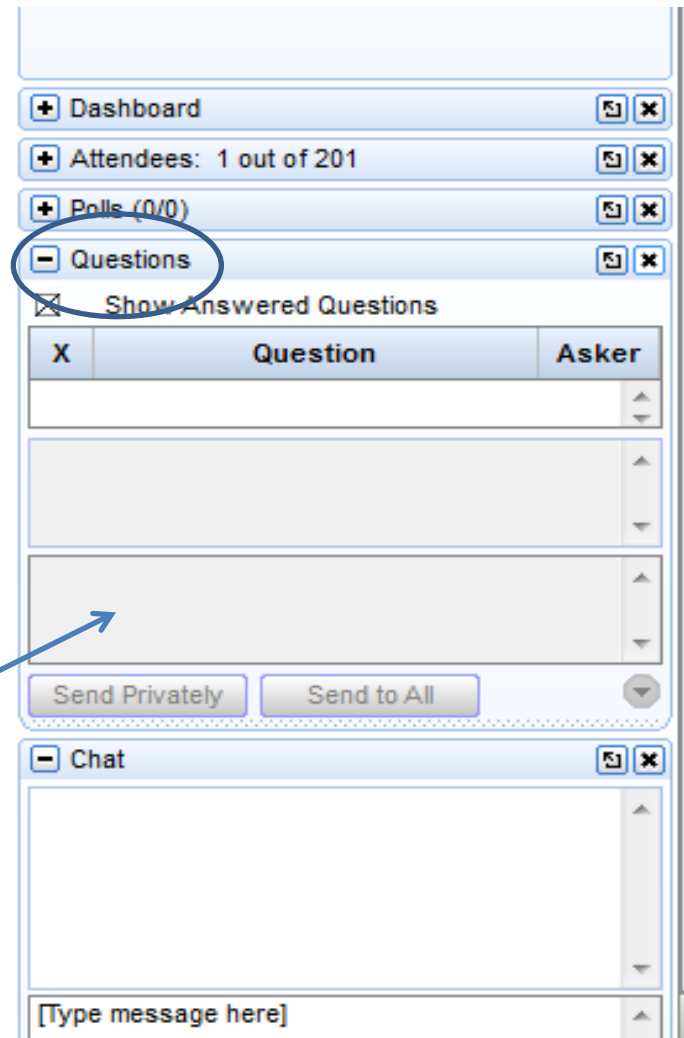
Peg Bostwick
Senior Policy Analyst
ASWM

Webinar Tech Check-in

If you are using the telephone to listen to the webinar, please mute both your computer's microphone and speakers



Please submit your questions for the presenters via the question box.



How to Access Information about ASWM Webinars

The screenshot displays the ASWM website interface. At the top, a blue banner reads "Association of State Wetland Managers - Protecting the Nation's Wetlands." Below this is a navigation bar with buttons for Home, ASWM, I Am..., Wetlands, Science, Wetland Programs, Watersheds, Law, News & Jobs, and Blog. A search bar labeled "Search ASWM" is positioned below the navigation bar. On the left side, a "Main Menu" is listed with items: Join/Renew, Contact Us, News, Webinars (circled in orange), ASWM Publications, Wetlands One-Stop Mapping, Donate, and Volunteer. Below the main menu is a "Member's Login" section with fields for Username and Password, and a "Remember Me" checkbox. The central content area features a large article titled "Corps Publishes Proposal To Reissue and Modify Nationwide Permits in Federal Register" with a detailed text block. To the right of the article is a section titled "ASWM FACEBOOK POSTINGS" featuring a post by Sharon Weaver with a book cover titled "The Wetland Wanderer". At the bottom of the page, a section titled "Upcoming ASWM Webinars" is visible, containing a list of webinar topics and dates, with an arrow pointing to it from the right. The ASWM logo, featuring a frog, is located in the top left corner of the website content area.

Association of State Wetland Managers - Protecting the Nation's Wetlands.

ASWM Upcoming Webinars

- NWP Rule Webinar #3: An Interactive Discussion with States and Tribes on Reviewing the Proposed Rule to Reissue the \$404 Nationwide Permits - 7/8/16
- Bottomland Hardwood Restoration - 7/12/16
- 3 Part Webinar on the Soil and Water Assessment Tool (SWAT) - 7/20/16

For a complete list of our upcoming webinars, click here.

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Corps Publishes Proposal To Reissue and Modify Nationwide Permits in Federal Register

The U.S. Army Corps of Engineers (Corps) is soliciting comments for the reissuance of the existing nationwide permits (NWP), general conditions, and definitions, with some modifications. The Corps is also proposing to issue two new NWPs and one new general condition. The Corps is requesting comment on all aspects of these proposed nationwide permits. The reissuance process starts with this publication of the proposed NWPs in the Federal Register for a 60-day comment period. The purpose of this Federal Register document is to solicit comments on the proposed new and modified NWPs, as well as the NWP general conditions and definitions.

ASWM FACEBOOK POSTINGS

Sharon Weaver

The Wetland Wanderer

The Wetland Wanderer: High

Upcoming ASWM Webinars

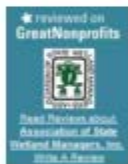
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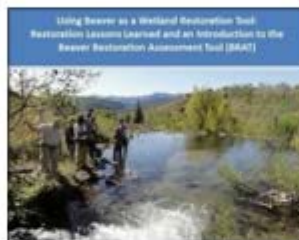
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Improving Wetland Restoration Success Project



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Future Webinars

Past Webinars

We Want to Hear from You Today

- Today's webinar is an interactive discussion
- Think about your specific ideas and comments
- Let us know you want to speak or share your ideas (we will show you how in a moment)
- We want to hear from as many participants as possible (share time)
- **Note: This is a discussion, not training, so no CEUs will be available for participation in this webinar**

If you want to speak on the webinar:

Calling in by telephone usually provides better quality sound



If you *are* using the phone, please turn off your computer's microphone and speakers to avoid feedback issues



Introductory Remarks

Jeanne Christie, ASWM Executive Director

Peg Bostwick, Senior Policy Analyst



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Importance of State/Tribal Review

- Corps NWP Process depends on regional conditions to ensure that NWP authorizations do not have more than minimal individual or cumulative impacts
- Aligning state and federal criteria (e.g. simplifies process for the public where there is dual permitting)
- Only opportunity for federally mandated 401 Water Quality Certification and, for coastal states, review of 401 consistency for the next 5 year NWP period

Focusing State and Tribal Review: National Comments

Response to June 1, 2016 *Federal Register* notice made to Corps Headquarters. Due August 1, 2016. Comments are posted on-line.

- ASWM – your suggestions?
- Others as desired – significant general comments or concerns

Focusing State and Tribal Review: Coordination with Districts

Informal Coordination with Corps Districts

(Now through end of process)

- Potential **Regional Conditions** (Public Notice by Districts)

See *Federal Register* notice for examples of conditions

- Pg. 22-23 of pre-publication copy
 - Pg. 35195 of published version notice
-
- Anticipated **401/CZM concerns** (limited time later)

Focusing State and Tribal Review: Final 401 and CZM Comments

401 Certification/ CZM Consistency

(within 90 days of *final Federal Register* notice)

- Final state /tribal certification not due until after publication of final NWP's and Regional Conditions.
- May certify based on Regional Conditions , or
- Additional requirements may necessitate case-by-case certification by the state or tribe

See *Federal Register* notice for discussion

- Pg. 24-28 of pre-publication copy
- Pg. 35196-7 of F.R. notice

Today's Interactive Discussion Topics

- **Existing Nationwide Permits**

- NWP 3: Maintenance
- NWP 27: Aquatic Habitat Restoration, Establishment and Enhancement Activities
- NWP 40: Agricultural Activities
- Others

- **Common Changes to Multiple NWPs**

- **New Nationwide Permits**

- NWP A: Removal of Lowhead Dams
- NWP B: Living Shorelines

Webinar Online “Handouts”

- Federal Register Version of the NWP Rule
- ACOE's Summary of the Proposed 2017 Nationwide Permits Table

Today's Interactive Discussion Topics, Continued

- **Changes in General Conditions**
- **Recommendations for Content to Include in ASWM Comment Letter**
- **Next Steps**

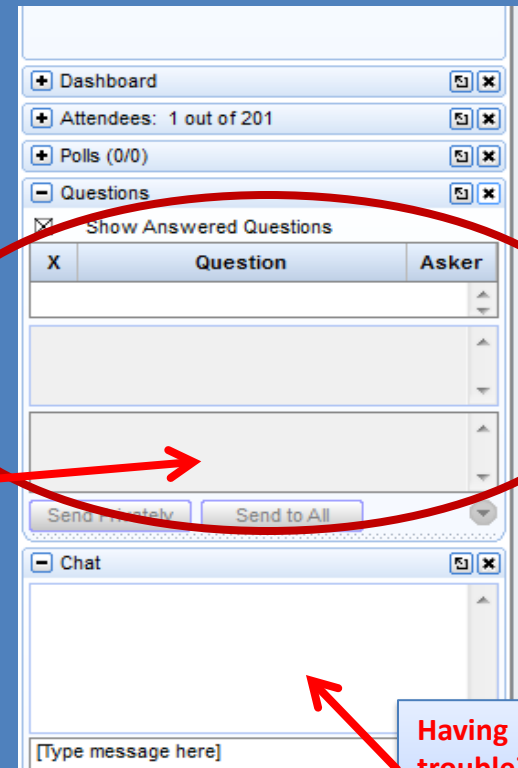
Two Ways to Join in Today's Webinar Discussion

1. "Raise Your Hand" on GoToWebinar Menu Bar



- Raise Hand
- Wait to Be Acknowledged
- Will be Unmuted

2. Write a Question or Comment in the GoToWebinar "Question Box"



Enter
Question or
Comment
Here

Having
trouble?
Send chat
message to
the organizers

ASWM Virtual “Flip Charts”

Discussion Notes Page:
NWP 27: Aquatic Habitat Restoration,
Establishment and Enhancement Activities

- Concerns:

- Suggestions:

Trial effort to capture your comments and suggestions live during the interactive webinar session

Raise your hand if you have a comment or write it in the question box

ASWM will type bulleted information into the slide itself *during* the webinar

You are welcome to write any edits you want made into the question box - please include the NWP you are referring to

Slides will be edited for clarity and sent back out as a PDF to all webinar registrants

Discussion Notes Page:
NWP 3: Maintenance

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:

NWP 12: Utility Line Activities

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP 13: Bank Stabilization

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP 19: Minor Dredging

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:

NWP 27: Aquatic Habitat Restoration, Establishment and Enhancement Activities

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:

NWP 40: Agricultural Activities

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:

NWP 41Reshaping Existing Drainage Ditches

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP____: Other (1)

Skip if no other
NWP Concerns

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP____: Other (2)

Skip if no other
NWP Concerns

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP____: Other (3)

Skip if no other
NWP Concerns

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP A: Bulkhead Dams

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
NWP B: Living Shorelines

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
General Conditions

- **Concerns:**

- **Suggestions:**

Discussion Notes Page:
ASWM Comment Letter Suggestions

- **Concerns:**

- **Suggestions:**



Additional Comments?

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