

NACEPT ASSUMABLE WATERS SUBCOMMITTEE MEETING
(Draft) AGENDA

Date: October 6-7, 2015; 9:00 am – 5:00 pm

Location: U.S. Environmental Protection Agency
William Jefferson Clinton Building North, Room #B 305
1200 Pennsylvania Ave. NW
Washington, DC 20004

To participate by conference call:

1. In the 10 minutes prior to meeting start time, call the Dial-In Number: **1-877-744-6030**.
2. Provide the Operator with the conference ID Number for that day's call.
 - a. Conference ID Number for October 6: **50586247**
 - b. Conference ID Number for October 7: **50586249**
3. Helpful Keypad commands:
 - a. *0 - Operator Assistance
 - b. *6 - Self Mute/Unmute

Tuesday, October 6

8:30-9:00	Check-in and seating
9:00-9:30	Call to Order and Welcome Messages – <i>Patrick Field (Facilitator)</i> <ul style="list-style-type: none">• <i>Ken Kopocis, Assistant Administrator for Water</i>• <i>Benita Best-Wong, Director, Office of Wetlands, Oceans, and Watersheds (OWOW)</i>• <i>Laureen Boles, NACEPT Liaison</i>
9:30-9:45	Agenda Overview - <i>Facilitator</i>
9:45-10:15	Member Introductions - <i>Facilitated round-robin</i>
10:15-11:30	Organizational Orientation and Logistics: <ul style="list-style-type: none">• Overview and Instructions - <i>Laura Bachle, Designated Federal Official (DFO)</i>• Federal Advisory Committee Act (FACA) Briefing - <i>Marilyn Kuray, EPA Office of General Counsel</i>• Subcommittee's Charge - <i>Co-chairs David Evans, EPA, and Barry Rabe, Ph.D, University of Michigan</i>• Draft Operating Procedures – Facilitated discussion
11:30-1:00	LUNCH BREAK

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- 1:00-1:30 Organizational Orientation and Logistics continued:
- Draft Subcommittee Schedule - Facilitated discussion
 - Logistics: travel, receipts, etc. - *Sineta Brown, EPA, Wetlands Division*
- 1:30-2:30 Background Presentations:
- Clean Water Act Section 404(g): Assumption 101 & Assumable Waters - *Kathy Hurd, EPA, Wetlands Division*
 - Administrative Discretion – *Michael McDavit, EPA, Wetlands Division*
- 2:30-3:00 Overview of Assumed Waters in States Implementing Section 404(g):
- Michigan’s Assumed Waters – *Kim Fish, MI Department of Environmental Quality*
 - New Jersey’s Assumed Waters – *Susan Lockwood, NJ Department of Environmental Protection*
- 3:00-3:15 BREAK
- 3:15-4:45 Background Presentations continued:
- Overview of Opportunities and Challenges for States and Tribes – *Peg Bostwick, Association of State Wetland Managers*
 - Initial thoughts and comments by members – Facilitated discussion
- 4:45 – 5:00 Summary of Day, Action Items, and Preview of Day 2 - *Facilitator*
- 5:00 Adjourn for Day - *Laura Bachle, DFO*

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Wednesday, October 7

8:30-9:00	Check-in and seating By conference line: Dial-In Number 1-877-744-6030 ; Conference ID Number 50586249
9:00-9:15	Call to Order and Agenda Review – <i>Facilitator</i>
9:15-9:45	Legislative History and Legal Interpretation of 404(g)(1) – <i>Simma Kupchan, EPA, Office of General Counsel</i>
9:45-10:15	Revisit Charge – <i>Co-Chairs and Facilitator</i>
10:15-10:30	BREAK
10:30-12:00	Identification of Key Questions to Answer During this Process e.g., – Facilitated discussion <ul style="list-style-type: none">• Are rules of thumb okay or are bright lines needed?• What is the measure of success for clarity?• Who needs to be able to identify the appropriate permitting authority? EPA, Corps, State, Tribe, permittee?
12:00 -1:30	LUNCH BREAK
1:30 - 2:30	Public Input – <i>Facilitator</i> Committee Discussion
2:30-3:00	Review and Approval of Operating Procedures – Facilitated discussion
3:00-3:30	Review of Draft Subcommittee Schedule and Agenda Planning for December Meeting – Facilitated Discussion <ul style="list-style-type: none">• Agreement on objectives• Agreement on tentative meeting schedule• Identification of issues EPA is to provide more information on• Identification of presentations and presenters if known
3:30-4:00	Summary of Day, Action Items, and Next Steps - <i>Facilitator</i>
4:00	Adjourn - <i>Laura Bachle, DFO</i>