

Association of State Wetland Managers (ASWM) Sharing ASWM's Assumption Project

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ASWM Assumption 101 Webinar
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Assumption 404 Project Workgroup

1	Adams	Collis	NH DES
2	Bax	Stacia	MO DNR
3	Biddle	Mark	DENRC
4	Brockette	Lewis	MN BWSR
5	Chamberlain	Eliodora	EPA Region
6	Chemerys	Ruth	EPA OWOW
7	Clearwater	Denise	MD DE
8	Garwood	Anne	MIDEQ
9	Hare	Michael	RES
10	Hobbs	Jasper	ACWA
11	<i>Hurld</i>	<i>Kathy</i>	<i>EPA HQ</i>
12	Johnson	Laura	NE DEQ
13	<i>Kelly</i>	<i>Stephanie</i>	<i>EPA HQ</i>
14	Lapierre	Laura	VT DEC
15	Lemm	Les	MN BWSR
16	Leslsz	David	AZ DEQ
17	Link	Marty	NE DEQ
18	Lounds	Amy	MI DEQ
19	Martain	Audra	NEIWPPC
20	Mason	Heather	FL DEP
21	Mettler/Wolff	Martha Clark/Brian	IN DEM
22	Metz/Ryan	Eric/Bill	Oregon DSL
23	Pendergast	Jim	ASWM Volunteer
24	Poage	Barbara	Oregon DSL
25	Polly	Dane	NE DEQ
26	Preston	Heather	SC DHEC
27	Rach	Timothy	FL DEP
28	Robertson	Andy	Saint Mary's University
29	Rypkema	Jim	AK DEC
30	Schiller	Starsha	ASWM
31	Stelk	Marla	ASWM
32	Wesson	Dolores	EPA HQ
33	Wilhelm	HJosh	NE DEQ
34	Williams	Joe	Ecosystem Partners
35	Wojoski	Paul	NC DENR
36	Zollitsch	Brenda	ASWM

ASWM National Project Workgroup

ASWM Assumption Project Staff:

- **Brenda Zollitsch**
- *Marla Stelk*
- *William Dooley*



ASWM ASSUMPTION PROJECT WEBINAR SERIES

Last revised: 2-18-2020

Webinar	Assumption Topic
1	Assumption 101 ← Today!
2	Developing Funding Strategies to Explore, Build, Implement and Sustain Assumed 404 programs
3	EPA's new Assumption Rule; Allowable frameworks and structure to Assume the 404 Program
4	Identifying and Documenting Assumable Waters/What you know about waters or wetlands in your state – what do we gain?
5	Analyzing and Documenting Federal Consistency, Sharing Permit and Reporting Forms; Crafting State Attorney General's Statement
6	Creating §404 Program Elements – <i>Part A</i> : Monitoring & Assessment (for oversight and reporting) and Mitigation, incl. staffing, workload, funding
7	Creating §404 Program Elements– <i>Part B</i> : Enforcement and Evaluation, incl. staffing, workload, funding
8	Securing Data, Developing MOUS, Tribal Consultation, Building in Review Processes - coastal consistency, ESA and 404(b)(1); Developing BMPs
9	Garnering Support for Assumption: Communications and Stakeholder Engagement
10	Developing and Submitting a Complete Assumption Package

What ASWM's Project is Producing

Assumption Focus Topics

- Sustainable funding for 404 programs
- Frameworks and structure to Assume 404
- Identifying and Documenting Assumable Waters
- Analyzing and Documenting Federal Consistency
- Sharing Permit and Reporting Forms
- Creating §404 Program Elements for Assumed Program: Monitoring, Assessment, Mitigation, Enforcement, Eval
- Securing Data; Developing MOUS, BMPs
- Ensuring Tribal Consultation
- Building in Review Processes - coastal consistency, Endangered Species Act

Outputs

- Descriptions
- Tools and templates
- Existing lessons learned and case studies
- Any “best practices”
- Developing support/communication takeaways
- Webinars by content experts

Developing/Submitting
a Complete Package

EXAMPLE: Elements of a §404 Assumption Application

Formal Required Elements Listed On EPA Website

- Cover Letter (from Governor/tribal leader)
- **Complete program description**
- Copies of all applicable state or tribal statutes and regulations administering the program.
- Attorney General's Statement/
tribal equivalent
- Memoranda of Understanding
 - State/Tribe MOU with EPA
 - State/Tribe MOU with Corps

**Federal
Consistency
Analysis**

**Assumable
Waters
Analysis**

Program Description Components

- Description of the scope and structure of the program, including jurisdiction, activities regulated, anticipated coordination, permit review criteria, and scope of permit exemptions, if any
 - includes legislation and regulations
- Structure and organization of state or tribal agency responsible for program administration
- Funding and staffing levels
- Procedures for permitting, administrative review and judicial review
- Anticipated workload
- Copies of permit application forms, permit forms, and reporting forms
- Compliance evaluation and enforcement programs
- Description of the waters under state jurisdiction and those under the U.S. Army Corps of Engineers (Corps) jurisdiction
- Best Management Practices proposed to satisfy farm, forest, and temporary mining roads exemption provisions

Project Contact

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