

Administration and Enforcement of Wetlands in New York

East Syracuse, NY • July 13, 2010 • ID# 384505

Join us for this innovative seminar and get up to speed on wetland regulations in New York. Understand the intricacies of the Clean Water Act. Get a handle on complicated issues surrounding enforcement resolutions. Avoid problems down the road by protecting yourself and your company – find out exactly what the critical issues are and how to best handle them. You'll gain the practical insight you need to deal with any challenges that come your way. Don't wait – register today to make sure you stay on the cutting edge of your field.

Benefits for You

- Ease your worries concerning the Clean Water Act and Section 404
- No-nonsense tips on getting through the permitting process
- Revamp how you approach wetland reports
- Tips on wetland delineation procedures

Learning Objectives

- You will be able to discuss wetlands from a legal perspective.
- You will be able to review the state DEC wetland program.
- You will be able to explain wetland delineations, permit applications and mitigation.
- You will be able to identify recent U.S. Supreme Court cases, including the *Rapanos* and *Carabell* cases.
- You will be able to describe the Corps of Engineer's regulatory program and the NYSDEC wetland program.

— Best Value —
Receive an additional manual and CD package of this program for only \$99 with your seminar attendance!

Faculty

Priority Code 15800

Moderator:

Amy K. Kendall, *Hiscock & Barclay, LLP*

Kevin R. Bliss, *New York State Department of Environmental Conservation*

Harold T. Keppner, *U.S. Army Corps of Engineers*

Joseph M. McMullen, *Terrestrial Environmental Specialists, Inc.*

Doreen A. Simmons, *Hancock & Estabrook, LLP*

Aaron C. Smith, *U.S. Army Corps of Engineers*

For more information about our speakers, go to www.lorman.com/ID384505.

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8:30 AM – 9:00 AM

Registration

9:00 AM – 10:00 AM

Overview of Wetlands-Legal Perspective

— Amy K. Kendall

- Why Can the Government Regulate Wetlands?
 - Brief Overview of the Clean Water Act
 - What Is a Navigable Water? (You Would Think It Was Plain English)
 - Who Regulates What?
 - How Do They Regulate?

10:00 AM – 10:15 AM

Break

10:15 AM – 11:40 AM

Overview of the Corps of Engineer's Regulatory Program – Monitoring and Enforcement

— Harold T. Keppner and Aaron C. Smith

- Administration of Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act
- Permit Evaluation
- Post-Permit Monitoring and Compliance
- Unauthorized Activities

11:40 AM – 12:40 PM

Lunch (On Your Own)

12:40 PM – 1:40 PM

Overview of the State DEC Wetland Program

— Kevin R. Bliss

- Content of a Complete Permit Application
- The Application Review Process
- Permit Issuance and Denial Criteria
- Commonly Related Jurisdictional Considerations
- Permit Conditioning
- The Appeals Process
- Regulatory Update

1:40 PM – 1:55 PM

Break

1:55 PM – 3:10 PM

Wetland Delineations, Permit Applications and Mitigation

— Joseph M. McMullen

- The Consultant's Role in Wetland Permitting and Enforcement Resolution
- Wetland Delineation Procedures
 - New York – 1995 *Wetland Delineation Manual*
 - Federal – 1987 *Wetland Delineation Manual*
 - New 2009 Regional Supplement to 1987 Manual
- Changes That May Result in Wetland Delineations With New Corps Regional Supplement Compared to the 1987 Manual
- Field Procedures for Wetland Delineation
- Contents of Acceptable Wetlands Report/Jurisdictional Requests
 - Wetland Delineation Report
 - Jurisdictional Determination Requests – State and Federal
 - Contents of Jurisdictional Determination Reports
- Importance of Functions and Services of Wetlands
- Wetlands Mitigation Requirements for Permitting and Violations
 - Types of Mitigation
 - Priorities of Mitigation Types
 - Federal 2008 Final Mitigation Rule

3:10 PM – 4:00 PM

Wetland Litigation

— Doreen A. Simmons

- Enforcement and Takings Claims
- U.S. Supreme Court – Recent *Rapanos* and *Carabell* Cases

4:00 PM – 4:30 PM

Questions and Answers, and Panel Discussion

— Kevin R. Bliss, Amy K. Kendall,
Harold T. Keppner, Joseph M. McMullen,
Doreen A. Simmons and Aaron C. Smith

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Seminar Tuition (includes free manual with attendance)

- Yes!** I would like to attend. (\$369 per person)
 Yes! I would like the Best Value discount.
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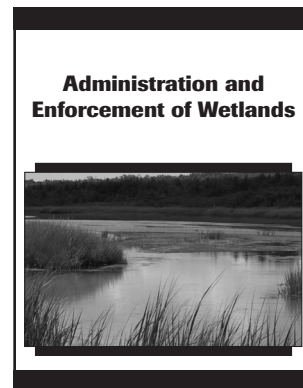
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 Milwaukee, WI 53201-2933

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Where Is It?

Hilton Garden Inn Syracuse
 6004 Fair Lakes Road
 315-431-4800
 East Syracuse, NY

Who Will Be There?

This seminar is designed for presidents, vice presidents, engineers, project managers, environmental professionals, contractors, developers, planners, architects, land use officials, municipal representatives and town planners.