Wednesday Afternoon Concurrent Session B

Experiences and Lessons Learned for States and Tribes
Carrying Out §401 Certification Programs

1:30 pm – 1:45pm  §401 Certification Overview: Jeanne Christie, Association of State Wetland Managers

1:45 pm – 2:30 pm  Panel: State Review of Federal Permits and Licenses Subject to §401 Certification: Stephanie Hayes, Kentucky Division of Water; Robert Parker, Nebraska Department of Environmental Quality; John Hranac, Colorado Department of Public Health and Environment

Panelists will briefly (in 15 minutes) address four questions

1) What types of federal permits or licenses are reviewed using §401 Certification in your state?
2) What are the most common activities reviewed in your state?
3) What is one issue that is particularly challenging?
4) What is a successful approach utilized in the state to carry out §401 Certification?

2:30pm – 3:00pm Discussion: Questions and Answers

3:00pm – 3:30pm Break

3:30pm – 3:50pm Application of State/Tribal water quality standards and other appropriate requirements of state or tribal law: Donna Downing, U.S. Environmental Protection Agency

1) Examples of State Water Quality Standards and other appropriate requirements of state or tribal law used by states
2) Examples of criteria for developing enforceable conditions – what works, what doesn’t

3:50pm – 4:15pm Discussion: Questions and Answers

4:15pm – 5:00pm Panel: Enforcing §401 Certification: Stephanie Hayes, Kentucky Division of Water; Robert Parker, Nebraska Department of Environmental Quality; John Hranac, Colorado Department of Public Health and Environment

5:00pm End
§401 certification training has been identified as a high priority by state and tribal program staff. ASWM has established a state §401 certification workgroup of state wetland program staff who have volunteered to advise ASWM on specific training needs. Following this session at the Annual meeting ASWM is planning to work with the members of the §401 certification workgroup to hold a series of webinars about implementing §401 Certification programs. These will be recorded and available for training going forward. One of the goals during this afternoon session will be to identify future §401 Certification Programs webinar topics that will assist state and tribal program staff in carrying out their respective programs across the nation. A good resource for information about carrying out §401 Certification program is the “Clean Water Act Section 401: Water Quality Certification: A Water Quality Protection Tool for States and Tribes” https://www.epa.gov/sites/production/files/2016-11/documents/cwa_401_handbook_2010.pdf.