

"Call Before You Fill: A Federal Perspective on Wetland Regulations"

*Coastal No Adverse Impact
Approach Workshop*

June 25, 2015



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What are Waters of the United States (WOUS)?

- Oceans (Pacific, Atlantic, Arctic)
- Rivers
- Streams
- Waterways (ditches/canals)
- Lakes (including interstate)
- Wetlands (many different types)



Why regulate waters of the U.S?

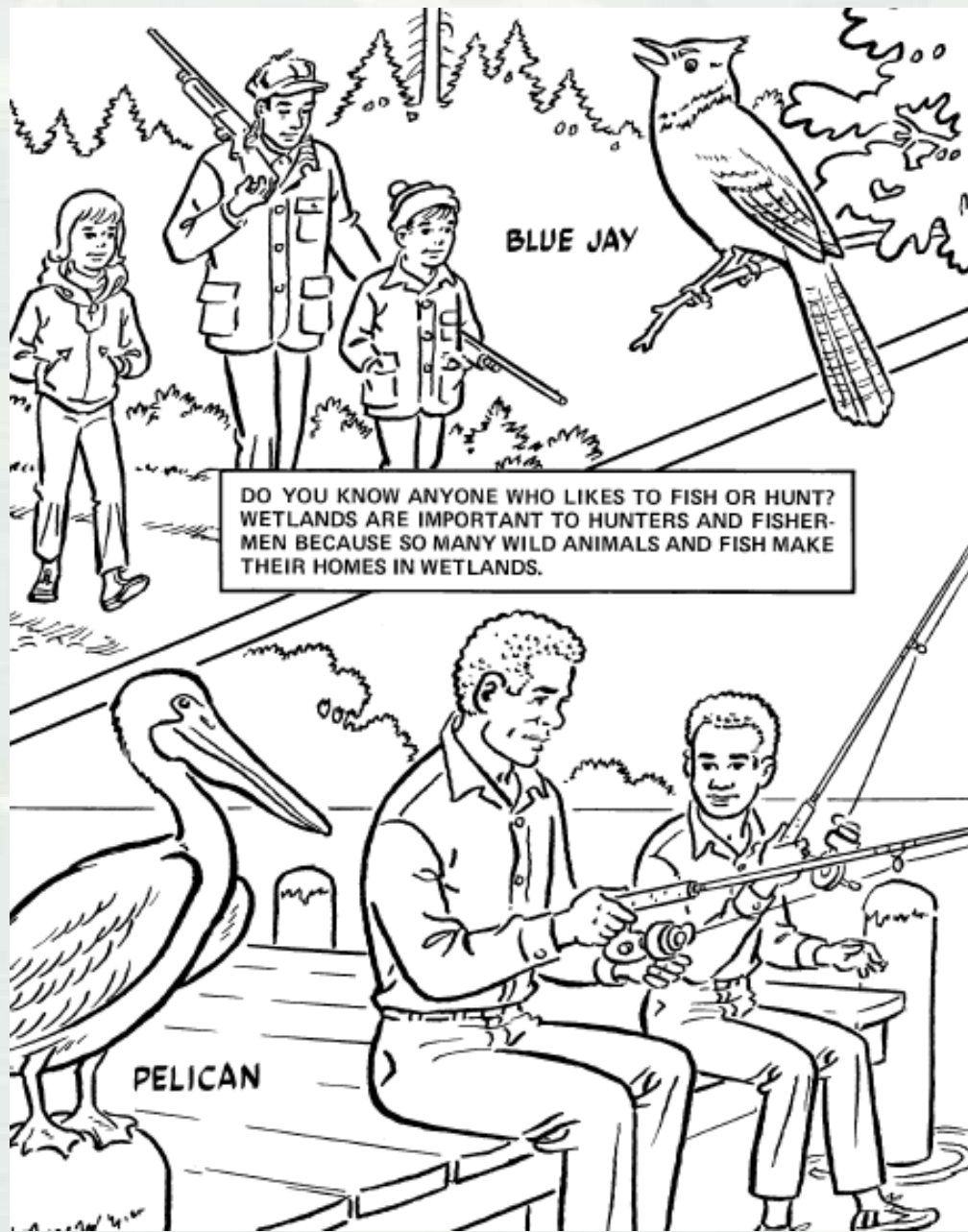
- **Important Functions and Values**

- ▶ Navigation
- ▶ Recreation
- ▶ Water Filtration/Purification
- ▶ Wildlife Habitat
- ▶ Water Storage
- ▶ Erosion Control

Σ TIED TO COMMERCE (\$\$\$)

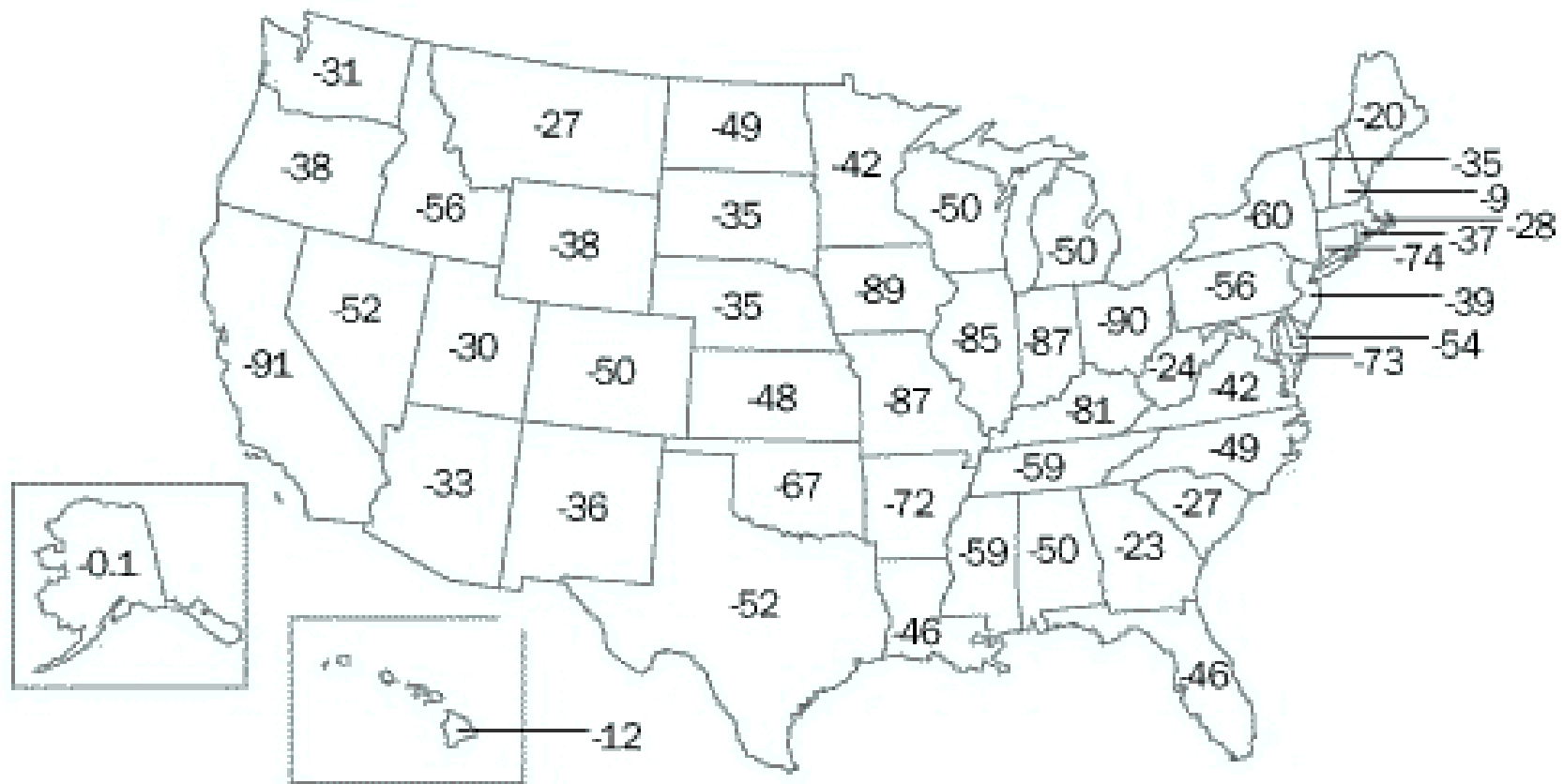


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Percentage of Wetlands Acreage Lost, 1780's-1980's



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DUCK

DEER

WETLANDS HELP PROTECT OUR HOMES FROM WEATHER. WETLANDS LOWER FLOODWATERS BY HOLDING RAIN AND MELTING SNOW. ALSO, ON THE SEA COASTS, WETLANDS CATCH THE FURY OF HURRICANES!



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The Clean Water Act

Purpose:

“to restore, protect and maintain the chemical, physical, and biological integrity of the nation's waters”

Section 404 of the Clean Water Act

permit required for discharges of dredged or fill material into waters of the U.S.

Section 10 of the Rivers and Harbors Act

permit required for work or structures in navigable waterways



Chicago District Corps Regulatory Boundaries



Major Responsibilities of the Regulatory Branch

- **Jurisdictional Determinations**
- **Permit Evaluations**
- **Compliance Inspections**
- **Violation Investigations**



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Permit Programs

Indiana

- Regional General Permit (No. 001)
- Nationwide Permits
- Programmatic General Permits (Public Freshwater Lakes)

Illinois

- Regional Permit Program (Effective April 1, 2012)
- Nationwide Permits (ex.- NWP 5/Scientific Measurement Devices)



Permitting the Public: Examples of Section 10/404 Permits

❖ Seawalls, Boat Ramps, Shoreline Stabilization, Piers

❖ Transportation projects including Tollway, INDOT, and Railroad Projects

❖ Utility Projects

❖ Commercial, Residential, Institutional Projects

❖ Wetland & Stream Restoration Projects

❖ Recreation Projects – golf courses, trails, sports fields, parks and playgrounds



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A Few Statutes We Deal With

- ❖ Endangered Species Act
- ❖ Fish and Wildlife Coordination Act
- ❖ National Historic Preservation Act
- ❖ NEPA
- ❖ Stormwater Ordinances
- ❖ Soil Erosion and Sediment Control Ordinances
- ❖ Federal Power Act
- ❖ Wild and Scenic River Act
- ❖ And many, many more....



Violations



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2012/07/12



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Chicago District Regulatory Branch Management

Branch Chief – Leesa Beal

Team Indiana

Diedra Willis – Indiana Team Leader

Andrew Blackburn – POC for Porter County,
LaPorte County (\pm northern 1/3rd), National
Park Service, Mitigation Banks

Paul Leffler – POC for Lake County, INDOT

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Questions?



Regulatory Website:
<http://www.lrc.usace.army.mil/co-r/>



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