

**U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) & THE DEPARTMENT OF THE ARMY
WATERS OF THE U.S. (WOTUS) STEP 2 RULEMAKING: STATE CO-REGULATORS MEETING**

**U.S. EPA William Jefferson Clinton East Building
1201 Constitution Avenue NW, Washington DC 20004
Room: 1153 EPA East (Map Room)**

Thursday, March 8, 9:00am-5:00pm through Friday, March 9, 9:00am-5:00pm

MEETING OBJECTIVES

- Consult with states on the status and general policy direction of the WOTUS Step 2 rulemaking.
- Discuss how the agencies can define key terms.
- Gather feedback on how the WOTUS rulemaking could affect states and their Clean Water Act programs.

AGENDA – DAY 1

9:00-9:15 am **Welcome & Opening Comments, David Ross, Ryan Fisher**

9:15-9:45 am **Introductions**

9:45-10:00 am **Roles/Responsibilities, Ground Rules, Logistics, *facilitator***

10:00-10:45 am **Background and Overview of Key Policy Topics, *David Ross, Ryan Fisher***

10:45-11:00 am **Break**

11:00 am-12:00 pm **State Authorities and State Perspectives**

12:00-1:15pm **Working Lunch** (overall approach, CWA 101(b), CWA 101(g))

1:15-2:30 pm **Wetlands Discussion** (working from provided materials)

2:30-2:45 pm **Break**

2:45-4:30 pm **Tributaries Discussion** (working from provided materials)

4:30-5:00 pm **Remaining Questions from the Day**

AGENDA – DAY 2

- 9:00-9:30 am **Opening Comments, *facilitator***
- ✦ Additional Day 1 Feedback
 - ✦ Day 2 Process Overview
- 9:30-11:30 am **Exclusions Discussion** (working from provided materials)
- 11:30 – 11:45 am **Review of Definition Discussions** and preview afternoon discussion
- 11:45-1:00 pm **Lunch**
- 1:00-3:00 pm **Program Discussion** – Potential Program Implications; Development or Expansion of State Programs to Respond to Definitional Clarification
- ✦ 303 – Listing Impaired Waters and Total Maximum Daily Loads
 - ✦ 311 – Oil and Hazardous Substances
 - ✦ 401 – State Water Quality Certification
 - ✦ 402 – National Pollutant Discharge Elimination System
 - ✦ 404 – Dredge or Fill Permits
- 3:00-3:15 pm **Break**
- 3:15-4:00 pm **Discussion of Additional State Issues**
- 4:00 – 4:45 pm **Recommendations for Future Engagement with States**
- 4:45-5:00 **Wrap Up & Closing Comments**
- 5:00 pm **Meeting Adjourns**