



# WESTERN STATES WATER COUNCIL

## **WOTUS Regional Concept Policy Workshop**

August 2, 2022 8:30 am - 5:00pm (MT)

Polson, Montana

Please register [here](#) to receive login details.

### **Workshop goals**

- Provide states an opportunity to learn from one another and explore regional concepts in more depth.
- Share outputs from technical pre-workshops and examples of existing regional classification schemes and analytical tools used in federal and state agencies.
- Discuss policy elements of several regional approaches to WOTUS.
- Gather feedback and input on technical white paper.
- If consensus on regional approach elements, propose a process to engage EPA and USACE and develop new points for WOTUS position.

### **Agenda**

- |                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8:30 am         | Welcome, introductions, and ground rules                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 8:45 am         | Workshop Goals and Tools ( <i>Erica Gaddis, PhD, Western States Water Council</i> ) <ul style="list-style-type: none"><li>• WOTUS background and workshop goals</li><li>• Zoom features, Lucid Chart for whiteboard brainstorming, and interactive map</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 9:00 am         | Summary of technical pre-workshops                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 9:30 am         | Discussion of potential technical recommendations resulting from pre-workshops and feedback on technical white-paper                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| <b>10:30 am</b> | <b>Break</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10:45 am        | Discussion of policy issues associated with a regional approach <ul style="list-style-type: none"><li>• Regionalized rule v. guidance</li><li>• Elements of WOTUS that should be regional v. national</li><li>• Balancing federal and state authority</li><li>• Regionally relevant exemptions</li><li>• Bright line (rebuttable presumption) and clear process for case-by-case or regional revisions</li><li>• Phasing of a regional approach</li><li>• Managing multiple regions within states</li><li>• Climate change and environmental justice</li><li>• Potential for more stringent requirements in some regions than others</li><li>• Durability, clarity, and repeatability</li><li>• Agency resources (federal and state)</li><li>• Negotiating differences between states within a region</li></ul> |
| <b>12:00 pm</b> | <b>Lunch Break</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |

1:30 pm States only continued discussion of policy issues

**3:00 pm** ***Break and workshop group survey***

3:30 – 4:45 pm Next steps.

- Survey results
- Finalizing technical white-paper
- Engaging USACE and EPA
- Revised position
- Report out to WQ committee/full council