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Timely and Relevant New Conference!

Carolinas Wetlands

Rapanos, Carabell and Beyond

February 26-27, 2007 • Omni Hotel • Charlotte

**\$100 Discount for
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Who Will Benefit:

- Lawyers
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 - Developers
 - Landowners
 - Agriculture Professionals
 - Real Estate Professionals
 - Environmental Representatives
- ... and anyone involved in wetlands in the Carolinas!

On June 19, 2006, the United States Supreme Court decided two cases:

Rapanos v. United States: John Rapanos filled in low-lying areas of his property so he could sell it to a developer for a shopping center. Without the fill, however, the water flowed from the land to a small creek, then to a river that flows into Saginaw Bay. The EPA brought civil and criminal charges against Mr. Rapanos, and he faced up to \$13 million in fines and fees.

Carabell v. U.S. Army Corps of Engineers: The Carabells said it was a physical impossibility for them to pollute navigable waters because their property was surrounded by a man-made berm that blocked the flow of water. The government responded that the Carabells' wetlands are a mile from Lake St. Clair and well within its watershed.

The Supreme Court has spoken! What do the Court's decisions mean for the landscape of wetlands law? Join our prestigious faculty in Charlotte to learn more about the implications of these decisions and other topics important to wetlands professionals in North or South Carolina.



Visit our website at [cle.com](http://www.cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

Register Online at www.cle.com or Call (800) 873-7130
Conference Schedule and Speaker Biographies Inside



Monday, February 26 **Tuesday, February 27**

8:30 Registration and Continental Breakfast

9:00 **Welcome and Introduction**
 Overview of Day One
Craig A. Bromby, Esq., Program Co-Chair
Hunton & Williams, Raleigh, NC
Ethan R. Ware, Esq., Program Co-Chair
McNair Law Firm, Columbia, SC

9:15 **State of Wetlands Law in North Carolina**
 Overview and Analysis
Craig A. Bromby, Esq., Program Co-Chair

10:00 Morning Break

10:15 **State of Wetlands Law in South Carolina**
 Overview and Analysis
Ethan R. Ware, Esq., Program Co-Chair

11:00 **Wetlands Protections in the Carolinas**
 Update and Current Issues
Scott Bodien, Technology Coordinator
Catawba Land Conservancy, Charlotte, NC

11:45 Q&A Panel
Members of the Faculty

12:00 Lunch Break

1:30 **Featured Presentation**
Rapanos and Carabell
M. Reed Hopper, Esq.
Pacific Legal Foundation, Sacramento, CA

2:30 Afternoon Break

2:45 **Rapanos, Carabell and the 4th Circuit**
 The Supreme Court's Effect on the Carolinas
Virginia S. Albrecht, Esq.
Hunton & Williams, Washington, DC

3:30 **The Corps' Response to Rapanos and Carabell**
 News and Updates
Justin McCorcle, Esq., Wilmington District
U.S. Army Corps of Engineers, Wilmington, NC

4:15 Q&A Panel
Members of the Faculty

4:30 Adjourn

8:30 Continental Breakfast

9:00 **Welcome Back**
 Overview of Day Two
Craig A. Bromby, Esq., Program Co-Chair
Ethan R. Ware, Esq., Program Co-Chair

9:15 **Department of Transportation Projects**
 Merger Process, Permitting and More
John Hennessy, Environmental Supervisor
North Carolina Division of Water Quality, Raleigh, NC

10:15 Morning Break

10:30 **Featured Presentation**
 New Wetlands Mitigation Policy
Charles R. Smith
Assistant for Environment, Tribal and Regulatory Affairs
Office of the Assistant Secretary of the Army (Civil Works)
Washington, DC

11:30 **Navigating the Corps' Appeal Process**
 Tips from the Corps
Mike Bell, Appeals Review Officer
South Atlantic Division
U.S. Army Corps of Engineers, Atlanta, GA

12:15 Q&A Panel
Members of the Faculty

12:30 Lunch Break

2:00 **401 and Wetland Functional Assessment**
 State by State Review
John R. Dorney, Environmental Supervisor
North Carolina Division of Water Quality, Raleigh, NC
M. Rheta Geddings, Assistant Bureau Chief
Bureau of Water
South Carolina Department of Health and Environmental Control
Columbia, SC

3:30 Afternoon Break

3:45 **Ethics**
 An Overview for the Wetlands Practitioner
Craig A. Bromby, Esq., Program Co-Chair
Ethan R. Ware, Esq., Program Co-Chair

4:45 Q&A Panel
Members of the Faculty

5:00 Evaluations and Adjourn

Save These Dates!

Intellectual Property February 22-23, Denver	Land Use Law February 26-27, Charlotte	Eminent Domain SuperConference March 1-2, Austin
Ethics February 23, Tampa	Resort Development March 1-2, Naples	Community Association Law March 29-30, Somerset

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instructors

Carolinas Wetlands

meet your

<p>Program Co-Chairs</p> <p>Craig A. Bromby focuses on administrative law and environmental compliance: specifically, water pollution control, wastewater discharge permitting, surface water and groundwater quality issues, pretreatment, wetlands and endangered species regulation.</p> <p>Ethan R. Ware is best known for his accomplishments in air, hazardous waste, and wetlands law. He has appeared on behalf of businesses in negotiations relating to environmental permits, in defense of environmental and OSHA enforcement actions by state and federal agencies, in defense of toxic tort lawsuits, and on behalf of industry in criminal and civil environmental actions.</p>	<p>Charles R. Smith is responsible for executive leadership, policy development, implementation, strategic planning and issue resolution in the areas of environmental restoration and protection, the Regulatory Program, Indian Affairs, historic preservation, and water resources project planning. He serves as a liaison with senior leaders of the Administration, tribal governments, state and federal agencies, members of Congress, and industry and resource-oriented interest groups.</p>	<p>John R. Dorney is in charge of the Wetlands Program Development Unit, which is responsible for developing and implementing new or modified wetland regulatory policies, as well as FERC permitting and watershed monitoring. He has been with the Water Quality Section for 21 years.</p>
<p>Featured Presenters</p> <p>M. Reed Hopper oversees Pacific Legal Foundation's Endangered Species and Clean Water Act litigation. Prior to joining the Foundation in 1987, he served as both an Environmental Protection Officer and Hearing Officer in the U.S. Coast Guard enforcing the Clean Water Act in the Gulf Coast. He has managed large industrial waste programs and written numerous compliance standards. He has litigated precedent-setting environmental and land use cases, including the recent <i>Rapanos</i> case in the United States Supreme Court.</p>	<p>Virginia S. Albrecht focuses exclusively on environmental law and administrative law, including the Clean Water Act wetlands program, the Endangered Species Act, the National Environmental Policy Act and other federal regulatory programs that affect the use of land.</p> <p>Mike Bell reviews documents, attends site visits and conducts administrative appeal conferences for jurisdictional determinations, denied permits and proffered permits associated with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. He makes recommendations on the merits of appeals to the Division Engineer by determining if the District properly followed Corps policy, regulations and law.</p> <p>Scott Bodien enjoys working on GIS and broader environmental issues. He and his organization work to conserve land by undertaking or assisting in direct land transactions.</p>	<p>M. Rheta Geddings has been with the Bureau of Water at South Carolina Department of Health and Environmental Control for 17 years. She oversees the Division of Water Quality, the Water Facilities Permitting Division, and the Stormwater, Construction and Agricultural Permitting Division.</p> <p>John Hennessy is an Environmental Supervisor for his agency, which is responsible for statewide regulatory programs in surface water and aquifer protection.</p> <p>Justin McCordle focuses on the Clean Water Act regulatory program, environmental law, and legal issues associated with federal flood control, storm damage reduction and navigation projects.</p> <p>CLE INTERNATIONAL Program Attorney: Allison A. Gerkman, alli@cle.com.</p>

information

conference

<p>Continuing Education Credit</p> <p>CLE INTERNATIONAL is an approved sponsor in all states having mandatory continuing legal education requirements.</p> <p>North Carolina MCLE: This course is approved by the North Carolina State Bar for a maximum of 11 hours of MCLE credit, including one hour of legal ethics.</p> <p>South Carolina MCLE: This course is approved by the South Carolina State Bar for a maximum of 11 hours of MCLE credit, including one hour of legal ethics.</p> <p>Planning: This course meets the requirements for 11 hours of AICP/CPDP credit in the State of North Carolina and the State of South Carolina.</p> <p>For accreditation in other jurisdictions or disciplines, please contact CLE INTERNATIONAL at (800) 873-7130.</p> <p>Registration</p> <p>Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the Registration/Order Form to (303) 321-6320, email your registration to registrar@cle.com, or register on-line at www.cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call CLE INTERNATIONAL at (800) 873-7130 if you require any special accommodations.</p>	<p>Omni Hotel 132 East Trade Street Charlotte, NC 28202</p> <p>For Hotel Reservations: Community World Travel (888) 724-0500 www.communityworldtravel.com</p> <p>Tuition: \$595</p> <p>The tuition fee of \$595 per person (\$495 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts, and coffee breaks.</p> <p>Save When Two or More Register</p> <p>Save \$200 or more with our multiple registrant discount! For two or more registering from the same firm, the tuition fee is only \$495 per person (\$395 for government employees, 501(c)(3) organizations, full-time judges, law students and paralegals).</p> <p>About CLE International</p> <p>CLE INTERNATIONAL, a leading provider of continuing professional education, has been presenting high-quality programs nationwide since 1983.</p>	<p>Course Materials</p> <p>Each registrant will receive a set of course materials, prepared by the speakers especially for this Conference, which will be a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.</p> <p>Homestudy Package</p> <p>If you cannot attend, CLE INTERNATIONAL also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This package may qualify for homestudy credit.</p> <p>Cancellation</p> <p>Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Monday prior to the Conference. Substitutions may be made at any time.</p> <p>Sponsorship Information</p> <p>Sponsorship and exhibition opportunities are still available. For more information, please contact Shauna Kraczek at (800) 873-7130 or shauna@cle.com.</p>
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Regulation, Mitigation, Preservation and More

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With Two Featured Presentations:



**Rapanos and
Carabell**

M. Reed Hopper, Esq.
Pacific Legal Foundation
Sacramento, CA



**New Wetlands
Mitigation Policy**

**Charles R. Smith, Assistant
for Environment, Tribal
and Regulatory Affairs**

Office of the Assistant Secretary
of the Army (Civil Works)
Washington, DC

