



**ROCKY MOUNTAIN**  
MINERAL LAW FOUNDATION

Water Law Webinar Series:

# **THE WONDERFUL WORLD OF WOTUS**

## **THE EVER-CHANGING MEANING OF WATERS OF THE UNITED STATES**

July 2, 2020

NOON PDT, 1:00 PM MDT, 2:00 PM CDT, 3:00 PM EDT



Ashley G. Chrysler  
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Daniel P. Ettinger  
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Ann D. Navaro  
Bracewell LLP

**Only \$45 for members and \$60 for non-members!**  
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**Webinar registrants may credit the entire registration fee for this webinar against the registration fee for the Virtual Water Law Institute on November 19, 2020.**

**Registration opens soon!**

# **The Wonderful World of WOTUS—The Ever-Changing Meaning of Waters of the United States**

The definition of waters of the United States (WOTUS) has been through several iterations over the past few decades. The new Trump administration WOTUS rule, which was finalized on January 23, 2020, and is set to go into effect on June 22, 2020, streamlines the definition in an attempt to simplify its application and provide certainty to developers. This presentation will discuss the evolution of the definition and illustrate the practical application of the new WOTUS rule as compared to prior versions, and provide practical advice to industry as to WOTUS compliance obligations. The new WOTUS rule is the subject of several legal challenges attempting to prevent it from becoming effective. This presentation will also discuss the status of those challenges and give insight into what the future holds for the new rule.

## **Speaker Bios**

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### **Ashley G. Chrysler: Associate, Warner Norcross + Judd LLP, Grand Rapids, MI**

ASHLEY G. CHRYSLER is an associate at Warner Norcross + Judd, a full service law firm with over 200 attorneys in Michigan. Ashley works out of Warner's Grand Rapids, Michigan office. She has extensive experience in mining and natural resource litigation in federal and state courts and before administrative tribunals, with a focus on wetland and Clean Water Act Section 404 permitting. She counsels mining and natural resource development clients on litigation, permitting strategy, and other aspects of project development. Ashley received her B.A. in Political Science/Criminal Justice from Saginaw Valley State University in 2012 and her J.D. from Michigan State University College of Law in 2015.

### **Daniel P. Ettinger: Partner, Warner Norcross + Judd LLP, Grand Rapids, MI**

DANIEL P. ETTINGER is a partner at Warner Norcross + Judd, a full service law firm with over 200 attorneys in Michigan. Dan works out of Warner's Grand Rapids, Michigan office. He concentrates his practice in the areas of mining and natural resource development, environmental law and litigation, including Clean Water Act matters, NEPA and NHPA compliance, and administrative law, with a special focus on issues related to Native American tribes and cultural resources. Dan advises mining and natural resource development clients regarding environmental permitting and other regulatory compliance. He also advises them regarding tribal engagement and consultation, compliance with laws aimed at protecting tribal interests and resources, such as NHPA, and other cultural resource issues that can arise in the course of permitting a development project. Dan also has extensive experience representing mining and other natural resource development companies in federal and state courts, and before administrative tribunals. He received his B.A. in Philosophy from Tufts University in 1991 and his J.D. from Duke University in 1995.

### **Ann D. Navaro: Partner, Bracewell LLP, Washington, DC**

ANN NAVARO is a partner at Bracewell LLP. She advises on and litigates under the federal laws and policies governing natural resources and the environment. After more than 25 years as a litigator and policy advisor for the federal government, she brings exceptional insight and acumen to clients seeking to build, operate, and maintain infrastructure, produce valuable natural resources, or improve government policies and programs affecting their businesses. Ms. Navaro has held senior legal and policy positions at the US Army Corps of Engineers and the US Department of the Interior, including most recently as Counselor to the Solicitor at the Department of the Interior. She spent more than 10 years as a trial lawyer in the Environment and Natural Resources Division at the US Department of Justice, as well as 10 years litigating and ultimately managing all civil works litigation for the Army Corps. At Bracewell, Ms. Navaro supports clients—including infrastructure developers and companies active in the upstream, pipeline, renewables, power transmission, and LNG sectors—on project siting and operation; permitting and enforcement under federal wetland, habitat and resource statutes; and related regulatory issues, policy advocacy, and litigation.