

DELIA M. GARCIA, Ph.D.

US Environmental Protection Agency Region 7
Water Enforcement Branch
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EPA Work Experience

**U.S. Environmental Protection Agency, Region 7-Lenexa, KS
Environmental Scientist (GS-1301)**

Oct 2011 - Present

**Role: Clean Water Act (CWA) 404 Enforcement Coordinator, U.S. EPA Region 7
Supervisor: Jodi Bruno, (913-551-7810)**

JOB SUMMARY

Serve as the regional technical expert regarding complex, difficult, and controversial issues related to enforcement of unpermitted violations of Section 404 that impact wetlands and other aquatic resources. Investigate the most complex cases of violation and work with legal counsel to provide technical data for inclusion in administrative orders or consent decrees. Coordinate case referrals between EPA and the U.S. Army Corps of Engineer Districts (COE). Represent EPA during quarterly calls with COE Districts. Provide expert technical testimony on behalf of EPA during settlement negotiations, legal hearings, or other proceedings. Respond to and provide technical 404 assistance to state and local governments, other federal agencies, tribes, the regulated community, and regional staff regarding interpretation of Section 404 of the Clean Water Act. Prepare Annual Operating Plan for the CWA 404 Enforcement Team. Assist in the development of policies and regulations of national and regional scope. Represent Region 7 on all 404 enforcement related matters, and serve as a liaison between Region 7 and universities within the Region. Organize, lead, and facilitate 404 team meetings. Train new employees on 404 regulations, inspection procedures, and field protocols. Provide expert technical testimony on behalf of EPA during settlement negotiations, legal hearings, or other proceedings

ACCOMPLISHMENTS

- Spearheaded Region 7's effort to negotiate a Field Level Agreement (FLA) between Region 7 and the seven COE Districts with jurisdiction over the states that we regulate. The FLA established the rules and principles that we would adhere to in sharing the responsibility of Section 404 CWA enforcement.
- Organized and hosted in person meetings between Region 7 and COE Districts. In person meetings have resulted in improved relationships and partnerships with the COE.
- Developed and delivered 404 Enforcement presentations to other Divisions within Region 7.
- Provided assistance in the delineation of wetlands in the St. Johns project area. Assisted with the identification of soils, hydrology, and wetland plants.
 - Drafted the 404 Compliance Evaluation Inspection Standard Operating Procedure Manual, and providing training on its use to other 404 compliance officers.
- Asked to represent Region 7 in the national committee that was responsible for addressing the findings from the EPA Inspector General regarding 404 Enforcement.

- Streamlined the process for evaluating referrals from the COE, to determine if EPA will take the lead in resolving 404 violations.
- Developed and delivered training to 404 Wetland State Coordinators on documenting photographs and notes during site visits.
- Asked to assist EPA Headquarters with providing technical responses to public comments received during the 2015 Waters of the U.S./Clean Water Rule rulemaking. Addressed conflicting opinions received from a variety of stakeholders ranging from congressional representatives to individual citizens.
- Provided expert technical testimony on behalf of EPA during the C & S Enterprises hearing.

Role: WWPD Water Quality Branch, Detail, U.S. EPA R7
Supervisor: Jeff Robichaud (913-551-7146)

Feb 2018 - Jun 2018

JOB SUMMARY

At the Division Director's request, I served on a detail to the Water Quality Branch. I utilized my fisheries and wildlife background to critically evaluate the justification provided by a state agency to support their proposed numeric nutrient criteria for lakes and reservoirs.

ACCOMPLISHMENTS

- Reviewed all the scientific literature that the state had utilized to support their assertion that their proposed numeric criteria was protective of all aquatic life in lakes and reservoirs.
- Conducted an independent literature search to identify peer reviewed studies that the state might have not considered in developing their proposed standards. Reviewed additional studies found and summarized their findings.
- Prepared a report that summarized my findings, and shared it with the Division Director and the Water Quality Branch to assist with their decision on the proposed numeric criteria approval.

Role: Compliance Officer, U.S. EPA R7
Supervisor: Jodi Bruno, (913-551-7810)

May 2006 - Present

JOB SUMMARY

Cooperatively work with the Office of Regional Counsel to ensure that the regulatory requirements related to the CWA are enforced. Specifically enforce regulations involving Section 404 of the CWA which regulates the placement of fill in waters of U.S., and Section 402 as it pertains to concentrated animal feeding operations and stormwater. Review and evaluate inspection reports, information submitted by regulated facilities or individuals, NPDES permits, and other documentation to determine compliance status. Negotiated administrative and judicial settlements with individuals or corporations that have violated Sections 402 and/or 404 of the CWA, and provide tracking oversight of compliance order reporting, settlement agreement schedules, and consent decree reporting requirements. Negotiate and review proposed restoration plans to ensure that proposed plans restore wetland and/or stream functions and that the methodology proposed is scientifically sound. Utilize GIS, historical aerial photography, remote sensing, topographic maps, soil maps, elevation data, water quality databases, and inspections to calculate impact of fill placed in waters of the U.S., to assist in assessment and monitoring of streams and wetlands, to assess feasibility of mitigation and/or restoration of impacted

areas. I conduct inspections to assess wetland and stream condition, evaluate habitat degradation, and determine jurisdictional status of waters impacted.

ACCOMPLISHMENTS

- Work with the Office of Regional Counsel to review compliance status and negotiate resolutions to CWA violations in accordance with federal regulations.
- Managed and tracked multiple 404 and 402 cases to ensure that case milestones are achieved within the designated time frames and deadlines, and that expenditures in Supplemental Environmental Projects match the agreed upon budget.
- Trained other employees in the use of aerial photography, topographic maps, soil maps, and other databases to determine jurisdictional status of waters.
- Provide technical assistance to states, federal, and local governments, and the general public on CWA regulations.
- Invited to present on CWA 404 enforcement regulations and processes to state agencies, EPA staff, local agencies, and COE Districts.
- Invited to present on CWA 402 regulations to stormwater association members.

Role: Wildlife Biologist, Missouri Cooperative Fish and Wildlife Research Unit, University of Missouri
Supervisor: Dr. Charles Rabeni, (retired)

May 1997 – Aug 1997

JOB SUMMARY

Conducted surveys to determine presence/absence of threatened and endangered animal and plant species at the Lake City Army Ammunition Plant in Jackson County, Missouri. Designed and executed wildlife inventory and habitat monitoring procedures to determine if populations of spotted skunks, Indiana bats, Henslow's sparrows, and/or bald eagles were present within the Army Base.

ACCOMPLISHMENTS

- Used knowledge of the Endangered Species Act (ESA), wildlife survey techniques, wildlife ecology, and wildlife habitats to conduct surveys.
- Published a Section 7 informal consultation report (Biological Assessment) (Job Order#61SME3) providing strategic assessments, and management recommendations as required by the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA).
- Developed wildlife inventory and habitat monitoring procedures regarding wildlife and land management applicable to their ecosystem.
- Utilized aerial photographs, maps, and life history traits to identify potential critical habitats within the Lake City Army Ammunition Plant.
- Utilized line transects, scent stations, mist nets, and variable strip transect methods to survey critical habitats for threatened and endangered species.

Role: Biological Technician, U.S. Fish and Wildlife Service
Supervisor: Thomas Alexander, (928-857-3253)

Apr 1993 – Sep 1994

JOB SUMMARY

Responsible for designing and conducting studies in multiple project areas, involving a wide variety of habitat types and species of plants and wildlife. Assisted and provided technical advice to wildlife refuge manager in implementing management plants that included exotic plant species control.

ACCOMPLISHMENTS

- Published technical reports, biological opinions regarding land and wetland management, exotic plant species control, and subsequent habitat restoration.
- Co-authored an Environmental Assessment (EA) for a wetland management project at the Seal Beach National Wildlife Refuge.
- Cooperated with biologists from the Fish and Wildlife Ecological Service office in Carlsbad to identify and evaluate habitat restoration efforts and wetland management.
- Surveyed and compiled information on the nesting success of endangered colonies of least terns, along the Southern California Coast, including populations at Seal Beach National Wildlife Refuge, Sweetwater Marsh National Wildlife Refuge, and a population in the city of Newport.
- Participated in annual waterfowl aerial survey and Christmas bird counts.
- Coordinated work at the Seal Beach National Wildlife Refuge with the natural resource specialist at the Seal Beach Naval Weapons Station, and with the Army Corps of Engineers at the Newport site.
- Developed and conducted weekly surveys to assess species presence and trends including the abundance and diversity of waterfowl, shorebirds, and other migratory birds at the Tijuana Slough National Wildlife Refuge.

Additional Work and Volunteer Experience

Sherwood Forest Home Owners Association (HOA)

Merriam, KS 66203

Role: Restrictions and By-Laws Committee Chair

Oct 2010 – Sept 2012

JOB SUMMARY

Presided and carried out all meetings of the Restrictions and By-Laws Committee, which was charged with reviewing and revising the HOA 1947 Declarations, By-Laws, and Restrictions to ensure that they were in compliance with state law.

ACCOMPLISHMENTS

- Successfully persuaded the HOA to modify the 1947 Declarations, By-Laws, and Restrictions to reflect current law.

- Provided outreach to 52 homes (106 residents), educating residents on benefits and importance of change.
- Motivated the residents to read and review the changes in the documents, and to vote for passing of all three documents.

Academic Experience

School of Natural Resources, University of Missouri-Columbia

Department of Fisheries and Wildlife Sciences

Columbia, Missouri 65203

Role: Doctorate, Ph.D.

Supervisor: Dr. Ronald D. Drobney

JOB SUMMARY

Designed and implemented an innovative research project to evaluate the nutritional role of ceca in Canada geese. Reviewed the primary scientific literature, and developed a series of feeding trials to demonstrate the role of ceca in Canada goose feeding ecology.

ACCOMPLISHMENTS

- Responsible for all phases of the project, including a multi-year budget analysis, administrative analysis, planning, scope outline, staffing, and scheduling. Carried out the environmental protection program and project goals and objectives using specific scientific approaches, methods, statistical analyses, and completing the project's objectives.
- Coordinated cross-disciplinary team of several university departments; state and federal agencies including the Department of Fisheries and Wildlife Sciences, Animal Sciences, the Veterinary School, the Missouri Department of Conservation, and the U.S. Fish and Wildlife Service.
- Awarded several research grants including the Edward K. Love Fellowship, Chancellor's Gus T. Ridgel Fellowship, and the Missouri Department of Conservation Scholarship.
- Synthesized available and existing research results and field data from various research studies and reports into useful summaries and formats.
- Designed and implemented research project using knowledge of avian ecology, physiology, and behavior.
- Maintained liaisons with research specialists, stakeholders, and other organizations with both oral and written progress reports.
- Elected to serve at the department's Graduate Professional Council Representative and Graduate Professional Council Treasurer for two years. I was responsible for preparing a budget, and ensuring that the funds were allocated to support the different activities and goals of the organization.

The Ohio State University

Department of Zoology

Columbus, Ohio 43210

Role: Master's of Science

Supervisor: Dr. Tony Peterle

JOB SUMMARY

Investigated the breeding ecology of common tern populations in northern Ohio. The objectives of the project were to: 1) establish a baseline measure of reproductive success for terns in Ohio, and 2) investigate the factors affecting common tern reproductive success.

ACCOMPLISHMENTS

- Coordinated and conducted wildlife and habitat management research that addressed the needs of state and federal agencies.
- Developed a long-term management plan to increase the reproductive success of common terns in Ohio.
- Designed and implemented all phases of the project, including review of primary literature, monitoring protocol, analysis, and final report.
- Designed and analyzed the data using computer programs such as Microsoft Word, Excel, Power Point, and Minitab, and produced scientifically based results regarding wetland management.
- Presented the results at several scientific conferences and departmental seminars.
- Supervised and trained volunteers in wildlife techniques and collecting data.
- Independently taught and executed several laboratory courses in biology, animal diversity, and ecology.
- Responsible for all phases of the project, including a multi-year budget analysis, administrative analysis, planning, scope outline, staffing, and scheduling. Carried out the environmental protection program and project goals and objectives using specific scientific approaches, methods, statistical analyses, and completing the project's objectives.
- Coordinated cross-disciplinary team of state and federal agencies including the Ohio Department of Natural Resources and the U.S. Fish and Wildlife Service.
- Awarded several research grants including a research grant from the Maumee Valley Chapter of the Audubon Society.
- Synthesized available and existing research results and field data from various research studies and reports into useful summaries and formats.
- Designed and implemented research project using knowledge of avian ecology, physiology, and behavior.
- Maintained liaisons with research specialists, stakeholders, and other organizations with both oral and written progress reports.

Education

University of Missouri, Columbia

Doctorate, Ph.D. Fisheries and Wildlife Biology

Credits Earned: 93 credit hours (Semester system)

Relevant Coursework:

Analysis of Variance, 3 credit hours
Applied Data Analysis, 2 credit hours
Regression and Correlation Analysis, 3 credit hours
Limnology, 3 credit hours
Vertebrate Community Ecology, 2 credit hours
Wildlife Nutritional Ecology, 3 credit hours
Design of Ecological Experiments, 2 credit hours
Seminal Concepts of Ecology, 1 credit hour
Conservation Biology/ Endangered Species Management, 3 credit hours
Waterfowl Biology and Management, 3 credit hours
Research Seminars, 2 credit hours

The Ohio State University, Columbus

Master's of Science, M.S. Zoology

Credits Earned: 115 credit hours (Quarter system)

Relevant Coursework:

Data Analysis 1, 3 credit hours
Data Analysis 2, 3 credit hours
Bioacoustics, 3 credit hours
Wildlife Biology, 5 credit hours
Behavioral Ecology, 5 credit hours
Principles Insect Toxicology, 5 credit hours
Wildlife Biology Techniques, 5 credit hours
Environmental Science and Law, 4 credit hours
Research Seminars, 2 credit hours

University of California, Davis

Bachelor's of Science, B.S. Wildlife and Fisheries Biology

Credits Earned: 209.5 credit hours (Quarter system)

Relevant Coursework:

Statistics, 4 credit hours
Chemistry, 5 credit hours
Calculus, 3 credit hours
Chemistry, 5 credit hours
Calculus, 3 credit hours
Chemistry, 5 credit hours
Calculus, 3 credit hours
Physics, 4 credit hours
Physics, 4 credit hours
Organic Chemistry, 3 credit hours
Physics, 4 credit hours
Organic Chemistry, 3 credit hours
Engineering 5, 3 credit hours
Geology - Climate and Weather, 4 credit hours
Physiological Chemistry, 4 credit hours
Physiological Chemistry, 4 credit hours

Regression Analysis, 4 credit hours
Biology, 5 credit hours
Zoology, 4 credit hours
Zoology Lab, 2 credit hours
Microbiology, 3 credit hours
Microbiology Lab, 1 credit hours
Physiology, 5 credit hours
Animal Phylogeny and Evolution, 4 credit hours
Plant Biology, 5 credit hours
Mammals, 5 credit hours
Animal Ecology, 3 credit hours
Plant Ecology, 4 credit hours
Genetics, 4 credit hours
Public Speaking, 4 credit hours
Ornithology, 3 credit hours
Ornithology Lab, 2 credit hours
Anatomy, 4 credit hours
Physiological Ecology, 4 credit hours
Botany, 5 credit hours
Field Methods in Wildlife and Fisheries Biology, 3 credit hours
Population Dynamics, 4 credit hours
Vertebrate Organization, 4 credit hours

Continuing Education Training & Certifications

ATV Rider Course, August 1993
Basic Helicopter/Fixed Wing Safety, November 1993
Basic Inspector Training 2006
Technical Writing Skills, April 2007
Keys to Successful Presentations, June 2007
Advanced Negotiation Skills, June 2007
Introduction to ARCGIS, June 2007
Certified Facilitator. August 2007
CWA Section 404 Regulatory Training Course, October 2007
CWA Jurisdiction and Implementation Rapanos Guidance Training, 2007
Introduction to Hydrology
NPDES Permit Writer's Training Course, August 2008
Quality Assurance 2008
404 Regulatory Training 2008
ICS 100: Introduction to the Incident Command System for Federal Disaster Workers, December 2008
ICS 200: Incident Command System, Basic, I-200, for Federal Disaster Workers, December 2008
Advanced Inspector Training, March 2009
Stream Assessment and Restoration Design Review- Natural Stream Channel Design, June 2009
Case Development Training, June 2009
Wetland Delineation, October 2009
Aerial Photo Interpretation, 2010

OECA CWA 404 Permits for Dredge/Fill Material, April 2010
OECA Rivers & Harbors Appropriation Act of 1899, April 2010
OECA 404(c) Procedures, April 2010
OECA 404 State Program Regulations, April 2010
OECA 404 Program Definitions & Exemptions, April 2010
NPDES Compliance Inspection, April 2010
Briefing and Presentation Skills, February 2011
Introduction to Environmental Crime for Regional and State Inspectors, October 2011
U.S. Army Corps of Engineers, Regulatory IV Training, June 2012
Compliance with Section 106 of the National Historic Preservation Act, January 2013
Wetland Monitoring and Assessment Training Workshop, August 2013
CWA Section 404 Regulatory Advanced Training Course, August 2014
Function Based Wetland Restoration Training, May 2015
Confidential Business Information, December 2015
National Wetland Condition Assessment, March 2016
ASWM Soils Training, September 2016
NEPA Training, April 2017
Wetland Plant ID, June 2017
CWA Section 404 Exemptions, June 2017
National CWA Section 404 Training, September 2018
Digital Image Training and Guidance, December 2018
Inspection Report Writing, November 2019
Criminal Enforcement, August 2020
Navigable Waters Protection Rule Implementation Training, August 2020
Antecedent Precipitation Tool Training, January 2021
Field Documentation, October 2021
Annual CWA Section 404 Inspector Credentials per EPA Order 3500.1 (2006-2022)

Awards

EPA Superior Achievement Award 2010-2022
Bronze Medal Award C&S Enterprise Litigation Team 2020