

Course Guide for North Carolina's Real Estate Brokers

2022

Wetlands and Real Estate

Prepared by:

The Swamp School
Angier, North Carolina

877-479-2673

<http://SwampSchool.org>



Swamp School, LLC

Course Outline and Objectives

Course Objective: As a result of this instruction, students will be able to recall state and federal regulations and agencies overseeing wetlands, explain how wetlands can impact property value, classify the types of permitting required for wetland related projects, devise a plan to contact environmental consultants, and assess alternative solutions for mitigating wetlands on any given property.

Course Outline and Schedule

Unit 1: Course Introduction and Welcome

Time Allotment: 30 min

Objective: Upon completion of this unit the students will have an understanding of the course objectives and how to navigate the site.

Welcome: This presentation covers a general introduction to the class and also a few general topics related to wetland law, regulation and guidance.

Orientation: This presentation is designed to aid the student with how to navigate the site, how the class will be graded and other general orientation topics.

Exam Help: This presentation is designed to show the student how to take a quiz or test using the Safe Exam Browser.

Unit 2: Wetland Law

Time Allotment: 52 min

Objective: Upon completion of this unit, students will be able to identify federal laws governing wetlands, and notable court cases that have affected the implications of these laws.

Federal Wetland Laws: This presentation covers the federal laws that have been implemented to protect wetlands in the United States. Such laws include the Clean Water Act, the Rivers and Harbors Act, the Federal Water Pollution Control Act, and the 1985 Food Security Act (Swampbuster).

Federal Wetland Court Cases: This presentation notes relevant wetland court cases that have challenged the jurisdiction of wetlands and explains how the cases have affected wetland regulation.

Unit 3: Wetland Regulation

Time Allotment: 58 min

Objective: Upon completion of this unit, students will understand the current federal regulations governing wetlands, determine the permits required for projects impacting wetlands, and

Waters of the United States: This lecture is given in three-parts and covers the federal definition of “Waters of the United States” (WOTUS). The lectures cover how the definition is currently ‘in flux’ until fall of 2022, how wetlands are defined under WOTUS, and how wetlands are significant to WOTUS.

Wetland Permits: This lecture discusses the United States Army Corps of Engineers’ Nationwide Permit Program and how students can classify specific project activities under the permit program.

Unit 4: State Wetland Rules

Time Allotment: 20 min

Objective: Upon completion of this unit, students will be able to identify the North Carolina programs that oversee wetlands.

North Carolina Wetland Laws: This lecture discusses the state wetland laws and regulations protecting wetlands in North Carolina. Such programs include the 401 and 404 programs under the Clean Water Act and nutrient offset buffers requirements.

Unit 5: Wetland Mitigation

Time Allotment: 38 min

Objective: Upon completion of this unit, students will be able to identify mitigation options to offer prospective clients with wetland property.

Wetland Mitigation: This is a two-part lecture that explains how wetlands impact property value, the different types of wetland mitigation, and the mitigation banking process in North Carolina.

Unit 6: Wetlands Identification

Time Allotment: 41 min

Objective: Upon completion of this unit, students will be able to list the criteria required to determine the presence of wetlands and interpret web-based resources that map wetlands in the United States.

Wetland Indicators: This four-part lecture describes the criteria required for identifying wetlands. These criteria include the presence of hydrology, hydrophytic vegetation, and hydric soils

Web Resources: This two-part demonstration explains how students can interpret maps from the National Wetland Inventory and the USDA Web Soil Survey to determine if a property has been mapped as a wetland.

Unit 7: Enforcement and Final Exam

Time Allotment: 15 min

Objective: Upon completion of this unit, students will be able to explain the legal consequences of impacting, filling, or dredging wetlands without proper permitting.

Enforcement: This lecture offers a local example of the consequences associated with filling wetlands and discusses how brokers can advise their clients on the implications of wetland property

Final Exam



Wetlands and Real Estate (Online)

Syllabus



NCREC Course Number: 4011

Duration: 30 Days

NCREC Provider Number: 1624

Elective Credit Hours: 4 CE Hours

Course Description

The Swamp School's Wetlands and Real Estate course is a part of the North Carolina Real Estate Commission's CE Elective program. This course utilizes online modules to cover the real estate implications of wetland properties. In this course, we will address wetland identification methods, wetland laws and permit requirements and wetland mitigation opportunities for landowners. We will also discuss recent Supreme Court rulings about wetlands and the implications these rulings have on Federal and State regulations.

The course is designed to get you trained at a pace and schedule that is convenient for you and is presented in an on-demand format that runs for 30 days from the day that you register. The Swamp School is an approved Education Provider for the North Carolina Real Estate Commission.

Course Requirements and Materials

Students are expected to present original work for all assignments. ALL information for course assignments must be current and completed within the time frame of your published course start and end dates unless a specific exception to this policy is granted by the staff of the Swamp School.

Students are required to utilize the Safe Exam Browser for proctoring quizzes and tests. The Safe Exam Browser will be available for download within the class site. The browser is a full-screen security pop-up that will restrict activity on a student's device while taking a test/quiz. This browser cannot be closed once an assignment has been started, and you are unable to submit attempts without utilizing the browser. A demonstration video will be provided to the student to use the Safe Exam Browser.

Students are expected to behave in a professional manner. Unacceptable student conduct that would result in dismissal would include sleeping, talking out of turn, surfing the internet, texting, making or accepting phone calls, working on activities not connected to the course, etc.

Instructor Contact - Directly within the class via Moodle e-mail

Time Limits

Students in an On-Demand Course (asynchronous distance learning) must complete all sections within 30 days of start of course or by June 10th, whichever comes first.

Grading and Attendance

- *Students in an in-person or synchronous distance learning Broker Continuing Education Course must attend a minimum of 90% of all scheduled instructional hours.*
- *Early departures from CE courses delivered in-person or via synchronous distance learning are prohibited by Rule 58A .1705.*

Attendance will be closely monitored, including late arrivals and early departures from class sessions and from all scheduled breaks, during in-person and synchronous distance learning courses. All time missed will be recorded for each student through live log data on our host website.

Video Presentations Total Duration 04:08:51

Getting Started

Welcome Duration 9:22

Getting Started Duration 13:50

Quiz Help Duration 6:59

Wetland Law

Federal Wetland Laws – Duration 19:30

Wetlands on Trial – Duration 27:36

Wetland Regulation

Waters of the US [Part 1] Duration 10:46

Waters of the US [Part 2] Duration 18:21

Waters of the US [Part 3] Duration 9:06

Wetland Permits Duration 19:57

State Wetland Rules

NC Wetland Laws Duration 20:08

Wetland Mitigation

Wetland Mitigation [Part 1] Duration 16:09

Wetland Mitigation [Part 2] Duration 21:42

Wetland Identification

Wetland Indicators Duration 12:23

Wetland Hydrology Indicators Duration 6:33

Vegetation Indicators Duration 6:12

Hydric Soils Duration 8:11

National Wetlands Inventory Duration 3:23

Web Soil Survey Duration 3:43

Enforcement

Enforcement Duration 15:12

Quizzes and Tests

Quizzes and tests open upon the completion of the previous module. They cannot be taken early, and special permission is needed to take the exam after it closes.

Certification

Upon successful completion of the course, students will receive a certificate with an electronic seal of authenticity. This certification will remain valid for one year and is eligible for renewal with additional continuing education

INSTRUCTIONAL METHODS

Course Materials

Brokers have an important job of welcoming and educating new landowners moving to North Carolina. While many people are moving here to enjoy North Carolina's unspoiled natural beauty and recreation opportunities, most are unaware that the future health of these areas depends on responsible landowner stewardship. Rural properties near rivers, streams and wetlands are some of the most popular areas experiencing rapid growth. As the landowner's first contact, you are in a unique position to educate and empower North Carolina's citizens to make wise choices about their property. Additionally, brokers who are informed, knowledgeable and able to provide sound advice on land stewardship will gain an advantage in this competitive market and also contribute to sustaining healthy and prosperous communities. This publication is designed to inform North Carolina's brokers on the essentials of wetlands, streams, and riparian areas, their regulations, and landowner responsibilities.