US Army Corps of Engineers

US Environmental Protection Agency

Oregon Department of State Lands

Joint Public Notice

Notice of Availability of the Interim Version of the Oregon Streamflow Duration Assessment Method

Issue Date: March 6, 2009

The U.S. Army Corps of Engineers, Portland District (Corps), the U.S. Environmental Protection Agency, Region 10, Oregon Operations Office (EPA), and the Oregon Department of State Lands (DSL) jointly announce the publication and one-year trial implementation period of the Interim Version of the Oregon Streamflow Duration Assessment Method. The method is a rapid assessment tool to help distinguish between ephemeral, intermittent, and perennial streams, providing technical guidance for identifying waters that may be subject to regulatory jurisdiction under Section 404 of the Clean Water Act and Oregon's Removal-Fill statute. The method does not imply or represent a change in the definition of "Waters of the U.S." or "Waters of the State." The method was developed by experts from federal and state agencies with experience across Oregon, and reflects the technical expertise and critical review of others from relevant academic and professional fields.

Use of the method is recommended, but not required. The method provides a scientifically supported, rapid assessment framework to support best professional judgment in a consistent, robust, repeatable and defensible way. Use of the method will result in more timely and predictable jurisdictional determinations, as it provides a common technical framework for discussion of complex issues. The method may also provide an initial framework to address other stream-related issues such as stream function and compensatory mitigation, and to incorporate relevant tools and procedures as they develop.

The method has been field tested by interagency teams of state and federal scientists to assess its clarity and ease of use. The method is also the subject of an ongoing two-year verification study, in cooperation with EPA's Office of Research and Development, Western Ecology Division, testing the method at more than 170 sites in western and eastern Oregon in both the wet and dry seasons.

This interim version will be tested for one year prior to finalization. Practitioners such as stream ecologists, aquatic ecologists, hydrologists, and wetland scientists are encouraged to provide comments on their experience using the method. The public is also invited to submit comments on the interim version. Comments will be considered, along with results from the verification study, when the method is finalized. Comments regarding the following specific topics would be especially useful:

- Problem situations encountered and possible approaches for addressing them
- Apparently incorrect results, including the factors that suggest the method was not accurate
- Indicators that were particularly useful or not useful in identifying flow duration in different hydrological environments
- Regional differences in the applicability of specific indicators

- Potential uses of the method in the regulatory context, or in other watershed planning or management contexts.

Written comments can be submitted by email to the contact addresses provided below, or to:

Tracie Nadeau
USEPA/Oregon Operations Office
805 SW Broadway, Suite 500
Portland, OR 97205

The interim method and data forms are available on the internet at: http://oregonstatelands.us/

An interagency team is convening training sessions to help interested parties become more familiar with the method. Training will consist of an introductory classroom session the first morning of each session, followed by visits to several nearby streams the afternoon of day one and the morning of day two. While participants are encouraged to attend the entire training, attendance at only the classroom session will still provide an overview of the method and its application. Certificates of attendance will be provided by the agencies to those who complete the full one and one-half day training.

Portland: April 21st to April 22nd, 2009
US Fish and Wildlife Service – Regional Office
911 NE 11th Avenue, Portland (Lloyd Center/NE 11th Ave MAX Station)
Conference Room C

Medford: May 6th to May 7th, 2009
Bureau of Land Management – Medford District Office
3040 Biddle Road, Medford

LaGrande: June 15th and June 16th, 2009
US Forest Service – LaGrande Ranger District Office
3502 Highway 30, LaGrande

Advanced reservation for the training is required (RSVP to Mike Turaski; see contact information below). Space for the field session will be limited to the first 25 participants; registrants working in Oregon will be given priority. Training sessions will begin at 9 a.m. on the first day, at the location specified; please arrive early to allow time for security and check-in. The field session on the second day will convene at 8 a.m. at a location to be determined. The second day will conclude at noon. Participants should bring a copy of the method and appropriate field clothing and footwear, and should plan on providing their own transportation to and from field sites.

Additional trainings may be scheduled as needed, and will be announced on the DSL and Corps regulatory program websites.

For additional information, contact the Corps, the EPA, or the Department:

Mike Turaski, Corps of Engineers, 503-808-4381, Michael.R.Turaski@usace.army.mil
Tracie Nadeau, Environmental Protection Agency, 503-326-3685, Nadeau.Tracie@epa.gov
Jess Jordan, Department of State Lands, 541-388-6060, Jess.Jordan@state.or.us