

## **Appendix C**

### **Adaptive Management Section 401 Water Quality Certification**

### **Columbia River Channel Improvement Project Adaptive Environmental Management Plan**

March 2006

## **C.1 Oregon Department of Environmental Quality**

Adaptive management was also addressed in the Water Quality Certification issued 23 June 2003, by the Oregon Department of Environmental Quality (ODEQ). Specific text from the ODEQ 401 Certification concerning adaptive management is contained in this appendix.

### ***Adaptive Management***

Where conditions of this order require adaptive management, an Adaptive Management Team (AMT) will be used to review and/or develop data, information, or issues, and to arrive at a consensus regarding how to respond. The AMT will consist of three teams: a technical Team, a Management Team, and a Dispute Resolution Team.

The Technical Team will review research, monitoring and other data, information and issues relevant to the adaptive management conditions, and determine actions to be taken in response to such data, information and issues. In addition, the technical team will coordinate with the federal adaptive management process created under the Biological and conference opinions.

The Technical Team will act by consensus. In the event that the team is unable to achieve a consensus within a reasonable time under the circumstances, any member of the team may refer the matter to the Management Team.

The Management Team will review matters referred by the Technical Team and provide oversight to the Technical Team and the Corps in order to help coordinate the requirements of the state and federal agencies related to the project. The Management Team will act by consensus. In the event that the team is unable to achieve a consensus within a reasonable time under the circumstances, any member of the team may refer the matter to the Dispute Resolution Team.

The Dispute Resolution Team will review matters referred by the Management Team. The Dispute Resolution Team will act by consensus. In the event that the team is unable to achieve a consensus within a reasonable time under the circumstances, the matter in question shall be resolved by the federal or state agency or agencies with regulatory jurisdiction.

Each team will include one or more members from Department of Land Conservation and Development (DLCD), ODEQ, Washington Department of Ecology (WDOE), and the Corps. The members of the Dispute Resolution Team will be the Directors of the state agencies, and the Commander of the Portland District of the Corps. The members of the other teams will be designees of the state agencies and the Commander of the Portland District of the Corps. The state agencies will designate one person to coordinate the activities of the teams, which responsibility will be rotated between the two states over time. The teams will consult with local governments, Indian Tribes, other state and federal agencies, and involve the public, as appropriate under applicable state and federal laws and policies.

A group may act by consensus where no member of the group formally opposes the particular action in question.

No provision of this condition is intended to or does alter or supercede the authorities or duties of the ODEQ, the DLCDC, or the WDOE relating to the project. In addition, this condition is not intended to, and does not alter, limit, or repeal any authorities of ODEQ, DLCDC or WDOE to revoke, suspend, or modify their respective § 401 Water Quality Certifications or coastal zone decisions, or to request remedial action, seek mediation, or to request supplemental coordination with respect to the construction and continued operation of the Project.