

## WILLIAMSBURG ENVIRONMENTAL GROUP, INC.

### *Joint Public Notice - U.S. Army Corps of Engineers, Norfolk District and Virginia Department of Environmental Quality – Stream Assessment Methodologies Update*

#### E-Newsflash

The U.S. Army Corps of Engineers, Norfolk District (Corps) and the Virginia Department of Environmental Quality (DEQ) have recently announced the Joint Public Notice regarding a Stream Assessment Methodologies Update. The Corps has issued its Stream Attribute Assessment Methodology (SAAM), while the DEQ has published its Stream Impact and Compensation Assessment Manual (SICAM). The methodologies are to be used during the remainder of the six month testing period announced in December 2005 through the end of June 2006.

#### *Significant findings include:*

1. Use of either method is not required for State Program General Permit (SPGP), Category A and B, which cover stream impacts less than 300 linear feet. If required, stream mitigation will be implemented on a case-by-case basis.
2. Use of both methods is required to be completed by the applicant for SPGP, Category C, DEQ General Permits, and any Individual Permits. Each agency will make an independent decision on the required mitigation. **The applicant will be required to abide by the most restrictive permit.**
3. Projects that qualify for the Corps Nationwide Permit and propose stream impacts requiring a Pre-construction Notification (PCN), the applicant shall apply the Corps SAAM.

#### *What does this mean to the regulated public?*

1. In most cases, both methods will need to be applied to the subject development, if applicable. The methodologies are applied differently (i.e. separate field data collection), address mitigation activities differently (i.e. restoration vs. preservation), and ultimately, compute the amount of required stream mitigation differently. Given this situation, much more fieldwork, coordination, and monies will be required to determine final stream mitigation requirements.
2. Changes to the land plan and stream impacts during the permitting phase will require significant time and effort to re-evaluate and compute the required amount of mitigation.
3. Stream impacts to higher quality streams will require much more mitigation than impacts to more degraded streams. Therefore, it is critical that the applicant understand the relative stream “value” very early in the process, as this will promote a more cost-effective, ecologically-sound development and stream compensation strategy.
4. **Bottom Line: Extra time and money in the short term.**

The DEQ and Corps have agreed to share all data and are planning a joint agency meeting in June 2006 to work toward developing one methodology. The public will be invited to participate in a follow-up workgroup meeting. In the long term, WEG hopes that the outcome of this Joint Public Notice will finally be one stream assessment and mitigation methodology that is embraced by the public- and private-sector, and that stream mitigation issues can be evaluated in a consistent, repeatable, and sensible manner and, ultimately, bring resolution to this outstanding issue in a more timely manner.

For more information, please contact your WEG PM at any of our offices: Williamsburg (757) 220-6869, Richmond (804) 267-3474, Herndon (703) 437-3096 or Fredericksburg (540) 785-5544.