

## **BUREAU OF LAND AND WATER QUALITY**

### **HYDROPOWER PROJECT FLOW AND WATER LEVEL POLICY**

In determining flows and water levels at hydropower projects, the Bureau of Land and Water Quality will operate under the rebuttable presumption that a flow providing wetted conditions in a weighted average of 3/4ths of the cross-sectional area of the affected river or stream, as measured from bank full conditions, or a water level that provides wetted conditions for 3/4ths of the littoral zone of a lake or pond, as measured from full pond conditions, will be needed to meet aquatic life and habitat standards.

Bank full conditions for rivers and streams will be determined based on the available cross sectional information or, where appropriate, average summer flow conditions.

Full pond conditions for lakes and ponds will be determined based on the maximum impounding capacity of a dam or, where appropriate, historic dam operations.

On a case-by-case basis, the Bureau may establish alternative flows or water levels under the following circumstances, where the alternative flows or water levels can be shown to meet all water quality standards:

- Where site-specific study data (e.g., the results of an IFIM or other in-stream flow study) are provided to support an alternative flow or water level;
- Where site-specific conditions (e.g., ledge substrates or winter ice cover) limit the impact of flows or water levels on the quality or quantity of aquatic habitat;
- Where site-specific flow or water level data (e.g., unregulated stream flow calculations or information on unregulated water level fluctuations) are provided to support a preferred alternative flow or water level; or
- Where the available data indicate that flows or water levels based on the policy above are insufficient to protect all existing and designated uses.

Where alternative flows or water levels are recommended, the following factors may be considered:

- Avoiding an impact altogether by not taking a certain action or parts of an action;
- Minimizing an impact by limiting the magnitude or duration of an activity, or by controlling the timing of an activity;
- Rectifying an impact by repairing, rehabilitating, or restoring the affected environment;
- Reducing or eliminating an impact over time through preservation and maintenance operations during the life of the project; and
- Compensating for an impact by replacing affected resources or environments. Compensation may occur in the form of restoration, enhancement, preservation, or creation of aquatic habitat. Preference will be given to in-kind and on-site compensation.

/s/ David A. Van Wie  
David Van Wie, Bureau Director

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Date