

Dredging permit review

U.S. ARMY CORPS OF ENGINEERS

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Dredging Permits

Dredging permits are among the most complex projects evaluated by the Portland District Regulatory Branch. Sediment quality evaluation is required under the Clean Water Act and the Marine Protection, Research and Sanctuaries Act, as part of the dredging permit review. Dredged material quality can directly affect project design and dredged material placement options. Changes to the project during the permit review can increase project costs and agency review times. Sediment quality evaluation is managed by the interagency Portland Sediment Evaluation Team. Pre-application coordination is encouraged.

Identify federal and state permitting requirements for dredging, including sediment sampling requirements through the Portland Sediment Evaluation Team.

PRE-APPLICATION MEETING

APPLY FOR A PERMIT

NOTE: A pre-application sediment quality review is not required but resources agencies strongly encourage it to start the application process.

Permit Review

FEDERAL REVIEWS

USACE

Permit evaluation using guidance under CWA, RHA, MPRSA and NEPA ESA consultation is initiated with the U. S. Fish and Wildlife Service and National Marine Fisheries Service.

FEDERAL PROGRAM REVIEWS DELEGATED TO THE STATES

The Oregon Department of
Environmental Quality or Washington
Department of Ecology will determine
if a CWA Section 401 Water Quality
Certification will be issued. Other
reviews include Coastal zone
Management review and a cultural and
historical resources review

STATE/LOCAL REVIEWS

Oregon: A Department of State Lands permit is required. The DEQ Quality Solid Waste Program regulates upland dredged material placement.

Washington: The state regulates aquatic placement of dredged material; municipal/county health jurisdictions regulate upland dredged material placement

placement

Sediment **Quality Review** IS SEDIMENT TESTING REQUIRED? Concurrent Applicant develops Level 1 Analysis and provides to the Review Corps project manager. **TESTING REQUIRED NO TESTING REQUIRED** Contamination may be present – evaluate project Contaminants sampling requirements. not likely **OR SQ** Review **Applicant prepares Sampling** or feeds into and Analysis Plan; PSET current **Permit Review** sediment data reviews SAP for consistency available with the SEF guidance. SQ review Applicant implements SAP, complete analyzes sediment, prepares **Sediment Characterization** Report; conducts biological testing, if necessary PSET reviews SCR and supporting data; determines if dredged material is suitable for in-water placement per SEF. SQ review complete.

NOTE: The occurrence of contaminated sediments can impact project design and

dredge material placement. Changes to the project can increase agency review

timelines and project schedule.

Permit Decision

Laws

- Clean Water Act
- Marine Protection, Research and Sanctuaries Act
- Rivers and Harbors Act
- Endangered Species Act
- National Environmental Policy Act
- Magnuson-Stevens Act

Regulations

- CWA, 40 CFR §230
- MPRSA, 40 CFR §227

Guidance

- National Ocean Testing Manual
- National Inland Testing Manual
- Sediment Evaluation Framework for the PNW and supplemental guidance

Portland District dredged material evaluation:

http://www.nwp.usace.army.mil/Missions/Environment/DMM.aspx

Portland District Regulatory Branch:

http://www.nwp.usace.army.mil/Missions/Regulatory.aspx

Portland District Regulatory Branch project manager contact information:

http://www.nwp.usace.army.mil/Missions/Regulatory/Contact.aspx