**Dredging permit review**

**U.S. ARMY CORPS OF ENGINEERS**

**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.

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

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**Sediment Quality Review**

1. **IS SEDIMENT TESTING REQUIRED?**
   - Applicant develops Level 1 Analysis and provides to the Corps project manager.

2. **NO TESTING REQUIRED**
   - Contaminants not likely or current sediment data available

   - SQ review complete

3. **TESTING REQUIRED**
   - Contamination may be present – evaluate project sampling requirements.
   - Applicant prepares Sampling and Analysis Plan; PSET reviews SAP for consistency with the SEF guidance.

   - Applicant implements SAP, 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.

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**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.

**Permit Decision**

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**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.

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**Permit Review**

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

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**PRE-APPLICATION MEETING**

- Pre-application coordination is encouraged.

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**Permit Decision**

- SQ Review feeds into Permit Review

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**U.S. ARMY CORPS OF ENGINEERS – PORTLAND DISTRICT**

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WWW.NWP.USACE.ARMY.MIL
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:

Portland District Regulatory Branch:

Portland District Regulatory Branch project manager contact information:
http://www.nwp.usace.army.mil/Missions/Regulatory/Contact.aspx