
2 DREDGING PROJECT PERMITTING

Dredging and disposal in the waters of the U.S. require Department of the Army permits issued by USACE. Evaluation of the proposed dredged material by the DMMP is an integral part of the permitting process. This chapter describes the process of obtaining the appropriate permits and getting the necessary sediment evaluation performed.

There are three categories of dredging that require three different permitting approaches:

New dredging—dredging of areas that have not previously been dredged—will always require new permits.

Maintenance dredging—dredging to keep existing channels, harbor basins, ports etc. at the required depth by removing siltation—must also have a permit in effect to cover the planned work. If there are existing permits, the dredging proponent needs to check the expiration date. Unless all projected dredging can be completed before the permit expires, new permits (or extensions on existing permits) are required. DMMP coordination is required for every dredging cycle to insure that all relevant dredged material characterization guidelines are met.

Federal navigation project maintenance dredging—maintenance dredging done by USACE to keep existing federal channels open to authorized depths—is not issued a USACE permit. Public Notices are issued, however, and other state guidelines are always complied with.

Whenever dredging takes place, the dredging proponent must have both:

1. Current Department of the Army permit
2. Current DMMP Suitability Determination or other Decision Document

These are two separate, but interdependent, processes. The dredging proponent needs to coordinate with both the Regulatory Section for a permit, and the Dredged Material Management Office for a Suitability Determination.

2.1 REGULATORY PROCESS OVERVIEW

The typical regulatory permitting process consists of the following steps and is illustrated in **Figure 2-1** and **Figure 2-2**:

1. Project proponent submits a complete permit application (joint aquatic resource permit application or JARPA) to the appropriate agencies, including the USACE Regulatory Branch. A current DMMP Suitability Determination or other decision document is strongly recommended prior to submission of the permit application.
2. USACE (Regulatory) prepares and distributes a Public Notice with a 10 to 30-day comment period.
3. USACE (Regulatory) reviews and incorporates comments from other agencies and the public.
4. USACE (Regulatory) completes Endangered Species Act Section 7 consultation with the U.S. Fish and Wildlife Service and the National Marine Fisheries Service.
5. The State of Washington issues a Water Quality Certification (or Modification) and Hydraulic Project Approval.

6. USACE (Regulatory) makes a permit decision.
7. Project proponent obtains a DNR Site Use Authorization (Section 2.2)
8. Project proponent submits a dredging and disposal quality control plan to USACE (Regulatory) (Chapter 13).
9. USACE (Regulatory) conducts a pre-dredge conference (Chapter 13).

If a new permit is not required, the dredging proponent should still contact the DMMO to determine any testing needs for the upcoming cycle of dredging.

For all dredging proposed to occur on State-Owned Aquatic Land managed by DNR, the dredging proponent should check with DNR prior to beginning work. This process should be initiated at the same time that coordination with USACE begins.

Applicants considering beneficial-use projects are encouraged to coordinate with the DMMO and with other resource agencies early in the dredged material evaluation process. For more information on beneficial uses of dredged material, see EPA's [Beneficial Use of Dredged Material](#) page, and the USACE/EPA technical website [Beneficial Uses of Dredged Material](#).

2.2 DNR DISPOSAL SITE USE AUTHORIZATION

A disposal site use authorization (SUA) must be obtained from [Washington State Department of Natural Resources \(DNR\)](#) prior to disposal of dredged material in any Puget Sound, Grays Harbor or Willapa Bay disposal site. Some Columbia River sites may also be managed under Washington DNR; the DNR agency representative should be consulted to determine appropriate jurisdiction early in the planning process. Dredging proponents are also encouraged to contact DNR well in advance of dredging (3+ weeks recommended) to avoid delays. DNR maintains updated information on all SUA requirements, including application forms, on its [DMMP office web page](#).

Before DNR will process an SUA application, the applicant must provide a COMPLETE application package. A typical application package includes a completed Site Use Application, and copies of all other agency permits required for dredging and dredged material disposal. DNR will not approve use of the disposal site with an incomplete application package.

Typical dredging projects require the following permits:

- USACE Permit
- Washington Department of Ecology Water Quality Certification
- Washington Department of Fish and Wildlife Hydraulic Project Approval
- Shoreline Substantial Development Permit or Exemption Letter

Application packages must be mailed to DNR's DMMP office at:

Department of Natural Resources, Aquatic Resources Division
ATTN: DMMP Manager
1111 Washington Street SE
P.O. Box 47027
Olympia, WA 98504-7027

Once DNR's DMMP representative receives a completed Site Use Application and all required permits, it will take approximately two to three weeks to process the application and issue an SUA.

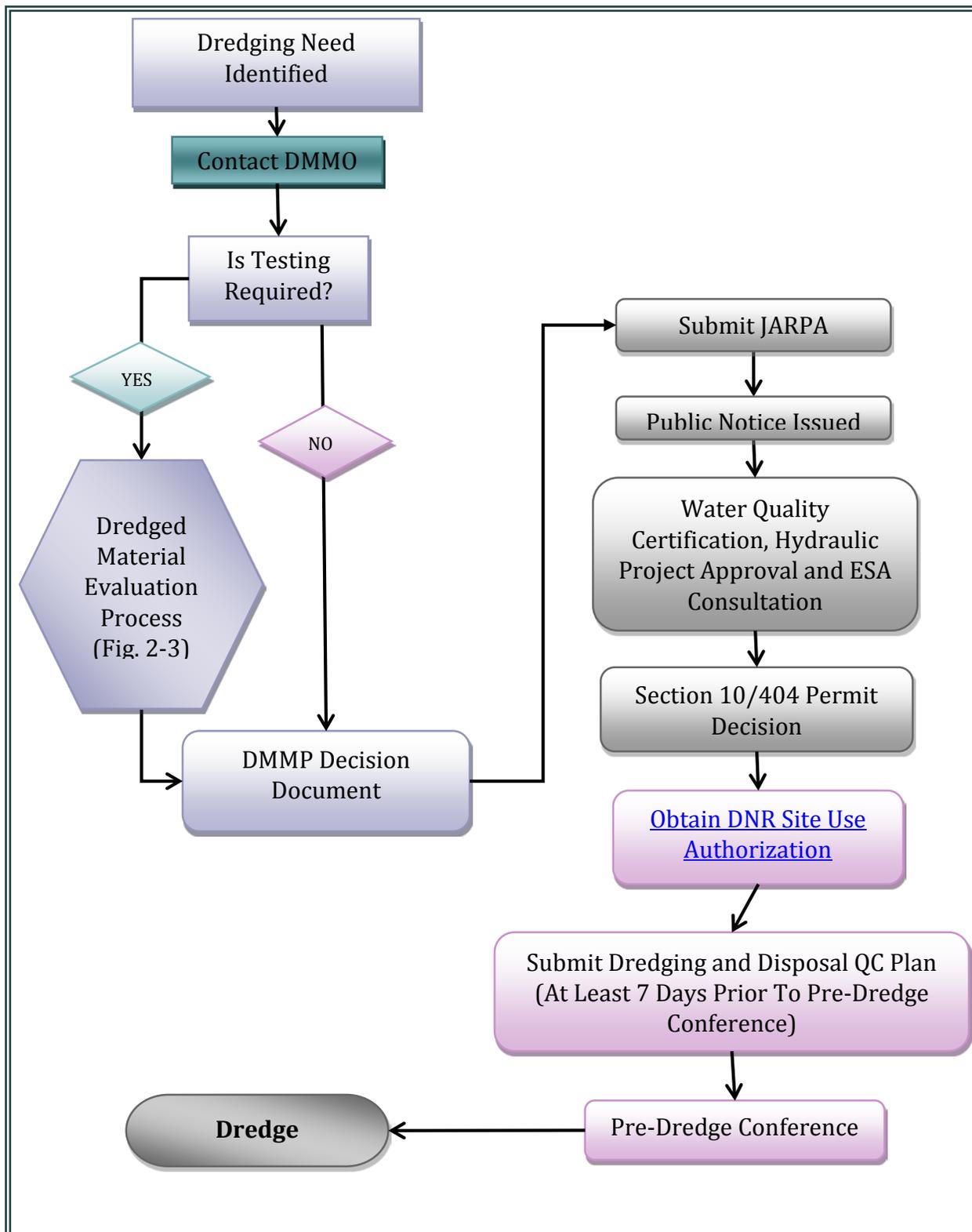


Figure 2-1. DMMP/Regulatory Process (new permit required)

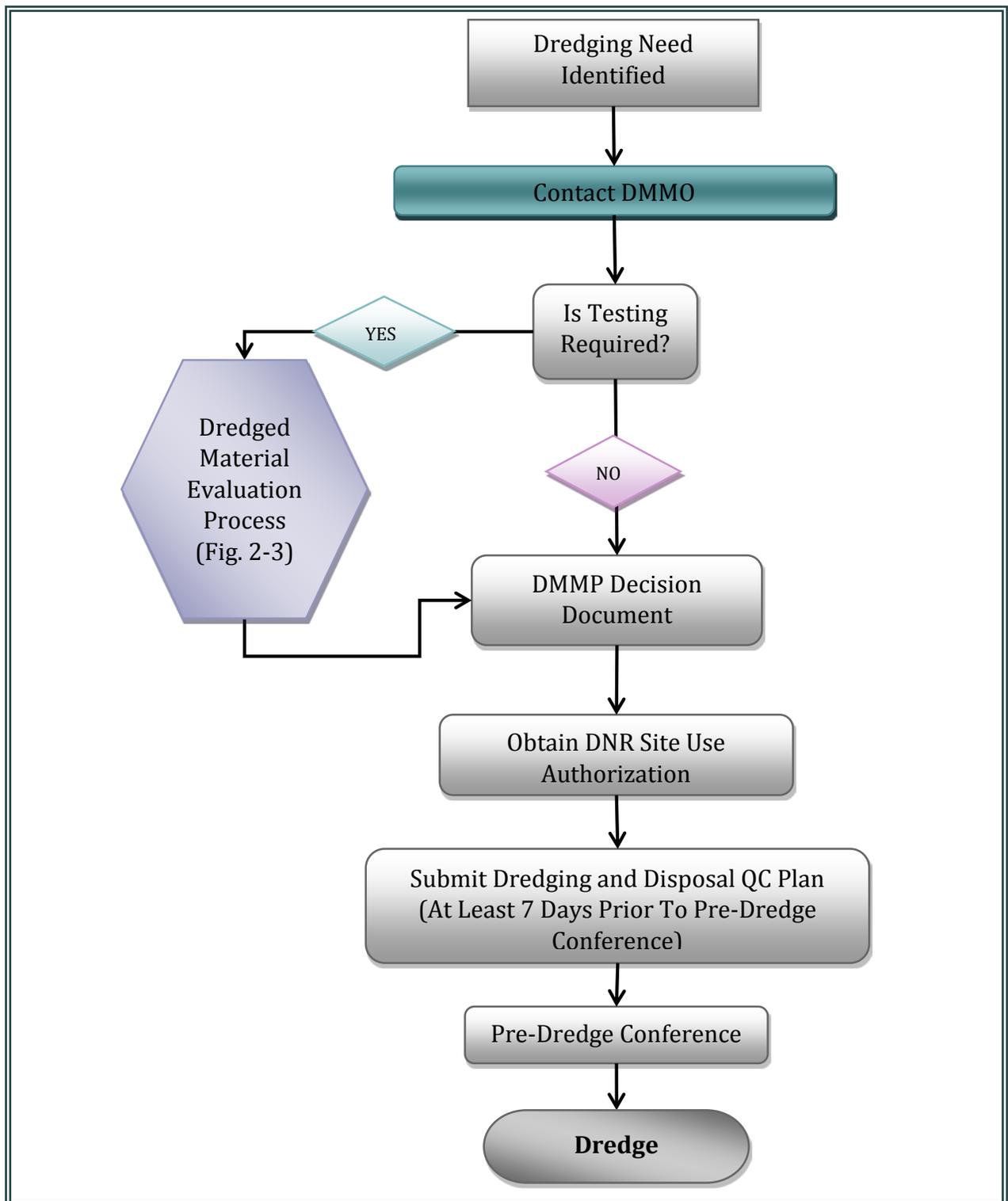


Figure 2-2. Regulatory Process (new permit not required e.g. dredging under an existing multi-year permit)