

Restrictions on Dredging Activities

Significance in Michigan's Areas of Concern

Originally twelve AOCs in Michigan identified restrictions on dredging as impaired or potentially impaired (all except Deer Lake and Torch Lake). This BUI addresses the requirement for special handling or disposal of commercial or recreational navigation channel dredge spoils due to chemical contamination of sediments. This BUI was originally identified for some AOCs based on the existence of contaminated sediments, not on whether there were actual restrictions on dredging in the AOC. The AOC program tracking table with current information about which BUIs have been restored in each AOC can be found at: www.michigan.gov/deqaocprogram.

Michigan Restoration Criteria and Assessment

This BUI will be considered restored when:

- During the most recent routine dredging in the U.S. Army Corps of Engineers (COE) designated navigational channel, use of a confined disposal facility or TSCA-level landfill for dredge spoils was not required due to chemical contamination.

Rationale

Practical Application in Michigan

Dredging sediments in the Great Lakes and connected waterways requires state and federal approvals that regulate the extent of dredging, disposal of dredge spoils, and pre-dredge studies. Restrictions on dredging is defined as special handling for dredge spoils requiring use of a confined disposal facility or Toxic Substances Control Act level landfill due to chemical contamination. Open water disposal of any clean or contaminated dredge spoils in the Great Lakes or connected waterways is not routinely permitted in Michigan. As a result, use of disposal options (e.g., confined disposal facility) other than open water is not automatically a restriction on dredging. This restoration criterion applies only to the commercial and recreational navigational channels in the Great Lakes and connected waterways that are maintained by the COE.

1991 IJC General Delisting Guideline

When contaminants in sediments do not exceed standards, criteria, or guidelines such that there are restrictions on dredging or disposal activities.

The IJC general delisting guideline for the BUI is presented here for reference. The Practical Application in Michigan subsection above describes application of specific criteria for restoration based on existing Michigan programs and authorities.

State of Michigan Programs/Authorities

As part of existing planning and regulatory requirements, the MDEQ and the COE evaluate the environmental impacts associated with any proposed navigational dredging and disposal projects.

In assessing restoration of this BUI, the State, in consultation with the COE and the PAC, will conduct an evaluation of the most recent navigational dredging projects in an AOC to determine whether there have been restrictions on the dredging requiring confined disposal due to sediment contamination.

Some local AOC communities also have programs for monitoring water quality and related parameters which may be applicable to this BUI. If an AOC chooses to use local monitoring data for the assessment of BUI restoration, the data can be submitted to the MDEQ for review. If the MDEQ determines that the data appropriately address the restoration criteria and meet quality assurance and control requirements, they may be used to demonstrate restoration success.

All non-navigational channel dredging is evaluated under federal and state authorities and any special circumstances are addressed in the permit process, including contamination. These programs apply across the state, not just in AOCs, and as such are not included in the BUI.