



# Coastal Zone Management Program - Dredging & Disposal of Dredge Material Policy Checklist

Name of Project:

## 5.3 COASTAL USES

### 5.3.5 Dredging and Disposal of Dredged Material

**Dredging and Disposal of Dredged Material Policy 1 – Dredging for Non-Water Dependent Projects is Discouraged.** A person may not dredge for projects that are non-water-dependent unless there is no practicable alternative. MDE (A3) Md. Code Ann., Envir. § 5-907(a); COMAR 26.24.03.02D.

Select appropriate response:

- Project will be consistent with policy Discouraging Dredging for Non-Water Dependent Projects.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 2 – Dredging Requires An Environmental Analysis and Is Generally Discouraged.** Dredging for sand, gravel, or fill material, including material for beach nourishment, is prohibited unless an environmental analysis determines that there will be no adverse impact on the environment and no alternative material is available. MDE (A3) COMAR 26.24.03.02C.

Select appropriate response:

- Project will be consistent with policy requiring An Environmental Analysis for Dredging.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



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**Dredging and Disposal of Dredged Material Policy 3 – Dredging Shall Allow Flushing & Make Maximum Use of Existing Channels.** Dredging of channels, canals, and boat basins shall be designed to provide adequate flushing and elimination of stagnant water pockets, and channel alignment shall make maximum use of natural or existing channels and bottom contours. MDE (B2) COMAR 26.24.03.02.

Select appropriate response:

- Project will be consistent with policy requiring Dredging to Allow for Flushing & to Make Maximum Use of Existing Channels.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 4 – Dredging Shall First Avoid & Then Minimize Habitat Impacts.** The alignment of a channel shall first avoid and then minimize impacts to shellfish beds, submerged aquatic vegetation, and vegetated tidal wetlands. When feasible, the alignment shall be located the maximum distance feasible from shellfish beds, submerged aquatic vegetation, and other vegetated tidal wetlands. MDE (C6) COMAR 26.24.03.02.

Select appropriate response:

- Project will be consistent with policy requiring Dredging to First Avoid, & Then Minimize, Habitat Impacts.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



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**Dredging and Disposal of Dredged Material Policy 5 – Dredging Time-of-Year Restrictions.** Dredging is prohibited from February 15 through June 15 in areas where yellow perch have been documented to spawn and from March 1 through June 15 in areas where other important finfish species have been documented to spawn. MDE (A3) COMAR 26.24.02.06G.

Select appropriate response:

- Project will be consistent with policy requiring Time-of-Year Restrictions for Dredging.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 6 – 500 –Yard Setback Restriction for Dredging Near Submerged Aquatic Vegetation (SAV).** Dredging is prohibited within 500 yards of submerged aquatic vegetation from April 15 through October 15. MDE (A3) COMAR 26.24.02.06H.

Select appropriate response:

- Project will be consistent with policy requiring a 500-Yard Setback Restriction for Dredging near SAV.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 7 – Restrictions on Mechanical & Hydraulic Dredging Near Shellfish Areas.** Within 500 yards of shellfish areas, mechanical and hydraulic dredging is prohibited from June 1 through September 30 and mechanical dredging is also prohibited from December 16 through March 14. MDE (A3) COMAR 26.24.02.06E.

Select appropriate response:

- Project will be consistent with policy Prohibiting Mechanical & Hydraulic Dredging within 500 Yards of Shellfish Areas.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



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**Dredging and Disposal of Dredged Material Policy 8 –Dredge Disposal Site Selection Criteria.** New disposal sites for dredged material shall be selected based on the following hierarchy of criteria: (i) beneficial use and innovative reuse of dredged material; (ii) upland sites and other environmentally sound confined capacity; (iii) expansion of existing dredged material disposal capacity other than the Hart-Miller Island Dredged Material Containment Facility and areas collectively known as Pooles Island. MDE (A3) Md. Code Ann., Envir. § 5-1104.2(d).

Select appropriate response:

- Project will be consistent with policy defining Dredge Disposal Site Selection Criteria.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 9 – Dredge Material Disposal Facilities Shall Minimize Impacts.** Disposal facilities for dredged material shall be designed to have the least impact on public safety, adjacent properties, and the environment. MDE (A3) COMAR 26.24.03.04A.

Select appropriate response:

- Project will be consistent with policy requiring Dredge Material Disposal Facilities to Minimize Impacts.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



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**Dredging and Disposal of Dredged Material Policy 10 – Sediment & Erosion Control Plan Shall Be Developed & Approved Prior to Upland Dredge Disposal.** Prior to disposing of dredged material on upland areas, a sediment and erosion control plan must be developed and approved by the local soil conservation district or the Department of the Environment and the methods for protecting water quality and quantity must be identified in detail. MDE (A3) COMAR 26.24.03.03B.

Select appropriate response:

- Project will be consistent with policy requiring Sediment & Erosion Control Plans to Be Developed & Approved Prior to Upland Dredge Disposal.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 11 – Restrictions on Open Water Disposal of Dredge Material in Chesapeake Bay & Its Tributaries.** A person may not redeposit in an unconfined manner dredged material into or onto any portion of the water or bottomland of the Chesapeake Bay or of the tidewater portion of any of the Chesapeake Bay's tributaries except when the project is undertaken to restore islands or underwater grasses, stabilize eroding shorelines, or create or restore wetlands or fish and shellfish habitats. MDE (A3) Md. Code Ann., Envir. § 5-1101(a), 5-1102.

Select appropriate response:

- Project will be consistent with policy Restricting Open Water Disposal of Dredge Material in Chesapeake Bay and Its Tributaries.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:



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**Dredging and Disposal of Dredged Material Policy 12 – No Open Water Disposal of Dredge Material in Deep Trough of Chesapeake Bay.** A person may not redeposit in an unconfined manner dredged material into or onto any portion of the bottomlands or waters of the Chesapeake Bay known as the deep trough. MDE (A3) Md. Code Ann., Envir. §§ 5-1101(a), -1102.

Select appropriate response:

- Project will be consistent with policy Prohibiting Open Water Disposal of Dredge Material in Deep Trough of Chesapeake Bay.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy:

**Dredging and Disposal of Dredged Material Policy 13 – Restrictions on Open Water Disposal of Dredge Material from Baltimore Harbor.** No material dredged from Baltimore Harbor shall be disposed of in an unconfined manner in the open water portion of Chesapeake Bay, or the tidal portions of its tributaries outside of Baltimore Harbor. MDE (A3) Md. Code Ann., Envir. § 5-1102(a).

Select appropriate response:

- Project will be consistent with policy Restricting Open Water Disposal of Dredge Material from Baltimore Harbor.
- Not Applicable.

Describe situation and/or actions to make project or activity consistent with the above policy: