

Beneficial Use of Dredge Material Under WRDA 2020 Section 125

U.S. ARMY CORPS OF ENGINEERS
SAN FRANCISCO DISTRICT

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San Francisco District



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Navigation Mission

- **Mission:** operate and maintain safe, reliable, efficient, and environmentally-sustainable waterborne transportation systems.
- **Stewardship Roles:**
 - Safety — Identify and address high spots
 - Fiscal — Manage costs
 - Environmental — Comply with regulatory requirements



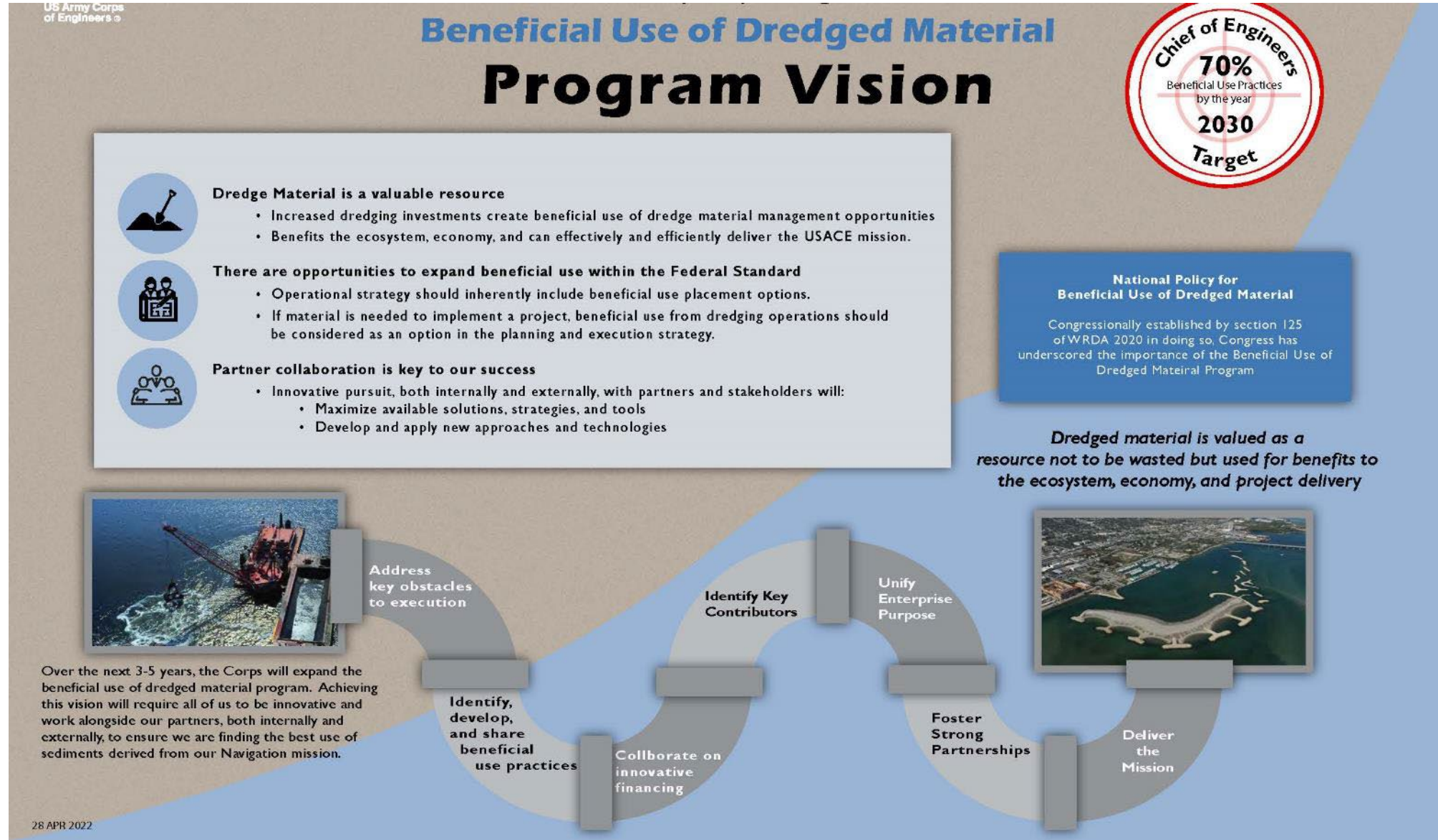
District Strategic Goal #2 – Multi-Benefit Navigation

- Efficiently Deliver a Multi-Benefit Navigation Program that Preserves the Environment
- Execute our Navigation Mission while protecting species, ecosystems, and maximizing beneficial use of dredged sediments.



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USACE Agency Vision – 70% Beneficial Use by 2030



Congressional Direction - Sec. 125 of Water Resources Development Act (WRDA) 2020

- Congressional direction to beneficially use of dredged material from USACE construction and operation & maintenance projects
- **Section 125(c)** - directs USACE to annually prepare dredged material management plans (DMMPs) with a 5-year outlook
 - Implementation Guidance (IG) issued October 2021
 - Supplemental IG issued July 2022
- **Section 125(a)** - authorizes USACE to use federal funds to cost-share (65%/35%) the placement of dredge-material in a manner that is not the least cost option (when the added costs are reasonable in relation to benefits)
 - IG issued November 2022



The Federal Standard & Incremental Cost

- Federal Standard Base Plan (33 C.F.R. 335.7)
 - Least costly dredged material placement alternative
 - Consistent with sound engineering practices
 - That meets federal environmental requirements
- Incremental Cost
 - Cost in excess of the Base Plan needed to take material to a beneficial use
 - Funded by cost-sharing partner

Incremental cost = [\$ to take material to BU] – [\$ for Base Plan]



***Requires Cost
Share****



Federal Funding

* With WRDA 125(a)
can be partially federal



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WRDA 2020 Section 125(c) Guidance

- Annually prepare Dredge Material Management Plans that identify all technically feasible, environmentally acceptable alternatives for material placement
 - 5-year outlook
- Prepared at full Federal expense
- Must be developed with the input of stakeholders and the public
 - Solicit public input for a minimum of 30-days on proposals for potential beneficial use opportunities
- Spreadsheet format for annual DMMPs
 - New beneficial use sites integrated via Beneficial Use Decision Document Integration (BUDDI) Process

1	Regional 5 year DMMP Template and Example					Five-Year DMMP																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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Beneficial Use Decision Document Integration (BUDDI) Reports

- Prepared when a placement site or sites are not already included in an existing DMMP
- A BUDDI Report is a brief planning report that must include:
 - Identification of the Federal Standard Base Plan
 - Identification of BU Alternative plan(s)
 - Costs and Benefits of all plans
 - Letter of Intent from Cost-Sharing Partner
 - Environmental Compliance
 - Documentation of Real Estate
- Approval at the District Level and required prior to placement
- Approved BUDDI Report augments the existing DMMP and may:
 - Identify a BU opportunity as a new base plan
 - Identify BU opportunities for cost sharing in accordance with section 125(a)



WRDA 2020 Section 125(a) Guidance

- Consider all opportunities to use dredged material Identified in DMMPs (from 125(c) process)



- Compare cost of BU opportunities to Federal Standard Base Plan Cost



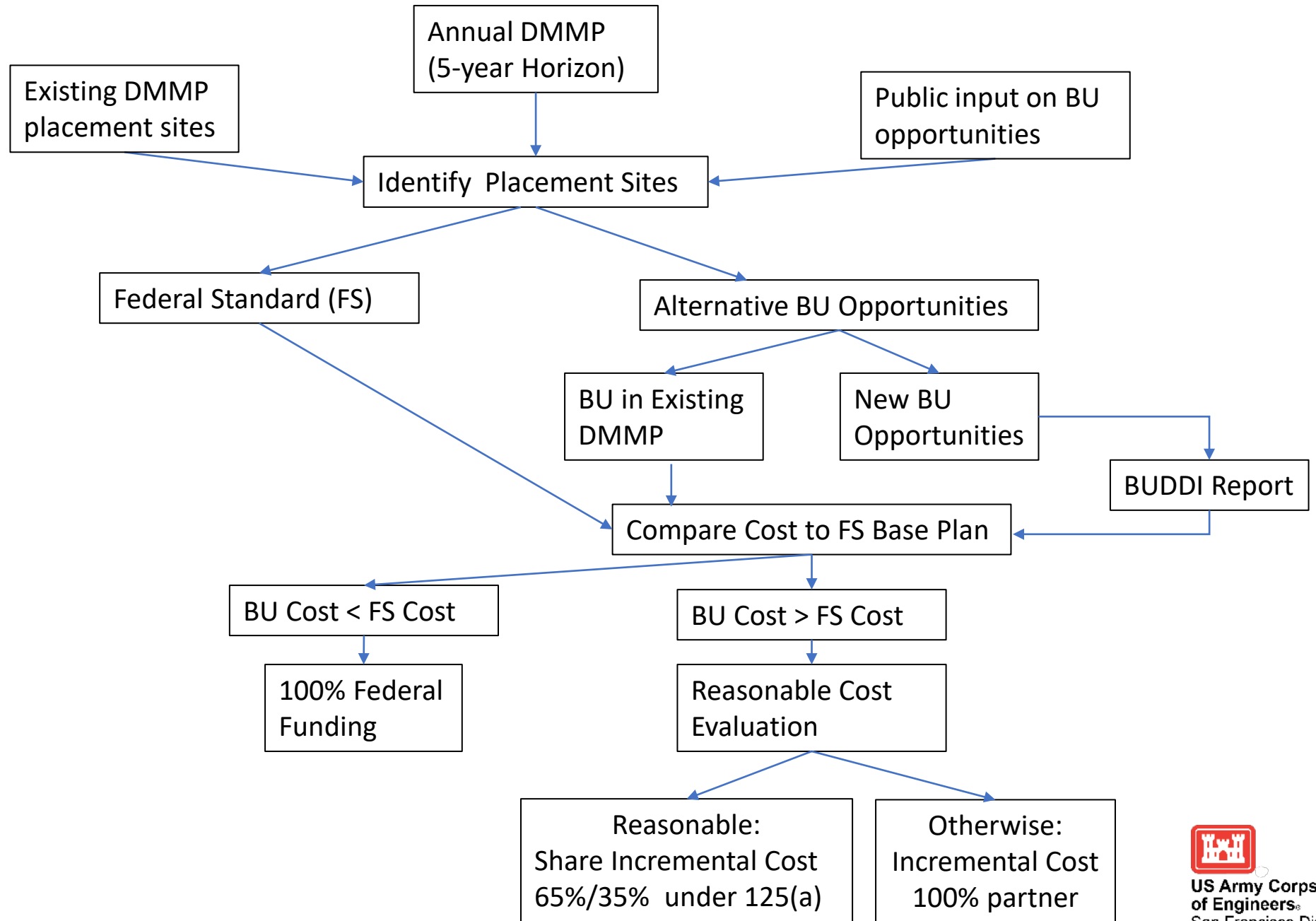
- If the cost of BU is greater than the Federal Standard Base Plan Cost:
 - Cost-share partner must agree to fund 35% of the incremental cost
 - Federal cost share is 65% of the incremental cost and can't exceed \$10Million

AND

- Incremental cost must be reasonable in relation to benefits (environmental, storm risk, flood risk)
 - If 65% of incremental cost is < 25% of the total base plan cost = Reasonable
 - Otherwise, a detailed incremental cost analysis is required to determine what is reasonable
- Multiple placements may be considered for the same site over several years
 - Each event needs to be evaluated and deemed reasonable



Sec. 125 Process Diagram



KEY TAKEAWAYS

- Federal Standard dictates the Base Plan placement location and cost
- Beneficial use (when it is not the base plan) requires cost share
 - But 125(a) allows cost sharing of the beneficial use increment (65%/35%) when reasonable
- Limited beneficial use opportunities may still create a challenge
 - Participatory 125(c) process to identify opportunities
- New beneficial use opportunities will need to go through the BUDDI process to be utilized

ADDITIONAL INFORMATION

- https://www.usace.army.mil/Missions/Civil-Works/Project-Planning/Legislative-Links/wrda_2020/

125	Beneficial use of dredged material; dredged material management plans	Implementation Guidance for Section 125(a) of the Water Resources Development Act of 2020. Implementation Guidance for Section 125(c) of the Water Resources Development Act of 2020. Supplemental Guidance for Section 125(c) of the Water Resources Development Act of 2020. Enclosure 2 Template - Supplemental Guidance for Section 125(c) of the Water Resources Development Act of 2020.
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San Francisco District



Questions & Discussion





ADDITIONAL INFORMATION SLIDES



SF BAY REGIONAL DREDGE MATERIAL MANAGEMENT PLAN (RDMMP)



- **Objectives**

- Demonstrate placement capacity for SF Bay region O&M of federal channels for 20 years
- Establish the Federal Standard “Base Plan”
- Prepare/obtain new multi-year dredging program permits associated with RDMMP Base Plan
 - 2025-2034 National Environmental Policy Act (NEPA) coverage
 - Associated CWA 401 and CZMA coverage

- **Implementation**

- Phase I – Develop detailed scope of work (2020-2022)
 - Broad Stakeholder Engagement
 - Literature Review/ Science Gap Analysis by SFEI
 - Scopes of work to address gaps (ERDC/SFEI)
 - Scopes of work to prepare engineering, economic, environmental inputs (USACE)
- Phase II – Execute scope of work (2022-2024)
 - Initiate Science Studies (identified through gap analysis)
 - Engineering, Economic, Environmental Analyses
 - Draft /Final RDMMP Document and obtain associated environmental compliance



SECTION 1122 DIRECT PLACEMENT PILOT

- \$19 million in Infrastructure Investment and Jobs Act (IIJA) funds received to implement
 - Pilot includes direct placement of material from specific federal channels at specific wetland restoration sites

Included Federal Channels

- Oakland Harbor
- Richmond Harbor
- Redwood City Harbor
- Pinole Shoal Channel

Included Placement Sites

- Montezuma Wetlands
- Cullinan Ranch
- Bel Marin Keys (not currently available)
- Eden Landing (not currently available)

- USACE plans to expend funds received in 2023 episodes and beyond until exhausted
- Full proposal submitted by the State Coastal Conservancy was for \$51 million
 - Additional funding for direct placement may be received in the future

