Environmental Windows in the Great Lakes: Progress Toward a Balance Between Dredging Needs and Resource Protection



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### **Environmental Windows**

- Are based on the *Precautionary Principle*
- Greatly complicate the conduct of dredging – both in terms of coordination and contracting
- Can inflate the cost of dredging
- Have no performance standards
- Are a management practice of first rather than last resort
- Can only be resolved by
  - science-based decisions
  - substantial investments in research and training of regulatory personnel

### **Chronology of Windows**

- First appeared after passage of NEPA in 1969
- By 1980 > 80% of all Federal navigation projects complied with at least one window
- By 1996 > 90% of Federal projects were restricted, a majority by multiple windows
- The %age of restricted projects continues rising to this day in response to new emphasis on environmentally driven mandates, such as the ESA and EFH





The Problem			
<b>Concerns Not Prioritized</b>			
Life History Stage	Suspended Sediments	Turbidity	Entrainment
Eggs	Moderate	NA	High
Larvae	High	Low	Low
Juveniles	Moderate	High	Moderate
Adults	Low	Moderate	NA

# NRC Recommendations to Improve the Process Take a Regional Approach

- Form regional study team
- Prioritize technical issues
- Identify data gaps
- Select appropriate dredging project(s)
- Make commitments
- Collaborate to plan and execute study
- Share and publish results

# **Great Lakes Dredging Team**

- Windows Advisory Team
  - Great Lakes Commission
  - NY, OH, PA, IN, MI, WI, MN Resource Agencies
  - Buffalo, Detroit and Chicago Districts
  - Engineer R&D Center
  - EPA, USFWS, NOAA

# **Major Technical Issues**



- 1. Sedimentation
- 2. Developmental effects
- **Dredging effects on salmon and trout**
- 1. Spring downstream migrants, including hatchery releases
- 2. Fall upstream migrants

# Determining Effects on Walleye Spawning Habitat

Degree of Exposure

- Sedimentation
- Plume Characterization
- Tolerance
  - Threshold of detrimental effects

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#### Research Task: Sedimentation Effects



Natural Bottom

- Persistent concerns
- Detection in the field exceedingly difficult at appropriate scales (i.e. mm, hours)
- No standardized lab protocols analogous to suspended sediment exposures exist
- Investigate suitable technologies
- Develop testing procedures for tolerance determinations



## Effects of Sedimentation on Spawning Habitat





# **Plume Characterization**

- Acoustic technologies
  - ADCP backscatter
  - Sediview backscatter to concentration conversion
- Optical Backscatter Sensors
  - Continuous data record















# If dispersion to spawning habitat occurs:

- Plume characterization results could be used to design appropriate experimental exposures of walleye eggs and larvae
- Experimental approaches could determine threshold effect levels
- Plume characterization results could then be used to determine effective protection measures, e.g., spatial "buffer" zones to avoid exceeding thresholds







# **Determining Effects on Salmon and Trout**

- Migratory Blockage
  - Plume Characterization
  - Underwater Sound
  - Water Quality



#### Research Task: Salmon Protection





- Few definitive studies conducted on navigation dredging effects except for entrainment concerns
- Migration impairment remains a major concern
- Actual probabilities of speciesspecific exposures and thresholds of effects need to be determined
- Sublethal effects of exposure difficult to ascertain and evaluate













# **Research Task:** *Modeling Tools for Environmental Windows Determination*



- Modeling tools can facilitate and optimize objectivity in windows determination
- Models must be verified
- Models must adapt, evolve through continual refinement (SMS)
- Link to DMM Focus Area
- Emphasize development, testing and application of tools that address environmental aspects (e.g., support risk assessment)

## **Pitfalls in the Present System**

- Windows must be over-restrictive to ensure effectiveness
- Windows have no performance standards
- Multiple regulatory players involved
- Few resource agencies have staff dedicated to the dredging process
- Resource agencies have no funds for dredging research or training
- Little incentive exists to change the status quo

#### **Recommendations**

- Consider all best management practices on an equal basis with windows
- Accept windows as a potentially useful tool based on the merits of a given project and specific sources of risk
- Do not institutionalize windows
- Seek science-based, adaptive approaches
- Obtain commitments to resolve major concerns



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