US Army Corps of Engineers

REGULATORY GUIDANCE LETTER

No. 23-01 **Date: 10 May 2023**

SUBJECT: Guidance for Implementing the Dredging Quality Management (DQM) Program for dredging projects requiring Department of the Army (DA) permits

1. Purpose and Applicability.

a. **Purpose.** CECW-CO memorandum dated 17 April 2006 requires United States Army Corps of Engineers (Corps)-wide implementation of automated dredging monitoring. The purpose of this Regulatory Guidance Letter (RGL) is to update the information provided in RGL 08-01 to establish that the technology used for the automated dredging monitoring is the DQM Program. DQM is an automated dredge contract monitoring system comprised of both hardware and software developed by the Corps. DQM is already required for Civil Works projects and will be used to fulfill Corps Regulatory permit compliance monitoring conditions consistent with the criteria listed herein. This RGL rescinds and replaces RGL 08-01.

b. **Applicability.** This guidance applies to DA permits for dredging and/or dredged sediment discharge/placement into Section 10 navigable waters. Use of the DQM system on a particular permit will be based on a three-tiered decision process:

(1) Determine whether compliance monitoring is needed;
(2) Determine whether DQM will meet the need for compliance monitoring;
(3) Determine if a case-by-case exemption by the District Engineer (DE) is justified for unusual circumstances (including project size) or undue hardships to applicants or contractors.

If the District determines that compliance monitoring is not needed for a particular permit using dredging techniques, or that the DQM will not meet an existing monitoring need, or if the DE determines that a case-by-case exemption is justified, then the use of DQM is not required. In instances that a dredging project does not require the use of DQM, clear justification must be made in the permit decision document.

2. General Considerations.

a. **Background.** DQM consists of 1) government-furnished software developed through the National Dredging Quality Management Program, 2) on-dredge hardware owned or leased and operated by the dredging contractors, and 3) a centralized DQM database. DQM assists the Corps in monitoring activities on board the dredging equipment, provides information for assessing endangered species takes, and provides the capability to gather nationwide information for current and future use in the Corps Dredging Program. Depending on the type of dredge and discharge/placement method used, DQM can monitor numerous dredging parameters, including but not limited to, dredge location, dredge depth, amount of sediment removed from a dredging site, placement of the dredge material, and information regarding Operations and dredging Endangered Species System (ODESS). During project construction,

DQM identifies where sediment is removed from and placed in real-time in a standard format. Data collected by DQM is recorded and digitally available for download/review by Corps District offices. Web-based applications are available to examine the data and monitor compliance with the terms and conditions of DA permits.

b. **Regulatory Program Benefits.** The greatest benefit to the Corps Regulatory Program is having a consistent, available, and reliable source of data for determining compliance with DA permit conditions. Long term cost savings will accrue by Districts by reducing paperwork and automating reporting requirements.

3. Analysis and Policy. DQM has become the industry standard to provide clear and transparent environmental compliance. DQM is already functioning on certain dredging equipment used on Corps Civil Works (CW) projects, including all hopper dredges in the United States fleet, all pipeline dredges working on unrestricted (Full and Open Competition) contracts and on scows/barges. Future expansions of DQM are proposed to additional dredge types, including but not limited to, pipeline dredges working on small business CW contracts, mechanical dredges, agitation dredges, and water injection dredges.

4. Guidance.

a. The Regulatory Program is responsible for determining compliance with special condition(s) of the issued DA permit. Using DQM to determine compliance with DA permit condition(s) contributes substantially to program efficiency.

b. If the project is constructed with a dredge, DQM is required. DQM collects data using an array of sensors on the dredge equipment. There are multiple sensor array configurations depending upon project tracking requirements and dredge size.

c. When DQM is required on a permit, uploading raw data to the DQM system is also required. The DQM Support Center provides technical support as part of its base mission.

d. Depending on the need and frequency of use of DQM within the Regulatory Program, Districts may consider designating a Regulatory Point of Contact (POC) for DQM coordination with their Division DQM POC. Other options include funding the support of a POC in the Operations or Navigation Branch, or jointly funding a Regulatory POC at the Division level. Additionally, the DQM Support Center can provide additional support on a case-by-case basis, reimbursable basis. Regulatory funds may only be appropriately used for this purpose if the analysis is used for permit compliance.

e. Any Districts requiring DQM training, user guides, access to the DQM online viewer, roles and responsibilities, additional information about the DQM program, and/or technical support can contact the National DQM Support Center at (877) 840-8024 and/or visit the website at https://dqm.usace.army.mil: https://dqm.usace.army.mil/.

f. The following paragraph must be used as a template special condition when compliance monitoring has been determined necessary and DQM will meet that need:

> *Dredging, dredged sediment discharge/placement, and monitoring of the dredging projects using the Dredging Quality Management (DQM) system shall be implemented for this permit when the project activity is using dredging equipment. The permittee's DQM system must have been certified by the National DQM*

Support Center (DQM Center) within one calendar year prior to the initiation of the dredging/discharge/placement of sediments. The permittee is responsible for ensuring that the DQM system is operational throughout the dredging and discharge/placement of sediments, and that the project data is submitted to the DQM Center in accordance with the specifications provided at the DQM website. Questions regarding certification and/or additional information about DQM program should be addressed to the DQM Center at (877) 840-8024 and/or https://dqm.usace.army.mil/.

5. Duration. For any permit requiring compliance monitoring pursuant to Paragraph 1.b. above, implementing DQM is effective immediately. This guidance remains effective unless revised or rescinded.

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