

**Interagency/Intergovernmental Agreement
For the Sediment Evaluation Framework
Between**

U.S. Army Corps of Engineers, Northwestern Division (NWD)
The U.S. Environmental Protection Agency, Region 10 (EPA)
National Marine Fisheries Service (NMFS)
U.S. Fish and Wildlife Service (USFWS)
Washington State Department of Ecology (WDOE)
Washington Department of Natural Resources (WDNR)
Oregon State Department of Environmental Quality (ODEQ)
Idaho Department of Environmental Quality (IDEQ)

BACKGROUND

The signatory agencies recognized that a regional plan for evaluation of sediments proposed for dredging in the Pacific NW would allow dredging projects to proceed in an environmentally sound manner, provide consistency in the approach, reduce uncertainty and delays in project review, and meet each agency's regulatory responsibilities. In September 2001 the Regional Sediment Evaluation Team (RSET) was formed to examine the feasibility of developing this process. RSET was formed under the auspices of the Pacific Northwest Regional Dredging Team (NWRDT), which was one of ten regional teams under the National Dredging Team. The agencies actively participated on RSET and in the development of the Sediment Evaluation Framework (SEF).

The SEF is consistent with the joint EPA/Corps national manuals on sediment assessment developed for compliance with the Clean Water Act (CWA) and the Marine Protection Research and Sanctuaries Act (MPRSA) developed in the 1990s which call for development of regional guidelines to address specifics that are more appropriately tailored to the regional conditions than addressed at the national level. The Pacific Northwest has developed a series of sub-regional manuals, or frameworks, beginning in 1988 with the Puget Sound Dredged Disposal Analysis (PSDDA), in 1995, The Grays Harbor Dredged Material Evaluation Manual, and in 1998 the Lower Columbia River Dredged Material Evaluation Framework (DMEF). These earlier regional efforts are expanded in the SEF to cover the entire Pacific Northwest Region (Oregon, Washington and Idaho) and incorporate the latest science for both freshwater and ocean disposal testing. The SEF is written to provide an evaluation framework that will assist the states in making water quality certification decisions under Section 401 of the CWA. The SEF guidelines will also help the NMFS and USFWS to evaluate potential impacts of dredged sediments on threatened and endangered species, including salmonids, to meet Endangered Species Act (ESA) requirements.

A final draft SEF was published and made available for public review and comment with a public notice issued February 9, 2009. Public meetings were held in Idaho, Oregon and Washington and all comments received were considered before finalizing the SEF in May 2009. The SEF is considered to be a living document, and adjustments and changes to the process, and methodologies based on new science will be recommended at annual meetings.

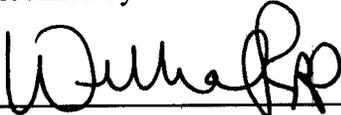
Interagency/Intergovernmental Agreement for the Sediment Evaluation Framework

IMPLEMENTATION

Each agency agrees to use the evaluation procedures and process outlined in the SEF guidelines and/or updates posted to the RSET website to assess sediment/dredging projects and support findings on sediment suitability developed following the framework. Each agency agrees to provide continued participation in RSET, including monthly coordination meetings, annual meetings, evaluation of new science and issues and developing SEF updates. Participation in RSET does not abrogate individual agency authorities and responsibilities.

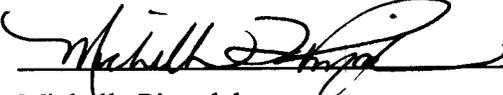
The Parties to this agreement agree to fulfill the roles and responsibilities and to collaborate with each other as outlined in the SEF guidelines. This agreement may be amended, altered, or terminated by officials signing below or a higher ranking official in the respective agencies. Nothing in this agreement supersedes individual agencies authorities or funding priorities; however, all agree to the importance of this process and that the continued updates of the SEF guidelines is a regional priority.

This agreement becomes effective upon final signature by all parties and remains in effect until modified by mutual consent or terminated with 60-day notice by any party.



Date: 8 Sept 2009

William E. Rapp, P.E.
Brigadier General, Commander
Northwestern Division
US Army, Corps of Engineers



Date: 11/24/09

Michelle Pirzadeh
Acting Regional Administrator
Environmental Protection Agency, Region 10



Date: 10/22/09

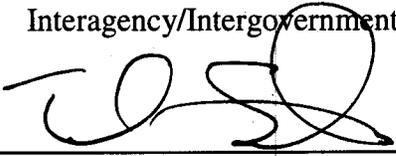
Johns
Barry A. Thom
Regional Administrator
National Marine Fisheries Service



Date: 10/6/09

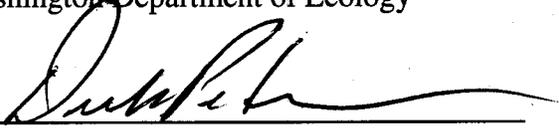
Robyn Thorson
Regional Director, Region 1
U.S. Fish and Wildlife Service

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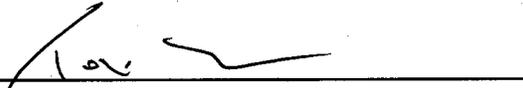
Date: 12/15/09

Ted Sturdevant
Director
Washington Department of Ecology



Date: 12/22/09

Dick Pedersen
Director
Oregon Department of Environmental Quality



Date: 1/4/10

Toni Hardesty
Director
Idaho Department of Environmental Quality



Date: 1/13/10

Peter Goldmark
Commissioner of Public Lands
Washington Department of Natural Resources