

**STATE OF WASHINGTON  
DEPARTMENT OF FISH AND WILDLIFE  
HABITAT PROGRAM**

February 4, 2013

TO: Regional Habitat Program Managers  
Assistant Regional Habitat Program Managers  
Regional Field Biologists

FROM: Lisa Veneroso, Assistant Director

SUBJECT: **GUIDANCE REGARDING COMPENSATORY MITIGATION FOR  
DREDGING HYDRAULIC PROJECT APPROVALS (HPAS)**

[WDFW policy M5002](#) describes the principles for requiring mitigation. Biologists must consider Policy M5002 when evaluating the quantity and quality of mitigation. However, this policy provides little guidance as to when biologists should require compensatory mitigation. As a result, we are not consistent in requiring compensatory mitigation. To ensure consistency, please observe the following guidance when determining whether compensatory mitigation is required for dredging.

**1) New Dredging**

- a) The department should require compensatory mitigation for new dredging. “New dredging” is defined as work conducted outside of a confined or strictly demarcated area. Maintenance of a sediment retention facility designed to limit head cut upstream and balance or meter sediment delivery downstream is **not** considered “new dredging”. Dredging of an open stream channel, even if the same location experienced dredging recently, **is** considered “new dredging”.

Evaluate the impacts of new dredging by comparing the condition of the habitat before the dredging, both at the site and near the site, to the expected condition of the habitat after the dredging. For the construction of a navigation channel or berthing area, compensatory mitigation must account for the complete and permanent loss of the habitat within the dredged area and any other impacts associated with the project.

- b) An exception is sediment dredging that results in a cleaner aquatic environment ([RCW 77.55.271](#)). No compensatory mitigation is required for this work.

**2) Maintenance Dredging**

- a) The department does not require compensatory mitigation for maintenance dredging of navigation channels or berthing areas ([RCW 77.55.271](#)) provided the work does not expand the previously dredged area. This includes previously constructed navigation channels and berthing areas where eelgrass, kelp or other vegetation used by herring as

spawning substrate have re-established since these functions and values have been fully compensated for elsewhere at the time of construction.

- b) The department should require compensatory mitigation if dredging would expand the previously dredged navigation channel or berthing area. The compensatory mitigation should account for the permanent impacts to the expanded area (outside the existing) and any new indirect impacts caused by the expansion.
- c) When construction activities associated with the maintenance dredging cause a new net loss of habitat functions or habitat area, evaluate the new impacts to determine if compensatory mitigation is required. Destabilization of a streambed or sediment starvation due to dredging is a new net loss that should require compensatory mitigation.