Introduction

Dredging in the waters of the United States is regulated by both federal and state agencies. Some of the material presented in this section is based on the twenty-six (and still counting) review articles which Peter Graber has published in Shore and Beach. Articles referenced are included in the bibliography.

THE FEDERAL PROGRAM

A brief review of the evolution of the history of the federal laws may be helpful.

Rivers and Harbors Act of 1899

The purpose of this statute was to prevent obstruction to navigation and placed responsibility on the U.S. Army Corps of Engineers for issuing permits. Although as noted above the concern of the original act was navigation, it was broadened through litigation in 1970 and 1971 to require consideration of ecology and allowed denial of a permit if the proposed project would cause ecological damage.

National Environmental Policy Act of 1969 (NEPA)

This statute, administered by the Environmental Protection Agency, declares "... a national policy which will encourage productive and enjoyable harmony between man and his environment." This act formalized the change toward greater concern for the environment and states as a goal "... a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities." The character of environmental impact statements required in "major Federal actions significantly affecting the quality of the human environment" are formalized to include, "(i) the environmental impact of the proposed action, (ii) any adverse environmental effects which cannot be avoided should the proposal be implemented, (iii) alternatives to the proposed action,... ."