

The Great Lakes Dredging Team Charter and Operational Guidance

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A. Background

Introduction

The Great Lakes are a valuable and unique resource. The use of this resource for recreational and commercial navigation requires the continued maintenance of harbors, ports, marinas and shipping channels throughout the Great Lakes, Connecting Channels and tributaries (hereafter referred to as the Great Lakes). Dredging is required to construct navigation channels and to maintain depths for safe navigation at existing ports and harbors. Dredging is also required to construct and maintain other important facilities, such as water supply intakes, bridges and utility crossings and for the remediation of contaminated sediments.

Dredging and the management of dredged material have been the focus of considerable research, evaluation, and coordination among state and federal agencies responsible for these activities on the Great Lakes. In the late 1960s, the U.S. Army Corps of Engineers (USACE) and the Federal Water Pollution Control Administration (predecessor of EPA) collaborated on a two-year study and pilot-program on Great Lakes dredging and disposal practices (USACE 1969). In 1970, Congress authorized a program for the confined disposal of contaminated dredged material from Great Lakes harbors. The Great Lakes Water Quality Agreement (1987 Protocols) identified restrictions to dredging activities as an impairment to the beneficial use of the Great Lakes. Beginning with the 1987 GLWQA amendments and continuing under the 2010 GLWQA protocols, states have developed and are implementing Remedial Action Plans (RAPs) at designated Areas of Concern (AOCs) to address the sources of sediment contamination and remediate in-place contaminants.

History

Over the years, several interagency and international committees and working groups have been formed by the USEPA, USACE, the Great Lakes Commission (GLC), the International Joint Commission (IJC) and others to work with the states to coordinate dredging and dredged material management activities on the Great Lakes, resolve technical and policy issues, and develop testing and interpretation guidance.

In 1993, the Department of Transportation, Maritime Administration (MARAD) initiated the Interagency Working Group on the Dredging Process to evaluate problems and delays encountered with dredging the nation's ports. The Working Group held several public hearings and released a report of its findings in December 1994 (MARAD 1994).

The dredging problems that prompted the creation of the Interagency Working Group were the result of a breakdown in interagency coordination at a few large ports on the east and west

coasts. The conditions on the Great Lakes, with over 100 harbors in eight states, are quite different from those at large ports on the east and west coasts. The laws regulating disposal of dredged material into the ocean are different from those applicable to inland waters, as well as the roles of some stakeholders, in particular, the states.

The eighteen recommendations in the report called for the establishment of a National Dredging Team (NDT) as well as the formation of regional dredging teams to "provide a mechanism for timely resolution of conflicts by involving all agencies, and maximizing interagency coordination."

The National Dredging Team (NDT) is a federal interagency group working to ensure that dredging of U.S. harbors, channels, and waterways is conducted in a timely and cost-effective manner while meeting environmental protection, restoration, and enhancement goals.

The NDT was officially established in 1995 to promote national and regional consistency on dredging issues and provide a mechanism for issue resolution and information exchange among federal, state, and local agencies and stakeholders. The NDT also serves as a forum for promoting the implementation of the National Dredging Policy and the 2003 Action Agenda recommendations.

U.S. EPA and the U.S. Army Corps of Engineers co-chair the NDT. Other members are the Maritime Administration, National Oceanic and Atmospheric Administration's National Marine Fisheries Service and National Ocean Service, U.S. Fish and Wildlife Service, and the U.S. Coast Guard. The U.S. Department of Agriculture, U.S. Geological Survey, and the U.S. Navy serve as participating agencies.

B. Purpose of the GLDT

In order to fulfill the recommendation of the Interagency Working Group on the Dredging Process, a Great Lakes Dredging Team (GLDT) was established for the Great Lakes region. The GLDT was the first regional dredging team established and became operational in 1994.

The GLDT acts as a forum for both governmental and non-governmental Great Lakes dredging interests and facilitates and promotes timely, cost-effective and environmentally sustainable dredging operations of U.S. harbors and channels throughout the Great Lakes, connecting channels and tributaries.

Objectives

The objectives of the Great Lakes Dredging Team (GLDT) are to:

- a) Contribute to the national goal of assuring that the dredging of U.S. harbors and channels is conducted in a timely and cost effective manner while meeting environmental protection, restoration, and enhancement goals.

- b) Facilitate the resolution of dredging issues common to the Great Lakes region among the participating local, state, tribal and federal agencies.
- c) Promote implementation of the relevant portions of the recommendations of the interagency report on the dredging process.
- d) Facilitate effective communications and decision-making among federal and state agencies represented on the Dredging Team and between the Team and key stakeholders in the dredging process.
- e) Report on progress to the NDT.

C. Membership

The NDT provides limited guidance for establishing membership of the regional dredging teams, calling for the convening of a team that fosters communication, education and community involvement among regional, state and local interests.

To achieve this, the GLDT uses a three-tiered membership, based on the following categories: voting members/official representatives, alternate representatives and non-voting members/participating committee members.

Voting Members/Official Representatives and Alternates

The regular membership of the Great Lakes Dredging Team consists of representatives from the following agencies/organizations:

- Department of Defense/U.S. Army Corps of Engineers (USACE)
- U.S. Environmental Protection Agency (USEPA)
- Department of the Interior/U.S. Fish & Wildlife Service (USFWS)
- Department of Transportation/Maritime Administration (MARAD)
- Department of Agriculture/Natural Resources Conservation Service (NRCS)
- Department of Commerce/National Oceanic and Atmospheric Administration (NOAA)
- Department of Homeland Security/U.S. Coast Guard (USCG)
- State of Minnesota
- State of Wisconsin
- State of Illinois
- State of Indiana
- State of Michigan
- State of Ohio
- Commonwealth of Pennsylvania
- State of New York
- Lake Carriers Association
- Northeast-Midwest Institute
- Great Lakes Commission (ex-officio)

Each state may designate two main representatives to the GLDT as well as two alternates to assure that state natural resource/environmental protection and commerce/transportation interests are represented.

Each federal, state and nongovernmental representative can designate an alternate to represent them as needed. Collectively, the member/alternates from each agency and association should bring both policymaking authority and technical expertise to the GLDT. The GLDT may expand its membership, upon consensus, to other agencies, organizations or groups.

Non-Voting Members/Participating Committee Members

Non-voting members/participating committee members include those individuals, agencies or organizations not officially representing their agency or organization to the GLDT, but who participate in GLDT meetings, committee workplan products, or other GLDT functions and/or initiatives. The following criteria may apply to non-voting members/participating committee members: 1) their category of interest (e.g., environmental, commercial, scientific) is already adequately represented among the official agency or organization representation on the GLDT; or 2) their role in dredging issues, programs and/or projects may be limited.

Non-voting members/participating committee members do not hold voting privileges but are invited to attend all GLDT meetings and participate in and contribute to GLDT discussions as appropriate. They are also eligible to participate in committee discussions, but cannot serve as committee co-chairs. GLDT members may suggest to the Great Lakes Commission (serving as GLDT secretariat) any agencies/organizations that should be designated as non-voting members/participating committee members. Similarly, any such agency or organization can request that designation via direct communication with the Great Lakes Commission serving as Secretariat to the GLDT.

Voting Members/Official Representatives to the GLDT

GLDT voting members/official representatives should be formally appointed by their respective agencies or organizations. Similar guidance on membership appointment applies to alternate representatives. Appointments should be made in writing or via email to the Great Lakes Commission.

The GLDT Secretariat will handle requests from interested parties/observers to be added to GLDT email distributions lists. The list of interested parties/observers used to communicate with the GLDT will be maintained by the GLDT Secretariat.

Membership Responsibilities

Individuals serving as voting members/official representatives and alternate members of the GLDT should be well-versed on issues related to dredging with a sincere interest in being an active member of the GLDT. Once appointed, GLDT members have the following responsibilities:

- Attend GLDT meetings or, if attendance is not possible, arrange for participation by the alternate member;
- Represent his/her respective agency/organization at the GLDT meetings;
- Report back to his/her respective agency/organization on key GLDT initiatives under discussion;
- Participate in meeting discussions and serve the GLDT to the best of his/her abilities;
- Serve on one or more GLDT committees and participate in committee activities;
- Share expertise as appropriate and provide feedback in the review of reports, position statements or other GLDT products;
- Provide information on GLDT positions, views and relevant initiatives where appropriate, to other organizations and individuals not directly involved in GLDT activities;
- Serve as ambassador for the GLDT, acknowledging the mission of the GLDT and promoting the work of the GLDT with his/her agency/organization being represented; and;
- Show esprit de corps, being courteous to those participating in GLDT initiatives and especially respecting the views, statements and opinions of others.

Voting Members/Official Representative Members in Good Standing

In agreeing to represent their agency/organization as a member of the GLDT, individuals are responsible for complying with the aforementioned guidelines. To be in good standing, members should make a good faith effort to attend GLDT meetings whenever possible. A member's good standing may be in jeopardy when he/she is chronically absent from GLDT meetings (i.e., three or more consecutive meetings) without communicating a reasonable cause to the GLDT Chair or GLDT Secretariat.

GLDT membership will be reviewed every two years by the GLDT Secretariat. In cases where frequent unexcused absences of an individual/organization have occurred, the GLDT Chair may communicate with the member to discern his/her status and level of commitment to the GLDT. If an agency/organization does not wish to participate with the GLDT or cannot immediately identify an individual to serve, the position will remain vacant until an appointment is made, or a letter is received asking to be officially removed from GLDT membership.

D. GLDT Officers

Roles and Responsibilities

GLDT Co-Chairs

The GLDT will have two co-chairs; one from a federal agency and the other from a nonfederal agency or organization. The co-chairs will preside over the operations of the Great Lakes GLDT for a two-year term. Members eligible for the position of co-chair are those regular members

representing U.S. entities serving the GLDT in good standing with at least two years of service with the GLDT. The GLDT co-chairs hold the following responsibilities:

- Preside over GLDT meetings;
- Oversee the activities of the GLDT Steering Committee;
- Work with the Steering Committee and GLDT Secretariat in developing agendas for GLDT meetings;
- Serve as ex-officio member of all GLDT committees;
- Assess the status of members in good standing when necessary;
- Serve as the principal GLDT liaison to the NDT;
- Serve as spokesperson for the GLDT at meetings and conferences as appropriate and;
- Oversee the GLDT's decision-making process, based on consensus and majority voting.

Committee Chairs

Ideally, GLDT standing committees will be led by co-chairs (one federal and one non-federal). The co-chairs will be selected from the membership of the GLDT. Each co-chair will serve for two-year terms. GLDT alternate members serving as committee co-chairs will have full voting privileges on the committee and full GLDT deliberations, regardless of whether the regular member is in attendance or not. Committee chairs will hold the following responsibilities:

- Conduct committee sessions (2-3 hours in duration) during GLDT meetings, including setting the committee meeting agenda; and
- Conduct committee meetings and/or teleconferences outside of GLDT meetings as needed, with support provided by the GLDT Secretariat.

E. Election of GLDT Co-Chairs and Committee Chairs

Nominations Process

An ad-hoc Nominating Committee will be established by the GLDT co-chairs and announced at the fall meeting of the GLDT. The Nominating Committee will consist of a minimum of three members: an immediate past co-chair, one non-federal member and one federal member. Other members may be added at the discretion of the GLDT co-chairs. The role of the Nominating Committee will be to prepare a list of candidates eligible for election for the positions of GLDT co-chairs as well a slate of those interested and eligible to chair the two standing committees. Individuals considered for nomination should meet general membership criteria as described in Section C. These include, among others, dredging issue expertise, willingness to serve, appropriate related experience, ability to attend regular GLDT meetings, committee meetings and other GLDT initiatives, and serving as a member in good standing. Nominees should meet the specific requirements of the respective positions described the Section D.

At least 60 days prior to the Annual Meeting of a report of the Nominating Committee will be provided to the GLDT Steering Committee with a proposed slate of candidates for the positions open for election (see description below).

Once the slate of candidates is approved by the GLDT Steering Committee, the draft ballot will be provided to the full GLDT along with a call for nominations. The GLDT membership will have 14 days (two weeks) to provide additional names to be placed into nominations for the positions open for election. Additional nominees, assuming they meet the membership requirements of the GLDT, will be placed on the ballot which will then be provided to the full GLDT at least 30 days in advance of the Annual Meeting. Elections will occur electronically (see below) and the election results will be provided at the start of the Annual Meeting.

Positions Open for Election

GLDT Co-Chair

The position of co-chair is assumed by a regular member representing a U.S. entity of the GLDT in good standing who has served on the GLDT for the two prior years. Ideally there will be one co-chair from a federal agency and one co-chair from a non-federal agency or organization.

Committee Chairs

The position of committee chair is open to any regular or alternate member of the GLDT who has served in good standing for at least one year. Committee chairs are elected by GLDT members to serve a two-year term. If at any time a committee chair becomes vacant, the GLDT co-chairs will appoint a new committee chair from the GLDT membership.

Elections

The election of GLDT co-chairs, following the nomination process, will be conducted electronically by the GLDT Secretariat. Elections will occur in odd numbered years prior to the spring GLDT meeting. New officers will assume their positions at the start of the spring meeting. GLDT co-chairs serve a two-year term. Election to GLDT positions is based on a simple majority of votes cast by GLDT membership. In the event of a vacancy in a co-chair position, the GLDT will be led by the other co-chair until a special election can be held.

F. GLDT Committees

Steering Committee

A Steering Committee has been established to provide administrative, coordinative and oversight functions for the GLDT especially between full meetings of the GLDT. The Steering Committee will be composed of

- the GLDT co-chairs,
- a chair of each the GLDT's two standing committees: Technical and Outreach (see description below),
- USACE Great Lakes and Ohio River Division / Great Lakes District leadership representation
- a previous non-federal chair or committee chair

- GLDT Secretariat (currently the Great Lakes Commission).

The main functions of the Steering Committee will be to work with the GLDT Secretariat in the following areas; planning of GLDT meetings, developing meeting agendas, identifying important items to be discussed by the GLDT during meetings or in other forums, assisting staff in the pursuit of supplemental funding opportunities for GLDT operations, and handling other administrative items as necessary.

Standing Committees

The standing committees operate under the auspices of the GLDT to accomplish the GLDT's mission and to advance GLDT priorities in discrete areas as identified by the GLDT and/or by individual committees. Standing committees of the GLDT include a Technical Committee and an Outreach Committee.

The standing committees listed below function in the same manner as the full GLDT in all aspects of decision-making and process. Membership of the standing committees is open to all members of the GLDT including regular and alternate members.

As part of their membership responsibilities, the regular and alternate GLDT members will be encouraged to serve on one of the standing committees. Interested parties/observers are also encouraged to participate in committee meetings and related discussions, whenever possible. Under the leadership of the committee chairs, each standing committee will be responsible for:

- Establishing and following a committee workplan to be updated at least biennially;
- Recruiting members to sit on the committee;
- Recruiting any additional participation from interested parties/observers who may provide expertise and advise; and
- Submitting committee products and/or recommendations to the GLDT for approval/endorsement.

Standing committees may be dissolved or new ones instituted by consensus of the GLDT.

Ad Hoc Committees

The GLDT may, from time to time, establish ad hoc committees to address specific issues that emerge or to assume tasks not covered by the standing committees. Ad hoc committees are established for a specific purpose (e.g., funding strategies for GLDT operations, nomination of GLDT officers) and for a specific period of time. Once the purpose for which the ad hoc committee was formed has been accomplished, the committee will be disbanded. Ad hoc committees can be instituted by consensus of the GLDT. Ad hoc committee membership will be recommended by the GLDT and approved by the GLDT co-chairs in consultation with the Steering Committee, and may include non-GLDT members with specific expertise who are willing and able to serve. Invitations to serve will be made in writing by the GLDT Secretariat. All other provisions pertaining to standing committees are applicable to ad hoc committees.

G. Meetings

Frequency of Meetings

Pursuant to funding, at least one in-person meeting of the GLDT will be scheduled annually, with the intent to hold a second meeting either in-person or as a webinar. These meetings will normally be held within the timeframes of November and May, with the in-person meeting being held in the spring. The spring meeting is considered the Annual Meeting of the GLDT. Locations for these meetings may vary but will normally be held within the U.S. Great Lakes basin.

Meeting Agenda

The following guidance is used in developing the agenda for GLDT meetings:

- Introduction of meeting participants;
- GLDT member updates/progress reports;
- Special presentations and updates on regional initiatives;
- Old Business: Status of actions from prior GLDT meetings and committee work;
- New Business: Solicitation of ideas to be addressed by the GLDT;
- Committee Breakout Sessions; and,
- General Public Comment.

As appropriate, each GLDT meeting will also feature a theme to address priority and/or emerging issues.

Meeting Conduct and Decision-making Process

Consensus-based approach

As a guiding principle, the GLDT will strive for consensus in the decision-making process especially regarding positions to be developed, or recommendations to be transmitted to the NDT or other entities. Consensus for these purposes is defined as general agreement of the group with a high degree of group solidarity. Consensus does not assume absolute unanimity.

Dispute Resolution

When a decision is not unanimous (there are numerous dissenting votes) or when concern is expressed by an individual over a decision reached by the GLDT, the co-chairs have the right to extend discussion in order to try to reach consensus. They will first ask the GLDT member(s) expressing concern whether they can “live with the decision.” If the answer is no, the co-chairs will either extend discussion to try to address the member(s) concerns or call for a formal vote (show of hands) to determine the level of consensus among the members present. Minority or dissenting opinions are considered important in the decision-making process and will be documented when there is less than full consensus on a decision or recommendation.

Public Participation

All full meetings of the GLDT will be open to the public. Members of the public attending GLDT meetings will be given an opportunity to address the GLDT as follows:

- Public comment on any agenda item shall be solicited at the time of GLDT discussion on the item but before any decisions are made on the item. Comments by any member of the public shall be limited to a maximum of three minutes on any agenda item.
- Public comment on issues not on the agenda shall occur during a specific general public comment period. Comments by any member of the public during the general public comment period may be time-limited as determined by the co-chairs. Comments requesting GLDT action or involvement on a particular matter will be evaluated by the co-chairs in consultation with the Steering Committee. If the request is obviously inappropriate for GLDT involvement, the co-chairs can make the determination at the time the comment is made and inform the commenting party of the rationale for the decision.

Meeting Documentation

The GLDT Secretariat is responsible for preparing documentation of each GLDT meeting to include:

- A list of action items, recommendations and other relevant decisions discussed at the meeting to be transmitted to the GLDT members and interested parties within 45 days.
- Meeting summaries (serving the function of minutes) will provide a record of discussion and actions from each GLDT meeting and will be prepared within 60 days of each meeting. Meeting summaries will be transmitted to the GLDT members and interested parties along with the aforementioned list of action items, recommendations and other decisions. Meeting summaries will present a general accounting of the meeting discussion and public comment. The meeting summary, following GLDT review, will be made available online on the GLDT website.

GLDT Decision-making between Meetings

From time to time, the GLDT will need to take action on items during periods of the year between regularly scheduled meetings. The GLDT co-chairs may, at their discretion, convene conference calls of the full GLDT to discuss proposed actions or may communicate in writing or via email requests for GLDT consideration of a particular decision request or action item. In such cases, GLDT members will be encouraged to provide input and participate in any conference call discussions that may be arranged between meetings.

Requests for GLDT action or deliberation between meetings can be initiated by any GLDT member through communication to the co-chairs or the GLDT Secretariat. These requests should be made in writing or via email. The GLDT co-chairs, in consultation with the Steering

Committee, will decide whether a request is urgent enough to be brought before the GLDT between meetings or whether it can be postponed and discussed at the next in-person meeting. The process for GLDT decision-making between meetings also applies to the work of the standing committees.

H. Staff Support

Staff support for the GLDT is provided by the Great Lakes Commission (an interstate compact agency serving the Great Lakes states and provinces). The Great Lakes Commission, serving as Secretariat to the GLDT, provides planning, administrative and coordinative functions necessary to the conduct and operations of the GLDT.

The Secretariat provides the following primary support services to the GLDT:

- **GLDT Meeting Planning and Conduct**

The Secretariat shall, in consultation with the GLDT Steering Committee, coordinate, plan, organize and conduct at least one in-person meeting of the GLDT each year. Pursuant to funding, a second meeting will be convened either as an in-person meeting or a webinar meeting. The Secretariat will prepare agendas and meeting summaries for each meeting.

- **Standing Committee Support and Development**

The Secretariat shall provide administrative support to the two standing committees as well as provide logistical arrangements for teleconferences, in-person meetings (as appropriate) and will prepare conference call meeting agendas and summaries.

- **Membership Recruitment and Participation**

The Secretariat shall coordinate with the GLDT and the Steering Committee to fill and maintain state delegation and other member agency vacancies on the GLDT. The GLDT membership roster will be reviewed at least annually prior to the spring meeting.

- **Outreach and Communications Support**

The Secretariat will work with the Steering Committee and the Outreach Committee to develop, implement and maintain an Outreach Plan. This Plan shall identify regional dredging issues and concerns, identify outreach tools and messages to be developed, and target audiences and opportunities for delivery of outreach messages. The Secretariat will also maintain and update the GLDT website. The website will include information provided by each of the GLDT standing committees, as well as related information provided by GLDT members. Updating of the website shall be conducted in collaboration with the Outreach Committee and the Steering Committee.

I. Funding of the GLDT

Base funding for the GLDT will be used to support the general operations of the GLDT as discussed in Section H covering staff support. When appropriate, the GLDT will pursue supplemental funding for specific priorities and special projects identified in the annual work plans of the GLDT and the standing committees.

J. Annual Work Plan

The GLDT will prepare an annual work plan for its activities and present it to the GLDT members at the spring meeting, based on the individual work plans developed by the GLDT standing committees. The GLDT work plan shall include proposed work items as prioritized by the committees and other details as appropriate, based on availability of funds to complete the work.

K. Participation with the National Dredging Team

GLDT communication and participation with the NDT is crucial to ensure that the priorities of the GLDT and the dredging needs of the region are being addressed at the national level.

The GLDT co-chairs and/or Secretariat will participate in meetings and conference calls of the NDT (time and budget permitting) and will provide reports of progress and priorities of the GLDT to the NDT as appropriate. This may include communicating important policy developments or issues being faced by the region that may require a federal solution.

The GLDT will monitor the activities of the NDT to be aware of any policy issues being worked on by the NDT and to be aware of any initiatives being pursued by other regional dredging teams that might be of interest.

Interactions with the NDT will be reported to the GLDT at the GLDT annual meeting.

L. Amending the Charter Operational Guidance Document

Any amendments or changes to the approved Charter and operational guidance document will require review and approval of the GLDT at an officially called GLDT meeting. When amendments are made, the revised document will be placed on the GLDT website and provided to the GLDT membership.

The Charter and Operational Guidance Document was approved in November 2014; amended December 2016.