

## Position Summary

This summary describes the organization, duties, and requirements of a State of Michigan vacancy.

**Position Code:** EQSPL2B02R

**Civil Service Class and Level:** ENVIRONMENTAL QUALITY SPL 2

**Working Title (What the agency calls the position):** Environmental Quality Specialist

**Name and Position Code Description of Direct Supervisor:** SMAR, MATTHEW J; ENVIRONMENTAL MANAGER-3

**Department/Agency:** ENVIRON, GREAT LAKES & ENERGY

**Bureau (Institution, Board, or Commission):**

**Division:** Water Resources Division

**Section:** Field Operations Support Section

**Unit:** Great Lakes and Shorelands Unit

**Work Location (City and Address)/Hours of Work:** 525 W. Allegan Street, Lansing, MI 48933 / 8:00 a.m.-5:00 p.m., Monday-Friday

**General Summary of Function/Purpose of Position:** Serve as Michigan's contact and expert on Michigan's Federal Consistency Program. Review and approve federal projects, grants, and permit applications for consistency with Michigan's Coastal Management Program (MCMP) through issuance of federal consistency and Clean Water Act Section 401 water quality certifications. Review sediment dredge testing and disposal projects under Part 301, Inland Lakes and Streams; and Part 325, Great Lakes Submerged Lands, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA). Serve as the main point of contact for the U.S. Army Corps of Engineers (USACE), Detroit District, and for the Resources Program dredge sampling, testing, and disposal requirements. Train field staff on dredge sampling and consistency requirements to ensure consistency on complex projects. Review conveyance applications for use and occupancy of Great Lakes public trust bottomlands pursuant to Part 325. Review proposed projects to ensure compliance with land and water interface permits; Parts 301 and 325; and public trust in the bottomlands and waters of the Great Lakes, connecting channels, and rivers.

**Assigned duties and tasks for each duty.**

**Duty 1:** Serve as the state expert and point of contact for all aspects of Michigan's Federal Consistency Program.

- Review proposed federal projects, permit applications, and federal grants. Issue approval or denial letters of consistency with the following enforceable statutes of the NREPA: Part 31, Water Resources Protection; Part 41, Sewerage Systems; Part 91, Soil Erosion and Sedimentation Control; Part 301; Part 303, Wetlands Protection; Part 323, Shorelands Protection and Management; Part 325; Part 353, Sand Dunes Protection and Management; and Part 761, Aboriginal Records and Antiquities, pursuant to the federal Coastal Zone Management Act (CZMA) and Section 401 of the federal Clean Water Act (CWA).
- Assert the State of Michigan's authority under the federal CZMA to review proposed projects located in other states in the Great Lakes basin whose discharges to the air, groundwaters, and/or surface waters may migrate into Michigan's coastal zone and adversely affect human health and/or the environment. Assert Michigan's authority under the federal CZMA to deny or (through negotiations) modify proposed projects located in other states that are inconsistent with the MCMP, when it can be shown that the proposed project will adversely affect human health and/or the environment in Michigan's coastal zone.
- Generate correspondence for applicants and federal agencies regarding their consistency status on specific projects and negotiating modifications and alterations to ensure compliance with enforceable statutes.
- Coordinate with all federal agencies acting in Michigan within the coastal zone areas, such as the General Services Administration, USACE, United States Fish and Wildlife Service (USFWS), United States Environmental Protection Agency (USEPA), United States Forest Service, National Park Service, and United States Department of Homeland Security, on issues related to the MCMP, and serve as the main point of contact for the USACE Detroit District on project coordination.
- Review federal activities of a diverse, complex, and political nature outside of normal program expertise (such as nuclear relicensing and international border control activities) where the federal CZMA and CWA Section 401 are EGLE's sole statutory authority to regulate the federal activity.
- Conduct training to educate EGLE and Department of Natural Resources (DNR) staff regarding the application of federal consistency reviews under the federal CZMA to ensure consistency with Michigan's enforcement statutes.
- Coordinate with other states' coastal management programs to resolve common issues and coordinate actions, where applicable.
- Serve as Michigan's coastal zone management (CZM) expert in regional and national Coastal States of Organizations planning meetings.
- Review proposed federal rules affecting implementation of Michigan's Federal Consistency Program and prepare comments for EGLE's response.
- Maintain concise records of actions and review deadlines of the Federal Consistency Program and create regular reports for federal review and audit by the National Oceanic and Atmospheric Administration (NOAA).
- Review all land and water interface permits on public notice near the coastal zone boundary to determine consistency with the MCMP. Recommend project modifications to permitting staff to ensure consistency with Michigan's enforceable statutes.
- Determine if proposed projects are within the coastal zone boundary or if they are likely to adversely impact those areas.
- Update and distribute the location of the coastal zone boundary, both in hard copy and electronically.
- Conduct education and outreach efforts on federal consistency for internal and external customers.
- Interpret and explain the statutes, rules, policies, and procedures pursuant to the CZMA for EGLE and DNR staff, as well as external customers.
- Create and maintain written guidance for field staff reviewing land and water interface permits as related to CZM.
- Develop and revise policies, procedures, and guidelines to assist in the administration of federal consistency for use by EGLE and DNR staff. Determine when program changes would be beneficial and implement them for program improvement.
- Work directly with staff to determine the correct course of action for complex and/or political consistency projects.
- Make determinations of consistency on all federal actions and grant activities that may affect Michigan's coastal zone boundary area, especially those of a complex and/or political nature.
- Create a long-term plan to improve the programmatic application of CZM, including defining enforceable statutes, listed activities, and alterations to the coastal zone boundary.
- Work directly with NOAA on routine program changes and modifications to update Michigan's Coastal Management Plan.
- Work directly with division and/or executive management on highly political and complex federal consistency review projects.
- Provide excellent customer service to external and internal customers.

**Duty 2:** Administration of the contaminated sediment dredge testing and disposal review under Parts 301 and 325 of the NREPA.

- Serve as the statewide contact and program expert for the public regarding dredging concerns related to Parts 301 and 325.
- Train and coordinate field staff responsible for requiring dredge sampling pursuant to Parts 301 and 325. Determine when sampling is required on a case-by-case basis for unique sites, per district staff requests.
- Interpret and explain the statutes, rules, policies, and procedures pursuant to the dredge sampling required under Parts 301 and 325 for WRD staff and external customers; e.g., permit applicant, legislators, attorneys, other EGLE staff, etc.
- Serve on EGLE's multidivisional committee to coordinate on specific dredge projects, data review, and dredge spoils placement consistent with Part 31, Water Resources Protection; Part 115, Solid Waste Management; Part 201, Environmental Remediation; Part 301; and Part 325 of the NREPA.
- Develop policies and permit processing guidance that allows the WRD to be compliant with Part 13, Permits, of the NREPA.
- Develop a long-term plan to determine which portions of Michigan will be subject to mandatory dredge testing based on datasets from the USEPA and EGLE divisions, including Areas of Concern designated by the USEPA, in cooperation with the International Joint Commission.
- Serve as WRD's expert for dredging concerns in an annual multiagency (EGLE, DNR, USACE, and USFWS) coordination meeting to determine allowable dredge periods to minimize environmental impacts from dredging.
- Develop and maintain program content on EGLE's Web portal.
- Guide staff on correct course for complex and/or political dredging applications, determining if and when exceptions to policy should be made on a case-by-case basis, and develop site-specific guidance when unique situations develop that general policies cannot sufficiently cover.
- Work directly with WRD and EGLE's Executive Office management on highly complex or political dredge projects.
- Conduct education efforts on dredge testing, contaminated dredge spoils, and dredge spoil placement for both internal and external customers. Educate the public on available options for contaminated dredge material disposal.
- Provide excellent customer service to external and internal customers.

**Duty 3:** Administration of Part 325 of the NREPA.

- Assess impacts of Great Lakes construction projects on natural resources, the public trust, and riparian rights. Support field review of permit applications by recommending project modifications to ensure compliance with Michigan's enforceable statutes.
- Determine need for conveyances to resolve trespasses on Great Lakes public trust bottomlands during the review of complex permit applications. Coordinate conveyance applications being processed by EGLE field staff and the USACE.
- Critically review real estate documents to determine ownership of upland and bottomland parcels and to determine whether riparian rights of adjacent property owners are adversely impacted by the proposed project.
- Conduct on-site inspections for valuation of conveyances.
- Process complex land and water interface permits under Part 325, as required, including negotiating project modifications to resolve adverse impacts to adjacent riparian property owners and public trust bottomlands.
- Prepare digital photorectified drawings for bottomland conveyance file public notices and legal documents.
- Maintain Part 325 paper and electronic files and organize for record storage and litigation purposes.
- Develop and implement procedures that reduce conveyance and permit application processing times, promote improved decision-making and program consistency, and simplify the conveyance process; e.g., the Geographic Information System spatial location maps for bottomland conveyance files.
- Determine acreage assessment of Part 325 sites, as necessary.
- Conduct education efforts on Part 325 for both internal and external customers.
- Train and coordinate with district staff responsible for conducting site evaluations of permit applications pursuant to Part 325.
- Interpret and explain the statute, rules, policies, and procedures pursuant to Part 325 for both WRD staff and external customers; e.g., permit applicants, legislators, attorneys, etc.
- Develop and revise policies, procedures, and guidelines to assist in the administration of Part 325 for use by WRD staff.
- Conduct other duties as required.
- Provide excellent customer service to external and internal customers.

**Duty 4:** Coordinate enforcement and legal action with WRD and Department of Attorney General (DAG) staff as needed regarding violations of Part 325 of the NREPA, as well as other duties as assigned.

- Create and prepare technical exhibits for court and contested cases.
- Organize and prepare files for contested cases.
- Testify as an expert witness at contested cases and court hearings, when appropriate.
- Coordinate enforcement actions with DAG and EGLE staff.
- Assist in implementation of the High Risk Erosion Areas Program, Critical Dune Areas Program, and Submerged Log Recovery Program.
- Maintain current program information on EGLE's Web portal at an author level.
- Assist in the administration of Part 761, Aboriginal Records and Antiquities, of the NREPA, underwater salvage and preserve program, including coordination with the State Archeologist.
- Assist in the administration of Part 339, Control of Certain State Lands, of the NREPA, St. Clair Flats lease and deed program, including coordination with the DNR.

**Types of decisions made independently and whom or what those decisions affect:** Independent decisions are made in the following activities. Conducting consistency determinations for proposed federal actions, financial assistance, and permit activities for consistency with the MCMP under the CZMA. Creating policy and procedure recommendations for the Federal Consistency Program and dredge sampling program. Reviewing and providing recommendations to WRD field staff on Part 325 construction permit applications. Communicating with the public regarding pending conveyance and construction permit applications. Coordinating directly with USACE staff regarding Great Lakes permit and conveyance applications. Determining if dredge sampling is required on individual projects under Part 301 and Part 325, as needed statewide. Coordinating and training staff on dredge sampling and requirements, and federal consistency standards and requirements. Continually reevaluating dredge sampling and federal consistency policies for statewide application to improve the program.

**Types of decisions that require the supervisor's review:** The supervisor's review is required when developing policies or procedures that affect statewide program implementation and when preparing formal comments on proposed federal rules.

**Physical effort used to perform this job and environmental conditions of this position:** The majority of the work involves office work but field inspections in varying weather conditions and public hearings are part of the overall work. Occasional travel by boat to remote locations on the Great Lakes for site inspections may occur.

**Names and classes and levels of employees whom this position immediately supervises:**

**The essential functions of this position:** This position represents EGLE as the expert in Federal Consistency Program issues, including the review of federal actions, permits, and funding for consistency with Michigan's enforceable statutes, coordinating project modifications with federal agencies to ensure consistency, and preparing guidance and training for staff. This position also represents EGLE as the expert in dredge sampling and sediment testing and disposal issues for Parts 301 and 325 of the NREPA including review of dredge sampling policies; specific dredge projects; and coordinating with field staff, other EGLE divisions, and federal agencies to ensure consistency.

**The function of the position's work area and how it fits into that function:** The WRD's Field Operations Support Section is responsible for administering Michigan's land and water interface permit programs, ensuring adherence to various parts of the NREPA, compliance and enforcement actions, complaint response, and public information and education with regard to WRD's land and water programs. This position serves as the state expert and point of contact for all aspects of Michigan's Federal Consistency Program; administers contaminated sediment dredge testing and disposal activities; and administers Part 325 of the NREPA by coordinating enforcement and legal actions regarding violations of Part 325.

**Minimum education, experience, and credentials typically needed to perform the position's essential functions:**

**EDUCATION:**

Possession of a bachelor's degree in the biological sciences, engineering, environmental studies and sustainability, physical sciences, resource development, or resource management.

OR

Possession of a bachelor's degree in any major with at least 30 semester (45 term) credits in one or a combination of the following: biochemistry, biology, botany, chemistry, crop and soil science, ecology, engineering, environmental health, environmental science, environmental studies and sustainability, forest management, geology, meteorology, microbiology, physical geography, physics, remote sensing, resource development, resource management, toxicology, or zoology.

**EXPERIENCE:**

**Environmental Quality Specialist 13**

Four years of professional engineering or scientific experience in an environmental protection or regulatory program equivalent to an Environmental Quality Analyst, including two years equivalent to an Environmental Quality Analyst P11 or one year equivalent to an Environmental Quality Analyst 12.

**KNOWLEDGE, SKILLS, AND ABILITIES:**

Computer proficiency; experience with GIS, GPS, and photogrammetry; working knowledge of ecology and environmental regulatory policies; and strong communication and organization skills.

**CERTIFICATES, LICENSES, REGISTRATIONS:**

Valid driver's license is preferred.