



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 7, 2014  
Environment Committee

Testimony Submitted by Interim Commissioner Robert J. Klee  
Presented By Deputy Commissioner Macky McCleary

**Raised Senate Bill No. 312 – AAC A LONG ISLAND SOUND RESOURCE AND USE INVENTORY AND A LONG ISLAND SOUND BLUE PLAN**

Thank you for the opportunity to present testimony regarding Raised Senate Bill No. 312 - AAC A LONG ISLAND SOUND RESOURCE AND USE INVENTORY AND A LONG ISLAND SOUND BLUE PLAN. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

DEEP supports this proposal that would create the basis for a broad-based, data-driven planning process to manage the offshore waters of Long Island Sound, introducing a concept known as marine spatial planning to Connecticut. Marine spatial planning is described by NOAA as “a tool developed from the bottom up to improve collaboration and coordination among all coastal and ocean interests, and to better inform and guide decision-making that affects their economic, environmental, security, and social and cultural interests.” As such, marine spatial planning has become a widely recognized approach to managing complex coastal and ocean issues on a variety of scales. At the national level, the President’s National Ocean Policy has created a series of regional ocean planning processes, and DEEP officials are Connecticut’s representatives to the Northeast Regional Planning Body. On the state level, our neighbors in Massachusetts, Rhode Island and New York have all undertaken different types of marine spatial plans, with the Massachusetts Ocean Plan and the Rhode Island Ocean SAMP in particular recognized as national models.

Our own experience as well as those of neighboring states highlights the need for a marine spatial inventory and plan. The Connecticut waters of Long Island Sound have been the scene of several controversial proposals over the past decade regarding cables, pipelines, and industrial energy facilities. Demands for use of the Sound are increasing and conceptual plans for new proposals are in the news regularly. At present, Connecticut has no existing authority to plan future uses of the Sound on an overall basis. A comprehensive look at the Sound’s natural resources and uses will provide a better foundation for managing the entire Sound in the face of future challenges and use conflicts, and will also help guide project proponents in proper siting.

The procedure contemplated by the proposed bill would marshal the resources of state agencies, academic institutions, user groups and other stakeholders to provide a new management tool, in full consultation with advisory commission and DEEP's existing Long Island Sound partners such as the EPA's Long Island Sound Study, the New York coastal management program, and the Northeast Regional Ocean Council and Regional Planning Body.

Although it does represent a new planning approach, it is important to note that the Blue Plan would not create any new regulatory programs, only guide existing ones. Moreover, the proposal would complement, and not duplicate, the State's existing coastal management program and municipal planning efforts, most particularly because the planning area begins at 10 feet of water depth and extends seaward, so that the resource inventory and plan would not be concerned with inshore uses such as flood and erosion control structures, marinas, docks or waterfront development. While the proposed Blue Plan would ultimately establish appropriate locations and performance standards for currently regulated activities, DEEP does not consider the bill to establish a "zoning" program with hierarchies of uses specified in all areas of the Sound. We do not believe that no-fish, no-boat zones are warranted for Long Island Sound, and the proposed Blue Plan is not intended to create them. Instead, its specified goals include the protection and preservation of traditional public trust uses such as aquaculture, boating, and fishing.

As several of my predecessor Commissioners have stated, Long Island Sound is Connecticut's most precious natural resource. It belongs to all of us, as the State of Connecticut holds the submerged lands and waters of the Sound in perpetual trust for the use and benefit of the public. This public trust, in turn, gives DEEP a special responsibility as a state agency to manage our showcase natural resource, and the new tool offered by the proposed bill will help us better exercise this responsibility. Finally, we believe that now is the appropriate time to carefully and thoughtfully evaluate the Sound's resources and uses and develop a Blue Plan that will serve us well in the future.

DEEP is concerned that the importance of recreational boating for public benefit is not specifically mentioned nor have the data on transit routes used by recreational boaters been identified for consideration.

To ensure that recreational boating is specifically incorporated, we suggest Line 32 be amended such that Section 1.(a)(2)(E) reads: "reflect the importance of the waters of Long Island Sound to the citizens of this state who derive livelihoods and recreational benefits from fishing and boating."

DEEP also believes the diverse interests of commercial fishers would be better served by providing for separate representation of bivalve shellfish harvesters and finfish and lobster fishers on the Advisory Committee. These two entities are managed by different agencies and will bring different perspectives to the discussion. To that end we suggest Section 1(c)(10) on lines 95 and 96 ("a representative of the commercial shellfish and finfish industries") be amended as follows: "(10) a representative of the commercial shellfish industry, (11) a representative of the commercial finfish and lobster industries."

DEEP generally supports Raised Senate Bill No. 312 - AAC A LONG ISLAND SOUND RESOURCE AND USE INVENTORY AND A LONG ISLAND SOUND BLUE PLAN and welcomes the opportunity to work with the Committee and the proponents of this bill as the concept moves forward.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or [Robert.LaFrance@ct.gov](mailto:Robert.LaFrance@ct.gov) (or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or [Elizabeth.McAuliffe@ct.gov](mailto:Elizabeth.McAuliffe@ct.gov) ).