



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

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

Public Hearing – February 19, 2016
Environment Committee

Testimony Submitted by Commissioner Robert J. Klee
Presented By Deputy Commissioner Michael Sullivan

Senate Bill No. 78 (Raised) – AAC CONCERNING THE DISPOSITION OF DREDGED MATERIALS FROM CERTAIN HARBORS AND PORTS ON LONG ISLAND SOUND

Thank you for the opportunity to present testimony regarding **Senate Bill No. 78 – AAC CONCERNING THE DISPOSITION OF DREDGED MATERIALS FROM CERTAIN HARBORS AND PORTS ON LONG ISLAND SOUND**. The Department of Energy and Environmental Protection (DEEP) has serious concerns about the proposal and welcomes the opportunity to offer the following testimony.

Raised Bill SB 78 would require benthic studies and surveys for dredging projects and would disfavor the open water placement of dredged materials. The proposed language is unnecessary in light of the recently completed Long Island Sound Dredged Material Management Plan (DMMP) by the U.S. Army Corps of Engineers. The Chairs and Ranking members of the Environment Committee have been provided with numerous background documents on the DMMP, including letters of support from Governor Malloy and the entire Congressional delegation. The final DMMP can be found at <http://www.nae.usace.army.mil/portals/74/docs/Topics/LISDMMP/LISDMMP%20Final/01a-LIS-DMMP-Main-Report-Final-Dec15.pdf>. This extensive long-range plan details the scope of dredging issues in Long Island Sound and evaluates a broad range of management alternatives for dredged sediment with an emphasis on beneficial use. To follow up on the DMMP, the federal Environmental Protection Agency issued a Proposed Rule on February 10, 2016 that reaffirms the currently existing requirement that open-water disposal at the Central and Western Long Island Sound Dredged Material Disposal Sites will only be allowed if there are no practicable alternatives and only if the LIS Regional Dredging Team (RDT), in which DEEP is a participant, makes certain specific findings. The goal of the LIS RDT is “to reduce or eliminate wherever practicable the open-water disposal of dredged material.” Please see the attached February 16, 2016, letter from the EPA Region One Administrator, Curt Spaulding, on the LIS RDT process.

Since all dredging projects in Long Island Sound are also regulated by the federal government, adding new state policies would unnecessarily complicate regulatory reviews and tend to discourage dredging

necessary to support safe navigation and maritime commerce. In close cooperation with the federal agencies, DEEP has for decades carefully analyzed dredging applications, evaluating sediment quality, bathymetry, and water quality and habitat impacts for each project, and we have often imposed protective requirements, such as capping, in excess of what the Corps of Engineers would require.

Finally, there is no evidence that carefully managed disposal in waters of Long Island Sound has had any significant impact on water quality, public health, natural resources or quality of life, and claims to contrary have been without any scientific validation. Volumes of studies over many years have shown no discernible adverse impacts to water quality nor movement of sediments outside designated disposal sites. Further, most Connecticut dredging projects are maintenance of previously-dredged areas within minimal environmental impacts and only temporary disruptions of habitat. Accordingly, we would urge the Committee not to impose additional obstacles and complications to dredged material management which is already strictly regulated by DEEP as well as federal agencies.

In summary, DEEP opposes **Senate Bill No. 78– AAC CONCERNING THE DISPOSITION OF DREDGED MATERIALS FROM CERTAIN HARBORS AND PORTS ON LONG ISLAND SOUND.**

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 or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or Elizabeth.McAuliffe@ct.gov .