



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1

5 POST OFFICE SQUARE, SUITE 100
BOSTON, MA 02109-3912

February 16, 2016

Rob Klee
Commissioner
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

OFFICE OF THE
REGIONAL ADMINISTRATOR

Dear Commissioner Klee,

On February 10, 2016, EPA published a proposed rule in the Federal Register that amends restrictions on the use of the Central Long Island Sound and Western Long Island Sound dredged material disposal sites. The amended regulation incorporates standards and procedures for the use of those sites as recommended in the Long Island Sound Dredged Material Management Plan, which was completed by the U.S. Army Corps of Engineers (USACE) on January 11, 2016. The Dredged Material Management Plan (DMMP) identifies a wide range of alternatives to open-water disposal and recommends standards and procedures for determining which alternatives to pursue for different dredging projects, so as to reduce or eliminate wherever practicable the open-water disposal of dredged material.

The final DMMP and EPA's proposed rulemaking are the culmination of a ten year effort by USACE, EPA and the States of Connecticut and New York to determine potential dredging needs over a 30 year horizon, evaluate the science and history of dredged material placement in Long Island Sound, identify alternative dredged material management options for each of 52 federal navigation projects, and establish standards and procedures to help us all get to the shared goal of reducing or eliminating open-water disposal wherever practicable.

We are aware of the introduction of Raised Bill No. 78 in the Connecticut General Assembly concerning the disposition of dredged materials in the Sound. The studies developed through the DMMP process and as part of EPA's evaluation of potential disposal sites in central, western, and eastern Long Island Sound provide ample evidence that placement of suitable dredged materials at existing sites has only temporary, short-term impacts on the benthic community at the sites and that the materials stay where they are placed and do not cause adverse environmental effects outside the site boundaries. The Site Management and Monitoring Plans for designated sites ensure that we continually confirm that the placement of dredged materials conform to the requirements of the designations.

EPA expects that the Long Island Sound Regional Dredging Team, that is continued by the proposed regulations, will become the forum where federal and state agencies come together to encourage innovations in the beneficial use of fine grained materials, promote the use of alternatives, vet proposed projects to ensure that all alternatives have been evaluated, and identify sources of funding to enable alternative placements.

EPA believes that the DMMP and EPA's proposed regulatory amendments put us all on a path towards developing, promoting and recommending alternatives to open-water placement whenever practicable. We appreciate the contributions of your staff to the DMMP and look forward to consultation on the CZM consistency review and the Department's long-term participation in the Long Island Sound Regional Dredging Team.

Sincerely,

A handwritten signature in black ink, appearing to read 'H. Spalding', written in a cursive style.

H. Curtis Spalding
Regional Administrator

cc: Mike Sullivan, CT DEEP
Ken Moraff, EPA