



Connecticut Harbor Management Association

February 19, 2016

Senator Ted Kennedy, Co-chair
Representative James Albis, Co-chair
Connecticut General Assembly
Environment Committee
Room 3200
Legislative Office Building
Hartford, Connecticut 06106

envtestimony@cga.ct.gov

CHMA Board Members

President

John Thomas Pinto, Ph.D.
Norwalk Harbor Mgmt. Comm.

Peter Holecz
Bridgeport Harbor Mgmt. Comm.

Stephen Dinsmore
East Lyme Harbor Mgmt. Comm.

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Ned Farman
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William Rock
Stratford Waterfront and Harbor
Mgmt. Comm.

Michael Griffin
State of Connecticut Harbor
Master, Norwalk Harbor

Geoffrey Steadman
Coastal Area Planning Consultant
Westport, CT.

John Roberge (Alternate)
Roberge Assoc. Coastal Engs,
LLC, Stratford, CT.

Subject: Raised Bill No. 78, An Act Concerning the Disposition of Dredged Materials from Certain Harbors and Ports on Long Island Sound

Dear Senator Kennedy and Representative Albis:

As President of the Board of Directors of the Connecticut Harbor Management Association (CHMA), I am writing in response to Raised Bill No. 78 which proposes an amendment to the Connecticut Coastal Management Act. The proposed amendment seems to call for additional studies and surveys when planning dredging projects and would “disfavor” the open water placement of dredged material.

The CHMA is a State-wide, not-for-profit organization representing the interests of municipal harbor management commissions, State harbor masters appointed by the Governor, and others concerned with Connecticut’s harbors and marine resources. Our mission is to share information and facilitate coordination among our member harbor management commissions, harbor masters, and State and Federal agencies to address issues of common interest and concern.

Since its formation, the CHMA has interacted with the U.S. Army Corps of Engineers (USACE), Connecticut Department of Energy and Environmental Protection’s Office of Long Island Sound Programs (DEEP OLISP), Connecticut Department of Transportation, and other federal and state agencies on a number of initiatives to address dredging issues affecting Connecticut’s ports and harbors.

This letter is a written response to your committee's request for public comment and reiterates critical comments and recommendations recently provided by the CHMA to the USACE concerning dredged material disposal in Long Island Sound (LIS).

The proposed amendment to the Connecticut Coastal Management Act concerning additional studies and surveys when planning dredging projects is superfluous given the existing and rigorous state and federal environmental requirements that must be met prior to approval of any dredging project affecting LIS. In addition, I believe the proposed statutory language "disfavoring" open water disposal of dredged material is similarly unnecessary in addition to being impractical. We are aware of no scientific study demonstrating that open water disposal of dredged material in LIS as currently practiced, managed, and monitored is causing any significant adverse impacts on coastal resources and environmental quality, including water quality. Further, the requirement to reduce open water disposal of dredged material to the extent practical is already established by the USACE's recently completed Dredged Material Management Plan (DMMP) for LIS and a pending rule by the U.S. Environmental Protection Agency (USEPA).

Please consider the following comments and recommendations of the CHMA Board as transmitted to the USACE with respect to the DMMP. A copy of our complete submittal can be transmitted upon request. The following comments and recommendations are directly applicable to Raised Bill 78.

COMMENTS AND RECOMMENDATIONS
REGARDING DREDGED MATERIAL DISPOSAL IN LONG ISLAND SOUND

1. While the CHMA Board supports the goal of reducing disposal of dredged material in Long Island Sound, our opinion that the goal stated in the Bill to eliminate open water disposal of dredged material is, for reasons stated below, not an appropriate solution to the current dredging issues and is economically and environmentally unfeasible.
2. A Federal Standard controlling the planning and implementation of USACE dredging projects is defined in Federal law and USACE regulations. That standard requires dredging projects be planned, designed, and conducted in the least costly manner that is consistent with proper engineering practices and meets all Federal environmental requirements. In others words, disposal of dredged material must be according to the "least cost, environmentally sound" method. Amendment of this standard would require amendment of Federal law and regulations.
3. Material to be dredged from Connecticut's ports and harbors is currently subject to rigorous testing to determine its suitability for disposal in Long Island Sound. Testing is in accord with national and regional standards jointly established by the USACE and USEPA. Material deemed suitable for open water disposal may be subject to additional sediment management requirements, imposed by the DEEP OLISP, above and beyond the Federal requirements. Suitable material placed in open water disposal sites in Long Island Sound is also subject to rigorous monitoring by the USACE for the purpose of identifying any significant adverse impacts on coastal resources and environmental quality.
4. The CHMA Board is aware of no scientific data or study indicating that open water disposal of dredged material in LIS as currently practiced, managed, and monitored is causing any significant adverse impacts on coastal resources and environmental quality, including water quality.

5. Much of the material that must be dredged to maintain the viability of Connecticut's ports and harbors is fine-grained sediment suitable, based on the national and regional standards jointly established by the USACE and USEPA, for open water disposal.

Experience of municipal harbor management commissions in Connecticut shows that alternatives to the open water disposal of this fine-grained sediment are economically and environmentally unfeasible for a number of reasons including, but not limited to: a) the lack of fine-grained material suitability for beach nourishment and construction applications and for processing in concrete and/or asphalt plants; b) difficulties associated with locating dredged material dewatering facilities necessary to achieve upland disposal; c) the problematic nature of trucking dredged material over local highways; and d) the lack of commercial landfills and other suitable properties for accommodating dredged material.

Thank you for the opportunity to express our comments and recommendations at this time. On behalf of the CHMA Board of Directors, we reserve the right to continue to review and comment on Raised Bill No. 78 at such time as it may be modified or be the subject of additional hearings.

If you have any questions, you may contact us at the numbers and e-mail addresses below.

Sincerely,

John T. Pinto, Ph.D.
President, CHMA
(914) 594-3332 (office phone)
(203) 984-5339 (mobile phone)
pintoj@optonline.net

Geoff Steadman
CHMA representative to the DMMP Working Group
(203) 226-9383 (office phone)
(203) 515-6066 (mobile phone)
geoffreysteadman@att.net

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cc:

CHMA Board of Directors
Mr. Garrett Eucalitto, Connecticut Office of Policy and Management
Mr. Rob Klee, Commissioner of Energy and Environmental Protection
Mr. Brian Thompson, Director, DEEP OLISP
Mr. Joseph Salvatore, ConnDOT