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September 16, 2015

Ms. Meghan Quinn
United States Army Corps of Engineers – New England District
696 Virginia Road
Concord, MA 01742-2751

Dear Ms. Quinn:

We write today in opposition to the continued open water dumping of dredged material in Long Island Sound and urge rejection of the Army Corp's of Engineers draft Dredged Material Management Plan (DMMP).

Requested by the Governors of New York and Connecticut in 2005 and required by the EPA's Rule 3, the goal of the LIS DMMP was to help achieve the goal of reducing or eliminating the disposal of dredged material in Long Island Sound by examining alternative placement practices. The Rule designated two of the Sound's legacy open-water placement sites, the Central Long Island Sound and Western Long Island Sound Sites to be used for eight years pending completion of a DMMP, with provisions for EPA to extend the term of use.

Though the DMMP identifies practicable potential cost-effective and environmentally acceptable placement alternatives to meet the dredging needs of ports and harbors in Connecticut, New York, and Rhode Island, the document fails to advance resolution of the dredge disposal problem by neglecting to factor in the costly environmental impacts of open water dredge disposal to the ecological services provided by the LI Sound's natural systems.

We acknowledge the necessity of dredging and support the maintenance of harbors, bays, and channels for safe and efficient navigation for commercial and recreational purposes.

However, in light of the mandate that compelled its creation, the DMMP's continued reliance on open water placement of dredged materials is very troubling. The 2004 Objection to Consistency Determination issued by the New York Department of State found "Long Island Sound is one of the most productive estuarine waters in the world. It provides valuable breeding, nesting and feeding habitats for myriad aquatic, avian and animal species, and provides commercial fishing, tourism and recreational benefits to the communities along its shoreline. The Long Island Sound region is also one of the most densely populated areas in North America; more than 8.4 million people live in the Sound's watershed (FEIS ES-8). The Sound is used for water-dependent industries, recreational boating, commercial and recreational fishing and shellfishing, and recreational beach-going. It is one of New York's most

valuable natural resources. For these reasons, the cleanliness of Long Island Sound is of paramount importance. While there is a recognized need for dredging in order to maintain navigable waterways, the designations of dredge spoil disposal sites in the Sound and the consequent dumping of sediments, as currently proposed, will degrade the Sound and threaten its environmental resources and economic viability.” The recreational boating and fishing activities cited in the Objection to Consistency Determination were identified in the Long Island Sound Study (LISS), founded by the Environmental Protection Agency, New York and Connecticut in 1985, to generate an estimated \$8.5 billion annually.

A condition of the settlement of this objection was the development of the LI DMMP with an emphasis on beneficial uses of dredged materials and other alternatives to open water disposal in Long Island Sound. The plan was mandated by New York & Connecticut to be a comprehensive plan to phase out open water disposal of dredged material and establish future protocols for dredged material management.

Instead, the draft DMMP appears to be the same open water dredge-dumping plan we have seen before.

Concerns about the Sound’s “environmental resources and economic viability” are as relevant today as they were in 2004 when the preparation of a DMMP was being contemplated and deserve a full and thorough analysis. Federal, State, and local governments have invested billions of dollars in research, grants and infrastructure improvements to repair the significant environmental damage of past waste disposal practices to the Sound’s natural systems. Stormwater management, nitrogen reduction, and marine habitat restoration are among the highest priorities of governments on both sides of the Sound.

Yet the DMMP does not comprehensively address the costs of open water disposal to the Sound's ecological systems, the effects on benthic life, the significant nitrogen loading of dredge spoils, how climate change and sea level rise may influence future dredging needs and uses of dredge materials, ocean acidification, and protocols used to control the influx of land sediments into coastal waters.

These concerns shouldn’t simply be ignored or dismissed based on simple arguments such as the dredged materials being subject to testing prior to disposal. Several studies have identified shortcomings in the sediment testing process. For example, in his book *Practical Handbook of Estuarine and Marine Pollution*, author Dr. Michael J. Kennish, a specialist in estuarine and marine ecology, indicates “Studies have shown that bulk sediment analyses do not predict short or long-term release of contaminants and that no relationship exists between bulk sediment and bioaccumulation. Hence, bulk sediment analyses do not provide an adequate assessment of water quality effects nor any level of environmental protection.”

The article “Sedimentary Environments in Long Island Sound: A Guide to Sea-Floor Management in a Large Urbanized Estuary” from the United States Geological Survey (USGS) highlights the Sound’s vulnerability to sea floor impacts, indicating “As a consequence of this enormous population [8.4 million people], the sound is heavily used, and, thus, the sea floor can be affected by human activities. The sea floor comprises a variety of benthic habitats that support a large commercial and recreational fishery. It can also be a sink for wastes and contaminants derived from sources such as wastewater treatment plants, urban runoff, riverine input, and airborne transport.”

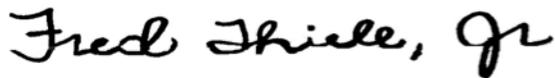
The water quality of the Long Island Sound directly impacts the millions of people who live along its shores as well as avian and marine species who live in or pass through it. Issues that directly impact that water quality, such as open water placement of dredged materials, merit a thorough analysis and innovative problem-solving that lead to tangible results. The LIS DMMP is just the newest version of the old “out of sight, out of mind” method of waste disposal that has been with us since the dawn of the industrial revolution. Connecticut and New York asked for better and our citizens deserve better.

Thank you in advance for your consideration of these comments.

Sincerely,



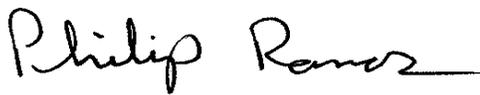
Steve Englebright -AD4
Chair, Committee on Environmental Conservation



Fred Thiele - AD1



Dean Murray AD3



Phil Ramos -AD6



Michael Fitzpatrick - AD8



Joseph Saladino -AD9



Chad Lupinacci - AD10

Kimberly Jean-Pierre -AD11



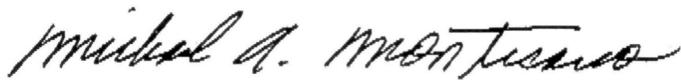
Andrew Raia - AD12



Chuck Lavine - AD13



David McDonough - AD14



Michael Montesano - AD15



Michelle Schimmel -AD16



Tom McKeivitt - AD17

Earlene Hooper Hill - AD18



Edward Ra - AD19



Todd Kaminsky - AD20



Brian Curran - AD21



Michele Solages -AD22

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Amy Paulin -AD88

Handwritten signature of Shelly B. Mayer in black ink.

Shelly Mayer -AD90

Handwritten signature of David Buchwald in black ink.

David Buchwald - AD93

[CC: Governor Andrew Cuomo](#)