

Western Connecticut Council of Governments

March 15, 2018 – 12:30pm

**Location: Ridgefield Visiting Nurse Association
27 Governor Street, Ridgefield, CT 06877**

Agenda

1. Meeting call to order: Hon. Jayme Stevenson, Chairman
2. Public participation
3. Action items:
 - a. Approval of February 15, 2018 Minutes Attachment 3a, pp. 1-3
 - b. Invitation to participate in an amicus curiae brief re EPA designation of an Eastern Long Island Sound Disposal Site (ELDS) Attachment 3b, pp. 4-16
4. Featured presentations:
 - a. *CAMA and GIS Initiatives for Municipalities*, presented by Senior GIS Manager Carl Zimmerman, PhD.
 - b. *Long Range Transportation Plan*, presented by Associate Planner Kristin Hadjstylianos
5. Information items:
 - a. Financial Report Attachment 5a, pg. 17
 - b. State legislation and budget update
6. Other business
7. Next meeting: Thursday, April 19th
8. Adjournment

Western Connecticut COUNCIL OF GOVERNMENTS



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INTERIM Council Minutes

for the 02/15/2018 Regular Meeting

Held at the Ridgefield Visiting Nurse Association
27 Governor Street, Ridgefield, Connecticut 06877

*Chairman Jayme Stevenson - Vice Chairman Rudolph Marconi
Treasurer Lynne Vanderslice- Secretary Julia Pemberton*

MEMBERS ATTENDING

- Bethel First Selectman Matt Knickerbocker
- Bridgewater..... First Selectman Curtis Read
- Brookfield First Selectman Steve Dunn
- Danbury Mayor Mark Boughton
- Darien..... First Selectman Jayme Stevenson
- Greenwich..... Absent

- New Canaan..... First Selectman Kevin Moynihan
- New Fairfield..... First Selectman Pat Del Monaco
- New Milford..... Absent
- Newtown First Selectman Dan Rosenthal
- Norwalk..... Absent
- Redding..... First Selectman Julia Pemberton

- Ridgefield..... First Selectman Rudy Marconi
- Sherman..... First Selectman Don Lowe
- Stamford..... Chief of Staff Michael Pollard
- Weston..... Absent
- Westport..... First Selectman Jim Marpe
- Wilton..... First Selectman Lynne Vanderslice

OTHERS ATTENDING

WestCOG staff members in attendance were Robert Sachnin, Patricia Payne, William Kenny, Nicole Sullivan, Bob Brinton, Kristin Floberg, and Executive Director Francis Pickering. Rick Schreiner and Harrison Wenchell of HARTransit, Dennis O’Connor and Britt Liotta of Norwalk Transit, Kerry Ross of

CTDOT, Peter Yankowski of the Ridgefield Press, Norwalk Resident Jo-Anne Horvath, and Max Friedman of CCM were also in attendance.

CALL TO ORDER

The meeting was called to order at 12:36pm by Chairman Stevenson.

GUEST SPEAKER

Chairman Stevenson welcomed Commissioner James Redeker of CTDOT. Commissioner Redeker spoke to the COG regarding the special transportation fund and the State of Connecticut's transportation program.

ACTION ITEMS

Approval of January 18, 2018 Minutes: After review and on a motion made by First Selectman Matt Knickerbocker and seconded by First Selectman Steve Dunn the minutes of the 01/18/2018 meeting were unanimously approved, except with an abstention made by First Selectman Lynne Vanderslice.

Approval of Financial Report & Balance Sheet: Finance Director Patricia Payne presented the Finance Report and Balance Sheet to the COG. After discussion, and on a motion made by First Selectman Matt Knickerbocker and seconded by Mayor Mark Boughton, the Finance Report and Balance Sheet were unanimously approved.

Resolution in support of recognition of the COGs as county equivalents by the US Census Bureau: Director Pickering addressed this subject. On a motion made by First Selectman Curtis Read and seconded by First Selectman Steve Dunn, the resolution in support of recognition of the COGs as county equivalents by the US Census Bureau was unanimously approved.

Authorization to execute HARTransit contract: There was brief discussion, a misspelling was noted on the resolution. On a motion made by First Selectman Curtis Read and seconded by First Selectman Matt Knickerbocker, the authorization to execute the HARTransit contract was unanimously approved.

LOTICIP Adjustments: The COG discussed the program. Based on CTDOT guidance, existing projects that have a CTDOT Commitment to Fund letter and are scheduled to complete final design by September 2018 may proceed. On a motion made by First Selectman Lynne Vanderslice and seconded by First Selectman Steve Dunn, the proposed LOTICIP cost adjustments were unanimously approved.

INFORMATION ITEMS

State legislation and budget update: Director Pickering updated the COG on this topic.

Update on Snow Plow Study: Associate Planner Kristin Floberg informed the COG that the initial routes and baseline report are being reviewed by the Technical Advisory Group.

OTHER BUSINESS

Associate Planner William Kenny updated the COG on emergency planning information.

PUBLIC PARTICIPATION

Jo-Anne Horvath stated her views on transportation projects.

ADJOURNMENT

The next COG meeting will be held on March 15th. However, a special meeting will take place on February 22nd. On a motion made by First Selectman Matt Knickerbocker and seconded by First Selectman Jim Marpe, the meeting was unanimously adjourned at 2:00pm.

INTERIM MINUTES SUBJECT TO FINAL APPROVAL BY THE COG MEMBERS

Western Connecticut

COUNCIL OF GOVERNMENTS



TO: WestCOG Council Representatives
 FROM: Michael Towle, Associate Planner
 DATE: March 9, 2018
 RE: Invitation to participate in an amicus curiae brief re EPA designation of an Eastern Long Island Sound Disposal Site (ELDS)

Purpose

The Eastern Long Island Sound Disposal Site (ELDS) would be used to store dredged materials in eastern Long Island Sound. EPA selected a location; New York State has appealed the location. The State of Connecticut supports the ELDS and will be providing an amicus curiae brief to the case. Congressman Courtney's office has extended an invitation to the COGs via SCCOG to jointly submit an amicus brief.

Parties Involved

- **EPA:** Looking to establish a new location for disposal of dredged material. Selected location off Long Island.
- **New York State:** Has concerns regarding disposal location. Filed appeal against EPA's decision.
- **New York Communities:** Communities on Long Island's north shore have joined in NY State's cause.
- **CT State:** Concerned that by not designating ELDS there will be negative economic/environmental impacts to CT coastal communities.
- **CT Communities:** Interested communities, COGS and Businesses are providing amicus briefs for the case.

Background

Since 2005, two other disposal sites (WLDS and CLDS) have been designated with CT and NY support (See figure 1 for a map of disposal sites). EPA is proposing an Eastern Long Island Sound Disposal Site (ELDS) near a previous New London site. This is part of a 30-year dredging strategy. This site was selected following EPA environmental studies which identified the site as having the least environmental impact while meeting local capacity needs, which include planned dredge operations around New London). A new site is necessary because sending dredging materials to WLDS or CLDS could more than double costs of dredging efforts and exhaust their capacity.

NY State objects to the designation because they believe the designation of an ELDS is excessive compared to dredging capacity needs in that area. They recommend capping the New London site and utilizing alternative sites, such as the Niantic Bay Alternative Site (NBDS).

The NBDS is not currently an active disposal site, but it was used between 1969 and 1972. The EPA has flagged the NBDS site as a potential location, but does not recommend pursuing it as only a portion of the site can be used to contain dredged materials.

Discussion

According to EPA’s analysis, CLDS or WLDS lack the capacity to accommodate dredge material from Eastern CT. The alternative NBDS site also is reported to not meet dredging capacity needs.

Also worth noting is the CT Port Authority, which seeks to bolster the state’s maritime economy. The potential for economic growth in the maritime sector will be dependent on dredged channels. It is reported by CT DECD that imports at deep-water ports has decreased by 80% since 2006. Dredging will improve operations and logistics at these ports.

Next steps

Jim Butler, Executive Director at SCCOG, has arranged for legal counsel to prepare an amicus brief on behalf of interested COGs for the case. SCCOG has invited WestCOG to join the amicus brief. Participation would entail signing the brief as well as covering a share of the legal fees associated with its development (ca. \$2,000). RiverCOG has voted to participate; MetroCOG is bringing it up at their COG meeting this month. Electric Boat is another large stakeholder supporting this effort.

Supporting Documents:

“Call Report: ELDS - Rosado v Pruitt Fort Trumbull Conference Room 2/14/2018”

“Key Messages for ELDS Final Rule”

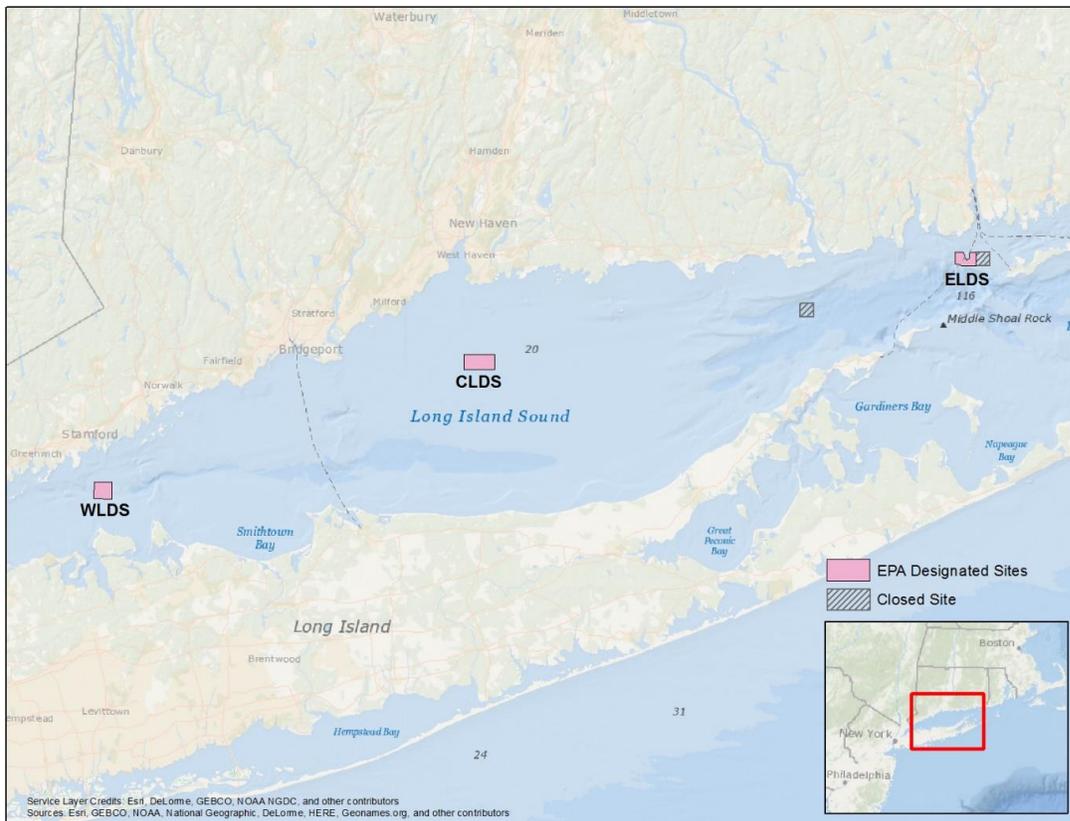


Figure 1 Western Long Island Sound Disposal Site (WLDS) and Central Long Island Disposal Site (CLDS) have been active since 2005. Eastern Long Island Disposal Site (ELDS) has been designated but is under appeal by New York State. Sites are depicted on the map.

Key Messages for ELDS Final Rule

Dredging has been managed collaboratively between federal, state and private actors for nearly 35 years, and the designation of the ELDS builds on these efforts. Until now, eastern Connecticut only had access to disposal sites with temporary, short-term designations through the Army Corps of Engineers. The newly-designated ELDS provides a long-term open-water disposal site for dredged material not suitable for on-land placement in the eastern Long Island Sound region.

The ELDS is critical to eastern

Connecticut. Eastern Connecticut is home to many interests that rely on regular and predictable dredging of our ports and harbors, including marine transportation of goods, commercial and recreational fishing, recreational boating and military transportation by the Coast Guard and Navy. Together, these activities generate \$4.8 billion in economic output and over 30,000 jobs in eastern Connecticut, which accounts for 92% of all economic activity and jobs that rely navigation-dependent activity in the eastern Long Island Sound. Without access to a nearby placement site, eastern Connecticut projects would face increased and often prohibitive costs from transporting materials to sites at further distances, as well as increase the risks to the environment from spills and increased emissions.

“Without designation of new disposal sites there will be no long-term regional solution within the eastern portion of Long Island Sound to meet the needs for dredged material disposal of this region. The use of the [existing Central and Western sites] would add considerable cost to the disposal of dredged material, possibly rendering some projects infeasible.” -- ELDS SEIS

The ELDS is critical to the Submarine Base and Electric Boat. Submarine operations and construction efforts rely on the proper dredging of the Thames River and connected harbors. The Navy plans to dredge approximately 60,000 cubic yards at Naval Submarine Base New London over the next few years to support the construction of a new pier to accommodate the newest Virginia class submarine, as well as at least one major maintenance dredge of the base waterfront over the next 30 years. Without the ELDS, the Navy would have to dispose of materials at the next closest site, which would more than double the cost. According to a review of the 2005 base closing process, SUBASE New London received the lowest score on harbor maintenance compared to other submarine bases, due to the temporary and short term dredge disposal options available to the base. Similarly, according to Electric Boat President Jeff Geiger, the yard “relies on deep-water access for delivery of construction materials and submarine modules to the shipyard, transit of submarines for maintenance and modernization, and final delivery of ships to the Navy”. Geiger has made it clear that: “the existence of a sufficient and cost-effective dredging disposal option is vital.” Lack of a reliable and long term disposal option in the eastern LIS will threaten the ability of the base to support its critical mission and will put it at a

disadvantage in future base closing rounds compared to other submarine bases, and will hamper the future of the Electric Boat industrial base in Connecticut, New York and beyond.

The ELDS Reflects Exhaustive Study of Future Dredging Needs and Alternatives.

In preparing the Dredged Materials Management Plan (DMMP) and the ELDS, the Army Corps of Engineers and EPA carefully and extensively studied the dredging needs of the eastern LIS over the next three decades. Among other things, the DMMP outlined a range of alternatives to open-water disposal for dredging projects, such as upland placement and beach nourishment. However, the DMMP also found that *“even if all potential non open water alternatives were fully implemented, regardless of cost or practicability, their capacity is less than half the projected capacity needed.”* In preparing the ELDS designation, the EPA found that while 40% of materials can be used in on-land options such as beach nourishment, the remaining 60% cannot - but are suitable for open-water placement. Overall, EPA concluded that *“there are no alternatives to open-water disposal available that could meet the cumulative long-term disposal needs of the eastern Long Island Sound region.”* The EPA further concluded that the two existing Central and Western Sites, which EPA recently renewed with the concurrence, of both Connecticut and New York, *“neither have the capacity nor were intended also to meet the dredging needs of the eastern Long Island Sound region”* and *“neither would be a viable as a long-term solution for dredged material from the eastern Long Island Sound region.”* While the DMMP and the ELDS reflects the goal of reducing open-water placement and takes significant steps towards this goal, it also reflects the reality that complete elimination of the safe open water disposal of dredged materials is not possible in the near-term and must occur through careful management and cooperation over time.

Dredging in Long Island Sound is, and Will Continue to be, Carefully and Collaboratively Managed. The EPA, Army Corps and other stakeholders have been collaboratively managing dredging activities in the eastern LIS for 35 years. The EPA has found that these past activities *“have not resulted in unacceptable or unreasonable environmental degradation.”* The ELDS final rule embraces the framework outlined by the recently completed DMMP, which emphasizes alternative upland placement wherever possible and open-water placement only after rigorous analysis of sediment for any environmental risks. The site will also be monitored closely after materials are placed to ensure that no adverse changes are taking place, and EPA has tools available to manage, limit or close sites if needed. Further, a new “Regional Dredging Team,” consisting of representatives from federal, state and private interest through the Long Island Sound region, will scrutinize projects to assess whether there are practicable alternatives to open-water disposal - and recommend to the EPA and Army Corps that any available alternatives to open water disposal be used to the maximum extent practicable.

Opposition to the ELDS disproportionately targets eastern Connecticut. Nearly 80% of the materials that EPA expects will require open-water placement in the ELDS over the next 30 years will come from eastern Connecticut projects, and eastern Connecticut accounts for more

than 90% of the total economic impact of navigation dependent activities in the eastern Long Island Sound that rely on regular dredging. The legal suit filed by New York officials undermines nearly 35 years of collaborative efforts by federal, state and private stakeholders to jointly manage the dredging needs in the region. Their position is also at odds with decades of experience in the effective and safe management dredging in eastern Long Island Sound, which has shown no long-term adverse impacts to the environment. Finally, while New York State has taken legal action over the eastern site, it took no similar action on the approval of the western and central sites that were given final approval on July 7, 2016. Given that the same principles and expanded restrictions guiding open-water placement at these sites apply to the ELDS, it is incomprehensible why eastern Connecticut is now being targeted.

Supporting Notes and Materials

Need for an eastern site

- In 2005, Connecticut, New York, EPA and the Army Corps agreed to develop a plan to reduce or eliminate the use of open water disposal of dredged materials in the Long Island Sound.
- The result of that effort, the Dredged Materials Management Plan (DMMP), was finalized on January 11, 2016. In addition to providing an in-depth plan for the alternative placement of dredged materials and new procedures to evaluate material for placement through a collaborative “Regional Dredging Team” comprised of CT, NY and other stakeholders, it also found that **“even if all potential non open water alternatives were fully implemented, regardless of cost or practicability, their capacity is less than half the projected capacity needed.”**
- Similarly, when the EPA looked at whether there needed to be a new site designated in the eastern LIS, they concluded that **“based on the evaluation of projected dredging needs over a 30-year planning horizon...there are dredging and dredged material disposal/handling needs that exceed the available disposal/handling capacity in the eastern region of Long Island Sound”**
- EPA studied several alternatives to open-water disposal in determining whether a new site was needed. These included ocean disposal outside of the eastern Long Island Sound region, development of dredged material containment facilities, beneficial uses of dredged material (such as beach nourishment and nearshore berms), upland disposal sites, dredged material treatment options, and transport of material outside of the eastern Long Island Sound region.
- EPA found that while many of these options may be appropriate for specific projects on a case by case basis, they also found that **“there are no alternatives to open-water disposal available that could meet the cumulative long-term disposal needs of the eastern Long Island Sound region.”**
- EPA estimates that 20 million cubic yards (mcy) of dredge materials in the eastern LIS region will need to be disposed of over the next 30 years. Of this total, 79% will come from Connecticut ports and harbors and 21% from ports and harbors in New York. In addition, nearly 90% of this demand is from maintaining current dredging projects.

- EPA evaluated the use of existing sites in the western and central Long Island Sound and found that they “do not have the capacity to accept the quantity of suitable dredged material estimated to be generated from the eastern region of Long Island Sound, which was not anticipated when these sites were designated in 2005. In addition, the EPA expressed concern that use of sites outside of the region “would significantly increase transportation costs and project durations, while also increasing energy use, air emissions, and the risk of spills or short-dump.”
- Before the ELDS final rule, Connecticut had access to disposal sites that had a temporary, short-term designation through the Army Corps. Those sites closed on December 23, 2016 cannot be reopened. Without the continued designation of the ELDS, eastern Connecticut will face increased costs, project cancellations, increased congestion and other negative impacts – all of which will disproportionately and negatively impact Connecticut.

Importance of the site to Eastern Connecticut

- The economy of eastern Connecticut relies heavily on having access to properly maintained ports and harbors on the Long Island Sound. These include commercial marine transportation, ferry operations, commercial and recreational fishing, recreational boating, and military interests such as the Coast Guard and the Navy.
 - Supports \$4.8 billion in economic activity in eastern CT, which accounts for 92% of all economic activity in the larger eastern LIS region.
 - Supports nearly 33,000 jobs, of which 30,325 (92%) are linked to eastern Connecticut
 - Generates \$766 million in annual tax revenues, of which \$702 million (92%) are linked to eastern Connecticut.

Table 2-1. Regional Economic Significance of Navigation-Dependent Activities (2009 dollars)

Region ¹	Annual Output (millions)	Gross State Product (millions)	Employment	Annual Tax Revenues (millions)
Rhode Island	\$13	\$4.7	88	\$1.4
Eastern Connecticut	\$4,364	\$2,705	30,325	\$702
Eastern Long Island	\$391	\$199	2,385	\$63
Total ZSF (sum)	\$4,768	\$2,909	32,798	\$766

¹ The analysis is based on data in WHG (2010c) (see Section 4.14 in Chapter 4 for details).

- Of the total estimated dredged materials the EPA expects would need open water placement, nearly 80% would come from port maintenance and improvement projects in eastern Connecticut. Only about 9% would come from projects on eastern Long Island.

- With Connecticut’s newly-minted Port Authority up and running, our state is poised for resurgence in the maritime industry. As noted by the Connecticut Department of Economic and Community Development, imports at deep-water ports in Bridgeport, New Haven, and New London have decreased by 80 percent since 2006. Establishment of the new Port Authority, and increased focus on strategic investments needed to expand our major ports creates a significant opportunity to turn this trend around, create jobs, and grow Connecticut’s maritime economy. This, however, will be contingent on a continued effort to maintain our channels and harbors properly.

- The future of the US Naval Submarine Base in New London relies on having properly maintained harbors and channels. This is both a near term and long term concern for base operations and the consideration of the base in potential base closing rounds.
 - The Navy plans to dredge approximately 60,000 cubic yards over the next few years to support the demolition of two piers and construction of a new pier to accommodate the newest Virginia class submarine. The Navy also expects to do at least one major maintenance dredge of the base over the next 30 years.
 - Without the ELDS to place suitable materials, the Navy would have to dispose of materials in the central LIS site - **which more than doubles the cost.**
 - According to the ELDS final rule, “[a]n improvement (deepening) project to accommodate a larger class of submarine planned for 2016-2025 is expected to generate about 350,000 cy; the estimated cost of disposal at the ELDS is \$26/cy for a total cost of \$9,100,000, while disposal at the CLDS is estimated at \$57/cy for a total of \$19,950,000.”
 - During the 2005 base closing process, all navy bases were evaluated on dredging needs and disposal options. SUBASE New London received the lowest score compared to other submarine bases, due to the temporary and limited disposal options available to the base.
 - Of a possible score of 0.9, New London scored the lowest of submarine bases – 0.34. Kings Bay scored 0.68, and Bangor and San Diego both scored a full 0.9.
 - Neither Bangor or San Diego had a dredging requirement, hence the full score. Kings Bay needs dredging, but had much larger disposal options – 4 designated sites with 32,842,000 cubic yards of remaining capacity that didn’t close until 2040. New London, on the other hand, had two identified sites – New London Disposal site, with 1,000,000 cubic yards of capacity and then slated for closure in 2009, and a tentative confined aquatic disposal (CAD) cell, with 500,000 cubic yards of capacity that would close in 2020.
 - This is not hypothetical - objections by the state of New York to the use of the temporary New London disposal site in 2005 forced the Navy to dispose of

materials in central Long Island Sound. This added additional cost and more than 80 miles of additional travel.

- Lack of a reliable and long term disposal option in the eastern LIS threatens the ability of the base to support its critical mission, and puts it at a disadvantage in future base closing rounds.

Effective Management of the Sound

- EPA, Army Corps, Connecticut and New York have been collaboratively and safely managing dredging needs in eastern Long Island Sound for 35 years. As noted in the environmental analysis of the eastern site, **“EPA's evaluation of data and modeling results indicates that past disposal operations have not resulted in unacceptable or unreasonable environmental degradation.”**
- The eastern site designation follows the recommendation of the Army Corps DMMP, which outlined procedures to be followed and standards to be applied in evaluating and recommending dredged material placement options, tracking dredged material placement, pursuing opportunities for alternative and beneficial uses of dredged material in Long Island Sound, and researching and monitoring the impacts of past and future placement activities.
- Under the framework of the DMMP, any materials dredged in the eastern LIS would undergo a rigorous analysis before ever being placed in the water.
 - Each proposed dredging project will be evaluated on a case-by-case basis to determine whether there are practicable, environmentally preferable alternatives to open-water disposal. Alternatives to open-water disposal that will be considered include upland disposal and beneficial uses such as beach nourishment.
 - A Regional Dredging Team, consisting of representatives from the states and stakeholders along the sound, will assess whether there are practicable alternatives to open-water disposal, by recommending that any available alternative(s) to open-water disposal be utilized for the maximum volume of dredged material practicable,
 - In addition, the dredged material from each proposed disposal project will be subjected to sediment testing requirements to determine its suitability for possible open-water disposal at an approved site. If environmentally preferable, practicable disposal alternatives exist, open-water disposal will not be allowed.
 - EPA also will not approve dredged material for open-water disposal if it determines that the material has the potential to cause unacceptable adverse effects to the marine environment or human health.

- The plan also supports the ongoing EPA and Army Corps efforts to closely monitor disposal sites for any adverse effects after materials are placed. Examples of such management and monitoring include the following: Regulating the times, rates, and methods of disposal, as well as the quantities and types of material that may be disposed; conducting pre- and post-disposal monitoring of sites; conducting disposal site evaluation and designation studies; and, if warranted, recommending modification of site use and/or designation conditions and restrictions.

Consequences if NYDOS Legal Action Proves Successful

- According to the EPA’s analysis, lack of the ELDS would result in:
 - transportation and disposal costs for dredged material that is not suitable for beach nourishment or nearshore berms would be substantially higher t
 - Longer transportation on both the sea and land would result in more noise and higher emissions of air pollutants and greenhouse gases, and localized environmental impacts at multiple sites
 - adverse socioeconomic resources, such as commercial and recreational fishing and shipping and navigation, such that substantial adverse impact to the economies of Connecticut and New York would result
 - a significant reduction in depths of navigation channels and harbors, small marinas and fishing harbors could be forced to close, and larger harbors could see the diversion of deep draft vessels to other ports outside the region.

New York

Substantively, aside from general objections to open water disposal of dredged materials, New York objects to the designation of the ELDS because the state disagrees the projection of dredging needs over the next 30 years. NY State believes that through the entire sound, there is a projected need for 34.4 million cubic yards of material suitable for open water disposal. They argue that this is less than the current stated capacity of the Central and Western sites (40 mcy). Thus, a third site is not needed in their analysis since the two other sites can absorb all sound-wise open water placement needs.

- According to the EPA’s analysis, the two sites “neither have the capacity nor were intended also to meet the dredging needs of the eastern Long Island Sound region” and “neither would be a viable as a long-term solution for dredged material from the eastern Long Island Sound region.”
- Together, these two sites have the capacity of 40 mcy and there is a validated projection of 47 mcy in suitable materials for open water disposal expected to be generated in the LIS (27 mcy in the WLDS/CLDS; 20 mcy in ELDS)

- Further, the environmental study on the ELDS concluded that “*the use of the [existing Central and Western sites] would add considerable cost to the disposal of dredged material, possibly rendering some projects infeasible.*”

In a July 18, 2016 letter to the EPA, the NYDOS shared its views on the ELDS. While noting its objection to the designation of the ELDS due to their view that the existing sites have sufficient capacity to absorb all dredging needs in the sound, they also said that:

- As a state with considerable water dependent uses and navigation infrastructure, New York recognizes the need for, and is fully supportive of, dredging for maintaining these types of activities.
- However, as we have documented in numerous past communications with EPA and with the U.S. Army Corps of Engineers (Corps), New York’s position is clear: we are committed to working with all partners to secure a path forward for achievable, measurable reductions in open water disposal over time.
- As a demonstration of this commitment, we note that the Department of State (DOS) concurred with EPA’s recently (July 8, 2016) published amended Final Rule designating the Central and Western Long Island Sound Disposal Sites (CLDS and WLDS), which includes updated policies and procedures intended to meet this goal, and is subject to the additional restrictions agreed to by all Agencies involved.
- The proposed rule for eastern LIS contains the same restrictions as those contained within the Final Rule for CLDS and WLDS, with the same ultimate goal of the reduction in open water disposal over time.
- “While the department(s) believe that designation of an eastern LIS disposal site is not necessary, and may impede progress toward the Rule’s goals, we do recognize the importance of providing stakeholders with a range of options for management of dredged material in LIS.”
- They proposed to changes:
 - “1. Designate the proposed New London Disposal Site (NLDS) as a remediation site and develop a capping and closure plan for the existing mounds, and
 - “2. Designate the Niantic Bay Alternative as the eastern LIS long-term disposal site.”
- “We believe that this combination of alternative approaches still allows reasonable options for disposal, while reducing the overall impacts on LIS resources and uses as a result of disposal.”

Call Report: ELDS – Rosado v. Pruitt
Fort Trumbull Conference Room
2/14/18

Rosado v Pruitt –Case Update

On February 8th, AAG Snook appeared, in-person, at the Brooklyn Federal Court for the first formal conference of the matter. Based on his knowledge of the two judges who will preside over the matter, this will be a strict no nonsense Court.

The Court has issued an April 2, 2018, filing deadline for Motions to Intervene (MOI). While no deadline was issued for amicus briefs, it is recommended they also be filed by April 2nd.

The index to the administrative record is 121 pages long. The AG's office will convert that document into a pdf and make it available to those who are interested in reviewing it. EPA is actively reviewing 12, 000 emails in order to comply with the several FOIA requests made by NY.

New York's Response

New York stakeholder have already filed or are in the process of filing MOIs and amicus briefs:

Interveners

Town of Southold

Amici

Fishers' Island Conversancy

Town of Brookhaven

Town of Huntington

Town of Riverhead

It is significant to note that Southold, Brookhaven, Riverhead and Huntington represent nearly the entire southern shoreline of the Long Island Sound (northern coast of Long Island).

To date, no technical rebuttals regarding process have been raised by NY. The claims raised by the interveners and that of the amici are different in scope and interest.

Asserted Claims:

- Dredged material washes up mud along to shores of Fisher's Island beaches
- A new site will lead to new contamination.
- The site location is motivated by economics
- The site location directly interferes with Southold's shipping channel
- Local development plans will be negatively impacted.

CT's Response

CT stakeholders need to support the state in their position and match the opposition raised by NY. It is imperative that CT stakeholders clearly delineate how they would be impacted by the Court's decision.

Any coalition of support, by way of either MOI or amicus brief, will be helpful. Briefs can be submitted individually or jointly.

Joint briefs should be submitted by like-minded groups by interest:

- municipal (especially coastal towns)
- industry
- national security interests
- economics

The AG's office cannot prepare or review any motions/ briefs on behalf stakeholders, but they will make documents of the record available.

CMTA will spearhead joint industry response. GD-EB and the US Navy will discuss the appropriate response that each can take in this matter. In conjunction with the state delegation, Congressman Courtney's office will raise the issue with municipal leaders.

A follow-up meeting will be convened as necessary.

Western Connecticut Council of Governments
Monthly Financial Report - Operating Statement
January 2018

	Current Month Actual	Year to Date Actual	Year to Date Budget	Variance* YTD	Annual Budget Approved
REVENUES					
State/Federal/Local Grants	\$ 174,446	\$ 1,095,157	\$ 1,270,044	\$ (174,887)	\$ 2,177,217
Local Dues	\$ 23,733	\$ 166,129	\$ 166,129	\$ -	\$ 284,793
Misc./Interest Income	\$ 85	\$ 573	\$ 467	\$ 106	\$ 800
TOTAL	\$ 198,264	\$ 1,261,859	\$ 1,436,640	\$ (174,781)	\$ 2,462,810
EXPENSES					
DIRECT CONTRACT EXPENSE:					
(Reimbursable through contracts)					
Project Consultants	\$ 40,333	\$ 253,880	\$ 351,814	\$ (97,934)	\$ 603,111
Other Direct Costs	\$ 2,591	\$ 45,053	\$ 35,092	\$ 9,961	\$ 60,161
Contingency (built into contracts)	\$ -	\$ -	\$ 21,681	\$ (21,681)	\$ 37,167
PERSONNEL EXPENSE:					
Salaries (Direct & Indirect)	\$ 75,264	\$ 539,070	\$ 591,231	\$ (52,161)	\$ 1,013,539
Payroll Taxes	\$ 8,591	\$ 44,240	\$ 50,829	\$ (6,589)	\$ 87,136
Pension	\$ 7,607	\$ 43,681	\$ 44,100	\$ (419)	\$ 75,600
Fringe Benefits	\$ 13,108	\$ 79,051	\$ 92,064	\$ (13,013)	\$ 157,824
GENERAL OVERHEAD EXPENSE:					
Rent	\$ 7,609	\$ 53,052	\$ 54,307	\$ (1,255)	\$ 93,097
Utilities	\$ 1,845	\$ 13,972	\$ 15,240	\$ (1,268)	\$ 26,125
Audit & Legal Services	\$ 421	\$ 18,126	\$ 21,992	\$ (3,866)	\$ 37,700
Other Professional Services	\$ -	\$ -	\$ 2,333	\$ (2,333)	\$ 4,000
Service Agreements	\$ 240	\$ 3,796	\$ 5,619	\$ (1,823)	\$ 9,632
Reproduction	\$ -	\$ 18	\$ 583	\$ (565)	\$ 1,000
Office Supplies	\$ 559	\$ 2,717	\$ 6,417	\$ (3,700)	\$ 11,000
Conf/Travel/Mtg. Expense	\$ 414	\$ 1,403	\$ 1,342	\$ 61	\$ 2,300
Membership Dues/Subscriptions	\$ 691	\$ 4,838	\$ 7,172	\$ (2,334)	\$ 12,294
Postage	\$ -	\$ 186	\$ 875	\$ (689)	\$ 1,500
Commercial Liability Insurance	\$ 1,387	\$ 10,033	\$ 11,083	\$ (1,050)	\$ 19,000
Lease (copier/postage machine)	\$ 1,297	\$ 6,668	\$ 7,583	\$ (915)	\$ 13,000
Legal Notices	\$ -	\$ -	\$ 292	\$ (292)	\$ 500
Misc.	\$ 1,201	\$ 2,760	\$ 4,363	\$ (1,603)	\$ 7,480
Depreciation	\$ 333	\$ 2,333	\$ 2,333	\$ -	\$ 4,000
Due back to State*	\$ -	\$ 46,159	\$ -	\$ 46,159	\$ -
TOTAL	\$ 163,491	\$ 1,171,036	\$ 1,328,345	\$ (157,309)	\$ 2,277,166
SURPLUS/<DEFICIT>	\$ 34,773	\$ 90,823	\$ 108,295	\$ (17,472)	\$ 185,644

**Financial Notes of Interest*: (1) Negative revenue variances can be the result of fluctuations in the timing of consultant invoices on various projects, and do not indicate a 'lack' of or underbilling of revenue sources. Variances may fluctuate on the expense side as well due to changes in staffing and timing of expenses. (2) Surplus amounts partially reflect we are invoicing our grants at a burden, fringe and overhead (BFO) rate that is too high, and at fiscal year end may owe money back to grantors at the conclusion of our annual audit. (See 'Due back to State')