



**US Army Corps  
of Engineers**  
New England District

# Update Report for Connecticut



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696 Virginia Road, Concord, Massachusetts 01742-2751  
Public Affairs Office, 978-318-8264

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## Mission

The missions of the New England District, U.S. Army Corps of Engineers include flood damage reduction, emergency preparedness and response to natural disasters and national emergencies, environmental remediation and restoration, natural resource management, streambank and shoreline protection, navigation maintenance and improvement, support to military facilities and installations, and engineering and construction support to other government agencies. The six New England states cover 66,000 square miles, with 6,100 miles of coastline, 11 deep water commercial ports, 102 recreational and small commercial harbors, 13 major river basins, and thousands of miles of navigable rivers and streams. The district operates and maintains 31 dams, two hurricane barriers and the Cape Cod Canal. Through its Regulatory program, it processes about 5,000 applications per year for work in waters and wetlands of the six-state region. We employ about 510 professional civilian employees, with about 300 stationed at our headquarters in Concord, Mass. Other Corps of Engineers employees serve at Corps projects and offices throughout the region.

### Index

Conservation & Environment	4
Ecological Restoration	4
Flood Damage Reduction Projects	8
Flood Damage Prevention	3
Formerly Used Site Remediation	5
Mission	1
Navigation	1
Recreation/Natural Resource Mgt	8
Regulatory Program	6
Special Studies	4
Support to EPA	5
Superfund	5

## Navigation

**BRIDGEPORT HARBOR DREDGE MATERIAL MANAGEMENT PLAN (4th CD)** — The city of Bridgeport has requested maintenance dredging of Bridgeport Harbor. In response to this request, the New England District performed a Preliminary Assessment for Bridgeport Harbor, which concluded that continued maintenance of Bridgeport Harbor is likely justified, but that a detailed Dredge Material Management Plan (DMMP) for Bridgeport Harbor should be developed. The DMMP will evaluate the economics of various dredging levels, identify various potential dredged material disposal sites, and develop the required environmental analysis and documentation.

The Bridgeport Port Authority has agreed to provide the necessary assistance in identifying and evaluating upland disposal options and data to assess economic benefits and environmental impacts of a DMMP. The Project Delivery Team (PDT) has formulated and evaluated *several potential* dredged material management options. *A Draft DMMP and Draft Environmental Assessment have been prepared and are undergoing internal review. The draft DMMP and EA will be submitted to the North Atlantic Division for their review in late December 2008/early January 2009. After review and approval by NAD the documents will be released for public review.*

**CLINTON HARBOR (2nd & 3rd CDs)** - The federal navigation project in Clinton consists of a channel 8 feet deep, about 1.5 miles long from Long Island Sound up the Hammonasset River to the inner harbor in Clinton. The

project also provides for a one-acre anchorage area in the inner harbor. Shoaling has reduced depths in the channel making it difficult for vessel traffic to safely traverse the project. The proposed project would involve removing about 47,000 cy of clean sand. The material has been tested and found suitable for disposal at the Cornfield Shoals Disposal Site. In light of recent erosion problems at Hammonasset State Beach, the state requested the material be used to nourish the beach. We have reviewed the situation and have agreed to place most of the material on the beach (and in agreement with the state, not dredge the anchorage area since that material is not suitable for beach nourishment).

The current proposal is to remove *about 45,000 cubic yards of material* by hydraulic dredge and place it on Hammonasset Beach. We are working with Connecticut State Parks Department to identify a preferred location on the beach for the sand. Funds are being used to develop the necessary environmental documentation and seek the appropriate environmental approvals. Coordination with the applicable state and Federal resource agencies is *generally complete*. Completion of *plans and specifications* depend on subsequent *expected construction* funding. No funds are included in the President's FY 09 budget.

**HOUSATONIC RIVER (5th CD)** - The local community has contacted the Corps to request dredging of the Federal project, the 18-foot channel, in the Housatonic River. A recent survey of the project indicates about 600,000 cubic yards of sand need to be removed to

return the project to authorized dimensions. We have conducted sampling and testing of the material to be dredged and have found it suitable for beach nourishment.

The state has contacted us and requested we investigate placing the material at some severely eroded beach areas on Hammonasset State Beach. We have informed them that we can place the material onto the beach if the State provides some cost share funding. The state has agreed in principle with this and has conducted additional testing of the material to ensure it meets their beach standards. Testing has been completed; the material meets state standards. We are now coordinating the project with the appropriate state and Federal resource agencies. In addition, taking the present river vessel traffic into consideration, we are trying to confirm that there is a need to dredge the 18-foot channel to its authorized depth and width. We are currently awaiting information from the project sponsor to help with our evaluations.

**LONG ISLAND SOUND DREDGED MATERIAL MANAGEMENT PLAN (2nd, 3rd & 4th CDs)** – In February 2005 in a joint letter, the Governors of Connecticut and New York requested that the Corps of Engineers participate in the development of a Dredged Material Management Plan (DMMP) for the Long Island Sound (LIS) Region.

Representatives of the Corps' North Atlantic Division office and both the New England and New York District offices have been meeting with representatives of the New York Department of State and the Connecticut Department of Environmental Protection (CTDEP) and both Region I and II of the EPA to discuss the scope of the DMMP effort and to identify the needed project timeline and schedule.

Funds were reprogrammed to allow the New England District to prepare a Preliminary Assessment and initiate the development of a Project Management Plan (PMP). The PMP will document the project scope, budget and schedule and the financial responsibilities of all DMMP participants as identified by the Project Delivery Team (PDT). The PDT is comprised of representatives of the New England and New York Districts, the North Atlantic Division, Regions I and II of the USEPA and representatives of Connecticut DEP, New York Department of State and New York Department of Environmental Conservation. The preliminary assessment was completed and approved by North Atlantic Division in June 2006. Since the FY 2006 appropriation bill did not contain funds for this project, the project initiation was delayed. Although the FY 2007 President's Budget identified funding for the LIS DMMP, based on the Budget rules established by Congress, funding of the project in FY 2007 was not possible. With the limited funds still available the project team completed the PMP.

A series of public scoping meetings were held the week of

Nov. 26, 2007. New York meetings were held in New Rochelle, Port Jefferson and Westbury. Connecticut meetings were held in Stamford, New London and New Haven. Information is available on the projects' web page at <http://www.nae.usace.army.mil/projects/ri/LISDMMP/LISDMMP.htm>. The project team has established a project mailbox where people may email questions or comments on the project. The email address is [LISDMMP@usace.army.mil](mailto:LISDMMP@usace.army.mil).

A Dredging Needs Assessment and an Inventory of Potential Upland Placement have been initiated and are underway. A questionnaire has been sent to all navigational facilities in the coastal areas of New York and Connecticut to determine the maintenance and improvement dredging volumes by location and time frames. This will be the critical information needed to allow formulation of alternatives to meet the dredging needs. The dredging needs analysis is scheduled for completion in *January 2009*.

**MYSTIC RIVER (2nd CD)** – The federal navigation project includes a 15-foot deep by 125-foot wide channel; a 15-foot deep by 100-foot wide channel; a 9-foot deep anchorage basin and a 9-foot deep turning basin. The project was last dredged in 1957. Shoaling throughout the project has been making navigation difficult. Maintenance dredging of about 250,000 cubic yards of uncharacterized sediment is required to return the project to authorized dimensions. FY08 appropriations will be used to initiate sampling and testing of the sediments. *Efforts are underway to award a sampling and testing task order.* Once the sediments are characterized, then a disposal location can be identified and coordination with local, state, and Federal resource agencies can begin.

**NEW HAVEN HARBOR, NEW HAVEN AND WEST HAVEN (3rd CD)** – Senate and House resolutions have been entered calling for a study of potential federal navigation improvements to New Haven Harbor, namely deepening the Main Ship Channel and Maneuvering Basin to a depth greater than the 35 feet provided by the existing authorized project. No funds have yet been made available to begin the study effort.

**NORTH COVE, OLD SAYBROOK (2nd CD)** – The federal navigation project includes an 11-foot deep, 100-foot wide channel from the Connecticut River to an 11-foot deep anchorage about 12 acres within North Cove, and then to a 6-foot anchorage about 17 acres. Maintenance dredging of about 320,000 cubic yards of predominantly silt/clay material with disposal at the Cornfield Shoals Disposal Site (CSDS) is proposed to bring the project to its authorized dimensions. The material proposed to be dredged has been tested and found to be suitable for unconfined open water disposal at the CSDS.

CTDEP requested that we bring at least 75,000 cubic yards of material from North Cove to the Central Long Island Sound Disposal Site (CLIS) to be used as cap for

other dredged materials. This additional effort is being carried out at non-Federal costs.

Available Federal funds were not sufficient to carry out the full project dredging, thus we coordinated with the local sponsor to prioritize the areas to be dredged. A \$3.2M dredging contract was awarded in September 2008 to Burnham Associates of Salem, Mass., to dredge about 180,000 cubic yards of material from the project. Work started on Nov. 5, 2008 and will be completed by May 31, 2009 when the environmental window closes.

**NORWALK HARBOR (4th CD)** – The federal navigation project consists of 12-, 10-, and 6-foot channels and 10- and 6-foot anchorages. The last maintenance dredging was in 1980-81. Shoaling throughout the project has been making navigation difficult. Industrial, commercial fishing, and recreational vessels all use the harbor. In 2001, waterborne commerce in Norwalk Harbor totaled 512,000 tons. This includes fuel oil; sand, gravel, and stone; and shellfish. The city of Norwalk has requested maintenance dredging. The work has been divided into 2 phases.

Phase 1 has been completed. The contract was awarded to Jay Cashman, Inc., of Quincy, Mass., in late September 2005. Work started on the project on Oct. 28, 2005, and was completed Feb. 28, 2006. Phase 1 consisted of the maintenance dredging of about 65,000 cubic yards of material from the 10-foot channel with disposal at the Central Long Island Sound Disposal Site (CLISDS); the excavation/dredging of about 52,000 cubic yards for two in-channel confined aquatic disposal (CAD) cells with disposal of this material at the CLISDS over the previous material; the maintenance dredging of about 30,000 cubic yards of unsuitable material from the 10-foot channel with disposal in the CAD cells; and the capping of the CAD cells with about 4,000 cubic yards of material from the lower harbor.

*A contract for Phase 2 was awarded on Sept. 29, 2008 to Cashman Dredging & Marine Contracting of Quincy, Mass., for \$5,006,300.00 for the maintenance dredging of approximately 192,000 cubic yards of material from the 6-foot East Norwalk channel and turning basin, the 10-foot South Anchorage (to 6 feet), and portions of the 12-foot channel (to either 9 feet or 12 feet). Disposal is at the Central Long Island Sound Disposal Site (CLISDS), about 35 miles away. Cashman started dredging Oct. 25, 2008. Most of the dredging must be completed by Jan. 31, 2009; some dredging of the southernmost part of the channel can be completed by Feb. 28, 2009. Then the material must be capped by 75,000 cubic yards of material from the North Cove Federal maintenance dredging project by May 31, 2009. Because this capping is required as a condition of the State of CT WQC and is*

*beyond the Federal base plan, and therefore must be funded by a non-Federal sponsor. The City of Norwalk has funded \$1,000,000 through a MOA signed with us.*

**TREATMENT OF DREDGED MATERIAL FROM LONG ISLAND SOUND DEMONSTRATION, BRIDGEPORT (2nd, 3rd, & 4th CDs)** – The Corps Fiscal Year 2003 Appropriation included \$750,000 in funds for a project to demonstrate Innovative Technologies for Dredged Material using Bridgeport Harbor material under the provisions of Section 345 of the Water Resources Development Act of 2000 (WRDA 2000). This authority requires that material treated under this authority be considered for a beneficial reuse. After discussions with EPA, the Connecticut Department of Environmental Protection (CTDEP), the Connecticut Department of Transportation (CTDOT), the Bridgeport Port Authority and others, it was decided that a two-phase demonstration project would be pursued. The first phase would be limited to a small amount of dredged material (less than 5,000 CY).

In addition to testing of the treated dredged material, some of the Phase 1 material will be provided to various potential manufacturers that could possibly use the material in a beneficial manner and who may be involved in the Phase 2 effort, where a larger amount of material, such as 100,000 cy may be involved. Section 345 of WRDA 2000 requires that a nonfederal sponsor provide 35 percent of the project costs.

After discussions with the New Jersey Department of Transportation and the EPA a decision was made to participate in the proposed joint demonstration of two different technologies in the Phase 1 project. A decision document has been prepared and was approved by the North Atlantic Division in May 2006. A Project Cooperation Agreement (PCA) for the Phase 1 effort was prepared and was executed in July 2006 for the Phase 1 project. The Phase 1 effort was initiated with sampling performed on treated material.

The sampling results were provided to the project sponsors and the processors cooperating in the project. The material was provided to processors for additional treatment and blending. Post processing testing has been completed and the samples were analyzed. *The results of the additional treatment were disappointing since the blended material still does not meet unrestricted use. The PDT is investigating the blending demonstration and will be testing the material used in the blending to determine if it could be the cause of elevated PAH readings. Additional blending activities will be formulated and conducted.* We are working on the framework and schedule for the documentation of the Phase 1 project and the Phase 2 effort.

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## Flood Damage Prevention

**SALMON RIVER, HADDAM, EAST HADDAM AND EAST HAMPTON (1st & 2nd CDs)** - In November 2007, Charter

Environmental of Wilmington, Mass., substantially completed the \$2.0 million Salmon River Ice Control



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Structure. The system of concrete piers constructed just upstream of the Leesville Dam in East Haddam is designed to retain ice sheets and prevent associated ice buildup/flooding downstream. The Corps' Cold Regions Research and Engineering Lab located in Hanover, N.H.

developed the design and the New England District administered the construction contract. The nonfederal sponsor is the Connecticut Department of Environmental Protection (CTDEP).

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## Ecological Restoration/Watershed Projects

**MILL RIVER RESTORATION, STAMFORD (4th CD) -** The city of Stamford *and the Corps are partnering in a project to restore the aquatic ecosystem of the lower two miles of the Mill River (also known as Rippowam River) under the Corps' Aquatic Ecosystem Restoration Program (Section 206 of the Water Resources Development Act of 1996). Degradation of this urban river results from low flows, dam and channel modifications, and excess sedimentation related to urban storm water runoff.*

over 1,000 feet of concrete retaining walls, restoration of ¼-mile of the river channel *and floodplain* impacted by the dam, restoration of the riparian corridor along portions of the lower two miles of river, removal of a concrete impoundment structure under Pulaski Street Bridge to restore the river channel, and restoration of approximately one acre of tidal marsh habitat. *In addition to restoring river and salt marsh habitats, this project will open the lower Rippowam River to anadromous fish passage. Construction will begin this winter when the contracting process is complete.*

The project involves removal of Main Street Dam and

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## Special Studies

**COASTAL AMERICA** - The Coastal America Northeast Regional Implementation Team has several new projects scheduled including the above-mentioned Mill River restoration in Stamford. Connecticut has a very active Corporate Wetlands Restoration Partnership that has allocated funding for projects throughout the state. Collaboration with the Mystic Aquarium and Institute for Exploration on education and outreach activities is a team priority.

2002. The reconnaissance study was completed in August 2002 with the assistance of the Connecticut River Joint Commissions, the Vermont Department of Environmental Conservation, the New Hampshire Department of Environmental Services, the U.S. Fish and Wildlife Service, and the Natural Resources Conservation Service. The reconnaissance report identified several ecosystem restoration opportunities along the main stem of the Connecticut River. At this time, the Connecticut River Joint Commissions is unable to obtain their share of the feasibility study funds so further efforts to finalize this study scope and execute a cost sharing agreement have been suspended. Subsequent to that, The Nature Conservancy (TNC) expressed an interest in expanding the scope of the reconnaissance study to include the entire Connecticut River watershed. Approval to expand the reconnaissance study was obtained and the supplemental reconnaissance information was approved by Corps Headquarters in February 2005. A feasibility cost sharing agreement and project study plan were signed by the Corps and TNC in August 2005. However, that agreement was determined to be inconsistent with current policy. Since then the Water Resources Development Act of 2007 authorized the Corps to partner with The Nature Conservancy. Funding was provided in the Corps 2008 budget to begin the feasibility study.

**LONG ISLAND SOUND NATIONAL ESTUARY PROGRAM** - The District is actively participating in the Long Island Sound National Estuary Program by attending meetings and providing water resource planning support and expertise. A paper entitled "Remediation Techniques for Contaminated Sediment in Long Island Sound" has been provided to the Long Island Sound National Estuary Program for its use in decision-making.

**CONNECTICUT RIVER ECOSYSTEM RESTORATION STUDY (1st & 2nd CDs) -** Authority to conduct an ecosystem restoration study in the upper Connecticut River watershed is provided through a resolution adopted by the Committee on Environment and Public Works of the United States Senate on May 23, 2001. FY2002 appropriations provided the Corps with funds to initiate the investigation, which was done in February

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## Conservation and Environment

**DEFENSE ENVIRONMENTAL RESTORATION PROGRAM (DERP)** - This congressionally directed program (PL 98-212) provides for environmental restoration. It emphasizes the identification, investigation and cleanup of hazardous and toxic waste; unexploded

ordnance; and unsafe buildings, structures and debris at current and former military facilities. Fifty-five formerly used defense sites (FUDS) have been identified in Connecticut. Site and project eligibility investigations at 54 sites are now complete, including 37 where no work

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was found to be necessary. The remaining site, the **University of Connecticut Bachelor Housing Site (2nd CD)**, will be studied in the future when priorities and funding allow. Of the 17 sites where work was needed, the following efforts are underway:

Environmental restoration projects at **Fort Griswold and Pine Island Battery, Groton (2nd CD)**; **Pratt & Whitney, Southington (1st CD)**; and **Fort Hale, New Haven (3rd CD)** will be performed when priorities and funding allow.

A study to determine the responsible parties at the former **Air Force Plant #62, Middletown (3rd CD)**, found no federal responsibility, based on the indemnification clause contained in the real estate transfer documents.

An archival search report under the Corps ordnance and explosive waste investigation program has been done for **Rentschler and Brainard fields, Hartford (1st CD)**, by the Army Engineering and Support Center in Huntsville, Ala. No evidence has been found that ordnance still exists, and additional investigation is not warranted at this time.

Construction projects totaling \$1,373,434 have been completed at the following locations:

#### **First District**

**Cromwell Nike Site, Tank Removal**  
**East Windsor Nike Site, Tank and Transformer Removal**  
**Manchester Nike Missile Site**  
**Bradley International Airport, Tank Removal**

#### **Second District**

**Groton Pine Island, Pit Closure**

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## **Support to the Environmental Protection Agency**

**SUPERFUND ASSISTANCE** - The New England District provides support to EPA Region I's (New England) Superfund program. This includes responsibility for site investigations, design work, construction execution, and some operation and maintenance at Federal lead sites

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## **Formerly Utilized Sites Remedial Action Program (FUSRAP)**

During the 1940s, 1950s, and 1960s, work was performed at sites throughout the United States as part of the nation's early atomic energy program. The Department of Energy (DOE) began the Formerly Utilized Sites Remedial Action Program (FUSRAP) in 1974 to study these sites and take appropriate cleanup action. Even though FUSRAP sites contain levels of radioactivity above current DOE guidelines, it found that none of the sites posed an immediate health risk to the public or the environment, given current land uses. The FY1998 Energy and Water Appropriations Act transferred

#### **Third District**

**New Haven Army Airfield, Transformer Removal**  
**Ansonia Nike Site, Tank/Transformer Removal, Silo Closure**

#### **Fourth District**

**Fairfield Nike Site, Tank Removal & Silo Closure**  
**Westport Nike Site, Tank Removal and Silo Closure**

#### **Fifth District**

**Waterbury Naval Reserve Rehab Center, Tank Removal**  
**Farmington Nike Site, Tank Removal & Silo Closure**

**FUDS Investigations** — The Corps is conducting Site Inspections of Formerly Used Defense Sites (FUDS) to determine if any munitions and explosives of concern (MEC) or munitions constituents (MCs) are present on property formerly owned or leased by the Department of Defense. Many of the sites visited during this project may not have been used since the World War II timeframe, or their use changed when the property was transferred to another branch of the military or other private or public landowners. Alion Science & Technology, Inc. is assisting the Corps' Baltimore District in performing this evaluation at FUDS in the Northeast region. Alion and the District will review historical records and maps, meet with site regulators and key stakeholders, and conduct field inspection activities in the area(s) of interest. The outcome from these Site Inspection activities will be to determine if the project site poses any threat to human health or the environment, and if further work needs to be done either through an RI/FS or some type of removal action. Presently funded site inspections in Connecticut are as follows: Barn Island and Rentschler Field.

when our support is requested. In addition, the District provides other technical assistance (5 year reviews, real estate support, etc.) at removal and national priority list sites being addressed by EPA Region I.

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management of FUSRAP from DOE to the U.S. Army Corps of Engineers. There is only one FUSRAP site that is currently being managed by the New England District in Connecticut:

**COMBUSTION ENGINEERING SITE, WINDSOR (1st CD)** - The Combustion Engineering (CE) Site occupies approximately 600 acres in Windsor. The facility supplied components for reactor projects managed by the Atomic Energy Commission in the 1940s and 1950s. Initially, the components did not involve nuclear materials, but in

1955, new contracts led to the use of uranium. In the early 1980s, radiological surveys detected radium and thorium contamination in three buildings, related drainpipes and sewer lines, a waste storage pad area, a waste drum burial site, and a brook on the property. In 1986, CE conducted a cleanup of these areas, and a follow-up survey in 1989 indicated that the contamination had been reduced to levels that met established Nuclear Regulatory Commission guidelines. An additional survey conducted in 1993 indicated the need for further cleanup of these locations.

The District is following the CERCLA process, according to FUSRAP legislation, and completed an initial survey of the site with a comprehensive characterization of Building 3. A comprehensive site-wide characterization survey of the remaining areas of concern was completed in December 2000. A report consolidating and presenting the data from the survey was completed in October 2001.

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## Regulatory Activities

Department of the Army permits are required from the Corps under Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. The Corps reviews permit applications for work affecting navigable waters under its Section 10 authority and the discharge of fill material into all waters, including inland wetlands, under Section 404. *For the period July 1, 2008 to Dec. 31, 2008, the following final actions were taken: 5 resolved compliance actions, 15 resolved enforcement actions, 22 permit modifications, 1 no permit required, and 5 Individual Permits and 1 Individual Permit denied without prejudice. For Programmatic General Permits (PGPs), 86 Category 1 activities were reported. For Category 2 PGPs activities, there were: 1 denied without prejudice, 1 exempted and 80 issued.*

**PROGRAMMATIC GENERAL PERMIT** - The New England District has comprehensive Programmatic General Permits (PGPs) in place in each of the six New England states covering work with minimal impact on the aquatic environment. Up to 98 percent of all permits issued in New England are PGPs. The PGPs are based on the state thresholds for most categories of environmental impacts, and applicants may need only file with the state (coastal Connecticut projects). For coastal Connecticut projects, the federal screening is virtually transparent to applicants, and the PGP approval is either included in the state approval letter or mailed simultaneously. Inland project applications are sent to the Corps as the Connecticut inland wetlands program is handled by the towns. Applications appropriately covered under the PGPs are generally approved in less than 30 days. Applicants have commented favorably about the simplicity, predictability and efficiency of the PGPs.

**BROADWATER ENERGY, LLC (2nd, 3rd & 4th CDs) LONG ISLAND SOUND, N.Y.** – This is a permit application for construction of a new offshore liquefied natural gas (LNG) terminal and pipeline in Long Island

An administrative record for the project has been established with a public repository in the community of Windsor for FUSRAP related records. The District completed a remedial investigation (RI) in April 2004. The RI contains a site-wide risk assessment (RA) that not only considered FUSRAP designated nuclear isotope contributions, but chemical and ecological pathways as well.

The District is currently revising the Draft Feasibility Study (FS) prior to North Atlantic Division for releasing it to the public, in accordance with Corps policy. The District has initiated preparations to draft the Proposed Remedial Action Plan (PRAP), also known as the “Proposed Plan” (PP) under CERCLA. We are working to complete a Record of Decision in 2008. The Corps will consider performing removal actions as the need arises and funds are made available for that purpose.

Sound within New York State waters, approximately 10 miles from the Connecticut shoreline. The LNG terminal facilities would include a ship-like floating re-gasification and storage unit, a structural yoke-mooring tower system, and a 30-inch-diameter, 22-mile-long, buried natural gas pipeline to connect the new terminal with the existing and operating Iroquois Gas Transmission System pipeline under Long Island Sound. The purpose of the proposed work is to provide a new input source of reliable, long-term and competitively priced natural gas to the Northeast market, with specific emphasis on the needs of New York and Connecticut. The lead federal agency for the proposed project’s licensing, and preparation of an Environmental Impact Statement in compliance with the National Environmental Policy Act of 1969 (NEPA), is the Federal Energy Regulatory Commission (FERC), with the Corps of Engineers – New York District serving as one of the formal cooperating agencies. Other cooperating federal agencies include the U. S. Coast Guard, the Department of Homeland Security, and the National Marine Fisheries Service.

FERC’s Final Environmental Impact Statement was published on Jan. 11, 2008. On March 20, 2008 FERC, under the authority of Section 3 of the Natural Gas Act, issued their certificates for the proposed work. However, on April 10, 2008, the New York State Department of State (NYS DOS) determined that the proposed project is not consistent with the Long Island Sound Coastal Management Program (CZM). The applicant has appealed the decision to NOAA. The Corps’ New York District is currently deciding if any action is to be taken at this time.

**CONNECTICUT ROUTE 11 (2nd CD)** – The Connecticut Department of Transportation (CTDOT) and the Federal Highway Administration (FHWA) are evaluating alternatives for improvements to address safety and congestion in the Routes 82/85/11 corridors in the communities of Salem, Montville, Waterford and East



Lyme. The towns prefer a new alignment that will complete the existing Route 11 expressway to an interstate connection with Route 95 in Waterford. During public hearings, the affected communities asked CTDOT to evaluate an arterial design, with a greenway corridor concept alongside, as opposed to a full expressway. The corridor towns oppose any widening of Route 85 from two lanes to four lanes. The U.S. Environmental Protection Agency (USEPA) and U.S. Fish and Wildlife Service (USFWS) commented that the new location corridors would result in significant impacts to the aquatic ecosystem.

A workgroup team was formed to discuss and resolve resource agency concerns, to review the CTDOT's mitigation proposal, identify deficiencies, and specify additional informational needs to address the mitigation requirement. During an August 2005 executive meeting, state and federal agencies raised the issue of a supplemental EIS (SEIS) to address additional project information developed since the 1999 Draft EIS (DEIS). FHWA completed the reevaluation report in June 2006 which concluded that an SEIS is not warranted. The Final EIS (FEIS) has been completed. FHWA/CT DOT signed the FEIS in July 2007. The FEIS identifies alternative E(4)m-V3 as preferred alternative. The notice of availability of the FEIS was published in November 2007. FHWA is preparing a record of decision (ROD). CT DOT is preparing to contract for additional DEP species surveys, preliminary project design, and mitigation site investigations. FHWA is reviewing CTDOT's financial plan for design and construction of the project, including mitigation design. After the ROD is signed (late 2008), we expect FHWA funds will be available for project design and mitigation investigation. Under the current schedule, a preliminary design, including the start of mitigation investigation and design, is expected to start by late 2008 at the earliest. The interagency workgroup team continues to coordinate to identify the specific scope and nature of mitigation requirements expected for this project. Application to CTDEP for 401 certification approval is not expected sooner than 2010. The CWA 404 permit cannot be issued without 401 approval.

**ISLANDER EAST PIPELINE COMPANY (3rd CD)** - The Corps received a complete application on April 2, 2002 and a public notice was issued on May 1, 2002. All of the federal resource agencies responded to the notice with letters recommending denial of the proposed project. Elected officials including, but not limited to, the State Attorney General, Sen. Christopher Dodd and Rep. Rosa DeLauro oppose the project. Hundreds of letters of objection from the public have been received. The Corps convened a public hearing in Branford on Aug. 5, 2003. The public comment period closed on Sept. 15, 2003 and a final additional information request letter was issued on Nov. 17, 2003, subsequent to multiple meetings with the applicant to discuss the content of the additional information needed for the Corps to make a determination on the application.

State of Connecticut Coastal Zone Management (CZM)

consistency was denied first in October 2002 and the decision was appealed to the Department of Commerce. Commerce remanded the decision back to the state of Connecticut and it was again denied. The state of Connecticut denied the 401-water quality certification (WQC) on Feb. 5, 2004. The Commerce Department issued a decision of findings in favor of Islander East and overturned the state CZM denial on May 7, 2004. Islander East's appeal of the 401 denial was transferred from state court to the 2nd District U.S. Court of Appeals as a result of Senate authorization of the 2005 Energy Act. The Corps and the National Marine Fisheries Service (NMFS) met with Islander East on Nov. 1, 2004 to suggest they further evaluate alignments to cross Long Island Sound that could better avoid sensitive submerged resource areas. The Corps was provided a summary of nearshore alignment alternatives in April 2006.

On Oct. 5, 2006, the 2nd Circuit Court of Appeals remanded the CT DEP 401 WQC denial back to the state with a determination that the denial was "arbitrary and capricious" and gave the state a deadline of Dec. 19, 2006 to correct the substantive nature of the denial. The state made a revised submission to the court and is awaiting final decision. On Aug. 15, 2007, the CT District Court remanded the IE CZM denial back to NOAA based on the conclusion that the Secretary of Commerce's decision is arbitrary and capricious because it did not demonstrate a reasoned connection between the evidence and the determination and did not follow necessary procedural requirements regarding allowance of federal agency comment period. The judge found that Commerce did not adequately support its decision that the national interest to be served by the project outweighs the adverse impact to the coastal environment, especially the impact to oyster populations.

Due to the expiration of the previous jurisdictional determination (2001), the Corps has determined that revised wetland alignment sheets for site specific wetland/waters crossings will be needed, as this project will be subject to the additional JD documentation requirements (55 separate JD's) of the Rapanos decision and June 2007 guidance from Headquarters. There is no formal schedule for completion of this review due to the dual legal challenges to the project. Because of the amount of work and documentation required to prepare a decision on this application, it is deemed appropriate to delay a decision pending outcome of 2nd CCA legal decision on state 401 WQC and resolution of judicial CZM remand back to Secretary of Commerce. On May 2, 2008 the 2nd Circuit Court of Appeals denied IE's appeal and upheld CT DEP's denial of the WQC. The file is currently closed and considered "procedurally denied."

**LONG ISLAND SOUND REGIONAL DREDGING TEAM (2nd, 3rd & 4th CDs)** – A Long Island Sound Regional Dredging Team (LISRDT) was formed in June 2006 among federal and state (Connecticut and New York) agencies to comply with the June 3, 2005 rulemaking by the U.S. Environmental Protection Agency (USEPA) that designated open-water dredged material disposal sites

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in Central Long Island Sound and Western Long Island Sound. The LISRDT will review dredging projects to ensure that a thorough effort has been conducted to identify practicable alternatives for disposal and work to ensure their use as practical. The team's efforts will enhance communication and discussion among the participating agencies, and facilitate timely review and presentation of recommendations for the management and beneficial use of dredged material from the Long Island Sound region. A Draft Charter to be executed among all of the LISRDT agencies is being circulated among the LISDMMP Steering Committee for approval. The Charter articulates the vision, mission and operating procedures that the LISRDT members will agree to abide to.

The LISRDT completed review of its first project (submitted by PSE&G in support of dredging in Bridgeport Harbor) in early 2007. After a full discussion the LISRDT determined that PSE&G had fulfilled its

responsibility to evaluate alternatives. It was recommended that the project should proceed with the regulatory process with LIS identified as the preferred placement site. This project has subsequently received its permit.

The LISRDT was held at the end of August 2007 to include coordination with the LIS regional Dredged Material Management Plan (DMMP) team. A DMMP includes the development of a comprehensive planning process and decision-making tool to address the management of dredged material for a specific harbor or navigation project, group of related projects, or geographic area. Although there have been no other formal RDT reviews, the Team is kept informed of upcoming projects such as the Norwalk and North Cove Federal navigation projects and a consortium of private applicants wishing to avail themselves of suitable capping material.

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## Operating Flood Damage Reduction Projects and Natural Resource Management

The New England District has constructed 12 flood damage reduction dams and three hurricane protection projects in Connecticut. Information on each is provided below. The Corps, working with agencies of the state of Connecticut, provides quality outdoor recreational opportunities at each of the seven Corps-operated flood damage reduction reservoirs located within the state.

The lands and waters of these civil works water resource projects are managed to conserve the natural resources as well as for the primary authorized purpose of flood damage reduction.

**BLACK ROCK LAKE (5th CD)** on Branch Brook in Thomaston and Watertown was completed in 1971 at a cost of \$8.2 million. More than 2.8 billion gallons of water can be stored behind the 933-foot-long, 154-foot-high dam. To date, \$106.3 million in damages have been prevented. An estimated 150,000 visitors annually enjoy hiking, fishing and hunting on the 319 acres of land and water at Black Rock Lake. Visitors spend an estimated \$0.95 million within 30 miles of the lake. An estimated 27 jobs in the local community are supported by visitors to Black Rock Lake.

**COLEBROOK RIVER LAKE (1st CD)** on the West Branch of the Farmington River in Colebrook was completed in 1969 at a cost of \$14.3 million. At capacity, the 1,300-foot-long, 223-foot-high dam can impound a lake of 1,185 acres containing 16.5 billion gallons of water. To date, the project has prevented damages of \$60.3 million. Recreational opportunities abound at Colebrook and include boating (with a launching ramp), fishing, ice fishing and hunting.

Nearly 158,000 visitors enjoy the recreational pursuits at Colebrook River Lake each year. Visitors spend an estimated \$1.86 million within 30 miles of the lake. An estimated 52 jobs in the local community are supported by visitors to Colebrook Lake.

**EAST BRANCH DAM (1st & 5th CDs)** is situated on the East Branch of the Naugatuck River in Torrington. The 700-foot-long, 92-foot-high earthfill dam was completed in 1974 at a cost of \$1.9 million. With a storage capacity of 1.4 billion gallons of water, the dam can impound a 158-acre lake. To date, more than \$21.9 million in damages have been prevented by East Branch Dam. The state of Connecticut is responsible for operation and maintenance of the 158-acre facility.

**HALL MEADOW BROOK DAM (1st & 5th CDs)**, located on the brook of the same name in Torrington, was completed in 1962 at a cost of \$2.6 million. The 1,200-foot-long, 73-foot-high earthfill dam can impound a 372-acre lake capable of storing 2.8 billion gallons of water. The facility has prevented damages of \$42 million to date. The state of Connecticut is responsible for operation and maintenance of the 9.4-acre facility.

**HANCOCK BROOK LAKE (5th CD)**, on the brook of the same name, was constructed at a cost of \$4.2 million in Plymouth. The 630-foot-long, 57-foot-high earthen dam can create a lake of 266 acres capable of holding 1.3 billion gallons of water. Since it was placed in operation in 1966, it has prevented \$37.4 million in flood damages. More than 110,000 visitors annually enjoy the hiking, fishing and hunting opportunities available at Hancock Brook Lake's 663 acres of land and water. Visitors spend an estimated \$0.13 million within 30 miles of the lake. An



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estimated four jobs in the local community are supported by visitors to Hancock Brook Lake.

**HOP BROOK LAKE (3rd & 5th CDs)**, situated on the brook of the same name in the Town of Middlebury, Waterbury and Naugatuck, was completed in December 1968 at a cost of \$6 million. The 520-foot-long, 97-foot-high embankment can hold back 2.2 billion gallons of water in a 270-acre pool extending 1.5 miles.

Hop Brook Lake has prevented damages amounting to \$48.5 million. The year-round 21-acre conservation pool annually attracts nearly 200,000 visitors who enjoy a variety of recreational pursuits including picnicking, swimming, hiking, fishing and special permit group events. Visitors spend an estimated \$2.05 million within 30 miles of the lake. An estimated 58 jobs in the local community are supported by visitors to Hop Brook Lake.

The 940 foot long, 178 foot-high **MAD RIVER DAM (1st CD)** is situated on the Mad River in Winchester. Construction of the \$7 million earthen dam was completed in 1963, and since that time the project has prevented an estimated \$8.7 million in damages. When full, the lake behind the dam covers 188 acres and can store more than three billion gallons of water. The state of Connecticut operates and maintains Mad River Dam.

**MANSFIELD HOLLOW LAKE (2nd CD)**, on the Natchaug River in Mansfield Hollow, was constructed at a cost of \$6.4 million. The 14,050-foot long, 68-foot-high dam can impound a 49,200-acre foot reservoir, which is equivalent to 16 billion gallons of water. Due to the recent flooding, the dam set a pool level record of 41.32 feet surpassing the old record of 40.9 feet.

Since it was placed in operation in 1952, it has prevented damages of \$86.4 million. The reservoir area offers fine recreational opportunities, including picnicking, fishing, boating, hunting and nature study and annually attracts more than 574,900 visitors. Visitors spend an estimated \$8.45 million within 30 miles of the lake. An estimated 237 jobs in the local community are supported by visitors to Mansfield Hollow Lake.

The 810-foot-long, 118-foot-high **NORTHFIELD BROOK DAM (5th CD)** was completed in 1965 at a cost of \$2.8 million. Situated on Northfield Brook in Thomaston, the dam, which features an eight-acre recreation pool, can store an estimated 766 million gallons of floodwater and has prevented damages to date of \$41.4 million. More than 71,000 visitors annually enjoy fishing, picnicking, swimming and hiking at Northfield Brook Lake. Visitors spend an estimated \$0.53 million within 30 miles of the lake. An estimated 15 jobs in the local community are supported by visitors to Northfield Brook Dam.

**SUCKER BROOK DAM (1st CD)**, on a brook of the same name in Winchester, was completed in 1971 at a cost of \$2.4 million. The 1,160-foot-long, 68-foot-high earthen dam can impound a lake covering 53 acres capable of storing 482 million gallons of water. The state of

Connecticut is responsible for the operation and maintenance of Sucker Brook Dam.

**THOMASTON DAM (5th CD)** is situated on the Naugatuck River in Thomaston. Completed in 1960 at a cost of \$14.3 million, the 2,000-foot-long, 142-foot-high earthen dam can impound a lake covering 960 acres capable of storing 13.7 billion gallons of water. Thomaston has prevented more than \$443.5 million in flood damages. An estimated 200,000 visitors annually enjoy picnicking, fishing, hunting and snowmobiling at Thomaston Dam's more than 849 acres of land and water. Visitors spend an estimated \$1.33 million within 30 miles of the lake. An estimated 37 jobs in the local community are supported by visitors to Thomaston Dam.

**WEST THOMPSON LAKE (2nd CD)** is located on the Quinebaug River in Thompson. Construction of the \$7 million facility was completed in 1965, and since that time the facility has prevented more than \$40 million in flood damages. The 2,550-foot-long, 70-foot-high dam can impound a 1,250-acre pool capable of storing 8.3 billion gallons of water. Picnicking, hiking, boating, fishing, camping and hunting are enjoyed by over 96,300 visitors annually spending an estimated \$1.51 million within 30-miles of Thompson.

Visitor trip spending supports 42 jobs in the communities surrounding the lake. The Corps manages 2,059 acres of land and water at West Thompson Lake stretching six miles from Putnam to the Massachusetts border. The District completed construction of a new picnic shelter and it is already very popular for outdoor weddings, family reunions and other group functions.

At **NEW LONDON (2nd CD)** facilities to provide hurricane protection to the Shaw Cove area of this northern Long Island Sound community were completed in 1984 at a cost of \$11 million. The project, operated and maintained by the city of New London, provides protection both from high tides caused by coastal storms and hurricanes, and from interior flooding caused by Truman Brook in the industrial and commercial area in the vicinity of Shaw Cove and New London Harbor. Rock protected earthfill dikes, concrete floodwalls, a pumping station and a pressure conduit to evacuate interior drainage are features of the project. In a storm of the magnitude of the 1938 hurricane, New London would afford \$9.6 million in damage prevention.

In Stonington, the **PAWCATUCK-STONINGTON HURRICANE PROTECTION PROJECT (2nd CD)** is located on the West Bank of the Pawcatuck River at the Rhode Island - Connecticut state line. The \$920,000 project was completed in 1963. The project consists of 1,915 feet of earthen dike, 940 feet of concrete wall, two vehicular structures, and a pumping station. The works afford protection to a 31-acre industrial area and are operated and maintained by the town of Stonington.

Construction of the **STAMFORD HURRICANE PROTECTION BARRIER (4th CD)** at Stamford was

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completed in 1969 at a cost of \$14.5 million. The project consists of three principal features.

The West Branch Barrier, which protects the area between the West and East Branches, includes a 1,340-foot-long concrete wall and a 1,950-foot-long rock-faced earthen dike. The East Branch Barrier, which connects to the West Branch and extends across the mouth of the

East Branch, includes 2,840 feet of rock-face earthen dike and a 90-foot-wide navigation gate.

The Westcott Cove Barrier, which protects the residential area of Rippowam Street and skirts Westcott Cove in Cummings Park, includes 4,200 feet of rock faced earthen dike. Damages amounting to \$27.5 million have been prevented to date.

