

Environment Committee

JOINT FAVORABLE REPORT

Bill No.: SB-59

Title: AN ACT REQUIRING A PLAN FOR BENEFICIAL USE DREDGING.

Vote Date: 3/14/2025

Vote Action: Joint Favorable

PH Date: 1/31/2025

File No.: 368

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SPONSORS OF BILL:

Sen. Somers, 18th Dist.

REASONS FOR BILL:

This bill establishes a plan to improve navigation in Connecticut's waterways and support wetland habitat by dredging sediment in the area and depositing at sites that would benefit from the material. The project looks to use dredging to support the depletion of sediment in wetland areas by studying the material removed and confirming that it is not contaminated. Both the removed sediment and the area considered must be examined to ensure that no harm would come from the process. The bill would provide a solution to rising sea levels but must be performed in a responsible manner to protect the ecosystem.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Connecticut Department of Energy & Environmental Protection (DEEP):

DEEP supports the intent of the bill but urges the committee to wait until the US Army Corps of Engineers (USACE) completes its ongoing project. USACE is conducting a study researching alternate systems of management of dredged material from Connecticut ports and harbors. The project aims to support commercial and recreational navigation by supplying sustainable options that are cost effective, environment friendly, and scientifically favored. DEEP requests that parties of interest assess the findings of the study before moving forward and additionally mentions that the agencies resources needed to execute the plan are unsatisfactory.

NATURE AND SOURCES OF SUPPORT:

Sen. Heather Somers:

Senator Somers states the benefits that the plan would offer for the environment, economy, sustainability, and resilience. The procedure of how the project would operate is laid out in the testimony, the first step being dredging, examination of sediment, and ensuring the material is aligned with regulations set by the EPA and US Army Corps of Engineers. Senator Somers briefly mentions false practices, acknowledging that the work that is being done in this bill specifically adheres to state and federal regulations.

Jake Dittes, Coastal Project Manager, Save the Sound:

Sarah C. Crosby, Director of Conservation and Policy, The Maritime Aquarium:

Jessica Cañizares, Director of Coastal Ecosystem Projects, CT Nature Conservancy

In combined testimony representing their respective agencies (all of which members of the Coast Restoration Coalition) offered support of S.B. 59 *with modification* (emphasis original). They talk about the benefits of dredging, while weaving in unintended impacts that it can have on natural systems. Sediment removed should be used as a resource; they suggest the dredged material be placed on salt marshes to enhance durability against rising sea levels. The soil should be examined for its value and suitability. The agencies stress that a plan for dredging should be carefully established and followed to ensure that more damage does not occur to the ecosystem.

Bill Lucey, Long Island Soundkeeper, Save the Sound

Mr. Lucey supports S.B. 59 but recommends that there be an element "that would request an inventory of sediment contamination within potential dredge sites." He highlights the importance of dredging as it is often needed to preserve the access to the area, but this process should be handled appropriately. Mr. Lucey recommends that the material be examined for contamination so other areas aren't put at risk in the process.

Robert Petzold, Legislative Chair, Connecticut Marine Trades Association

Mr. Petzold supports the bill as it addresses sediment removal that is often necessary for the safety and navigation of boats. Mr. Petzold focuses on the uses of the sediment, specifically how it could be a positive reinforcement for wetland areas and provide habitat benefits to the wildlife surrounding the site. He advocates for the listing of sites where the materials can be deposited, to make it clear where dredged sediment can be placed.

Jessica Izares, Director of Coastal Ecosystem Projects, The Nature Conservancy

Ms. Izares submitted testimony in support of the bill. In her comments she spoke on the fragile state that tidal marshes are in and how dredging could help rectify the damage that these areas have faced. The agency recommends the following be "considered 1) Leverage existing federal programs, including the United States Army Corps of Engineers' plan for 70% beneficial use of dredge materials from federal channels by 2030; 2) Engage stakeholders to identify beneficial use project sites as part of a framework of spatial planning and restoration targets; 3) Consider innovative funding mechanisms to incentivize and/or offset the cost of beneficial use compared with open water deposition; 4) Consider developing monitoring protocols to measure outcomes of beneficial use to evaluate effectiveness and increase what can be learned from beneficial use projects."

Victoria O'Neil, Director of Coastal Resilience for Connecticut and New York, National Audubon Society:

The National Audubon Society supports the bill and is supportive of efforts taken to protect wetlands as these areas have seen a decline in sediment. Although dredging disrupts the nearshore natural ecosystem, the Audubon Society recognizes the occasional necessity of the practice for navigation for economic activities as well as recreational and public safety purposes. Because of this impact, beneficial reuse can offset disruptions with beneficial gains elsewhere. With tidal wetlands at risk from climate change, prioritizing placing more material in the habitats that has faced reduction will help defend the site from the impacts of rising sea levels, and consequently, fundamentally supporting the health of the entire Long Island Sound ecosystem. The Audubon Society urges that dredging is done in a responsible, sustainable manner, preventing any negative impact it may have on the ecosystem and that DEEP operates with consideration of dredging studies conducted by other governmental agencies.

GENERAL COMMENTS:

Stephen Tobin, President and CEO, Cashman Dredging and Marine Contracting:

Cashman Dredging (Cashman) submitted commentary on the "beneficial uses" of dredge material but finds that the bill is limited in range as it names only wetlands for sediment applications without considering other options. Cashman has learned, through work on the Atlantic Coast, including Connecticut, that repurposing dredge material in other areas is a "critical component to the approval, funding, and success of water-dependent projects." Expanding the language to include an interpretation akin to the beneficial uses defined by the U.S. Army Corps of Engineers, which "cover(s) broad use categories ranging from fish and wildlife habitat development, to human recreation, to industrial/commercial uses." The language should be expanded so the study may incorporate other possible uses in which the material can be used. Cashman also offers to discuss the dredging issue further.

NATURE AND SOURCES OF OPPOSITION:

Samuel S. Gold, Executive Director, Lower Connecticut River Valley Council of Governments:

Mr. Gold testified in opposition of the bill because of the use of dredged material on wetlands. He questions if the impact will be positive and if it is there should be documentation presented that exemplifies the advantages of moving the sediment to wetland. Mr. Gold mentions the potential use of the sediment and how it can prove to have positive impact but does not agree with placing dredged material on wetland without science substantiate.

Reported by: Samantha Meyer

Date: 3/20/2025