



**STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF LONG ISLAND SOUND PROGRAMS**



November 6, 2000

Mr. John Burleson  
BRAC Environmental Coordinator  
Stratford Army Engine Plant  
550 Main St.  
Stratford, CT 06497

Subject: Comments on Final Engineering Evaluation/Cost Analysis for the Causeway and Dike, Stratford Army Engine Plant, Stratford, Connecticut USACE Contract No DACW33-94-D-0002  
Task Order No. 020 - Total Environmental Restoration Contract  
and  
Draft Causeway Non-time-critical Removal Action Decision Document, Stratford Army Engine Plant, Stratford Connecticut, September 28, 2000

Dear Mr. Burleson:

Thank you for the opportunity to review and comment on the documents noted above. We have reviewed them to identify issues that must be addressed during any subsequent review for consistency with the enforceable policies of Connecticut's federally approved coastal management program as set forth in the Connecticut Coastal Management Act [CCMA, Connecticut General Statutes (CGS) section 22a-90 through 22a-112]. We note that we commented on two prior drafts of the Engineering Evaluation/Cost Analysis (EE/CA) document: first, in a memo to Ken Feathers of this Department dated March 22, 2000 which was forwarded to you in a letter from Mr. Feathers dated March 31, 2000; and second, in a letter to you dated September 7, 2000. In addition, you and I have had several discussions regarding this project.

First, the issue of formal coastal consistency must be clarified since the public notice published by the Army indicates that you are requesting coastal consistency concurrence. However, as we have discussed, you have stated that this is not your intent at this time. The Army and this Office both recognize that the level of information currently available is insufficient to support a consistency determination. It is our understanding that such information will only become available as the project design progresses. Accordingly, we are taking this opportunity to reiterate the significant issues that must be addressed during the design phase of the project to ensure that ultimate implementation is consistent to the

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maximum extent practicable<sup>1</sup> with the enforceable policies of Connecticut's federally approved coastal management program. Our concerns are as follows.

Any alteration of the causeway must avoid both significant changes from current conditions as well as encroachment into the intertidal flat. If avoidance of either of these items is not possible, any changes and/or encroachment must be minimized to the maximum extent practicable and they must be clearly and adequately justified. Based on the understandably limited information available to date, there is no clear justification provided for either altering the angle and general makeup of the side slopes or enlarging the footprint of the causeway.

It is our understanding that the remedial solutions under consideration essentially consist of an "under barrier" and an "over cap" and that these components may, to some extent, be interchanged from one alternative to the other. The apparent ability to "mix and match" under barrier and over cap may prove especially useful in designing a project that is consistent to the maximum extent practicable with Connecticut's federally approved coastal management program. The selection of the appropriate under barrier to prevent contact with the contamination is not within OLISP's area of expertise and we defer to others to determine which under barrier is most appropriate. We are, however, concerned about the type of material used for the outermost layer(s) of the over cap, its placement on the causeway, the final overall configurations of these outermost project components and their potential to adversely impact sensitive coastal resources, such as the adjoining intertidal flat.

As noted above, in order to satisfy the enforceable policies of our coastal management program, the selected alternative must be designed to avoid any encroachment into the intertidal flat. In the EE/CA, the construction methodology of Alternative 1 is described in both the narrative and the corresponding figure as maintaining the location of the existing toe of slope through the excavation of the side slope and toe materials and their consolidation on top of the causeway prior to construction of the under barrier and cap. This is an appropriate approach to avoid encroachment into the intertidal flats which is consistent with the CCMA.

The preferred alternative (#4) involves placing a cap over the existing causeway and, as presented in the EE/CA, would result in significant encroachment into the intertidal flat. In light of the inclusion in the EE/CA of an alternative that maintains the existing footprint of the causeway, the preferred alternative is not acceptable from a coastal management perspective and Alternative 1 should be the selected alternative as it represents the least

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<sup>1</sup> When used in reference to federal coastal consistency, 'consistent to the maximum extent practicable' "describes the requirement for Federal activities including development projects directly affecting the coastal zone...to be fully consistent with such programs unless compliance is prohibited based upon the requirements of existing law applicable to the Federal agency's operations. If a Federal agency asserts that compliance with the management program is prohibited, it must clearly describe to the State agency the statutory provisions, legislative history, or other legal authority which limits the Federal agency's discretion to comply with the provisions of the management program" 15 Code of Federal Regulations 930.32.

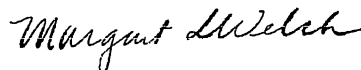
environmentally impacting alternative when the make-up and nature of the side slopes and the footprint of the causeway are considered.

If Alternative 4 remains the Army's preferred alternative, modifications must be made to eliminate, if possible, any encroachment beyond the existing location of the high tide line, mean high water, and mean low water. To this end, we strongly encourage the Army to investigate the potential to modify the construction methodology of this alternative by relocating existing side-slope material to the extent necessary to maintain the current causeway footprint as is outlined in the description of Alternative 1. If elimination of all encroachments is not possible, substantial and adequate justification must be given as to why any encroachment is consistent with the applicable coastal management policies.

To summarize, the ultimate project must be designed such that it: 1) will not result in degradation of sensitive coastal resources, including the intertidal flats present at this site; 2) is consistent with the enforceable policies and standards regarding the construction of shoreline flood and erosion control structures; and 3) minimizes horizontal encroachment into coastal waters (i.e., encroachment beyond the high tide line, mean high water and/or mean low water). Please be aware that the formal federal consistency review will require additional detailed information including: 1) drawings that depict the existing and proposed footprint of the causeway; 2) existing and proposed locations of the high tide line, mean high water and mean low water on all plans and cross sections; 3) calculations of the total volume of fill, if any, to be placed waterward of the high tide line, mean high water and mean low water; and 4) adequate justification for such fill.

We appreciate this opportunity to review and comment on the progress made to date on this project. We appreciate your continued close coordination with this Office and anticipate that it will continue during the refinement of the final design for this project. We strongly encourage you to either reconsider Alternative 1 as the preferred alternative or modify the methodology of construction of Alternative 4 as described above and develop a final design that does not include any encroachment into intertidal flats and/or coastal waters. Should you have any questions regarding this letter, or any other coastal management matter, or if I can be of further assistance, please do not hesitate to call me at 860.424.3034, send a fax to my attention at 860.424.4054 or an e-mail to [margaret.welch@po.state.ct.us](mailto:margaret.welch@po.state.ct.us).

Sincerely,



Margaret L. Welch  
Senior Coastal Planner

MLW/w

cc: Nelson Walter  
Ken Feathers