



**U.S. DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
**Office for Coastal Management**  
Silver Spring Metro Center, Building 4  
1305 East-West Highway  
Silver Spring, Maryland 20910

February 11, 2022

Brian Thompson, Director  
Office of Long Island Sound Programs  
Department of Energy and Environmental Protection  
79 Elm Street, 3<sup>rd</sup> Floor  
Hartford, Connecticut 06106-5127

Dear Mr. Thompson,

Thank you for the December 27, 2021, request for approval of a change to the Connecticut Coastal Management Program pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) regulations at 15 CFR part 923, subpart H.<sup>1</sup>

NOAA's Office for Coastal Management approves this change subject to the qualification noted below, and issues this decision.

NOAA's regulations require Connecticut to post this decision by the Office for Coastal Management for public notice on Connecticut's website.<sup>2</sup> The public notice should state that as of the date of this decision letter, the enforceable policies identified in the attached Table of Approved Changes shall be applicable in reviewing federal actions pursuant to the federal consistency requirements of the CZMA and its implementing regulations found at 15 CFR part 930.<sup>3</sup> Please send a copy of the public notice to the Office for Coastal Management for our records to close out this file.

### **PUBLIC AND FEDERAL AGENCY COMMENTS**

The Office for Coastal Management received eight comments on this program change submission. All commenters expressed their support for the Blue Plan and its incorporation into Connecticut's Coastal Management Program.

### **CHANGES APPROVED**

See the attached Table of Approved Changes to the Connecticut Coastal Management Program.

<sup>1</sup> This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H (84 Federal Register (FR) 38118 (Aug. 6, 2019)). The Office for Coastal Management's decision due date was January 26, 2022, subject to extension. The Office for Coastal Management extended its review of this program change request to February 11, 2022.

<sup>2</sup> 15 CFR § 923.81(e)(5).

<sup>3</sup> 15 CFR § 923.81(f).

## **QUALIFICATION**

As a standard qualification applying to all program changes, states may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for CZMA federal consistency review purposes unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

Thank you for your cooperation in this review. Please contact Allison Castellan at 202-596-5039, if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, CT-2021-1.

Sincerely,

A handwritten signature in black ink, appearing to read "Joelle Gore", with a long horizontal flourish extending to the right.

Joelle Gore, Chief  
Stewardship Division

Attachment: Table of Approved Changes CT-2021-1

**TABLE OF APPROVED CHANGES TO THE CONNECTICUT COASTAL MANAGEMENT PROGRAM (CT-2022-1)**

Please reference the Office for Coastal Management February 11, 2022 decision letter for clarifications, exceptions and qualifications pertaining to this approval.

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state	Enforceable policy	Enforceable mechanism citation
Appendix 1 Part I Sound Wide Policies Policy 1	Avoidance of adverse impacts	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 2	Climate change	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 3	Preservation of Public Trust	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 3.a	Avoid use conflicts	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 3.b	Minimize structures	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 3.c	New Non-waterdependent uses	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 3.d	Artificial habitats	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

Appendix 1 Part I Sound Wide Policies Policy 3.e	Cross-Sound Transportation Infrastructure	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 3.f	Flood Protection structures	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 4	Landscape Vista Protection	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 4.a	Artificial Illumination	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part I Sound Wide Policies Policy 4.b	Visual Impact Analysis	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part II ESA and SHUA Policies General Policies Applicable to All ESAs and SHUAs Policy 1	Maintain Resource Capability	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part II ESA and SHUA Policies General Policies Applicable to All ESAs and SHUAs Policy 2	Maintain ESA and SHUA Values	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part II ESA and SHUA Policies General Policies Applicable to All ESAs and SHUAs Policy 2.a	No Significant Adverse Impacts	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

Appendix 1 Part II ESA and SHUA Policies General Policies Applicable to All ESAs and SHUAs Policy 2.b	No Feasible Alternatives and Mitigation	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIa Siting and Performance Standards for ESAs 1. Areas with rare, sensitive or vulnerable species, communities, or habitats Policy 1.1	Hard bottom and complex sea floor	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIa Siting and Performance Standards for ESAs 1. Areas with rare, sensitive or vulnerable species, communities, or habitats Policy 1.2	Submerged aquatic vegetation	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIa Siting and Performance Standards for ESAs 1. Areas with rare, sensitive or vulnerable species, communities, or habitats Policy 1.3	Endangered Species	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIa Siting and Performance Standards for ESAs 1. Areas with rare, sensitive or vulnerable species, communities, or habitats Policy 1.4	Cold water corals	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIa Siting and Performance Standards for ESAs 1. Areas with rare, sensitive or vulnerable species, communities, or habitats Policy 1.5	Coastal wetlands	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.1</p>	Cetaceans	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.2</p>	Pinnipeds	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.3</p>	Sea Turtles and other Reptiles	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.4</p>	Birds	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.5</p>	<p>Fish</p>	<p>New</p>	<p>5/14/2021</p>	<p>Yes</p>	<p>CGS Sec. 25-157t(h)</p>
<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.6</p>	<p>Mobile Invertebrates</p>	<p>New</p>	<p>5/14/2021</p>	<p>Yes</p>	<p>CGS Sec. 25-157t(h)</p>
<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.7</p>	<p>Sessile molluskdominated communities</p>	<p>New</p>	<p>5/14/2021</p>	<p>Yes</p>	<p>CGS Sec. 25-157t(h)</p>
<p>Appendix 1 Part IIa Siting and Performance Standards for ESAs 2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.8</p>	<p>Managed Shellfish Beds</p>	<p>New</p>	<p>5/14/2021</p>	<p>Yes</p>	<p>CGS Sec. 25-157t(h)</p>

<p>Appendix 1 Part IIa</p> <p>Siting and Performance Standards for ESAs</p> <p>2. Areas of high natural productivity (HNP), biological persistence, diversity, and abundance, including areas important for supporting or exhibiting such features, relative to these characteristics or species Policy 2.9</p>	Soft-bottom benthic communities	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIb</p> <p>Siting and Performance Standards for SHUAs</p> <p>3. Areas with features of historical, cultural or educational significance</p> <p>Policy 3.1</p>	Lighthouses and other offshore historic buildings	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIb</p> <p>Siting and Performance Standards for SHUAs</p> <p>3. Areas with features of historical, cultural or educational significance</p> <p>Policy 3.2</p>	Shipwrecks	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIb</p> <p>Siting and Performance Standards for SHUAs</p> <p>3. Areas with features of historical, cultural or educational significance</p> <p>Policy 3.3</p>	Archaeologically significant and other sensitive submerged sites	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
<p>Appendix 1 Part IIb</p> <p>Siting and Performance Standards for SHUAs</p> <p>3. Areas with features of historical, cultural or educational significance</p> <p>Policy 3.4</p>	Research, education and monitoring areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)



Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.1	Sailing and Rowing Races	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.2	Marine Events	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.3	High Activity Recreational Boating Areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.4	Mooring and Anchorage Areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.5	Marinas, Boat Launches, and Yacht Clubs	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.6	Waterfowl Hunting	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas of substantial recreational and/or “quality of life” value Policy 4.7	Dive Sites	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 4. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.1	Working Waterfronts	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.2	Designated Navigation Channels	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.3	Commercial anchorage areas, security zones, other designated areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.4	Areas of Lightering Activity	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.5	Vessel Traffic Areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.6	Active Dredged Material Disposal Areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.7	Historic/Closed Dredged Material Disposal Areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.8	Cables, Pipelines and cable/pipeline Areas	New	5/14/2021	Yes	CGS Sec. 25-157t(h)

Appendix 1 Part IIb Siting and Performance Standards for SHUAs 5. Areas important for navigation, transportation, military, infrastructure, and economic activities Policy 5.9	Coastal Energy Generating and Transmission Facilities	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 6. Areas important to fishing and aquaculture Policy 6.1	Recreational Fishing	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 6. Areas important to fishing and aquaculture Policy 6.2	Commercial Fishing	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 6. Areas important to fishing and aquaculture Policy 6.3	Charter & Party Boat Fishing	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 6. Areas important to fishing and aquaculture Policy 6.4	Recreational Shellfish	New	5/14/2021	Yes	CGS Sec. 25-157t(h)
Appendix 1 Part IIb Siting and Performance Standards for SHUAs 6. Areas important to fishing and aquaculture Policy 6.5	Commercial Aquaculture	New	5/14/2021	Yes	CGS Sec. 25-157t(h)