



STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

ANDREW M. CUOMO
GOVERNOR

August 4, 2016

President Barack H. Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Ms. Regina McCarthy, Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Mr. H. Curtis Spalding, Regional Administrator
Environmental Protection Agency
1 Congress Street, Suite 1100
Boston, MA 02114-2023

Dear President Obama, Administrator McCarthy, and Regional Administrator Spalding:

This letter provides notice that, on behalf of the people of the State of New York, and with the full support of more than twenty-five Federal, State, and local elected officials signing onto this letter, I intend to initiate legal action against United States Environmental Protection Agency (EPA) challenging any final rule designating permanent disposal sites in eastern Long Island Sound, and the State will additionally seek to enjoin any further dumping in eastern Long Island Sound that may be permitted pursuant to the final rule.

As prior comments and correspondence submitted by New York State have made clear, the State has for decades opposed the unabated dumping of dredged materials in Long Island Sound, and specifically objects to the designation of any additional permanent disposal sites in Long Island Sound. In keeping with the State's past positions, I will not accede to any plan that includes the disposal of this material in the eastern portion of Long Island Sound.

In joint comments submitted on July 18, 2016, the New York State Department of State and the New York State Department of Environmental Conservation laid out the State's concerns with the EPA's proposed designations. Chief among these concerns is that that designation of an eastern Long Island Sound disposal site is not necessary, and may further impede progress

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toward the stated goal to reduce or eliminate open water disposal in the Long Island Sound, a fundamental component of the rule. EPA and the Army Corps of Engineers are incorrectly seeking to justify an eastern Long Island Sound dredged material disposal site based on the assertion that there is inadequate capacity at the Western Long Island Sound, Central Long Island Sound and Rhode Island Sound disposal sites. New York State's review of these estimates demonstrates that this conclusion is wrong.

If EPA ignores New York's objections and finalizes its rule to permanently designate an open water disposal site in eastern Long Island Sound, I will take all necessary steps to challenge the rule and stop it from being implemented.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew M. Cuomo". The signature is stylized with large, sweeping letters and a prominent flourish at the end.

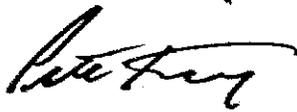
ANDREW M. CUOMO

NEW YORK STATE ELECTED OFFICIALS IN OPPOSITION TO THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY'S DREDGED MATERIAL MANAGEMENT PLAN

The following duly elected officials of the State of New York concur in the letter of Governor Andrew M. Cuomo dated August 4, 2016



Lee Zeldin
1st Congressional District



Peter T. King
2nd Congressional District



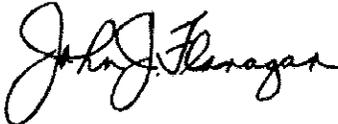
Steven J. Israel
3rd Congressional District



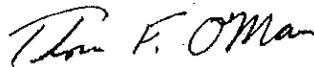
Kathleen M. Rice
4th Congressional District



Sean Patrick Maloney
18th Congressional District



John J. Flanagan
2nd Senate District



Thomas O'Mara
58th Senate District



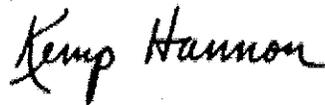
Carl L. Marcellino
5th Senate District



Kenneth P. LaValle
1st Senate District



Jack M. Martins
6th Senate District



Kemp Hannon
9th Senate District



Phil Boyle
4th Senate District



Thomas D. Croci
3rd Senate District



Michael Venditto
8th Senate District

Todd Kaminsky
7th Senate District

Steve Englebright
4th Assembly District

Edward P. Ra
19th Assembly District

Michelle Schimel
16th Assembly District

Andrew P. Raia
12th Assembly District

Michael J. Fitzpatrick
8th Assembly District

Fred W. Thiele, Jr.
1st Assembly District

Brian Curran
21st Assembly District

Amy Paulin
88th Assembly District

Tom McKeivitt
17th Assembly District

Michaelle C. Solages
22nd Assembly District

David Buchwald
93rd Assembly District

Joseph S. Saladino
9th Assembly District

Dean Murray
3rd Assembly District

Charles D. Lavine
13th Assembly District

David G. McDonough
14th Assembly District

Phil Ramos
6th Assembly District

Steven Bellone
Suffolk County Executive