

**CONNECTICUT MARITIME COMMISSION (CTMC)  
REPORT OF MEETING (Mtg. #08-7)  
16 July 2008**

**Location of Meeting:** South Central Regional Council of Governments  
North Haven, CT

**Attendance:**

**Commissioners**

***Present***

Chuck Beck (for Commissioner Marie)  
Vincent Cashin  
Sue Decina (for Commissioner McDonald)  
Tom Dubno  
Judy Gott  
G.L. "Doc" Gunther  
Joseph P. Maco (for TSB Chair Kelleher)  
Larry Miller  
Joe Riccio  
Martin Toyen  
George Wisker (for Commissioner McCarthy)

***Absent***

John Johnson  
David Shuda  
Phil Smith (for Secretary Genuario)  
John Wronowski

**Guests**

Sharon Bender	John Crowther	David Giordano	Ralph Gogliettino	Bob Hammersley
Steve Hayes	Jim Hunicke	Jeff Kateley	Mike Ludwig	Kevin Oditt
Dave Rossiter	Joe Salvatore	Joel Severance	Bill Spicer	Alan Stevens
Brian Thompson	Fred Walters	Kurt Walton		

**I. Call to Order:**

- The Chair, Marty Toyen, opened the meeting at 9:36. A quorum was present.

**II. Review of Meeting Minutes:**

- The minutes of the 18 June 2008 were reviewed. A motion was made by Tom Dubno seconded by Vin Cashin to approve. Motion approved by unanimous vote. Doc Gunther raised the issues of a verbatim transcript and was reminded that it is not required nor if the CTMC funded for such a service.

**III Discussion Open to Public**

- Sharon Bender of the Stannard Beach Association in Westbrook provided information on the beach erosion problem the Association is has been addressing. The beach is in need for annual nourishment due to the wave/current actions. Scouring of the beach is threatening the seawall. Septic systems are located just inland of the seawall which if breached could present an environmental problem to Long Island Sound. Groins and additional break walls are being considered. Upon questioning Ms Bender stated that North Cove is just around the corner. George Wisker stated that the North Cove material is not the right grain size for beach nourishment (mud). Ms Bender stated that an adjacent beach (little Stannard) has just the opposite problem; sand being piled up by the waves/currents. Problem is funding. Suggestions were offered by members of the CTMC ranging from contacting state legislators, and a former Commissioner of the Dept of Environmental Protection (Sid Holbrook). Marty Toyen requested that Ms Bender request CTMC support in writing.

Fred Walters of Greenwich reported that only one company (Cashman) had bid on a dredging project in Greenwich. Dredging companies were apparently reluctant to submit bids because of the performance and bid bonds required on municipal projects. The project includes removing approximately 19K cubic yards of material to be disposed at Central Long Island Sound (CLIS disposal area and another 3.9K of material to be disposed upland. The cost per cubic yard ranged from \$55.50 to \$71 depending on the quality of the material and disposal method. Mr. Walters addressed questions asked about the adjacent federal channel, transient anchorages and method of transporting the dredged materials.

#### IV Old Business:

- Dredging Update
  - Norwalk/North Cove Dredging Projects – Joe Salvatore reported that the finishing touches are being put on the North Cove dredging project bid package by the ACOE. The bid package should be out by the end of next week (7/25/08). The ACOE and City of Norwalk have signed the Memorandum of Agreement (MOA) needed to transfer state/local funds to the ACOE. The /Norwalk dredging project should be out for bid a week after North Cove (8/1/08). George Wisker stated that the \$1M bond being provided to Norwalk for the project should clear CORE-CT by end of next week (7/25/08). Norwalk has added \$500K of its own funding. Doc Gunther stated that he could not understand why material needs to be shipped from North Cove to CLIS to cap the North Cove material when there was plenty of clean sand that needs to be dredged from the Housatonic which is much closer. It was explained that the unlike the North Cove project, the Housatonic project is not a funded project at this time.
  - DMMP - Joe Salvatore provided an update on the Long Island Sound Dredge Material Management Plan (LIS DMMP). The questionnaire was distributed last week by Battelle, a contractor to the ACOR. Additionally Chuck Beck had electronically distributed the questionnaire to numerous organizations asking that they distribute it to their respective membership. Thus, there is pretty much blanket coverage. He did recommend that organizations within a particular harbor/port coordinate their responses. Doc Gunther expressed some concerns about the questionnaire relative to the State's inputs and the availability of the information collected by the previous questionnaire. He also questioned whether or not towns up the various rivers in CT would have a chance to complete the questionnaire.

Joe Salvatore stated that the bids for the Rocky Hill-Glastonbury Ferry dredging project would be opened in the afternoon. The project is small (4,000 cubic yards) and also includes some repairs to the landings on both sides of the River. Vince Cashin inquired about whether or not the power plant on the CT River had ever provided the data on shipping costs for fuel promised at a previous meeting. They have not. Joel Severance inquired as to who would oversee the dredging survey for the entire length of the CT River vs the individual harbors. Joe Salvatore stated that the ACOE had conducted a report recently and that he was working with the ACOE on a CT River plan.

Marty Toyen asked about the status of the Urban Act bond request that would provide state funding to Norwalk to cover the gap between actual cost and the amount of Federal funding provided. Chuck Beck stated that the Bureau of Aviation and Ports had resubmitted the request but that he could not comment as to whether the request had been forwarded by CONNDOT to OPM. In response to being asked when the Bond Commission agenda would be posted, Bob Hammersley stated by law it is required to be posted 5 days prior to the Bond Commission meeting. It was determined that the Bond Commission is scheduled to meet on the last Friday of the month (25 July). Judy Gott made a motion that the CTMC correspond with the new CONNDOT Commissioner and request his support to get the Urban Act request out of the Department and on the Bond Commission agenda. The motion was seconded by Doc Gunther and after some additional discussion passed with 9 yeas, 0 nays and 2 abstentions.

Joe Maco inquired about the State or the CTMC establishing a "strategy for dredging" as a prototype for other states to follow. The prototype would look to improve/streamline the permitting process, coordinate private/state/federal dredging projects and funding sources. Joe was reminded that the CTMC had already agreed on a "strategy" that included many of the elements mentioned (the Maritime Policy, the list of dredging projects throughout the state, the recently passed Harbor Improvement legislation, attempts to get state funds released, etc).

Marty Toyen introduced a letter that he drafted, signed and sent to Secretary Genuario of OPM. He apologized for sending the letter without vetting it among the CTMC members. It was his intent to do so but he failed to tell his secretary to hold the letter thus, it was mailed. The letter once again requested better participation of OPM at CTMC meetings in terms stronger than a previous letter sent last year. Doc Gunther made a motion to retroactively approve sending the letter which was seconded by Vince Cashin. The motion carried: 6 yeas, 1 nay (Gott) and 4 abstentions.

Doc Gunther complemented decision to include the Harbor Maintenance Tax Fund articles in the meeting package specifically, the articles on an attempt to get Congress to use the funds for the intended purpose. After a few comments, discussion was put on hold since the HMT Fund was on the agenda under New Business.

- Prioritization of Projects – Discussion was deferred to the next meeting.
- CDR Kevin Oditt provided an update on the Long Island Sound Area Maritime Security Committee (LIS AMSC). He focused on the Transportation Workers Identification Credential (TWIC) card program. All licensed mariners must obtain their TWIC card NLT 15 April 2009. It is anticipated that facilities covered under the Maritime Transportation Security Act (MTSA) will need to be compliant by January 2009.
- CDR Oditt provided an update on the Long Island Sound Harbor Safety Committee (LIS HSC). A telephonic meeting was conducted on 9 July. Topics included establishing/codifying new anchorages and liting areas in LIS. A presentation of the anchorages will be made at the August CTMC meeting. A heavy weather advisory group has been established as a sub-committee and met once. A heavy weather plan previously drafted was reviewed/up-dated and will be posted soon on CG Sector LIS web page. Doc Gunther requested a hardcopy. Joel Severance compliments the CG on the recent full scale hazardous material spill exercise conducted in New Haven Harbor. Judy Gott asked whether the New Haven Special Hazards (NASH) team was involved and was told that they had been invited but declined.
- Thames River Amtrak Bridge – CDR Oditt reported that the lift bridge that replaced the Bascule bridge is now in full operation to 75 feet until Friday 18 July then to the full 135 feet. Only USCGC EAGLE needs more than 75 feet clearance.

#### **V New Business:**

- Harbor Maintenance Tax Fund – As previously stated above, article on the HMFT were part of the pre-meeting handouts. Joe Riccio stated that various maritime organizations are pressing Congress to use the HMFT or at least a percentage of it on maintenance dredging projects. The legislation that created the HMFT did not have a "fire wall" thus, Congress and the Administration have been using the multi-billion dollar fund as a deficit offset vs distributing the money for dredging and harbor improvement projects. Doc Gunther stated the he noted that there are no New England states mentioned being involved in the dialog. He suggested that the CTMC contact Congresswoman DeLauro who is on the Finance Committee. There was additional discussion on how the HMT is collected, on what, for what purpose and the amount of the CT contribution.

- Facility Security Plan (FSP) Funding – Joe Riccio introduced an article in the meeting package concerning a shift in who will be responsible for paying for requirements of the FSP at marine facilities. Joe introduced Ralph Gogliettino who provided the history and possible changes to the legislation. The changes to the legislation, which have passed the House and is now in the Senate, would restrict charging crew members and ship owners for services provided by the marine terminals. Thus, the terminals will have to burden the expenses associated with complying with the MTSA. David Giordano, an associate of Ralph's stated that the legislation is hung up in the FY 2008 Coast Guard Reauthorization Act. Attempts are being made to insert specific language to protect the facilities and asked for support from the CTMC. There was considerable discussion about the MTSA requirements, the degree that each facility goes to comply, the CG screening process for foreign flag vessel and international crews, and other points. Joe Riccio made a motion to have the CTMC send a letter of support to Congress. Doc Gunther provided a second. The motion carried; 10 yeas, 0 nays and 1 abstention.
- Harbor Management Commission Presentations
  - Old Saybrook was invited but could not attend.
  - Clinton Harbor – Mr. Steven Hayes provided information on the need to dredge Clinton Harbor. He stated that approximately 200K cubic yards of sand will be removed from the channel and pumped onto Hammonasset Beach. There is some additional dredging that needs to be done but as private projects; marinas. Issues that Clinton has had to deal with include obtaining permits, federal funding and the narrow dredging season window. Clinton had a \$1.5M federal earmark but it was scrubbed before materializing. Doc Gunther raised the issue of using sand from the Housatonic River for Hammonasset but was reminded that the Housatonic dredging is not a funded project or on the ACOE project list at this time. Mr. Hayes stated that the project dimensions of the channel are 100 feet wide by 8 feet deep but currently restricted to 60 feet wide by 4 feet deep by shoaling. The channel is a river that meanders. The last major dredge was in 1984 with a minor (2,100 cubic yard) maintenance dredge conducted in 1997.

Jeff Kateley (CT Dredge Company) provided information on his company as one of a few small, local dredgers in CT. He presented the idea of the State financially backing a dredger (\$5-8M) aimed specifically at small harbor work that would mine sand from the channels and distribute the sand on beaches that need to be nourished. The work would be done on a routine fixed schedule. Who would pay for the cost of dredging was not discussed. Marty Toyen directed Mr. Kateley to speak to Sue Decina (DECD).

Larry Miller stated that he had conducted an internet search on the CTMC and could only find a 2000 report on the former CT Port Authority. He questioned how the CTMC could operate without a mater plan. He recommended that the CTMC initiate a campaign to educate the CT legislators and State agency leaders on the importance of dredging the State's harbors and waterways and the purpose of the CTMC. Marty Toyen provided a summary of what the CTMC had accomplished since its inception in 2005 (Mission Statement, Maritime Policy document, Harbor Improvement legislation passed (though without funding), dredging project list generated, etc. He opined that obtaining funding from any source for dredging projects was the key.

- Westbrook – Mr. James Hunicke interjected himself to get back to the agenda; i.e. his presentation. He stated that Westbrook is the smallest town on the CT shore but has the second largest number of recreational boats. Westbrook has asked for a Congressional earmark but it has yet to materialize. The ACOE has conducted a pre-dredge survey. An adjacent beach, Grove Beach, is in need of nourishment thus provides a local disposal area. A small emergency dredge of the harbor entrance (1,700 of required 6,000 cubic yards) was conducted in the spring thanks to swift action by CT DEP on providing a permit. The cost (\$126K) was covered by a special town financed emergency dredging fund created by annual set-asides of a portion of boat registration fees. Most of that fund

has been spent on the hydraulic dredging project and the attendant extra work that followed since the hydraulic dredge (Mud Cat with 8" pipe) was inadequate for the task. The hydraulic dredge was able to put 1,700 of the planned 6,000 cubic yards onto the adjacent private Grove Point Beach. Another 2,500 cubic yards of material was dredged from the entrance channel and disposed of at Cornfield Shoal using a clamshell/barge. The channel is currently 60 ft wide by 7 ft deep instead of the authorized 125 x 8ft. It was stated that a Mud Cat is not good with sand, only silt. A point made is that the hydraulic dredging was more costly than clamshell and that if beach nourishment is the future, then the private beaches should be expected to bear the additional costs.

- **ERRATA**

- Marty Toyen raised the issue of meeting with the CT Congressional Delegation (CODEL) staffers as the CTMC did the year before. The purpose of the meeting would be to push for federal funding possibly from the HMTF as discussed earlier. He suggested that the attendance of the meeting be limited in order to allow an open dialog. Vincent Cashin agreed with the idea. Judy Gott recommended that the meeting with the CODEL staffers be public but to wait until after the November elections. Others disagreed stating that the meeting needed to be held as soon as possible and limited as recommended by the Chair. Doc Gunther suggested that the CODEL staffers be invited to the regularly scheduled September CTMC meeting.
- Doc Gunther made a comment concerning Broadwater and read a quote from the Coast Guard Press Release dated 25 June, 2008 that had been distributed as part of the meeting handout package. Specifically, Doc Gunther took issue with a statement in the press release on the CG's needs to obtain information from the National Marine Fisheries Service (NMFS) and the Fish and Wildlife Service (FWS) that would result in a finding of "would not be likely to adversely affect Federally-listed species as the impacts would likely be insignificant or discountable". It was Doc's contention that that information is already known. CDR Kevin Oditt clarified the statement in the press release. The CG's recommendation that the waterway is not currently suitable, but can be made suitable for LNG traffic if the risk mitigation measures detailed in the Water Suitability Report (WSR) are implemented. This recommendation is contingent upon some issues that are outside of the CG's control such as completion of the Endangered Species Act consultation with NMFS and FWS. In other words, the CG is needs a written statement/report from NMFS and FWS.
- Doc Gunther referenced another article provided as part of the meeting handout package that covered an oyster bed issue in Bridgeport harbor and the possible conflict with a marina development. He then made a comment about the Bridgeport-Port Jefferson Ferry and suggested that they be invited to make a presentation to the CTMC. Marty Toyen stated that Fred Hall of the B-PJ Ferry had been invited on more than one occasion to present to the CTMC and had declined each time. Doc Gunther then asked about the rumors about moves to dissolve the Bridgeport Port Authority. Joe Riccio provided a short summary of reasoning behind recent moves by some City officials and councilmen to dissolve the Authority.

## **VI Date of Next Meeting:**

- It was announced that the next meeting of the CTMC would be at the Bridgeport Regional Vocational Aquaculture School. Contrary to what was stated, the next meeting of the CTMC is scheduled at 9:30 AM Wednesday 20 August 2008 at the CONNDOT HQ building in Newington, CT because the School is closed in August for vacation.
- **Adjournment:**

A motion was made by Joe Riccio seconded by Tom Dubno and approved unanimously to adjourn. The meeting ended at 11:36 AM.