

**CONNECTICUT MARITIME COMMISSION (CTMC)
REPORT OF MEETING (Mtg. #08-10)
15 October 2008**

Location of Meeting: Fort Trumbull Conference Center
New London, CT

Attendance:

Commissioners

Present

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

Absent

Robert Genuario
Martin Toyen

Guests

Bill Gash Dave Rossiter Joe Salvatore Bill Spicer Brian Thompson
Fred Walters Kurt Walton Grant Westerson

I. Call to Order:

- The Vice-Chair, Joe Riccio, opened the meeting at 9:34 AM. A quorum of 13 was present.

II. Review of Meeting Minutes:

- The minutes of the 17 September 2008 meeting were reviewed. A motion was made by Judy Gott and seconded by Tom Dubno to approve. The motion was approved by unanimous vote.

III Discussion Open to Public

- No comments were offered.

IV Old Business:

- Dredging Update
 - North Cove Dredging Project – Joe Salvatore reported that the pre-construction meeting was conducted. The low bidder was Burnham Associates at a cost of \$4.058338M. The project is expected to start mid to late October and be completed by April 2009. The last 75K cu yds of material will be left until the end to be able to provide the capping material for the Norwalk project.
 - Norwalk Dredging Project – The project cost has been set at \$5.603 with a start date of 22 October 2008. The work needs to be completed by February 2009.
 - Through coordination among the various dredging project consultants, DOT, DEP and the ACOE, as many as 13 municipal and private dredging projects previously on hold due to a lack of capping material will be conducted during the winter dredging

- season. The dredge materials from the projects will fit under the capping material associated with the Norwalk and North Cove projects.
- Due to an error in the original RFP, the Rocky Hill-Glastonbury Ferry dredging and slip improvement project had to be re-solicited. The low bid was by Guerrera Construction at \$1.493M. Work should begin in Nov 2008.
 - LIS DMMP - Joe Salvatore reported that the data from the questionnaires distributed and returned were being entered in the data base by the contractor. In response to a question from Doc Gunther, it was stated that the percentage number of returns was not known at this time but would be soon
 - Joe Maco inquired about the scope and time table of dredging at the State Pier facility in New London. Chuck Beck stated that funding had been set aside to conduct sampling of the materials and that a sample plan was close to being completed by the DOT Environmental Compliance unit in consultation with the ACOE. With respect to the scope, Beck responded that the answer he had given to Maco several times before had not changed. Money not an issue the entire State Pier facility (State Pier, Quay Wall, CVRR Pier) would be dredged including the approaches to both sides of the State Pier. It was further stated that the overall dredging plan had been prioritized to fit the amount of funding available once the funding becomes available. Lastly, it was stated that if the dredging of the State Pier facility was to be completed in the next 3-5 years that would be considered a success.
 - John Johnson inquired as to why the Essex marinas projects were not part of the present coordination plan. Joe Salvatore responded that he had kept the Essex group advised along the way but that they had not taken the necessary steps to change their respective permits for disposal of the materials at CLIS disposal site vs. New London.
 - Tom Dubno reported that PSEG and Magellan were both going to do some dredging within the next couple of weeks and wondered if they were aware of the coordinated plan. Joe Salvatore responded that they had been kept in the loop as was the consultant, Triton Marine. He further stated that the two projects still had a window of opportunity to join the coordinated plan but that it was closing rapidly. Tom asked about the future Gateway dredging project relative to the coordinated list but was informed that the coordinated list was for the CLIS site and Norwalk capping, neither of which applied to the Gateway project.
 - Doc Gunther asked if any effort had been made to quantify the amount of capping material (clean dredge materials). A follow-up question had to do with classifying all of the materials of all of the potential CT dredging projects. The short answer was no because there was no funding to conduct such a broad scope "sampling" project. A longer discussion ensued on how projects were initiated, permitted, funded and executed. There was an additional discussion on the length of time (2-3 months) and costs of conducting biological testing, the dredge material quantities that required additional biological tests (over 25K cubic yards), the purpose of biological testing (anthropogenic materials determination), the need and effort to obtain dredging funding out of the Harbor Maintenance Tax Fund (discussions with the CT CODEL staff), the possibility of obtaining an exemption to the Ambro Amendment (covered by the 25 K limit) and the possibility of changing the law (repeal Ambro).
 - A question was asked about the status of the CTMC letter sent to the CT Attorney General's office concerning the eastern boundary of LIS and a CZM issue. Chuck Beck stated that he was aware the Assistant AG in the Bureau of Aviation and Ports had been tasked with researching the boundary line issue and that the CZM issue was being staffed by the Assistant AG assigned to environmental issues.
- Nobody from Coast Guard Sector Long Island Sound (CGSECLIS) was present to provide an update on the Long Island Sound Area Maritime Security Committee (LIS AMSC). Chuck Beck provided a summary of the meeting held on 30 September 2008 at the Mashantucket-Pequot Research Center and Museum. The bulk of the meeting was a presentation by the

DHS Asst Secretary Martinez-Fonts on Private Sector involvement. During the normal business session of the meeting and update on the Transportation Workers Identification Credential (TWIC) card program was provided.

- Chuck Beck also provided a quick update on the Long Island Sound Harbor Safety Committee (LIS HSC) stating that a heavy weather advisory group had been established as a sub-committee to the LIS HSC. He also stated that the next meeting of the LIS HSC will be in November 5th. Doc Gunther asked a question about the proposed anchorage and littering areas being proposed by the CG, a presentation that was made at the 17 September meeting. Doc asked if DEP had cleared the proposed areas relative to shell fish beds. George Wisker explained that the process to establish the zones had taken place over several years, involving public notice, meetings with interested parties like fishermen, involvement of the National Marine Fisheries Service and the CT Dept of Agriculture. Vin Cashin validated that the fishing industry had been engaged in the process and that fishing in the zones would not be precluded though fixed gear might be at risk. Doc Gunther asked if there were any charts that depicted the anchorage and littering zones. He was reminded that chartlets were part of the 17 September meeting package but that he would be sent another set. Tom Dubno asked Chuck Beck if it would be possible to distribute copies of the minutes of LIS AMSC and LIS HSC meetings to the CTMC members. Beck will provide.

V New Business:

- Attendance – As requested at the 17 September meeting, the perceived need to incorporate a meeting attendance requirement was discussed as an agenda item. Doc Gunther stated that the state statute needed to be changed to allow for consequences should a member of the CTMC have repetitive unexcused absences. Judy Gott stated that changing the statute in such a manner was a non-starter. Tom Dubno stated that the CTMC Chairman should call or send a letter to the repeat offender with a copy to the appointing authority. Doc asked about allowing all appointed members to send a proxy if the appointed member could not make a meeting. It was pointed out that only the state agency members were allowed to appoint a designee. Doc asked about the continued absence of the OPM designee to the CTMC. He was reminded of the July 18 2008 OPM letter reply to the CTMC on the issue that stated that the Secretary had never appointed a designee. There was some additional discussion about empowering the Chairman to use the telephone to place truants on report with their appointing authority on a case by case basis.
- CTMC Meetings for Calendar Year 2009 – Chuck Beck had provided a draft schedule of CTMC meetings for calendar year 2009 prior to the meeting. Judy Gott opened the comments by making a motion to adopt the draft schedule. John Johnson proved a second. During the discussion Doc Gunther stated that a reservation had not been made nor cancelled the last time the CTMC was scheduled to meet at the Bridgeport Aquaculture School. He further stated that he did not like traveling to Newington to the CONNDOT HQ building for meetings and that the CTMC meetings should always be on the waterfront. Chuck Beck provided an explanation on how the draft was constructed; rotation among four sites from Newington to New London to North Haven to Bridgeport. Since the CTMC has had to cancel the August meeting scheduled for the Aquaculture School the last two years due to a lack of a quorum, the draft has not scheduled a meeting for August 2009. Also the North Haven location is not available in November so the Bridgeport Aquaculture School was inserted. Lastly, holding the Annual Meeting in December at the CONNDOT HQ building in Newington increases the possibility of having the state agency Commissioner's attend. There was additional discussion about the recent CT Maritime Coalition decision to move their monthly meeting around and the CT Pilot Commission decision to hold all of the 2009 meetings at CG Sector LIS in New Haven. It was stated that the People's Bank in Bridgeport could be arranged as a substitute location for the Aquaculture School. A vote was taken on the motion to adopt the draft 2009 schedule resulting in 12 yeas and one no. The motion

carried.

- ERRATA – Joe Maco reminded all about the National Association of Port Authorities (NAPA) meeting being held on 7-9 December 2008 at Port Canaveral, FL. He also brought attention to the recent Right Whales Avoidance regulations that could impact the cruise ship and other cargo ship business in New England. Brian Thompson of CT DEP stated the regulation was under review for coastal consistency.

Doc Gunther inquired about future Harbor Commission presentations opining that the next time a meeting was held at Fort Trumbull the Thames River Commission should be invited and the next time a meeting was held in North Haven the CT River Commission should be invited.

Chuck Beck inquired if the CTMC members want to send a letter of invitation to the annual meeting to the State Agency Commissioner like was done last year and all agreed.

Fred Walters of Greenwich provide a statement of congratulations and thanks to Joe Salvatore, George Wisker and Chuck Beck for their efforts in coordinating the municipal and private dredging projects with the two federal projects. He also stated that Greenwich did have transient docks, a response to a question raised by Doc Gunther at the September meeting.

VI Date of Next Meeting:

- It was announced that the next meeting of the CTMC would be at the Bridgeport Aquaculture School at 9:30 AM Wednesday 19 November 2008

VII Adjournment:

A motion was made by Tom Dubno seconded by George Wisker and approved unanimously to adjourn. The meeting ended at 10:28 AM.