

**CONNECTICUT MARITIME COMMISSION (CTMC)**  
**REPORT OF MEETING (Mtg. #02-10)**  
**17 February 2010**

**Location of Meeting:** Fort Trumbull Conference Center  
90 Walbach Street  
New London, CT 06320

**Attendance:**

**Commissioners**

***Present***

Chuck Beck (for Commissioner Marie)  
Tom Dubno  
Linda Krause  
John Johnson  
Joseph P. Maco (for TSB Chairman)  
Joe Riccio  
George Wisker (for Commissioner Marrella)  
John Wronowski

***Absent***

Vincent Cashin  
Robert Genuario  
G.L. "Doc" Gunther  
Larry Miller  
John Opie  
David Shuda  
Peter Simmons (for Commissioner McDonald)

**Guests**

Lou Allyn          George Cassidy Dan Coleman    Ned Farman    Bill Gash          Henry Goyette  
Jon Kachmar      Albert Martin    John Markowicz    Ed O'Donnell    Dave Rossiter    Joe Salvatore  
Joel Severance    Geoff Steadman    Alan Stevens    Fred Walters    Grant Westerson  
Brian Thompson

**I.      Call to Order:**

The Chair, Commissioner Joe Riccio, opened the meeting at 9:38 AM. A quorum of 8 was present. The CTMC members were asked to introduce themselves. The audience was asked to introduce themselves.

**II.     Review of Meeting Minutes:**

The summary report of the January 20, 2010 meeting was reviewed. A motion was made by Commissioner Johnson to approve the minutes with a few minor edits. The motion was seconded by Joe Maco. The motion was approved by 7 affirmative votes (Beck, Dubno, Johnson, Maco, Riccio, Wisker, Wronowski) and 1 abstention (Krause).

**III     Discussion Open to Public**

George Cassidy of the Connecticut Cruise Ship Task Force (CSTF) provided an update on potential visits to the Port of New London by cruise ships. He initially thanked the CTMC Commissioners for the November 2, 2009 letter to the Governor supporting the CSTF request for state funding. Mr. Cassidy stated that a cruise line had recently requested the CSTF to hold space at the State Pier in New London for a potential visit of a 3,100 passenger ship in September 2010. Mr. Cassidy was not at liberty to identify the cruise line. Additionally, Mr. Cassidy reported that the CSTF had exchanged letters that led to a Feb 9, 2010 meeting with representatives of the 3<sup>rd</sup> largest cruise ship line. Mr. Jay Baird of Logistec accompanied Mr. Cassidy at the meeting. The cruise ship line expressed an interest in utilizing the State Pier as a point of embarkation/debarkation. The discussion turned to budget matters related to supporting cruise ship visits. Mr. Cassidy stated that approximately 9 motor coaches at a cost of \$980 per coach need to be chartered to accommodate transporting 3,100 passengers. CSTF presently has less than \$60K of the projected \$75 K needed for the year. Some suggestions were offered relative to meeting with local state legislators. Commissioner Krause asked if any concerns with the condition of the State Pier facility had been raised. Mr. Cassidy stated that the only concern ever received was from the Captain of the 1,000 foot EXPLORER OF THE SEA. The concern

was the location of the "dolphins" adjacent to the east side of the State Pier berth. The Captain additionally stated that the turning basin seemed a bit shallow at the perimeter, at least until his vessel used the basin. In response to a question from Joe Maco about causes for the up and down frequency of ship visits, Mr. Cassidy indicated that in addition to the vagaries of the economy, the cruise lines seemed to be disenchanted with visits to Newport on their New England & Canadian Maritime route. The disenchantment was primarily a lack of a pier in Newport capable of handling a large cruise ship (750-1,000 feet). The Chairman thanked Mr. Cassidy for the update and offered the CTMC's support.

Mr. Ned Farman, Old Lyme Harbor Management Commission was recognized. Mr. Farman provided some background on the dredging needs of three non-Federal channels within Old Lyme: the Four Mile River, Black Haul, and Lords Cove. Additionally, there are two state operated boat launches in Old Lyme. He stated that Joe Salvatore had been most helpful in providing guidance relative to steps that needed to be taken by the Old Lyme Harbor Management Commission and the Town Council. Mr. Farman stated that he and the Old Lyme HMC had no delusions about the amount of time or money that would be needed as well as any potential sources of the money. The HMC has requested \$20K from the Town Council for the preliminary studies that need to be conducted. The HMS will also investigate the possibility of entering a public-private partnership among the Town, the local marinas and other entities that use the waterways. The Old Lyme HMC plans to reach out to the local state legislators for financial assistance in dredging the waterways. In response to a question from the Vice Chairman, Mr. Farman stated that he did not know the quantities of materials to be dredged and would not know until the studies are completed.

#### **IV Old Business:**

- A. Dredging Update – Joe Salvatore stated that the President's FY 2011 Budget for the Army Corps of Engineers (ACOE) Operations and Maintenance (O&M) program contained \$2M for work on the LIS DMMP, \$160K for Mystic River and \$400K for New Haven harbor. In response to a question from Bill Gash on how an item gets into the President's budget, Ed O'Donnell stated the New England District of the ACOE submits projects for consideration to the Administration via the ACOE chain of command. The project list gets scrubbed along the way at each level. Difference among the President's, Senate's and House of Representatives' version of the budget are resolved before any funding is authorized and appropriated. It was noted that presently there is no funding in the FY 2011 budget for either the Patchogue River or Clinton Harbor dredging projects. In response to a question from Commissioner Johnson about funding for the LIS DMMP, Chuck Beck reminded all that during the ACOE presentation at the 2009 Annual CTMC Meeting in December, it was stated that the New England District had sufficient funding to work on the LIS DMMP through the next fiscal year. It was also stated that the New England District of the ACOE has established an LIS DMMP Newsletter available on their web site (<http://www.nae.usace.army.mil/>) or directly at (<http://www.nae.usace.army.mil/projects/ri/LISDMMP/LISDMMP.htm>). Joe Salvatore and George Wisker provided some additional information on the status of the LIS DMMP that had been presented by the ACOE to the LIS DMMP Steering Committee, Regional Dredge Team (RDT) and Project Delivery Team (PDT) at a meeting held on February 8, 2010. An explanation was provided relative to make-up and role of the Steering Committee, RDT and PDT. Brian Thompson stated that RDT members from NY EPA recommended that the RDT charter be amended to allow for all dredging projects to be reviewed by the RDT. Presently, dredging projects less than 25K cubic yards do not fall under the purview of the RDT. The recommendation did not carry.

The discussion turned back to the Patchogue/Clinton dredging projects, specifically as related to a meeting held in Congressman Courtney's office on Jan 29, 2010. The purpose of the meeting was to bring all concerned together to attempt to move the projects forward. Patchogue has received partial Federal funding (\$884K out of \$1.5M needed). Clinton has not received any Federal funding. However, Ed O'Donnell stated that The New England

District of the ACOE might be able to cover some of the Clinton costs using "overhead funds. Each channel has become restricted in width and depth to the point that larger recreational vessels can not longer safely transit except during times of higher than normal tides. A proposal has been made to use the ACOE Dredge CURRITUCK to conduct a partial dredging of the entrance channels to both harbors. However, the proposed disposal area for the partial dredging is not the same as the disposal areas already approved. Additionally, the partial dredging would take place outside of the established dredging window for the area. Thus, new permits would have to be issued. CTDEP has provided a letter to the ACOE in response to the proposal. The letter evaluates the proposal, identifies concerns relative to the disposal area and offers three partial dredging options.

Grant Westerson inquired about funding to complete the North Cove project in Old Saybrook. Chuck Beck stated although still on CT's priority list, the North Cove project has yet to receive any additional Federal funding.

- B. Economic Impact Study – Bill Gash, Executive Director of the CT Maritime Coalition, stated that the draft EIS commissioned by the CMC has been completed. He stated that comments solicited on the draft have been received and are being considered. It is hoped that the final EIS will be completed shortly.
- C. LIS AMSC Update – It was reported by John Markowicz that the next LIS AMSC meeting will be February 18, 2010 and that the meeting would be a virtual meeting: call-in and log in.
- D. LIS HSC Update – No report.
- E. Coastal Zone Interstate Consistency - Nothing to report. There has yet to be a response from the CT Attorney General to either of the two letters (November 2006 and September 2008) that had been sent to him by the CTMC requesting assistance in determining if the State of NY was overreaching its authority to conduct a Coastal Zone Consistency review of CT dredging projects. George Wisker asked if the item should be removed from the agenda due to the length of time that has passed without any action on the part of the AG. There was general opposition for removing from the agenda. The Chairman asked if another letter should be sent to the AG. Commissioner Johnson made a motion to have the CTMC send another letter to the AG on the CZM issue. Chairman Riccio provided a second. During the discussion Chuck Beck restated that sending another letter would be futile. He stated that he had reason to believe that a reply to both letters had been draft by AG staff members and forwarded to the AG and had died. Bill Gash stated that the CMC intended to send a letter to the AG inquiring about the CZM issue in the very near future. He stated that the CTMC would receive a copy of the letter. Joe Maco recommended that the CTMC wait until the CMC letter was received, evaluate and then perhaps send a letter supporting the CMC request. The vote to send another letter from the CTMC to the AG failed to pass, receiving 3 yes votes (Riccio, Johnson, Wronowski) and 5 no votes (Beck, Dubno, Krause, Maco, Wisker). Commissioner Krause moved that review of the CMC letter be placed on the March CTMC meeting agenda. Joe Maco provided a second. During the discussion, Chuck Beck reminded all that it had just been decided to keep the CZM Interstate Consistency item on the agenda. Thus, there was no need to add another agenda item. Commissioner Krause withdrew her motion. Joe Maco withdrew his second.
- F. Connecticut Economic Strategic Plan (ESP) Update – Peter Simmons provided information on the status of the draft ESP via a memo due t not being able to attend the CTMC meeting because of a scheduling conflict. The Chairman read from the memo providing the following information:
  - 1. The State's Economic Strategic Plan completed the 2<sup>nd</sup> round of public outreach.
  - 2. General public comment categories received are unchanged from January's report

- Housing
  - Business operations costs in the state
  - Overland transportation
  - Education
3. DECD received no substantive comments regarding maritime issues.
  4. Status of Economic Strategic Plan Recommendations
    - Based on DECD and CONNDOT Maritime staff input, the recommendation to establish a Maritime Investment Fund was dropped; in its place, the plan supports the existing Harbor Improvement Account.
    - The draft "place holder bill" regarding the creation of a statewide port authority (included with February's agenda package) has been withdrawn, and will not be presented for legislative action.
    - The statewide port coordination concept structure has not been refined.
  5. DECD encourages the maritime commission members to caucus and provide their input and suggestions on a structure for strategic coordination of the state's port assets. DECD will be available to meet and discuss (in concert with CONNDOT Maritime) upon receipt of the commission's input.

Joe Maco inquired about how the CTMC intended to handle the DECD recommendation to caucus to develop recommendations on the structure for the coordination of the state's port assets. Commissioner Johnson recommended that the item be on the March agenda. The Chairman stated that the CTMC needed to endorse something. Chuck Beck suggested that the CTMC members consider several issues (should there be a state port authority, how should it be structured, should it be independent or attached to a state agency, which state agency, size and make-up of the board of directors, powers and authority, etc) and come to the March meeting prepared to discuss them. John Markowicz stated that in contrast to the statement read that DECD received no substantive comments regarding maritime issues, he had attended the Norwich public outreach meeting and offered comments in opposition to the state port authority as proposed.

## **V New Business:**

- A. State Budget Adjustments – Despite being invited by the Chairman, nobody from OPM was in attendance to address the adjustments that had been made (sweeping fenced funds) to mitigate the state budget deficits. Joe Maco stated that he had a conversation with a senior member of the OPM staff and expressed the need for OPM to attend the monthly CTMC meetings as a statutory member.

Geoff Steadman, representing the Harbor Management Association's Board of Directors, stated that the HMA BOD would be sending a letter to OPM requesting information on the status of the boating account. The FY 09-10 account has been cut by 50%. Mr. Steadman provided a brief history on how the boating account had been established and why. He stated that the letter to OPM would ask four specific questions. Lastly, Mr. Steadman stated that the letter to OPM would be mailed today and that the CTMC would receive a copy.

- B. Water Quality Standards – Brian Thompson, Director of the CTDEP Long Island Sound Programs, provided information on how water quality standards were established and reviewed. Before starting he informed all that the CTDEP would be making a presentation on Friday February 19, 2010 at 11 AM at the LOB to the Environmental Committee of the CT Legislature on dredging issues. The presentation was requested by the Committee during the informational meeting held on February 5 with the CMC. Mr. Thompson stated that all were invited to attend. Mr. Thompson started his presentation by referring to material that had been distributed to the CTMC and interested parties electronically as part of the meeting package. The information included a link to the CTDEP web site on the WQS process. Mr. Thompson stated that there seemed to be three issues of

concern/interest: dissolved oxygen levels, toxic criteria and the review process. Mr. Thompson stated that the basis for water quality standards started with the Federal Clean Water Act. The CWA requires states to adopt standards and revise them periodically. The standards are not regulations. The standards are goals and approaches used to improve water quality both surface and subsurface. WQS are used within regulations which must go through a review process before being adopted. WQS in CT have not been revised since 2002, thus are overdue for revision. CTDEP has followed a public process relative to revising the standards. A notice of intent to revise the WQS was published in April 2009 inviting comments. Comments were accepted through the summer of 2009. Revised WQS were published in December 2009. A public hearing was held on February 4, 2010 but was lightly attended. Comments will be entertained until March 17, 2010. Part of the process is to designate uses for various bodies of water. Categories of designation (drinking, habitat, etc) are tied to the quality of the water. An issue that has been raised of late is whether or not the standards process should follow the regulatory process.

Mr. Thompson stated that the dissolved oxygen standards are being revised. In response to a question from Commissioner Johnson about the applicability of ocean standards, Mr. Thompson stated that the current dissolved oxygen standards for near shore are different from the deeper waters of Long Island. The proposal is to set a consistent standard for all of the waters of LIS. The change mostly applies to the evaluation of hypoxia conditions in LIS. The concern is the total maximum load put on the system predominantly by waste water treatment plants. The formula for determining the discharge requirements is complicated. Dissolved oxygen is not presently a consideration in CT with respect to dredging. In response to questions, Mr. Thompson stated that there is lots of data collected and available on the quality of the water in Long Island Sound. Dissolved oxygen conditions in LIS are highly variable year-to-year and are driven by many factors, and in general the quality has not improved over the recent years relative to dissolved oxygen. The improvements in dissolved oxygen expected to result from nutrient reductions at waste water discharge facilities on LIS have a long timeline. CTDEP has a unit that is responsible for monitoring the quality LIS waters. Revising the WQS will not have any immediate impact on small businesses. The WQS do form the basis for discharge permits which has its own process.

**VI Date of Next Meeting:**

It was announced that the next meeting of the CTMC would be held at the **USCG Sector Long Island Sound conference room, New Haven, CT at 0930 on Wednesday March 17, 2010.**

**VII Adjournment:**

A motion to adjourn was made by Commissioner Johnson, seconded by Commissioner Krause and passed by unanimous vote. The meeting adjourned at 11:20 AM.