

**CONNECTICUT MARITIME COMMISSION (CTMC)
REPORT OF MEETING (Mtg. #03-10)
March 17, 2010**

Location of Meeting: USCG Sector Long Island Sound
120 Woodward Avenue
New Haven, CT

Attendance:

Commissioners

Present

Chuck Beck (for Commissioner Marie)
Tom Dubno
G.L. "Doc" Gunther
Linda Krause
John Johnson
Joseph P. Maco (for TSB Chairman)
Larry Miller
John Opie
Peter Simmons (for Commissioner McDonald)
George Wisker (for Commissioner Marrella)

Absent

Vincent Cashin
Robert Genuario
Joe Riccio
David Shuda
John Wronowski

Guests

Henry Goyette	Martha Klimas	Ian Macmillan	Mary O'Leary	CDR Kevin Oditt
Dave Rossiter	Joe Salvatore	Joel Severance	Alan Stevens	Bill Spicer
Brian Thompson	Rob Varnon	Grant Westerson		

I. Call to Order:

The Vice Chair, Commissioner John Johnson opened the meeting at 9:34 AM. A quorum of 10 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 February 17, 2010 meeting was reviewed. A motion was made by Commissioner Dubno to approve the summary report. The motion was seconded by George Wisker approved by unanimous vote with one abstention.

III Discussion Open to Public

Bill Spicer referred to the first paragraph of Section IV A of the Feb 17 summary report. Specifically, Mr. Spicer noted the remarks that during the Feb 8, 2010 meeting of the LIS DMMP Steering Committee, the RDT members from NY EPA recommended that the RDT charter be amended to allow for all dredging projects to be reviewed by the RDT. Although the recommendation did not carry, Mr. Spicer stated that the attempt is yet another example of NY's continued attempt to control/close all of Long Island Sound as a dredge material relocation option.

IV Old Business:

A. Dredging Update– Joe Salvatore stated that he participated in an LIS DMMP conference call on 3/4/2010. It was reported by the ACOE during the conference call that there are several contractual items related to the LIS DMMP being concurrently worked on: Literature Search, Cultural Resources Inventory, Environmental Data Update, Fed/State Program Update, Economic Update and an Upland/Beneficial /Use Review. The ACOE has mailed in excess of 2,600 LIS

DMMP Newsletters. The newsletter has also been posted on the New England District of the ACOE web site (<http://www.nae.usace.army.mil/>) or directly at (<http://www.nae.usace.army.mil/projects/ri/LISDMMP/LISDMMP.htm>). Joe Salvatore stated that various parties have been contacting the US EPA to determine what additional study efforts the EPA will conduct within LIS while the ACOE continues to develop the LIS DMMP like the long delayed Supplemental Environmental Impact Statement (SEIS) for Eastern LIS. EPA would like to arrange a high level meeting with the Commissioners of CTDEP and, NYDEP, the Commanders of the NY and NE Districts of the ACOE and the Administrators of EPA Regions 1 and 2. No date has been set ATT.

Joe Salvatore provided an update on the Patchogue River (Westbrook) and Clinton Harbor dredging projects. Patchogue has received partial Federal funding (\$884K out of \$1.5M needed). Clinton has not received any Federal funding. 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 planning proposal to use the ACOE Dredge CURRITUCK to conduct a partial dredging of the entrance channels to both harbors continues. The latest proposal would remove approximately 20K cubic yards of material from the entrance of Clinton Harbor and relocate the material to a near shore site adjacent to the Hammonasset State Park Beach. Approximately 8K cubic yards of material would be removed from the entrance of the Patchogue River by the CURRITUCK but the disposal of the more silty material is undetermined ATT. The use of the CURRITUCK would take place in May 2010 which would require some changes to the permit. Final applications are due by 3/25/2010 to allow for the required public notice process to take place.

Mention was made of the Southport Harbor Federal Navigational Project Sand Management meeting held at the CTDEP offices on 3/4/2010. The goal of the meeting was to collaborate on a process for preparing a long range environmentally sound plan to reduce/eliminate the ongoing wind and wave movement of sand into the harbor channel. The original Federal project was authorized in 1825 making it at least second and possibly the oldest project in the country. There are problems relocating some of the sand related to the age and construction of the break wall. The town needs to prepare a plan for consideration. Commissioner Gunther asked questions about the status of the Housatonic River dredging project. He was advised that there still wasn't any funding for the project and that the local advocates were in their own discussions with the ACOE on possibly reducing the scope of work.

Joe Salvatore brought to the attention of all the Public Announcement that was part of the meeting package concerning the ACOE Public Announcement on the Bridgeport Dredge Material Management Plan. The proposed plan includes creating a Contained Aquatic Disposal (CAD) cell within Bridgeport Harbor as well as use of the "borrow pit" in New Haven Harbor. Comments are being solicited by the ACOE and are due by 3/26/2010

Joe Salvatore provided information FY2011 Appropriations request. The CTDOT forwarded requests for federal funding for 8 dredging projects in CT to the CT Congressional delegation. A copy of the letter was distributed to the CTMC prior to the meeting. Grant Westerson noted that the North Cove project in Old Saybrook was not on the list for funding and asked why. Joe Salvatore stated although still on CT's priority list, he had been told by the ACOE that the North Cove project would probably not be supported unless the remaining material is needed for capping another project. Commissioner Johnson stated that having one person keeping an eye on the CT projects was invaluable and an indication of the strides made by the CTMC relative to dredging.

Lastly, Joe Salvatore advised that a joint CTDOT/CTDEP presentation on dredging issues had been made to the Environmental Committee of the CT Legislature on 2/19/2010. CTDEP has agreed to make the same presentation to the CTMC at the May 19, 2010 meeting scheduled to be held at the CTDOT HQ building in Newington.

Commissioner Gunther asked what was being done with the surveys conducted over a year ago. George Wisker and other explained that the surveys were a building block of the LIS DMMP. Commissioner Dubno explained that the survey information was also part of the Economic Impact Study that was commissioned by the CT Maritime Coalition.

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 on 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.

B. Economic Impact Study (EIS) - Commissioner Dubno advised that the EIS was now in final form and only marginally different from the last draft. The EIS can be found on the CMC web page (<http://ctmaritime.com/>) under Stats and Studies in the left margin or directly at (http://ctmaritime.com/final_conn_maritime_report_021610.pdf).

C. LIS AMC Update – CDR Oditt of CG Sector Long Island Sound provided information on the personnel changes that would occur within the CG Sector LIS command this summer. He stated that the Commanding Officer (Capt Ronan) the Executive Officer (Capt Burke) would both be departing as would himself, the Chief of the Prevention Branch. Captain Ronan will be retiring and his change of command is scheduled for 21 June 2010. The Executive Officer, Captain Kevin Burke, will be transferred to Iraq. CDR Oditt is being transferred to CGHQ in Washington. CDR Oditt also provided an update on the various Port Security Grants that were either recently awarded or would soon be announced. Vice Chairman Johnson thanked CDR Oditt for his participation at the CTMC meetings and wished him well in his next assignment.

D. LIS HSC Update – CDR Oditt stated that some minor adjustments have been made to the proposed anchorages off of New London, New Haven and Bridgeport to accommodate comments from the ACOE on an historic disposal area. However, the goal was to keep the changes minor so that the rule making process would not have to start from scratch. CDR Oditt stated that he would send the changes to Chuck Beck so that they could be distributed to the CPC and interested parties for comment during the soon to be announced comment period.

CDR Oditt provided some information on bridge operations. He stated that there would be a barge moored adjacent to the channel under the Thames River Amtrak Railroad Bridge for a period of time. The barge will be used during painting of the bridge and will not obstruct the channel. He reminded all that there is a Notice to Proposed Rule Making (NPRM) out on changing the operating ours of the Tomlinson Bridge in New Haven Harbor. A temporary Rule might be necessary to accommodate the Q-Bridge construction. A meeting with the maritime interests is being scheduled to discuss the Niantic River Amtrak Railroad Bridge project.

There was a short discussion about firefighting capabilities in New Haven Harbor. All were reminded that the CG does not have a lead role in shore side fire fighting operations.

Commissioner Gunther asked again about the ownership of the abandoned lighthouse structures on the Housatonic River. CDR Oditt stated that property records for the lighthouse structures were not held at the CG Sector command. He advised that a request for the information was made to the CG Civil Engineering Unit in Warwick, RI. However, given the age of the structures the records might have been archived. A recommendation was made that Commissioner Gunther be given the POC information for CEU Providence so that he can submit a FOIA request.

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. There was consensus that the CTAG will never respond thus, the item should be taken off of future agendas until there is something new to report.

F. Connecticut Economic Strategic Plan (ESP) Update – Peter Simmons stated that there was not much new to report since the last meeting. Concerns collected at the DECD public meetings were being addressed. In response to a question as to when the ESP would be “report ready”, Mr. Simmons stated that he didn’t know but would try and find out. He further stated that the OPM Conservation and Development study was being tied to the ESP. A comment was made that the CTMC needs to make some noise to be certain the maritime issues related to the ESP specifically on the statewide port authority concept are considered. Further discussion was deferred to be covered under New Business on the agenda.

V New Business:

A. America’s Cup – Commissioner Johnson provided information on a recently formed working committee from the greater New London area that was investigating the possibility of enticing the holder of the America’s Cup to being the 2011-2013 trails and perhaps finals to the Newport-New Bedford-New London area. It is believed that a regional approach would compete well for the events. A representative from CTDECD and CTDOT had attended a second planning meeting in New London on 3/11/2010. Commissioner Johnson indicated that an event like the America’s Cup can generate \$200M for the port region. A meeting with representatives of Newport and New Bedford is scheduled for Friday 3/19/2010. It was decided that the America’s Cup project will be kept on the agenda to allow for monthly updates to the CTMC.

B. Statewide Port Authority - Chuck Beck reminded all that the CTMC members were to 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) to facilitate discussion about a statewide port authority at the March meeting. Commissioner Miller expressed his view that the last thing needed is a state takeover of the local port authorities. He used the skyrocketing cost increases of the CTDOT New Haven rail facility as an example of the inefficiencies of state agencies. He stated that the CTMC could do just as good a job as any state agency particularly since the vast majority of the port facilities are privately owned. Commissioner Dubno reminded all that at the CTMC Annual meeting in December 2009, CTDECD Commissioner McDonald said that information needed to be collected and that there was no better group of experts from who to get the information than the CTMC. However, no one has yet to explain the statewide port authority concept or why one is needed. He suggested that the author of the ESP be invited to explain his reasoning for recommending a statewide port authority. There was some back and forth discussion on the value of having the “author” of the ESP present to the CTMC vs the CTMC making some concrete recommendations one way or the other to the DECD.

Peter Simmons stated that DECD has a small staff with no maritime expertise which is why the challenge was put to the CTMC to make recommendation. Commissioner Dubno stated that the CTMC works. He stated that the CMC lobbied the Governor and the Legislature to create the CTMC as well as the Maritime Manger and Dredging Coordinator positions within CTDOT. HE further stated that there is state agency representation the CTMC but that the state agency commissioners elect not to participate except through their respective designees. Commissioner Miller stated that a recent the CBIA report indicates that CT is rated 48th out of the 50 states with respect of being "business friendly" and gave the recent decisions of UTC to close or move facilities as an example. Commission Gunther recounted the legislative attempt to insert the CTDOT Commissioner over the local port authorities last session.

Vice Chairman Johnson asked for volunteers to form a committee to develop alternatives to the statewide port authority concept for consideration by the CTMC. Commissioner Krause stated that from her experience in government, the tendency seems to be to create a new entity as a solution to a problem. She gave the current legislative effort towards creating "regional governance" entities as a solution to the budget deficits. Commissioner Opie agreed with Commissioner Krause's assessment. Commissioner Krause volunteered to be on the committee. George Wisker stated that regardless of the form of the governing body the root of the current problems is that there is no funding. Deciding on the best course of action is a good thing to do now to be prepared when the economy recovers. Joe Maco reminded all of an article that was distributed prior to the meeting about the increased shipping activity in New Bedford in large part because the harbor had recently been dredged. He emphasized that what CT needed was leadership otherwise the state would become a maritime cul-de-sac. Chuck Beck provided a summary of the current status of the three deep draft port's port authorities: New London dormant; Bridgeport under siege; New Haven coming on strong. He reminded all that each of the port authorities are chartered by a city ordinance as authorized by state statute. The head of the city government appoints the members of the board. As recently demonstrated in Bridgeport the viability of a port authority is under the complete control of the chief executive of the city who might not share the same interests as state officials.

The Vice Chairman asked Commissioner Krause to chair concept alternative development committee and she accepted. There was some additional discussion that ended with Commissioner Krause stating that she is very familiar with the issues of the state below (south of) the I-95 corridor.

Ian Macmillan offered some remarks about how CT municipalities in NY handle dredging funding issues through forming "enterprises". He also made comments concerning the 10:1 ration of flush from treatment plants. Bill Spicer commented on the good approach that has been taken by the CTMC on dredging issues but that the absence of OPM at the table needs to be fixed. Grant Westerson reminded all that the recreational boating industry is commerce despite the manner in which its contributions are treated by the ACOE when determining the cost benefit ratio for a dredging project.

VI Date of Next Meeting:

It was announced that the next meeting of the CTMC would be held at the **Bridgeport Regional Vocational Aquaculture School 60 St Stephens Road Bridgeport, CT at 0930 on Wednesday April 21, 2010.**

VII Adjournment:

A motion to adjourn was made by George Wisker, seconded by Commissioner Dubno and passed by unanimous vote. The meeting adjourned at 11:18 AM.