

**CONNECTICUT MARITIME COMMISSION (CTMC)
REPORT OF MEETING (Mtg. #05-10)
May 19, 2010**

Location of Meeting:

ConnDOT Headquarters
2800 Berlin Turnpike
Newington, CT 06131

Attendance:

Commissioners

Present

Chuck Beck (for Commissioner Marie)
Vincent Cashin
Tom Dubno
G.L. Gunther
John Johnson
Joseph P. Maco (for TSB Chairman)
Larry Miller
John Opie
Joe Riccio
Peter Simmons (for Commissioner McDonald)
George Wisker (for Commissioner Marrella)

Absent

Brenda Sisco
Linda Krause
John Wronowski
David Shuda

Guests

Ned Farman Henry Goyette Martha Klimas David Lis CDR Holly Najorian
CDR Kevin Oditt Ed O'Donnell Joe Salvatore Alan Stevens Brian Thompson
Grant Westerson

I. Call to Order:

The Chair, Commissioner Joe Riccio, opened the meeting at 9:03 AM. A quorum of 11 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 April 21, 2010 meeting was reviewed. A motion was made by Commissioner Johnson to approve the summary report, seconded by Commissioner Opie and approved by unanimous vote.

III Discussion Open to Public

No comments were offered.

IV Old Business:

A. Dredging Update– Joe Salvatore stated that the ACOE Dredge CURRITUCK had completed its work in Westbrook (Patchogue River entrance) and moved to Clinton Harbor entrance. All work should be completed by 27 May 2010. Approximately 30k cubic yards of material will be removed from the channels and relocated to a near shore disposal site off of Hammonasset State Park Beach.

Brian Thompson provided an update on the Supplemental Environmental Impact Study (SEIS) needed for eastern Long Island Sound (LIS). He stated that a meeting was held in Washington with Senator Lieberman, Congressman Courtney, and a deputy EPA official to express concern with the lack of progress on the SEIS. EPA committed to work with CT to move forward on the SEIS. EPA indicated that they can only move forward if funded and then not before the fall, so

that critical information can be delivered from several of the LIS DMMP study tasks are completed. The FY2011 budget is not expected to get signed until the very end of 2010 or early 2011 due to elections. In response to a question about why EPA has delayed taking any action on the SEIS, Brian stated that the delay was caused more by confusion of which agency was responsible (ACOE vs EPA) and a lack of funding. He added that it would take about 2-3 years to conduct the SEIS. Brian and George Wisker provided an update on the LIS DMMP stating that it was basically on schedule. The Cultural, Economic and draft Literature reviews had been completed. It is anticipated that stakeholders will be contacted soon to form a workgroup.

Joe Salvatore stated that he had recently attended a forum on Marine Spatial Planning for LIS. The forum was about an approach to manage 3D marine spaces and was held at UCONN Avery Point.

Ed O'Donnell stated that the ACOE anticipated conducting sampling and testing of New Haven Harbor on or about the middle of June 2010 as a step towards a maintenance dredging project. In response to a question about the use of Morris Cove as a disposal location for dredge material, Ed stated that such considerations were in draft form only.

B LIS AMC Update – CDR Kevin Oditt of CG Sector LIS introduced the new Executive Officer, CDR Holly Najorian. He stated that the new Commanding Officer was due to report in next month. With his departure set for July 2, 2010, CDR Oditt thanked the CTMC for their support and for acting as a sounding board for various CG matters.

C. LIS HSC Update – CDR Oditt reported that the final adjustments to the proposed anchorage areas for the CT deep draft ports had been made and the CG was going straight to the Final Rule phase of the regulatory process. He provided an update on the Niantic River Railroad Bridge closure schedule to accommodate Amtrak's bridge replacement project. The Final Rule is to be published soon and will indicate evening/night hour closures a couple of days a week at first. There will be a time when the bridge will need to be closed for an extended period of time. CDR Oditt also stated that CG Sector LIS has reached out to the maritime community relative to the proposed closures of the Tomlinson Bridge in New Haven Harbor due to ongoing highway work associated with the Q-Bridge project.

D. Connecticut Economic Strategic Plan (ESP) Update – Peter Simmons stated that there was nothing new to report.

E. America's Cup Update – Commissioner Johnson provided an update on the initial planning efforts of a group of people to bring some of the America's Cup Challenge Races to the New London area. A planning committee has been formed, named (Thames America's Cup Committee or TACC) and elected officials. An application to be a 5013© organization has been filed. The New London City Council has approved providing \$5k to TACC towards \$10-15k needed for an initial feasibility study. In response to a question, Commissioner Johnson stated that the leadership and focus of TACC was different than the past Tall Ships planning committee.

F. Statewide Port Authority (SWPA) – Due to the absence of Commissioner Krause, no update was available. However, the Chairman implored all to complete the questionnaires about a statewide port authority previously distributed and return them to Commissioner Krause.

G. CTMC Letter to the CT Congressional Delegation (CODEL) on the HMTF – The Chairman brought to the attention of all a copy of the letter sent to all of the CT CODEL requesting their support for legislation introduced to release all of the funds in the Harbor Maintenance Trust Fund for its intended purpose; maintaining the nation's waterways. He also noted that a reply had been received from Congressman Courtney, a copy of which had been handed out, that indicated the Congressman's letter indicated that he had signed on as a co-sponsor to H.R. 4844.

H. TSB Meeting – The Chairman advised that immediately following the CTMC meeting, a TSB meeting would be held at 1030 in the adjoining conference room. On the TSB meeting agenda is a presentation on Maritime to be given by Chuck Beck. He encouraged all to attend the TSB and ask questions. He also provided some information on the conflict between the CTMC and TSB meeting schedule which he believes he has diffused via an exchange of e-mails with the new TSB Chairman, Bruce Alexander. George Wisker reminded all that there was a new Secretary of OPM (Brenda Sisco) and recommended that the CTMC reach out to her concerning her role as a statutory member of the CTMC. The Chairman stated that he would do so.

Off agenda, Commissioner Gunther referred to a newspaper article describing the Seaview Plaza development in Bridgeport. He asked questions concerning whether or not all of the approvals required under CZM had been obtained. Brian Thompson stated that the CTDEP had not as yet met with the developer. George Wisker added that only a conceptual design has been produced thus there was nothing to review/approve at this time. He added that CTDEP had advised the developer that there is a need for meaningful water dependent use as part of the development plan. Commissioner Gunther shifted his focus to the Steele Point development project and expressed concern for the loss of the working waterfront in Bridgeport. The Chairman stated that he shares the concern and recommended that Commissioner Gunther attend the various public meetings that will be required for both projects and voice his concerns.

Continuing off agenda, Commissioner Gunther made reference to the summary of legislation passed during the 2010 Legislative session. He was disturbed about the change (HR 5456) made to the CTMC legislation (CGS Section 13b-51a) that not only deleted the reimbursement to Commissioners for "necessary expenses" but also deleted the subsection (b) that describes the types of professional experience desired to be a CTMC Commissioner. Chuck Beck unsuccessfully tried to explain to Commissioner Gunther that he was misreading the Bill, specifically what had been deleted and what had not.

Joe Maco continued off agenda reminding all that NOAA was seeking applications from people interested in serving on the Hydrographic Services Review Panel (HSRP). He noted that Chuck Beck had previously forwarded the solicitation to the CTMC members and interested parties.

Commissioner Gunther returned to the amended CTMC legislation complaining that the change was made/passed during the last days of the session, made references to using other Bills as Trojan Horses and that the CTMC should have known.

V New Business:

A. CTDEP Dredging Process Presentation – Brian Thompson made a presentation on the dredging process. The power point presentation was the same that had been given to the Environmental Committee of the CT Legislature back in February. Commissioner Miller stated that it seems that CT is subservient to NY on matters related to the use of Long Island Sound. He opined that most of the pollution these days is nitrogen phosphates from sewage disposal facilities located in NY. He questioned why CT doesn't pressure EPA to bring pressure on NY. George Wisker stated that the NYDEC is in the process of bringing pressure to bear on NYC to clean up its act. Commissioner Miller stated that he resents having to take a back seat to NY and that CT needed to be more aggressive. Brian Thompson stated that CT routinely works with the multitude of NY state agencies through back channels on environmental issues. One of the problems is that there are several NY agencies to deal with each with a different focus. NYDOS deals with dredging issues and takes a more philosophical approach. NY DEC deals with pollution issues and takes a more practical approach. George Wisker provided an example of how NYDOS used its CZM powers and the calendar to cause the USN Sub Base in Groton to select an alternate disposal area for its dredging project instead of fighting the NYDOS determination of non-consistency. He added that in a political battle between CT and NY that NY had the upper hand. In response to a question from Grant Westerson on who can authorize Rye, NY to dispose of its dredged materials into LIS, George Wisker responded that the process is the

same. Ed O'Donnell closed the discussion by stating that it was the New England District of the ACOE's opinion that the NYDOS letter of non-consistency was flawed. The arguments used were poor and the statistics were misused. George Wisker agreed but stated that only the USN could have appealed and they didn't have enough time relative to getting the project completed.

B. North Atlantic Ports Association – The Chairman advised all that the North Atlantic Ports Association was holding its semi-annual meeting at the Mystic Marriott on June 4 & 5, 2010. The CT Maritime Coalition is one of the sponsors of the event as are some CT port facilities and businesses. One of the items on the agenda is on port governance. Joe Maco stated that given the recent CTMC discussions on a statewide port authority (SWPA) it would be good if other CTMC members attended the NAPA meeting. The Chairman advised that the port governance session would panel discussion and that some of the members of the panel would be Mike Leone of MASSPORT, Commissioner Joan McDonald of CTDECD and the Director of the Baltimore Port Authority. He asked everyone again to please complete the questionnaire distributed previously to Commissioner Krause.

C. Legislative Update – Chuck Beck stated that most of what was to report had already been discussed. He handed out a copy of HB 5456 to the CTMC Commissioners so that each could read and better understand the changes made and not made to CGS Section 13b-51a.

C. VI Date of Next Meeting:

It was announced that the next meeting of the CTMC would be held at **0930 Wednesday June 16, 2010 at the Fort Trumbull Conference Center in New London, CT**

VII Adjournment:

A motion to adjourn was made by George Wisker seconded by Commissioner Opie and approved by unanimous vote. The meeting adjourned at 10:22 AM.