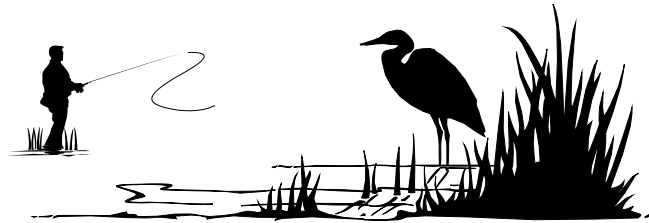




Milford Harbor Management Plan

- Fifth Edition -



with adopted
Amendments and Revisions
through 2008

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The following figures, sections, and paragraphs from the first edition are deleted:

<i>Page 4</i>	<i>Harbor Area Map</i>
<i>Page 16</i>	<i>Present As-Built Anchorages</i>
<i>Page 52</i>	<i>Old Water Use Plan</i>
<i>Page 56 - 58</i>	<i>Mooring Charts</i>
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2008

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PREFACE

This edition of the plan incorporates amendments approved in 1989, published at that time as a separate document, new amendments adopted in 1992, 1994, 2000, 2004 and 2008. In this complete reissue of the plan, those chapters, which present general background material, are updated to reflect current circumstances, i.e., the way things are as of this writing.

2008 substantive changes in the text are indicated by double squiggly lines on either side of the text, as in this sentence.

2004 substantive changes in the text are indicated by squiggly lines on either side of the text, as in this sentence.

2000 substantive changes in the text are indicated by triple lines on either side of the text, as in this sentence.

1992-94 substantive changes in the text are indicated by double lines on either side of the text, as in this sentence.

1989 changes, now incorporated into the unified text, are indicated by single lines on either side of the text, as in this sentence.

There is no indication where grammatical or typographical corrections were made.

A brief summary of the amendments follows:

Introduction

The list of "Specific problems that demand attention" is updated.

Resource Inventory

The descriptions of Federal Channel, City Dock and Ramp are revised to reflect current physical reality.

Goals and Objectives

Made current by eliminating goals already achieved.

Administrative Considerations

Revised to reflect changes in City and State bureaucratic structures and regulations.

Recommended Actions and Next Steps

Deleted since most of the content is no longer relevant to current circumstances.

HMP Consistency Review Process

Minor updating

The Water Use Plan

Includes 1989, 1994, 2000 and 2004 updates of the Harbor Line, Transient Anchorages, and Transient Moorings

Harbor Management Commission Ordinance and Harbor Management Fund Ordinance

No substantive changes prior to 2000. 2000, 2004 and 2009 updates include changes, deletions and additions.

Harbor Rules and Regulations

Many changes, deletions and additions.

Appendix

New Float Space Application and Mooring Tackle Design pages added

INTRODUCTION

Project History

Milford's ideal location along Long Island Sound has given it a rich history of successful maritime enterprise. Ship building, commercial fishing and, more recently, recreational boating have been a key element in this city's commercial viability. As in many New England coastal communities, the rapidly growing recreational boating industry and the public's desire to live and to be near the waterfront places increased demands on local government for increased maintenance and control of its waters.

The Harbor Commission drafted a brief descriptive history of Milford's waterfront in 1979 during initial steps taken to develop this document, the opening statements of which follow:

"The City of Milford, located between Bridgeport and New Haven, on Long Island Sound, has an extensive shoreline on both Long Island Sound and the Housatonic River, and three small natural fresh water rivers that feed the Sound through estuaries. There are a number of the shore areas that provide summer anchorage for boats of various sizes. Other areas of the shore have the potential for development of excellent harbor facilities mainly for pleasure craft and sport fishing.

For many years there was substantial commercial oystering activity that operated out of Milford Harbor. The oyster dredging vessels that operated year 'round were of substantial size and draft. The industry provided employment for a number of families and was a major element in the City's economy.

Through the efforts of the oyster companies, improvements were made for harbor storm protection, and channel depths were maintained both by dredging and vessel activity. Changes in the fisheries has resulted in a decline of business and a loss of this industry in Milford."

Problems Typically Associated with Harbor Management

Waterfront communities have awakened to the great potential that lies dormant in their shoreline properties. New investment opportunities are available for both public and private development projects, which, along with current investment preferences, lead to an ever-increasing trend toward redeveloping our nation's waterfront areas. This type of investment is especially effective along the waterfront in many small craft harbors but many of these small redevelopment projects have contributed considerably to the problems faced by the local resource managers, i.e., town engineers, planning officials, and HarborMasters.

As shoreline waterfront development continues, there is a natural tendency toward further encroachment into the adjacent water surface. This development pattern has the potential to compete with minimum anchorage, mooring, and navigational requirements as private development projects expand into the remaining water surface. By determining in advance what minimum water surface needs are, local decision makers can be provided with information necessary for taking the first steps toward preserving a viable harbor area for the commercial fisherman, the recreational boater, and the casual sightseer.

Problems Specific to Milford

The depth and severity of Milford's problems regarding the proper use, allocation, and management of its waterfront has long been understood. This understanding was demonstrated by a document drafted by the Harbor Commission three years before this project was initiated, a quote from which follows:

"Unless better planning is instituted it (Milford's waterfront) will not meet the requirements of the general public in the near future due to the many demands placed on its limited resources."

Milford Harbor Commission - A Plan for the Use, Protection and Development of Milford Harbor, Phase I, 12/10/79

The problems that Milford decision makers face regarding Milford's waterfront can be placed into one of five categories:

1. Navigation and water surface management
2. Administration of harbor use
3. Natural resource management
4. Public access
5. Economic development

Specific problems that demand attention are:

- a. There is no citywide inventory and analysis of waterfront access points.
- b. If there is to be a comeback in commercial fishing in Milford Harbor, then there needs to be certain support services and facilities provided.
- c. The existing Head of Harbor Plan needs to be updated in order to be relevant to current conditions and to continue progress for the Head of the Harbor development.

The Concept of Harbor Management Planning

A key objective of Harbor Management Planning is to accurately and concisely describe existing problems and to identify probable future conflicts relating to the administration and management of municipal waters. Problems specific to both the administration and the physical management of

small craft harbors should be considered in light of the needs specific to the recreational boater and the commercial waterman. This analysis requires attention to engineering, land use management, water resource management, and regulatory control.

What is a Harbor Management Plan?

Control and regulation within municipal waters is typically shared between federal, state and local government with each level of government having its own pre-determined objectives. Because these government levels are dissimilar, their respective management objectives will be divergent. This, in turn, creates uncertainty regarding authority and responsibility over management of municipal navigable waters. In addition, the federal, state, and local governments routinely find themselves facing complex issues with little information available to assist them in making these site-specific decisions.

Traditional comprehensive land use planning fails to adequately consider the administrative changes required to implement land use plans beyond the shoreline. And yet it is the land use controls, adopted through the comprehensive plan process, that allow or disallow urban waterfront activities with little regard for their impact on water surface availability, local maritime industries, or the carrying capacity of the local, natural shoreline habitats.

It is the objective of Harbor Management Planning to evaluate the effect of existing, and often uncoordinated, municipal, state, and federal regulatory programs in light of the unique constraints existing at a specific waterfront, to evaluate potential problems, identify local maritime goals and objectives, and then to create an integrated management framework designed to accomplish the stated goals and objectives through coordination of local, state, and federal government agencies.

A Harbor Management Plan is not intended to replace the municipal Comprehensive Plan, the Sewer and Water Plans, or the Municipal Coastal Program. Rather, it is intended to offer guidance so that navigable waterways are considered and included in land use/resource management plans and programs and to promote a greater degree of coordination between the various regulatory agencies active in managing Milford's waterfront.

RESOURCE INVENTORY

Introduction

The development of the Milford Harbor Management Plan is built upon the collective analysis of many past studies, reports, and planning efforts. This section summarizes some of the significant environmental, physical, and cultural factors which shape Milford Harbor's character.

Hydrologic Setting

The major freshwater flows in Milford are the Housatonic, Indian, and the Wepawaug Rivers. After flowing some 15 miles through the towns of Woodbridge, Orange, and Milford, the Wepawaug River spills under the old Jefferson Bridge where it widens to form Milford Harbor. The harbor has a drainage area of approximately 20 square miles and is located in the Central Connecticut Regional Coastal Basin. Other freshwater flow sources are from Beards Creek and from many points of surface inflow such as those from storm drains, road drains, and street ends. Direct discharges from sewage treatment plants also contribute hydrologic flow into the harbor.

Bathymetry

The depth of water in Milford Harbor at the mean low water mark range from 9.7 feet (found within the federal channel at the mouth of the harbor) to exposed tidal mudflats found in several areas. The April, 1983 Army Corps of Engineers Conditions Survey found that the federal navigation channel varies in depth from 5.3 feet at the head of the channel to 9.8 feet at the channel mouth. The average channel depth in the harbor is approximately 7.5 feet throughout, except in an area opposite the National Marine Fisheries site where the depth averages 6.0 feet at mean low water. The normal tidal range for Milford Harbor is 6.6 feet; the average spring tidal range is 7.5 feet.

Marine Conditions

The prevailing winds in Milford Harbor are primarily southerly in the summer months and northwesterly in the winter months. The combination of wind velocity, direction, distance (or fetch), and duration create wave action within the harbor. While the normal wave chop is less than one foot, storm conditions have created wave action in excess of three feet under certain circumstances. Milford Harbor exhibits relatively strong cross-currents at the mouth of the harbor during ebb and flood tide conditions.

Coastal Flood Hazard Areas

The 100-year coastal flood hazard area, as mapped by the Federal Emergency Management Agency (FEMA), is shown in Figure 1. This boundary is the base flood elevation. The base flood elevation has a 1% chance of occurring each year. In Milford Harbor this elevation is approximately +10.6 feet (above mean sea level). All of the dockage and much of the abutting waterfront structures fall within the base flood elevation. During flooding conditions in June of 1982, due to very heavy rainfall, storm water flooded much of Wilcox Park and the city Library at the head of the harbor, and damaged or destroyed many of the harbor's marina facilities (although upstream damage was much worse than that in the harbor). This storm is alleged to be responsible for much of the current sedimentation and shoaling problems which exist in the harbor.

Water Quality

Milford harbor's water quality classification is SB meaning the water is suitable for all types of recreation including contact uses such as swimming and fishing. According to a limited water quality analysis performed during the city's 1977 wastewater facilities planning effort, the bacteria level for the harbor falls within the SB standards but below the dissolved oxygen (DO) standards.

DO levels in flood tide conditions were consistently higher than ebb tide, indicating the DO-rich waters of Long Island Sound were boosting levels during tidal mixing. No more current survey data are available.

Significant potential sources of water pollution in the harbor come from in-harbor discharge of marine sanitary facilities in boats. Although the discharging of marine sanitary facilities is not an acceptable or reasonable practice in a confined harbor area, it does occur. This problem is further compounded by the fact that there is only one pump-out facility for boat holding tanks in the harbor.

Inter-tidal Resources

Significant areas of regulated tidal wetlands are found in several fringe locations throughout Milford Harbor. The most prominent areas are along the banks of Wilcox Park, south of the City Boat Ramp, at the mouth of Beards Creek on the western bank of the harbor, and along the shores of the eastern basin near the mouth of the harbor. These areas, as mapped on the state's coastal resource map, are shown in Figure 1.

Extensive inter-tidal flats (relatively flat areas subject to alternating periods of tidal inundation and flooding) are found between the Milford Boat Works and Beards Creek on the west edge of the harbor near the head of the harbor and within the east basin. These areas, shown in Figure 1, provide habitat for a wide range of wildlife, waterfowl, aquatic, and benthic organisms.

Shellfish Resources

A review of the State of Connecticut's Shellfish Atlas and discussions with personnel from the State Aquaculture Laboratory (which is housed in facilities on the western banks of Milford Harbor), show that there are shellfish concentration areas within Milford Harbor limits and in the Gulf beyond the harbor mouth, shown in Figure 2. Although no extensive observations have been made, the Aquaculture Laboratory reports that significant populations of the following shellfish live in the harbor:

Soft Clam	<i>Mya arenaria</i>
Hard Clam	<i>Mercenaria mercenaria</i>
Eastern Oyster	<i>Crassostrea virginica</i>
Blue Mussel	<i>Mytilus edulis</i>

The inter-tidal substrate of the east basin provides a natural bed for the production of Eastern Oyster brood stock. These 1 - 2 year seed oysters are commercially harvested and transplanted for development in non-polluted offshore waters.

Sedimentation / Shoaling

The major source of sediment loading in Milford Harbor is from upstream and surface runoff discharges to the harbor and from Gulf Pond, although tidal flow from Long Island Sound carries with it some sediment material. There are a series of upstream ponds, which act as "sediment traps". The effective ability of these ponds to act as sediment traps has been exhausted and they are in need of clearing and digging out.

The amount of sediment put into the harbor from the Sound is a function of tidal velocities and the amount of fresh water input from upstream sources. During low flow conditions, and with high wave action, more material is carried into the harbor while times with high discharge and lower tidal velocities scours the harbor and transports the finer materials back into the Sound. On the average, the net direction of sediment transport is into the Sound.

The littoral drift pattern across the mouth of the harbor creates a moderate shoaling problem at the harbor entrance - a problem which is compounded by the erosion and movement of fine sand placed in the Gulf Beach area for recreational purposes.

Land Use

The dominant land uses along the harbor shores are those associated with marinas, boat yards, and private residence docks. In all, there are over 4,000 linear feet of dockage facing the harbor. Wilcox Park includes a significant portion of undeveloped waterfront, as do the tidal flats on the west shore.

Residential frontage is limited to a few single-family homes and to two large condominium projects, one off Dock Road and the other off Rogers Avenue. The City owns and maintains virtually all land at the head of the harbor - representing significant public access opportunities. These access concerns are being addressed in an update of the 1982 Head of the Harbor Plan begun in 1993.

Zoning

The State's zoning enabling legislation provides Milford with a powerful tool to shape and control the development of the harbor and the character of the waterfront. The existing zoning district areas are mapped on the project area map. The whole of Milford Harbor falls within four zoning districts: R-12.5, BB, CBD and GO but is predominantly in the R-12.5 and the BB zones. A summary of the harbor's zoning classification is shown below.

Class	Use			
R-12.5	One family residential			
BB	Boating business			
CBD	Central business district			
GO	General office			
	R-12.5	BB	CBD	GO
minimum required:				
Lot area (sqft)	12,500	2 acres	2,000	10,000
Lot width (feet)	80	150	20	70
Lot depth (feet)	100	200	70	100
maximum permitted:				
Building height (stories)	2.5	2.0	3.0	3.0
Building height (feet)	35.0	50.0	40.0	35.0
Building area	30%	--	50%	40%
Lot coverage	45%	75%	--	80%

Key Access Points

Milford Harbor has many direct access points available to the public. These include all of Wilcox Park, the municipal boat ramp and dock, the jetties at the mouth of the harbor (both east and west), and the property occupied by the city's defunct Town Meadows sewage treatment plant located next to the Coast Guard Auxiliary building. In addition, many quasi-public access points are accessible, such as those at several marinas and at the Milford Yacht Club. Other potential, and currently under-used, access points, which should be investigated, include several street-ends which front directly on the harbor. These include the ends of Carrington Avenue, Edgewater Place, Trumbull Avenue, Pond Street, Gulf Street, Harborview Avenue, and Shipyard Lane.

Federal Channel

The Army Corps of Engineers maintains the federal channel in Milford Harbor. The project dimensions are 100 feet wide and 8 feet deep at MLW. The last major maintenance dredging was done in 1986 when the channel was realigned according to a plan, identified as Drawing 9B, developed by a special Milford Harbor Task Force. This plan resolved problems of encroachments into the original channel, improved traffic flow, and resulted in expansion of the public anchorage area. A fairway extends along the western shore between the Milford Yacht Club to the southern end of Milford Wharf Company and provides access to the docks at federal and state facilities located between these two points. The federal channel terminates at a point just north of the Milford Boat Works and south of the municipal boat launch ramp.

City Dock and Ramp

The city dock, located on the west side of the harbor at the end of a narrow right-of-way adjacent to the Milford Boat Works, is a small and limited facility. Major reconstruction was performed in 1991 to correct structural deficiencies, which had been previously identified. The dock is suitable for short term tie-up by vessels loading or unloading passengers or supplies for emergencies and is accessible to the public for fishing or viewing.

A public boat launch facility, used by residents and non-residents alike, is maintained by the City of Milford at Wilcox Park at the north end of the harbor. Major improvements were made in 1989 and 2005. The concrete paved ramp is now approximately 100 feet wide, divided into three bays by two 80 foot long guide floats. At the northern end, there is a new bulkhead, viewing area and floats. The floats at the northern and southern sides of the ramp are for temporary tie-up, loading and unloading. On busy weekends during the season, the northern floats are used as overflow slip space for the marina. As a result of these improvements, there is a substantially increased user load on the ramp and the existing car and parking facilities are overloaded.

Boating Use

Milfords' mooring field in the Housatonic River accommodates approximately 70 single point moorings that the city manages. While the city permits mooring rights, it does not provide or maintain the actual moorings.

Milford Harbor has three commercial marinas, which provide 520 boat slips; one marina has dry rack storage for approximately 75 boats. In addition, there is a yacht club, numerous private docks and facilities for the State Aquaculture and National Marine Fisheries laboratories. The city provides 65 mooring floats for seasonal rental, accommodating 130 vessels, and issues approximately 800 launch ramp permits to residents and non-residents.

GOALS AND OBJECTIVES

Introduction

The original Milford Harbor Management Plan included a list of goals and objectives developed with input from a variety of sources including a review of previous planning and policy studies; discussions with state and local agency personnel; a review of recent studies such as the Milford Municipal Coastal Plan and the Head of the Harbor Plan; and considerable input and comments from the general public. Those goals and objectives were used as a blueprint to recommend actions and to develop implementation options and were originally presented as Appendix 3 in this plan's first edition. The following goals and objectives are an update of the original list, reflecting current conditions and concerns.

The goals and objectives are divided into four topics, shown below:

- Navigation and water surface management
- Natural resources
- Public access
- Economic development

Navigation and Water Surface Management

Goal:

Work to maintain a planned pattern and program of compatible, equitable, and efficient utilization of water surfaces within the City of Milford.

Objectives:

Provide for safe and secure use of all waterfront areas within the city of Milford.

Work to see that the waters of the City of Milford remain fully navigable at all times.

Provide adequate anchorage, mooring and dockage for the public.

Avoid situations that create congestion in the waterfront area.

Provide sufficient anchorage for transient boaters.

Provide sufficient anchorage for commercial charter and/or commercial fishing vessels.

Work toward the implementation of the proposed Commercial Fishing Boat Landing.

Minimize safety hazards created by conflicting Harbor use, including conflicts between swimmers and boaters, by segregating such use, where appropriate, to protect the public safety.

Provide fairways as required for adequate access to the Federal and State Agricultural Laboratories on the Harbor's west side.

Natural Resources

Goal:

Protect the natural resources in and around Milford's waterfront and encourage their proper management.

Objectives:

Preserve and enhance wetland areas when possible.

Enhance and conserve wildlife habitat where appropriate.

Improve water quality in Milford Harbor.

Develop guidelines to determine the relative value of new development vs. environmental impact.

Minimize sedimentation when possible.

Identify and implement ways to enhance existing natural habitat as compensation for new waterfront development.

Public Access

Goal:

Provide a system of waterfront community facilities and services that is responsive to public needs.

Objectives:

Improve existing waterfront facilities as needed.

Consider both active and passive harbor users in decisions regarding harbor management.

Provide additional points of access (passive and active recreation) around the waterfront.

Provide ease of movement from the water to the land and from the land to the water.

Develop better connections between the central business district and the harbor area; increase the amount of anchorage and dockage available in the harbor; provide better management and allocation of the public facilities, which already exist.

Economic Development

Goal:

Encourage water-dependent enterprises which offer employment and address community needs that are compatible with the other goals and objectives.

Objectives:

Encourage the revitalization of the commercial fishing industry in Milford Harbor.

Implement those sections of the Head of the Harbor Plan deemed appropriate in light of the findings contained in this document.

Make necessary adjustments in the existing zoning to protect existing water-dependent land use.

Plan for controlled change, as the public needs changes.

ADMINISTRATIVE CONSIDERATIONS

Jurisdictions

Several federal, state, and local agencies have jurisdiction over various activities in and adjacent to the harbor. These authorities perform different, but often overlapping functions in the regulation of harbor activities. The key authorities with administrative control or interest in Milford Harbor include:

Federal Level

U.S. Army Corps of Engineers; U.S. Coast Guard

State Level

Department of Agriculture, Agricultural Division
Department of Environmental Protection, Law Enforcement Unit; Marine Fisheries Unit; Office of Long Island Sound Programs (OLISP); Water Management Bureau, Wildlife Unit.

Department of Health Services; Department of Transportation; Bureau of Ports and Aviation; HarborMaster.

Local Level

Board of Aldermen; Conservation Commission; Director of Health; Fire Department; Flood and Erosion Control Board; Harbor Management Commission; Historic District Commission; Inland Wetlands and Watercourses Commission; Marine Police; Parks and Recreation Department; Planning and Zoning Commission; Redevelopment Agency; Sewer Commission; Zoning Board of Appeals.

U.S. Army Corps of Engineers

The Corps regulates work in (or which affects) navigable waters under Section 10 of the Rivers and Harbors act of 1899. In New England, for purposes of Section 10, navigable waters are essentially those subject to the ebb and flow of the tide seaward of the high tide line. The Corps also regulates the discharge of dredged or fill material into all waters of the U.S. under Section 404 of the Clean Water Act.

Historically, the Corps has dredged and maintained some type of Federal navigation project within Milford Harbor since 1874. Any dredging or structure placement within the harbor has previously required an individual permit application. Under a suggested "Harbor Management Plan Concept" the Corps could issue a general permit authorizing most harbor improvement projects if the activity

is consistent with the approved harbor management plan. This general permit would then eliminate the need for many individual permits and allow greater local control, by the Harbor Commission and others, over harbor development activities.

U.S. Coast Guard

The Coast Guard is concerned with navigational safety within and near Milford Harbor. This is accomplished primarily through the placement and maintenance of Aids to Navigational buoys and channel markers. As a means of economy and agency streamlining, the Coast Guard has been reviewing all its navigational aids within Long Island Sound and along the Atlantic Seaboard.

Connecticut DEP - Office of Long Island Sound Programs (OLISP)

OLISP is responsible for the administration and oversight of the State's Coastal Area Management Program, which was effective in January 1980, based on the Connecticut Coastal Area Management Act of 1979. OLISP oversees consistency of federal, state and municipal plans and regulatory actions, funding of local municipal site reviews, the development of local coastal management plans, and the protection of critical resources. OLISP is also responsible for coordination/review of Harbor Management Plans and amendments to them.

OLISP assumed in-water permitting responsibilities from the old Water Resources Unit of DEP in July, 1988. All activity below the high tide line is regulated pursuant to the Structures/Dredging/Fill Act (Sec. 22A 359 - 363, as amended) and/or the Tidal Wetlands Act (CGS Sections 22a - 28 through 22a - 35).

Department of Environmental Protection (DEP) Planning and Water Quality Standards Unit

The Planning and Water Quality Standards Unit within the Bureau of Water Management administers the NPDES (National Pollution Discharge Elimination Schedule) water pollution permit program, various sewage control programs, and advises OLISP in the development of state dredge disposal policy. The unit also establishes the state's water quality classifications and is responsible for the marine sanitation discharge law.

Connecticut Department of Transportation (ConnDOT)

In Connecticut, the Commissioner of Transportation is vested with the responsibility for the overall supervision of the state's harbors and navigable waterways. Under state law, the Commissioner may delegate this responsibility to a Harbormaster who works with a local Harbor Commission. The Harbormaster is appointed by the Governor and is subject to the control and direction of the Commissioner of the Department of Transportation. The administrative jurisdiction of both the Harbormaster and Harbor Commission include the navigable waters of the municipality shoreward to the mean high water mark; together, they manage the harbor within a framework established by a state-approved and locally-adopted harbor management plan.

City of Milford - Harbor Management Commission

The City of Milford has two regulatory agencies responsible for managing the growth in and around the Harbor area and Milford waters.

The Planning and Zoning Board is responsible for enforcing and updating the City's zoning ordinances and for reviewing upland development proposals within Milford's coastal boundary to insure consistency with the state Coastal Management Act pursuant to the Act's coastal site plan review requirements.

The Harbor Management Commission is a nine member commission (7 regular, 2 alternates) appointed by the Mayor, with Board of Alderman confirmation. The Commission's duties and powers are defined in this plan's Appendix.

Figures 3 and 4 illustrate the existing administrative framework for governing harbor activities.

HMP CONSISTENCY REVIEW PROCESS

I. CONSISTENCY REVIEW CONSIDERATIONS

The establishment of the Harbor Management Commission consistency review process ensures the effective implementation of the Milford Harbor Management Plan. This plan was not to supersede existing state and local management authorities but rather to ensure that the implications of proposed projects on tidal wetlands and waters are adequately considered by such management authorities.

The goals of the plan are to:

1. Maintain a planned pattern and program of compatible, equitable, and efficient utilization of the water surface.
2. Protect the natural resources in and around Milford's waterfront and encourage their proper management.
3. Provide a system of waterfront community facilities and services that are responsive to the public need.
4. Encourage water dependent enterprises that offer employment and address community needs that are compatible with other stated goals and objectives.

The establishment of the review process of the Harbor Management Commission was authorized by Conn. General Statutes, Chapter 444a Sections 113k through 113t. Upon adoption of the Harbor Management Plan, a permit is required from the Harbormaster or deputy Harbormaster for any mooring or anchorage in the town waters. In addition, the Commission is authorized to review and make recommendations regarding consistency with the Harbor Management Plan on any proposed projects on, in, or contiguous to the Harbor submitted to local or state management authorities. A 2/3 vote of a local agency is required to approve a proposed project that has not received a favorable recommendation of the Commission. In addition, once a plan is adopted, the Commission may request a general permit from the U.S. Army Corps of Engineers for eligible projects deemed to be consistent with the Plan.

Thus, the purpose of the adoption of the Harbor Management Plan and the establishment of the Harbor Management Plan consistency review process is to establish a coordinated, comprehensive review process for proposed waterfront projects and activities on or adjacent to the waterfront which ensures that the public interest is adequately considered; develop specific criteria to clarify the type of projects that are likely to be allowed; provide efficient, equitable, and timely review of proposed

projects; and ensure the protection of the quality of the City's waterfront areas, wetlands, and agriculturalists.

II. EXISTING ADMINISTRATIVE PROGRAMS

As presented in Chapter Four of the Harbor Management Plan, numerous federal, state and local governmental agencies are involved in the regulation and administration of harbor waters. The Harbor Management Act provides the means by which Connecticut municipalities are able to take the lead in the regulation and management of their waterfronts. Attempts to allow for the effective regulation of this natural resource will require a careful analysis of the various activities that occur along the municipal waterfront, the specific approaches for allowing an increased role for the municipal government and the identification of potential conflicts that the recommended changes in the existing regulatory programs may create. The activities on the waterfront that will be considered for increased municipal regulatory control are discussed below.

Anchorage

Currently the anchoring of transient and resident-owned vessels in Milford's municipal waters is regulated by the Harbormaster and the Army Corps of Engineers. For the purposes of this Plan, the term "transient anchorage" refers to those water surface areas designated for the securing of a vessel to the bottom of a body of water by dropping an anchor or anchors or other ground tackle found aboard the vessel. Presently, there is one designated transient anchorage located in the protected waters directly north of Charles Island (see Figure 7, Transient Anchorage Area "B"). Nothing in this plan shall compromise a captain's right to safe anchorage.

Moorings and Float Spaces

Mooring areas are regulated by DEP-OLISP and are designated in the Harbor Management Plan; individual mooring placement is regulated by the Milford Harbormaster via permit. For purposes of this Harbor Management Plan, the term "mooring" refers to the use and occupation of a municipal mooring location assignment. For purposes of this Harbor Management Plan, the term "float spaces" refers to the use and occupation of a municipal float space assignment. The City of Milford currently has several mooring areas in Milford Harbor, shown on the Water Use Plan (Figure 5) and in the Housatonic River on the East Side, shown on Figure 6. Mooring areas are federally-maintained and open to the public on equal terms.

Dredging

Dredging activity is regulated by the Department of Environmental Protection OLISP and by the Army Corps of Engineers.

Grading and Filling

Grading and filling is currently regulated by the DEP-OLISP and the Army Corps of Engineers. In addition, the Milford Board of Planning and Zoning requires a Special Permit for this activity if it occurs within 25 feet of any flood hazard area, waterbody, water course, or wetland.

Milford Zoning Ordinance, Article IV, Section 4.1.15 and Article V, Section 5.5.2, 5.5.3.

Placement of Docks, Piers, and Pilings

The construction and placement of docks, piers, and pilings are regulated by DEP-OLISP and the Army Corps of Engineers. The construction of such waterfront structures require a Special Permit from the Planning and Zoning Board, however, it appears that this permit procedure is more to ensure adequate parking for docks than it is to approve or reject structures.

Upland Development and Construction Adjacent to the Waterfront

Development and construction occurring within the designated coastal boundary, pursuant to CGS Chapter 444 Sec. 22a - 94, will require a DEP Coastal Site Plan Review at the municipal level. In addition there are Milford Planning and Zoning Board project review procedures for:

- (1) Subdivision or re-subdivision of property
- (2) Zoning changes
- (3) Special Use permit or Special Exception
- (4) Amended plan of development
- (5) Shoreline flood and erosion control structures, pursuant to CGS Section 109(d).

III. Consistency Review Process

The adoption of the Harbor Management Plan (HMP) and the establishment of a HMP Consistency Review Process should enable the federal Coastal Zone Management Act's and the state Coastal Management Act's consistency provisions to be more efficiently and effectively addressed. It should also provide a more comprehensive and coordinated review of proposed projects by local management authorities.

The Federal Coastal Zone Management Act provides that any project permitted, funded, or undertaken by a federal agency is to be consistent with Connecticut's Coastal Management Program (CCMP). These provisions are pertinent to adoption and implementation of the Harbor Management Plan in two ways.

First, if the Army Corps of Engineers (ACOE) issues a general permit for activities consistent with the Harbor Management Plan then only a single federal consistency determination would be required by CCMP rather than the issuance of a consistency determination for each individual project that would normally be required of an ACOE permit.

Second, if the Harbor Management Plan is submitted to the federal government and approved as a routine program improvement and forwarded to the Coastal Management Program, then any activity not provided for within the framework of the general permit but proposed within the boundary of the Harbor Management Plan and that is otherwise permitted, funded, or undertaken by any federal agency would be required to be consistent, to the maximum extent possible, with the provisions of the Harbor Management Plan.

The adoption of a Harbor Management Plan and establishment of the Plan Consistency Review Process would also enable local agencies to more effectively implement municipal plans adopted pursuant to CCMP since recommendations will be made to the relevant local management authority regarding the potential impacts of proposed projects on the City's tidal waters and the use thereof. The recommendations of the Harbor Management Commission should also provide guidance to the State Commissioner of Environmental Protection in executing his responsibility regarding the coordination of State regulatory adoption and the implementation of the Harbor Management Plan. This will both ensure that local interests are understood and considered by the Commissioner in his deliberations and provide more detailed information for the Commissioner to consider regarding the potential impact that a project may have on the city's waters and the use thereof.

To ensure that the review of proposed projects at the state and local level are closely coordinated and carried out in a timely manner, the following procedures coordinate the actions of the Harbor Management Commission with those of state and local agencies.

As provided for in Section 113p of the Harbor Management Act, whenever a project or request for

approval of an activity is proposed which affects the real property on, in, or contiguous to Milford's waterfront by any of the various boards, commissions, or committees representing Milford's Board of Aldermen, the Harbor Management Commission shall be notified in writing of such proposed projects and activities at least 35 days prior to hearing on the proposed project and if no hearing is held, 35 days prior to final action being taken on the project. If the Harbor Management Commission does not submit recommendations on the proposed project prior to final action on the project, its' approval of the project is to be assumed. Copies of proposed project plans and drawings must be requested by the Harbor Management Commission when additional information is required. Such concurrent review will enable the Commission to provide relevant recommendations to the pertinent state or local management authority without significantly increasing the time of review for a proposed project.

In addition, a step toward establishing coordination and clarity between the affected state (OLISP) and municipal (HMC and P & Z) agencies would be to draft a Memorandum of Understanding or other written agreement specifying the procedures to be followed by the various agency staff in the review of waterfront related proposals. Such an agreement would allow the different agencies to know what the process will be for this new review process within the effected agencies.

The Harbor Management Commission shall use the following criteria in making recommendations regarding proposed projects and activities within its jurisdiction:

(1) No piers, docks, vessels, piling or mooring buoys shall be placed within five (5) feet of a harbor line, defined as the line formed by the outermost boundaries of either the active ACOE designated channel or federally active anchorage/mooring areas which ever falls closest to the land. See page 24 - The Water Use Plan - for a full description of the harbor line criteria and the Appendix for a preliminary map of the harbor line location.

Harbor and Shorelines

1. The harbor line and shoreline are the lines labeled as such on the applicable Map for Harbor lines.
2. On the scale drawing, add the shorelines and harbor lines as shown on the appropriate Map for Harbor lines.

Setbacks

A. Harbor line setback: Any pier, "T" head, "L" head, mooring pile, mooring and/or anchorage must be located such that no moored vessel, or permanent or temporary obstruction, extends beyond the harbor line. It will be the responsibility of the applicant to assure that the design and location of such construction will meet this requirement. For instance, if the intended use of the dock, pier, or

float is for docking abreast then it will be necessary to leave sufficient room for any vessel beam that may be docked between the end of the proposed structure and the harbor line. The same consideration must be given to the extension of a vessel's bow or stern beyond the harbor line (see Rules and Regulations, chapter 7, Harbor Management Plan Consistency Review for Structures).

IV. Pre-existing Uses

Any marine facilities lawfully existing at the time of adoption of this Regulation may continue to be used even though such marine facility or use does not conform to use or dimensional regulations as herein defined. Any alteration of an existing nonconforming marine facility or use is subject to the provisions of this section.

Harbor filling and bulkheading beyond the shoreline should be minimized to the greatest degree possible, except as supported by the Harbor Management Commission for the purposes of straightening minor shoreline irregularities or for insuring efficient bulkhead construction. Unnecessary encroachments of the shoreline into the waterways may create new constraints to navigation or further aggravate existing problems.

Application for a mooring or float space shall be maintained by the Harbormaster until an assignment from the established waiting list is made or an applicant indicates that a valid need no longer exists. If an applicant declines assignment, the application is voided on that date.

If assignment is accepted and tackle required, the applicant shall provide the ground tackle within 15 days to the Harbormaster for inspection prior to its placement.

Mooring assignments shall be made on the following basis:

(a) Commercial fishing vessels may be assigned up to 10% of mooring spaces in the Housatonic River. Commercial use on permitted float space is not allowed.

(b) Applications shall be reviewed without consideration of residency.

THE MOORING PLAN

The mooring plan shall be maintained by the Harbormaster showing all mooring areas for public use within the area of jurisdiction of this plan. The layout shall be a modified grid, which shall be in rows parallel to the navigation channel. The width of the rows shall be based upon the average size of the vessels to be accommodated and the annual assignment shall determine the number of vessels in each row.

The Harbormaster and Harbor Management Commission reserve the right to rearrange mooring location assignments based on the spatial and draft requirements of moored vessels to maximize the mooring area capacity.

THE WATER USE PLAN

The various components of the Milford Harbor Water Use Plan are described below and shown on the Water Use Map (Figures 5 and 6). The Water Use Plan describes the location and preferred uses of the Federally designated channel and anchorages, municipal anchorages and fairways and the proposed criteria for locating the municipal harbor line.

Federally Designated Channel

A 100 foot wide Federally designated channel is present in Milford Harbor. This channel has depths of 8 feet and 10 feet in respective locations. The Federally designated channel shall be kept free and clear of obstructions or encroachments at all times; the location of the Federally designated channel and designated channel depths are indicated on the Water Use Map.

Turning Basin

The Turning Basin is defined as the navigable water within the area defined in the planning study "Head of the Harbor", upstream of the Federal Project. The area is dredged to a depth of 7' MLW. This turning basin provides access to the town launch ramp, the transient and commercial slips at Milford Landing Marina, and for public access to the area now known as "Memorial Field" for future water-dependent uses.

Harbor Line

The Harbor line is the designated limit for use of water surface area by piers and the vessels attached thereto which is 5 feet shoreward of the Active Federal Project and Federally Active mooring areas. The fairways shall be included in the zone protected from encroachment by shore side structures,

i.e., water front docks, piers and pilings, and the vessels that moor at them. The Harbor Line shall be a continuous line as defined by the east line of the channel starting at the Milford Harbor entrance light proceeding around the "de-authorization east anchorage" area; then returning to the Federal channel (east side) and then to its northern limit at the turning basin; around this turning basin and returning to the northern limit of the Federal channel to the mooring areas "D" through "B"; thence around the 8-foot mooring areas, to the fairway at Milford Wharf Company; thence around the fairway and mooring area "A" and then around the western edge of the fairway to the State Agricultural laboratory; thence along the fairway to the National Marine Fisheries, then returning to the Federal channel to the limit of the West breakwater at Burns' Point. The Harbor Management Commission will seek harbor line approval from OLISP to properly enforce and to coordinate permit decisions.

Milford Landing Marina

A publicly owned transient marina is located at the north end of Milford Harbor on the west side of the channel. This facility provides dockage for transient vessels and for local commercial fishing vessels. A pump out station is present at the facility. See Appendix, Figure 5.

Commercial Moorings

The renting of individual moorings or float spaces shall not be allowed except for the occasional instance when a vessel permitted to that location shall be absent from its mooring. The Harbormaster shall be informed in advance when a mooring or float space will be vacant for four days or more.

Transient Dockage and Transient Anchorage

(a) Thirty-five transient slips are available in Milford Harbor. These are located at Milford Landing Marina in the northern reach of Milford Harbor. See the Water Use Map in the Appendix.

(b) A large area north of Charles Island and west of the entrance channel, is designated a transient anchorage. See Figure 7 in the Appendix.

Fairways

All fairways and thoroughfares shall be kept free and clear at all times. Fairways are as indicated on the Water Use Map.

Public Mooring Areas

As of 2008, our mooring areas accommodate approximately 200 vessels of sizes varying from 20 feet to 42 feet. 130 float spaces are located in Milford Harbor and 70 moorings are located in the Housatonic River. Commercial fishing vessels may be assigned up to 10% of mooring spaces in the Housatonic River. Commercial use on permitted float space is not allowed.

The Harbormaster shall allow the issuance of mooring and float space permits for the designated areas. Persons desiring to make application for a mooring or float space permit shall:

- a. Contact the Harbormaster to place their name on the waiting list and acquire an application.
- b. Complete a formal application provided by the Harbormaster and return it to establish priority on the list. The application must be signed in order to be valid and shall be signed by the applicant only.

ORDINANCES, RULES, and REGULATIONS

**AN ORDINANCE FOR ESTABLISHMENT OF A HARBOR COMMISSION
IN ACCORDANCE WITH CGS 222 through 112K, as amended**

Milford Connecticut - April 1986

At the special meeting of the Board of Aldermen held June 18, 1985 the following ordinance was approved:

The City of Milford, Connecticut, has developed a Harbor Management Plan pursuant to State requirements as outlined in CGS 22a, 113k through 113t and other related legislation; and

WHEREAS, the City of Milford wishes to make improvements to Milford Harbor to increase the use of the harbor and its associated waters by Milford residents provide adequate maintenance for, and preserve and enhance the beauty and value of the harbor as a recreational, environmental and economic resource; and

WHEREAS, the City believes that the most responsible way to ensure that the provisions of the Harbor Management Plan are implemented and that the waters of the municipality are properly managed and regulated is through the establishment of a Harbor Management Commission,

NOW THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Aldermen of the City of Milford as follows:

Section 1. Creation of the Harbor Management Commission

There is hereby created the Harbor Management Commission for the City of Milford, which Commission shall consist of seven (7) members appointed by the Board of Aldermen, to serve without compensation, for five (5) years each, provided, however, that the initial term of each member shall be as follows: two (2) members for one (1) year; two (2) members for two (2) years; one (1) member for three (3) years; one (1) member for four (4) years and one (1) member for five (5) years, as designated by the Aldermen.

A Chairman, Vice-Chairman and Secretary of the Harbor Management Commission shall be elected by the membership of the Commission.

Section 2. Jurisdiction of the Harbor Management Commission

The Harbor Management Commission shall have jurisdiction within the area located on, in or contiguous to the waters of the Wepawaug River, Indian River and Beard's Creek seaward to a line from Welches Point to Charles Island and along the tombolo or sand bar to the high water mark at Silver Sands Beach. The Harbor Management Commission shall also have authority over the area

that lies within the Milford boundary of the East side of the Housatonic River from the Milford/Orange town boundary line to the southern end of the breakwater at Milford Point.

Section 3. Selection of Harbor Management Commission Membership by Board of Aldermen

The Mayor shall appoint with the approval of the Board of Aldermen the member(s) of the Harbor Management Commission and alternates.

Section 4. Required Attendance at Regular Meetings by Harbor Management Commission Members

An unexplained failure to attend three (3) regular consecutive meetings in 12 months shall be evidence of cause to consider removal of any member.

Section 5. Appointment and Function of Alternate Harbor Management Commission Members

There shall be two (2) alternate Harbor Management Commission members appointed to serve on the Harbor Management Commission in case of the absence of a regular Harbor Management Commission member. Their terms shall be for two (2) years and their initial terms shall be for one (1) year and two (2) years as designated by the Board of Aldermen. Should any regular member be absent, the Chairman shall make all necessary arrangements for contacting the alternate Harbor Management Commission member(s) for attendance at the regular meeting.

Section 6. Harbor Management Commission Powers, Duties and Responsibilities

The Commission shall review and make recommendations on issues within the Harbor Management Commission jurisdiction (see Section 2 this ordinance) that are received by any zoning commission, planning commission, zoning board of appeals, historic district agency, redevelopment agency, sewer commission, water pollution control authority or special district with zoning or other land use authority.

Those agencies shall send a copy of any such proposal to the commission. The Commission shall be notified in writing of any such proposal within the Harbor Management Commission's jurisdiction at least thirty five days prior to the commencement of the hearing thereon, or where no hearing is held, at least thirty five days prior to the taking of any final action on the proposal.

The agency authorized to act on the proposal shall consider the recommendations of the commission. A two-thirds vote of all the members of the agency having authority to act on the proposal shall be required to approve a proposal which has not received a favorable recommendation from the commission, provided that the provisions of this section shall not be deemed to alter the authority of the agency having primary jurisdiction over the proposal, to deny, modify or condition the proposal.

Failure of the commission to submit a recommendation shall be deemed to be approval of the proposal. The Harbor Management Commission shall review the Harbor Management Plan annually and make any additions and/or modifications to the plan that may be deemed appropriate subject to the process and procedures set forth in CGS 22a, 113k through 113t, entitled, "An Act Concerning Harbor Management", or any subsequent legislation enacted by the State Legislature.

Section 7. Regulation of Mooring and Anchorage Area

All mooring activity, permanent and transient, shall be regulated by the Harbor Management Commission and the Harbormaster. Mooring schedules, fees and plans shall be developed as elements of the Harbor Management Plan and made available for review by the general public.

Section 8. Commissioner's Authority to Establish Regulations

The Harbor Commission shall have the authority to establish regulations relating to the use and maintenance of the area within its jurisdiction as set forth in CGS 22a, 113k through 113t.

Section 9. Commissioner's Authority to Establish Fees

The Harbor Management Commission shall have the authority to establish fees subject to the approval of the Board of Aldermen for the use and maintenance of:

1. The City of Milford Launching Ramps
2. The City Dock
3. Designated Anchoring and Mooring Areas
4. Other Facilities developed for the use of commercial and pleasure craft.

The Harbor Management Commission shall also have the authority to establish fees for services involved in setting, retrieving, inspecting and repairing mooring tackle and equipment.

Section 10. Harbormasters and Deputy Harbormasters

The Harbormaster shall have the general care and supervision of the harbors and navigable waterways over which they have jurisdiction, subject to State Statutes regulating Harbormasters, and shall be responsible to the Milford Harbor Management Commission for the safe and efficient operation of such harbor and navigable waterways in accordance with CGS 22a, 113k through 113t.

A deputy Harbormaster may be appointed upon the recommendation of the Mayor to the Governor, depending upon community needs. The Harbormaster shall have a non-voting, ex-officio membership in the Harbor Management Commission.

This ordinance shall take effect in accordance with the Charter of the City of Milford.

Attest: Margaret S. Egan
Town-City Clerk

Dated at Milford, Connecticut this 21st day of June, 1985

AN ORDINANCE FOR ESTABLISHMENT OF A MUNICIPAL HARBOR MANAGEMENT FUND

Milford, Connecticut - April 1986

At the special meeting of the Board of Aldermen held June 18, 1985, the following ordinance was approved:

WHEREAS, the City of Milford, Connecticut has developed a Harbor Management Plan pursuant to State requirements as outlined in CGS 22a through 112k and other related legislation; and

WHEREAS, the City of Milford wishes to manage Milford Harbors and associated waters to increase the use of the harbor by the public, provide adequate maintenance for, and preserve and enhance the beauty and value of the harbor as a recreational and economic resource, and manage it as a valuable environmental resource; and

WHEREAS, the City believes that the most fiscally responsible way to ensure that funds are available for the required maintenance and management of Milford Harbor is to establish a separate and distinct Harbor Management Fund;

NOW THEREFORE BE IT ORDAINED AND ENACTED, by the Board of Aldermen of the City of Milford as follows:

Section 1. Creation of a Harbor Management Fund

The City of Milford Harbor Management Fund is hereby created. This fund shall be separate and distinct from all other funds of the City of Milford. This fund is created for the purpose of the maintenance and improvement of Milford Harbor consistent with the Harbor Management Plan adopted by the City of Milford pursuant to Section 22a - 113m of the Connecticut General Statutes. The source of monies for this fund shall be as delineated in this Ordinance. The uses of monies in this fund shall be as described herein.

Section 2. Sources of Monies

Monies from the following sources shall be deposited into the Harbor Management Fund:

1. Mooring and Docking Fees pursuant to Section 22a - 113s of the Connecticut General Statutes; and
2. Appropriations approved by the Board of Aldermen of the City of Milford from the general budget and appropriations approved by the Board of Aldermen of other revenues and funds.

Section 3. Investment and Management of Harbor Funds

Monies from the above mentioned sources shall be deposited with the City Treasurer, who shall hold said monies in the Harbor Management Fund for the purposes of the fund. Monies in the Harbor Management Fund shall be invested by the City in a manner consistent with the requirements of Section 7 - 400 of the Connecticut General Statutes regarding the investment of funds by municipalities.

Section 4. Expenditure from Harbor Management Fund

Harbor Management Fund monies shall be spent for purposes consistent with the Harbor Management Plan of the City of Milford and related to capital improvements to, or operations of, Milford Harbor and its associated waterfront as defined by the City ordinance. No funds may be expended from this fund or for these purposes without the prior budgetary approval of the Board of Aldermen of the City of Milford.

This ordinance shall take effect in accordance with the Charter of the City of Milford.

Attest: Margaret S. Egan
Town-City Clerk

Dated at Milford, Connecticut this 19th day of June, 1985

**AN ORDINANCE FOR ESTABLISHMENT OF RULES AND REGULATIONS
FOR THE USE AND ENJOYMENT OF MILFORD HARBOR**

MILFORD, CONNECTICUT

PREAMBLE

WHEREAS, The City of Milford, Connecticut has developed a Harbor Management Plan pursuant to State requirements as outlined in CGS chapter 444a; sections 113k through 113t, and other related legislation, and

WHEREAS, The City of Milford wished to make improvements to Milford harbor to increase the use of the harbor by its residents, provide adequate maintenance for, and preserve and enhance the beauty and value of the harbor as a recreational and economic development resource, and

WHEREAS, The City believes that the most responsible way to ensure that the provisions of the Harbor Management Plan are implemented and that the waters of the municipality are properly managed and regulated is through the establishment of rules and regulations for the use and enjoyment of the waters of the City of Milford,

THEREFORE, the Mayor and the Board of Alderman hereby enact the RULES AND REGULATIONS FOR THE USE AND ENJOYMENT OF MILFORD HARBOR as hereinafter set forth.

Revised June 30, 1985

ARTICLE I

General Provisions

Section. 1. Short Title: This ordinance shall be known and may be cited as the Milford Harbor Rules and Regulations.

Section. 2. Applicability: The provisions of this ordinance and any rules and regulations adopted pursuant thereto shall be applicable, and shall govern, the use of the area located on, in or contiguous to the waters of the Wepawaug River, Indian River, and Beards Creek seaward to a line from Welches Point to Charles Island and along the tombolo or sand bar to the high water mark at Silver Beach and the area that lies within the east side of the Housatonic River from the Milford/Orange town boundary line to the southern end of the breakwater at Milford Point.

Section. 3. Invalidity of Provisions: If any provisions of the ordinance is held invalid or inoperative, the remainder shall continue in full force and effect as though such invalid or inoperative provisions had not been made.

Section. 4. Authority: Whenever, by the provisions of this ordinance, a power is granted to the Harbor Commission for the City of Milford or a duty is imposed upon them, the power may be exercised or duty performed by a deputy of the Harbor Management Commission or by a person authorized pursuant to law, unless it is expressly otherwise provided.

Section. 5. Facilities, Control of Use: The Harbor Management Commission is vested with authority over and control of all floats, wharfs, docks, launching ramps, and other facilities owned, leased, controlled, constructed or maintained by the City of Milford, or constructed or maintained by a lessee in any Milford harbor or water as defined in Section 2 of this Ordinance.

Section. 6. Rules, Regulations and Orders: For the provisions of this Ordinance, the Harbor Management Commission shall have the power and duty to enforce the laws, ordinances, traffic and safety regulations covering usage of the waters of the City of Milford, as designated in Section 2 of this Ordinance.

Section. 7. Enforcement Agents: The Harbor Management Commission, the Harbormaster or duly authorized agent(s) acting under the direction and jurisdiction of the Harbor Management Commission, and uniformed marine officers of the City of Milford shall have full authority to enforce this Ordinance.

Section. 8. Violations:

(a) Violation of this Ordinance - shall be a municipal infraction as described in Chapter 1, sections 1 - 9 of the City of Milford Code of Ordinances and a fine not to exceed \$100.00 shall be imposed for each conviction hereunder. Each day in violation shall be considered a separate offense and subject to separate citations. A fine not to exceed \$100.00 shall be imposed for each repeat offense.

(b) Collection of Fines - Fines levied under the provisions of this Ordinance shall be collected by the Harbormaster and deposited in the City of Milford Municipal Harbor Management Fund.

(c) Revocation of Mooring Permit - Repeated violations of this Ordinance may be cause for the revocation of a mooring permit as set forth in Section 43 of this Ordinance.

ARTICLE II

Definitions

Anchorage: Shall mean those water areas designated for anchoring with ground tackle found on board.

Commercial Vessel: Shall mean any vessel licensed or unlicensed used or engaged for any type of commercial venture, including but not limited to, the display of advertising or the carrying of cargo and/or passengers for hire.

Distress: Shall mean a state of disability or a present or obviously imminent danger, which, if unduly prolonged, could endanger life or property.

Emergency: Shall mean a state of imminent or proximate danger to life or property in which time is of the essence.

Facilities: Shall mean any and all facilities of a harbor or maritime facility either publicly or privately owned that are intended primarily to be used by or for the service of small craft (including ramps, hoists, parking areas, leased water areas, concessions and service facilities) located on land or in the waters under the jurisdiction of the City of Milford.

Fairway: Shall mean the parts of a waterway kept open and unobstructed for free movement for water access.

Float: Shall mean any floating structure normally used as a point of transfer for passengers and goods and/or for mooring purposes.

Harbor Management Commission: The duly appointed body of the city of Milford with responsibilities for carrying out the Harbor Management Plan as set forth pursuant to CGS 22a, 113k through 113t.

Harbormaster: Shall mean the Harbormaster appointed by the Governor of Connecticut.

Maritime Facility: Shall mean any facility affecting the use and operations of pleasure or commercial vessels bordering on, concerned with, related to a protected water area of Long Island Sound and its tributaries that is owned, managed or controlled by or under the jurisdiction of the City of Milford.

Moor: Shall mean to secure a vessel other than any anchoring.

Mooring: Shall mean a place where buoyant vessels are seasonally secured by equipment other than at a fixed pier or dock.

Mooring Tackle: The equipment used to secure a vessel at a mooring.

Personal Watercraft (P.W.C.): Shall mean any inboard powered vessel less than 16 feet in length, which has an internal combustion engine powering a water-jet pump as its primary source of motor propulsion and which is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than the conventional manner of sitting or standing inside the vessel.

Public Area: Shall mean all areas of any harbor except those areas under specific lease to private persons or firms or owned privately.

Shall and May: "Shall" is mandatory; "May" is permissive.

Shore: Shall mean that part of the land in immediate contact with a body of water, including the area between high and low water lines.

Slip: Shall mean berthing space for a single vessel alongside a pier, finger float or walkway.

State: Shall mean the State of Connecticut.

Steerage speed: Shall mean the minimum speed necessary to allow a vessel to be steered while making forward progress.

Stray Vessel: Shall mean (1) an abandoned vessel; (2) a vessel the owner of which is unknown; or (3) a vessel underway without a competent person in command.

To Anchor: Shall mean to secure a vessel to the bottom within a body of water by dropping an anchor or anchors or other ground tackle found on-board the vessel.

Underway: Shall mean the condition of a vessel not at anchor; without mooring; and not made fast to the shore nor aground.

Vessel: Shall mean every description of watercraft, other than a seaplane on water, used or capable of being used as a means of transportation on water.

ARTICLE III

General Boat and Traffic Control Regulations

Section. 9. Traffic Control Authority: The Harbormaster, Deputy Harbormaster or Marine Enforcement Officers for the City of Milford shall have authority to control waterborne traffic in any portion of the waters of a harbor or maritime facility under their jurisdiction by use of authorized State regulatory markers, signals, orders or directions any time preceding, during and after any race, regatta, parade or other special event held in any portion of the waters of a harbor or maritime facility or at any time when the enforcement officer deems it necessary in the interest of safety of persons and vessels or other property and it shall be unlawful for any person to willfully fail or refuse to comply.

Section. 10. Basic Speed Law: The operation of any vessel, personal watercraft (P.W.C.) or powered vessel within the harbor area or anchorage including Gulf Pond from the Gulf Street bridge to New Haven Avenue, and the one hundred foot navigable area on either side of the marked channel from Milford Harbor entrance southerly to the aids to navigation buoys (Red Lighted Buoy 4 and Green Can 5) by vessels and vessel operators in excess of established speed limits, or in the absence of such limits, in excess of steerage speed, shall constitute a violation of this article. All vessels under power must comply with the State of Connecticut Boating Safety Regulations term “Slow-No-Wake”. “Slow-No-Wake” shall mean that a vessel shall not produce more than a minimum wake and shall not attain speeds greater than 6 miles per hour over the ground unless a higher minimum speed is necessary to maintain steerageway when traveling with a strong current. In no case shall the wake produced by the vessel be such that it creates a danger of injury to persons, or will damage vessels or structures of any kind. Special written permission may be granted to conduct and engage in water sports and regattas in specific designated areas.

Section. 11. Permits for Races and Special Events: It shall be a violation of this ordinance for any person to engage or participate in a boat race, water sport, exhibition or other special event unless especially authorized by permits from the U.S. Coast Guard-Group Long Island Sound and the State of Connecticut Dept. of Environmental Protection-Marine Patrol Division. These organizations shall have authority to issue such permits and to attach such conditions thereto as, in their opinion, are necessary and reasonable for the protection of life and property. Copies of said permits shall be provided to the Harbormaster.

ARTICLE IV

General Regulations

Section. 12. Liability:

(a) Boat Owner - Any person using maritime facilities within the limits of the City of Milford, shall assume all risk of damage or loss to this property and the City of Milford assumes no risk on account of fire, theft, Act of God, or damages of any kind to vessels within the harbor or maritime facility.

(b) Marina Owner and/or Operator - It shall be the responsibility of the owner, licensee, lessee or operator of any marina, repair yard or other marine facility, located within any harbor, waterway or other maritime facility, to maintain the physical improvements under his jurisdiction in a safe, clean, and visually attractive condition at all times, to provide adequate security and fire prevention measures and appropriate fire fighting equipment as may be directed by the Fire Marshal.

Section. 13. Use Permits, Suspensions or Revocations: All permits granted under the authority of this ordinance shall be valid only for such period as may be determined by the Harbormaster and permits of unqualified duration of validity shall not be granted. A violation of the provisions of this ordinance or of any other applicable ordinance by any permittee shall be grounds for suspension or revocation of such permit or permits.

Section. 14. Harbor Management Plan Consistency Review: The Harbor Management Commission shall review all permit applications for structures within the jurisdiction of the waters designated in Section 2 of this ordinance, to determine if they are in compliance with the Milford Harbor Management Plan as prepared pursuant to Sec. 22a - 113p of the CT. Harbor Management Act, and other related legislation.

Section. 15. Damage to Harbor or Other Property: It shall be unlawful to willfully or carelessly destroy, damage, disturb, deface or interfere with any property in the harbor area.

Section. 16. Obstruction of Facilities: It shall be a violation of this ordinance for any person willfully to prevent any other person from the lawful use of any assigned or public mooring, anchorage, pier, dock, boat launch or other harbor facilities.

Section. 17. Signs, Erection and Maintenance:

(a) The Harbormaster may place and maintain or cause to be placed and maintained, either on land or water, such signs, notices, signals buoys or control devices as he deems necessary to carry out the provisions of this ordinance, or to secure public safety and the orderly and efficient use of a harbor or maritime facility.

(b) Private use signs (including For Rent or For Sale signs) shall be limited to a size of eight and one-half inches (8 1/2") by eleven inches (11") and must be posted on the vessel.

(c) Failure to comply with the provisions of this Section may be cause for the revocation of a mooring permit as set forth in Section 43 of this ordinance.

Section. 18. City Dock and Boat Ramps:

(a) No person shall use the city boat ramp, unless his or her trailer or automobile shall have affixed thereto a registration plate for the current year certifying that the boat is entitled to the use of such launching facilities. Launching or recovery on the ramp requires a permit.

Connecticut residents must show their current boat registration. Parking permits are available to residents and non-residents. All vessels must be properly registered in order to obtain a ramp use permit and use of the public facilities.

Annual boat ramp stickers may be obtained from the City Tax Office and Harbor Management Business Office during regular business hours as follows: Milford residents \$30.00, Milford senior citizens over 65 \$20.00, Non-residents \$125.00, Non-resident senior citizens over 65 \$100.00 and Commercial haulers \$150.00.

Single day boat ramp permits may be obtained at the boat launch ramp at hours designated by the Harbor Management Commission as follows: Milford residents \$10.00 and Non-residents \$20.00.

Notwithstanding the foregoing, at least seventy-five (75%) percent of parking spaces within the boat ramp lot shall be permitted from November 1 through April 1 for ANY vehicle with a current resident parking permit decal permanently affixed to the vehicle. The remaining spaces may be designated specifically for vehicles and trailers with ramp permits.

The Harbor Management Commission in its sole discretion shall designate up to three (3) parking spaces which are not restricted to vehicles with the registration plates required in paragraph (a), but which are subject to a sixty (60) minute time limit restriction. Said vehicle must have a current resident parking permit decal properly attached.

(b) No person shall moor any vessel at any city dock without permission of the Harbor Master, Deputy Harbor Master or Operations Director. Taxpayers and permit holders may utilize available space at launch ramp docks for a continuous period of two (2) hours. Emergencies will be accommodated at the launch ramp docks. All vessels must contact the Dockmaster or Harbor Master for docking instructions prior to tie-up via VHF 9 or calling 203-874-1610. High Street city pier is reserved for loading and unloading commercial vessels only. Police officers may issue a citation for any violations of the provisions of this section. Persons receiving said

citations shall be deemed to have committed an infraction and shall be fined not more than seventy-seven (\$77.00) dollars.

(c) No person shall be allowed to dive, jump or swim from or in the immediate area of the city dock.

(d) The Harbor Management Commission shall annually propose to the Aldermen fees for the use of city controlled facilities. For a complete list of fees, see City Ordinance Sec. 16.1-35, paragraphs d and e.

(f) The State of Connecticut maintains a launching ramp on the Housatonic River, immediately South of the I-95 bridge. No city permit is required for its' use.

Section. 19. Water Skiing: No water skiing is allowed within Gulf Pond or within 200 feet of a designated channel or anchorage.

Section. 20. Underwater Diving: Underwater diving is prohibited in navigation channels and anchorages except in cases of emergency or for the purpose of underwater inspection.

Section. 21. Swimming is prohibited in the designated federal navigation channel and all designated fairways and mooring areas.

Section. 22. Fishing in Milford Harbor is permitted from shore, piers, jetties, vessels underway or vessels at anchor. Fishing in Milford Harbor shall not obstruct or interfere with the safe navigation of vessels in channels or fairways or vessels docked in the Harbor.

ARTICLE V

Regulations concerning Anchoring, Mooring and Security of Vessels

Section. 23. Transient Anchorage:

(a) No vessel will be allowed to anchor within the waters of Milford Harbor north of the Harbor entrance jetties utilizing the vessel's own ground tackle except for those vessels engaged in the act of fishing.

(b) It shall be a violation of this section to anchor a vessel in the inner Harbor. Vessels in distress are excepted from this prohibition but as soon as practicable, the person in charge of any such vessel shall remove said vessel from anchor in the inner harbor.

||| (c) The designated transient anchorage just north of Charles Island is not subject to the above ||| restrictions.

Section. 24. Obstruction of Channels, Fairways and Berthing spaces: No person shall moor or anchor so as to interfere with the free and unobstructive use of the channels, fairways or berthing spaces within the areas as designated in Section 2 of this ordinance. It shall be unlawful to voluntarily or carelessly sink or allow to be sunk any vessel in any channel, fairway or berthing space; or to float loose timbers, debris logs or piles in any channel, fairway or berthing space in such a manner as to impede navigation or cause damage. Any wrecked or sunken vessels within a harbor shall be subject to removal as set forth in Section 25 below.

Section. 25. Removal of Abandoned and Sunken Vessels: No person shall abandon, sink or cause to be sunk, scuttle or burn any vessel, boat, craft or object in the areas described in Section 2 of this ordinance, nor shall such persons abandon, sink, scuttle or burn or otherwise place a vessel, craft or object in such areas where it may be hazardous to navigation or to boats moored in such areas. The Harbormaster of the City shall notify the owner of such abandoned vessel by Certified Mail to remove such abandoned vessel. If such owner is not known, the Harbormaster shall post a notice, if practical, on such abandoned boat or vessel requesting its immediate removal, and after a period of 24 hours following such notification or posting, the Harbormaster may cause it to be removed. See sections 15 - 11A and 15 - 140C of the Connecticut General Statutes. Within the federal project Title 33; section 414 of the U.S. Code is adopted.

Section. 26. Vessels Making Fast: No person shall make fast or secure a vessel to any mooring already occupied by another vessel or to a vessel already moored, except that a rowboat, dinghy or yacht tender regularly used by a larger vessel for transportation of persons or property to or from shore may be secured to such larger vessel or to the mooring regularly used by such larger vessel. If tied within a slip, such rowboat, dinghy, or tender shall not extend into the fairway beyond the larger vessel if such larger vessel is also occupying the slip or otherwise beyond the slip itself.

Section. 27. Correcting an Unsafe Berthing: If any vessel shall be found in the judgement of the Harbormaster to be anchored, berthed or moored within any harbor or maritime facility in an unsafe or dangerous manner, or in such a way as to create a hazard to other vessels or to persons or property, the Harbormaster shall order and direct necessary measures to eliminate such unsafe or dangerous condition. Primary responsibility for compliance with such orders and directions shall rest with the owner of the improperly anchored, berthed, or moored vessel or his authorized agent; in the absence of such owner or agent, said responsibility shall rest with the authorized operator of the vessel or the facility at which the vessel is anchored, berthed or moored. In an emergency situation and in the absence of any such responsible person, the Harbormaster shall forthwith board such vessel and cause the improper situation to be corrected and the owner of the vessel shall be liable for any costs incurred by the Harbormaster or his agents in effecting such correction.

Section. 28. Unseaworthy Vessels: No person shall secure or permit to be anchored, berthed, or moored in a harbor, waterway, or maritime facility a vessel of any kind, whatsoever, which the Harbormaster considers unseaworthy or in a badly deteriorated condition, or which is likely to sink or to damage docks, wharves, floats and/or other vessels or cause water pollution or which may become a menace to navigation. Such vessels shall be removed from the water and/or be otherwise disposed of as directed by the Harbormaster.

||| Section. 29. Use of Vessel as Abode: Living aboard vessels in the harbor is prohibited. For the purpose of this Section, the term "living aboard" means the continuous use of the vessel for a period in excess of thirty (30) days, including use of the vessel for overnight lodging. |||

Section. 30. Placement of Private Moorings: It shall be a violation of this ordinance to place any mooring in the waters of the City of Milford without a permit from the Harbormaster. No vessel so moored or anchored shall extend beyond the mooring area into any designated channels or fairway.

Section. 31. Mooring and Float Space Records:

(a) The Harbormaster shall keep a detailed record of all moorings and float spaces, their location and the owner's name, home and business address, telephone number, date mooring or float space was set and name, length, registration number and type of boat to be attached thereto.

(b) The Harbormaster shall maintain at the City Clerk's office, a waiting list for mooring space and for float space, for assignment of mooring and float space, and an application procedure for use of the harbor and facilities.

(c) Applications for moorings and float spaces and a place on the mooring or float space waiting list shall be renewed annually.

Section. 32. Allocation of Moorings or Float Spaces:

(a) The Harbor Commission shall establish and post in the Milford City Clerk's office, an allocation procedure and priority list for seasonal moorings and float spaces.

(b) As provided in section 31 above, available moorings or float spaces shall be offered to the senior applicant on either waiting list, subject to the constraints contained in these Rules and Regulations. Only one mooring or float space per individual or corporation except when a particular mooring space has been offered to everyone on either waiting list in the appropriate order and is not accepted by anyone on that list. If the available mooring or float space is not suitable to accommodate the senior applicant's vessel, it shall be offered to the next senior qualified applicant. In order to obtain the most effective utilization of existing mooring or float space facilities, lists of applicants will be maintained according to the size of these vessels. These lists will be available for public perusal during regular hours.

(c) Commercial fishing vessels may be assigned up to ten (10%) percent of mooring spaces in the Housatonic River. Commercial use on permitted float space is not allowed.

(d) Consistent with the desire to minimize structural encroachments and other adverse impacts on coastal resources priority shall be given to riparian owners. Efforts shall be made to issue moorings or float spaces as close to the owners' location as possible within the established mooring grid system.

(e) Special consideration will be given to the need for temporary mooring by other commercial vessels such as barges, pile drivers, towboats, etc., when they are performing authorized work in and around Milford Harbor.

Section. 33. Original application for Mooring Permit or Float Space Permit: Any interested person or persons or corporation may apply for a mooring permit or float space permit by completing, in full, the application provided for that purpose. In the case of a corporation, association or other group however organized, disclosure of the principals of the corporation, and evidence of corporate organization must be submitted by producing current Articles of Incorporation or similar instrument registered with, approved and issue by the State of Connecticut.

Section. 34. Mooring or Float Space Permits Valid for One (1) Season Only: Mooring or float space permits are valid for a period not to exceed one (1) season unless renewed as referenced in this article.

Section. 35. Renewal of Mooring or Float Space Permit: All mooring or float space permits shall expire on October 31 and shall be renewed by October 31 of the present calendar year for the following season.

Section. 36. Mooring and Float Space Permit Fees: All applications for a mooring or float space permit shall be accompanied by a fee. All such fees shall be non-refundable. In the case of applications for new mooring or float space, the fee shall not be due until such time as the

Harbormaster shall assign such applicant a mooring or float space and the applicant shall accept same. All mooring or float space permits issued shall expire on the thirty-first (31st) day of October next following issuance. All fees established under this plan shall be reasonable and in line with the value of the service rendered. For a complete list of fees, see City Ordinance Sec. 16.1-62, paragraphs b and c.

Section. 37. Mooring Permits or Float Space Permits are Non-transferable: Whenever a permittee parts with possession of or transfers all or part of the title or interest in the small craft identified in the mooring permit or float space permit to another person by any arrangement whatsoever, the Mooring Permit or Float Space Permit shall expire except as otherwise provided herein with respect to the original permittee. The new possessor, transferee or owner shall have no right to use the mooring space or float space authorized by the mooring permit or float space permit. The original permittee may, upon written application to and approval by the Harbor Management Commission, retain the mooring space or float space assigned under his or her mooring permit or float space permit provided that another small craft owned by the permittee is moved into the mooring or float space within thirty (30) days (unless the period is extended by the Harbor Management Commission because of special circumstances involved) and the permittee continues to pay the appropriate fees.

As long as a corporation which possesses a valid mooring permit or float space permit remains in being, the mooring permit or float space permit remains valid, regardless of sale or transfer of stock. However, should the controlling interest in the corporation change through such a sale or transfer of stock, the permit shall expire.

Section. 38. Permittees Change of Vessel: The Harbormaster shall attempt to accommodate a permittees change in vessel size during the permit period, provided such a change doesn't reduce the number of moored vessels or compromise vessel safety.

Section. 39. Specifications for Mooring Tackle: The minimum specifications for moorings in Milford Harbor and the Housatonic River are shown in the Appendix, Figures 8, 9 and 10, respectively. Mushroom anchors shall be used as permanent moorings. At the discretion of the Harbormaster, screw type anchors may be substituted in both Milford Harbor and the Housatonic River. When screw type anchors are used, the proper size shall be determined by the Harbormaster. The Harbormaster may specify the use of mooring floats. When mooring floats are used, they must conform to the General Permit for Harbor Moorings issued under the authority of Sec. 22a-361d of the CT General Statutes or a superceding permit issued by the State of Connecticut under the appropriate jurisdiction.

Section. 40. Abandonment of Mooring Tackle: Any registered owner who owns tackle and is abandoning their mooring space may offer to sell the tackle occupying such space to the next person assigned the same. Failure of the registered owner to remove such tackle shall constitute the abandonment thereof, and such tackle may be removed by the Harbormaster at the expense of such registered owner thereof.

Section. 41. Mooring Inspection:

(a) No mooring shall be placed in the waters of the City of Milford as designated in Section 2 of this ordinance without inspection and approval of the Harbormaster. The Harbormaster must direct the placement of all moorings.

(b) Each mooring shall be raised or removed for inspection at least once every two (2) years in Milford Harbor and at least once every three (3) years in the Housatonic River. The cost of inspection shall be set by the Harbor Management Commission based on competitive bidding by marine contractors qualified to do the removal, inspection, and resetting of moorings, and shall be at the sole expense of the owner. The Harbormaster will maintain a record of the inspection and his or her report for a period of four (4) years. If, as the result of such inspection, it shall be determined that any chain, shackle, swivel or other piece of mooring tackle has become warped or worn by one-third (1/3) of its normal diameter, all such chain, shackle, swivel or other piece of mooring tackle shall be replaced accordingly. Failure to make such replacement shall be grounds for revocation of the mooring permit by the Harbor Management Commission. A qualified diver approved by the Harbormaster shall inspect screw type anchors. Inspection interval for screw type anchors will be determined by the Harbormaster.

» Section. 42. Moorings: Ice Protection: Mooring buoys are to be disconnected by November 1 and rebuoyed by May 1 on the years that the ground tackle is not removed for inspection. »

Section. 43. Revocation of Mooring Location Permit: The receipt of a mooring permit entitles the owner to the use of a specific mooring location identified by mooring number. The permittee may occupy the assigned mooring only with that small craft described in his or her application for mooring permit.

Reasons for termination or revocation of a mooring permit will be established by the Harbor Management Commission and posted in a location for public inspection.

Any permittee who fails to remedy any breach of the duties, covenants or conditions of the agreement, or who fails to desist from violating these Rules and Regulations directed at him by the Harbor Management Commission or their agents for immediate corrective action and compliance, will suffer the automatic revocation of the mooring permit and any rights thereunder.

ARTICLE VI

Sanitation Regulations

Section. 44. Discharge of Refuse:

- (a) It shall be a violation of this Ordinance to discharge or permit the discharge into the waters of the harbor of any refuse or untreated waste matter, petroleum or petroleum matter, paint, varnish or any other foreign matter, including dead animals, fish, bait, and debris.
- (b) The Harbor Management Commission shall seek designation as enforcement agent for the provisions established under the Clean Water Act.

Section. 45. Toilet Fixtures: Except in federally designated No-Discharge zones, which may be established pursuant to Section 316 of the Clean Water Act, no person shall operate the toilet fixtures of a vessel within the waters of the City of Milford at any time so as to cause or permit to pass or to be discharged into the waters of such area, any untreated sewage or other waste matter or contaminant of any kind. Any discharge shall be in compliance with current Federal standards concerning Marine Sanitary Discharge or local Health Officer.

ARTICLE VII

Safety and Maintenance

Section. 46. Flammable and Combustible Liquids and/or Materials: Within a harbor or maritime facility, no person shall sell, offer for sale, or deliver in bulk, any class of flammable liquid or combustible material, nor dispense any flammable or combustible liquids in the fuel tanks of a vessel except when in compliance with all requirements of the NFPA. Fire Code and any other laws or regulations applicable thereto.

Section. 47. Defective or Dangerous Conditions: Whenever any buildings, structures or floating facilities within a harbor or maritime facility either on land or water are found to be defective or damaged so as to be unsafe or dangerous to persons or property, it shall be the duty of the owner, agent, lessee, operator or person in charge thereof to immediately post a proper notice and/or fence or barricade and at night to adequately light such unsafe area or areas, and such unsafe area or areas shall be kept posted and lighted and/or fenced or barricaded until the necessary repairs are made.

APPENDIX



Intertidal Resources

FIGURE 1

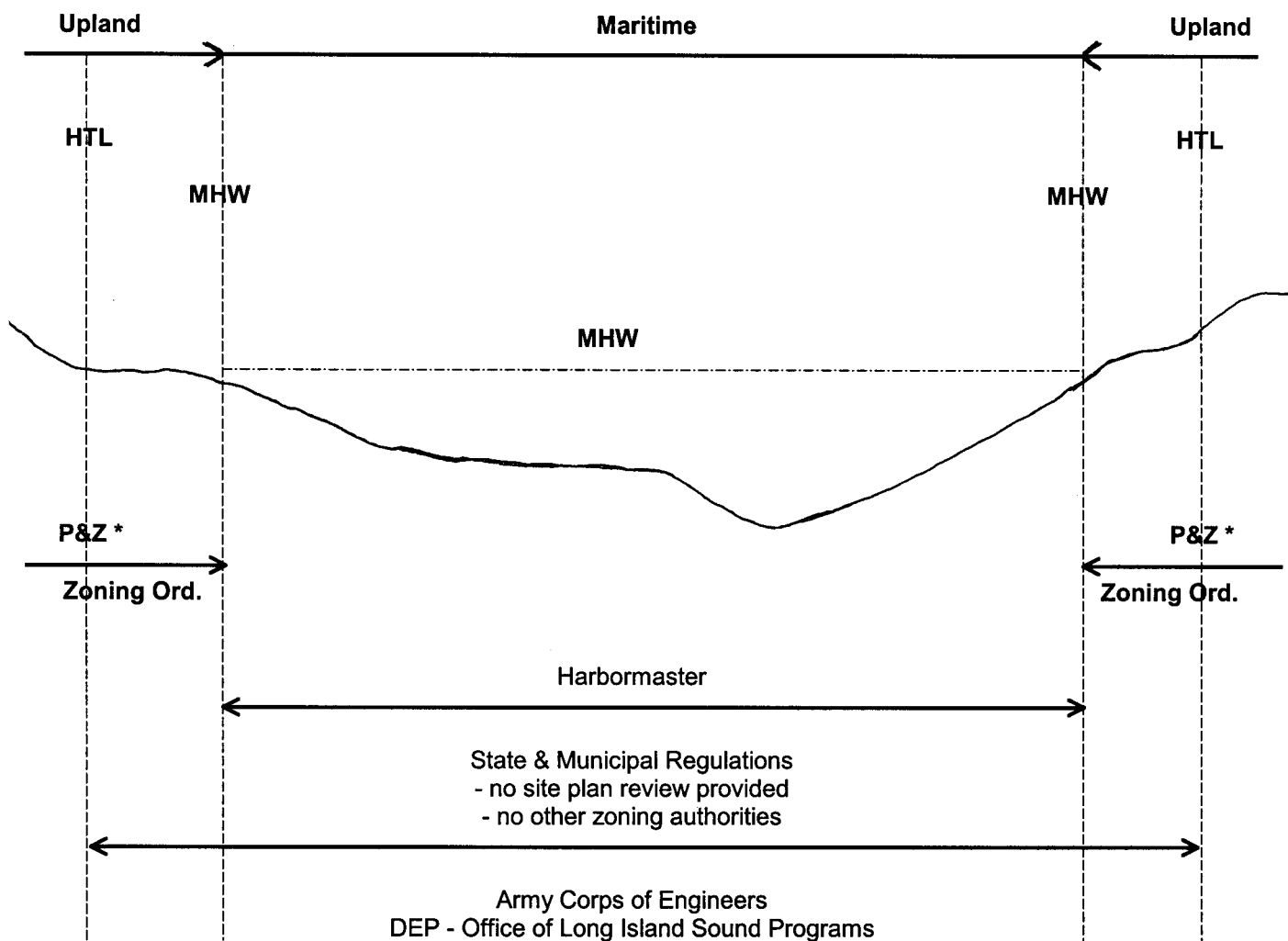
73°07'30"
41°11'

CONNECTICUT
7.5 MINUTE SERIES (TOPOGRAPHIC)



Shellfish Concentration Areas

FIGURE 2



* The Harbor Commission serves at the discretion of the Board of Alderman and through approval of the Planning Commission for the drafting of economic development proposals regarding the use of Housatonic River and Milford Harbor.

Existing Local Organizational Framework for Harbor Management

FIGURE 3

Figure 4

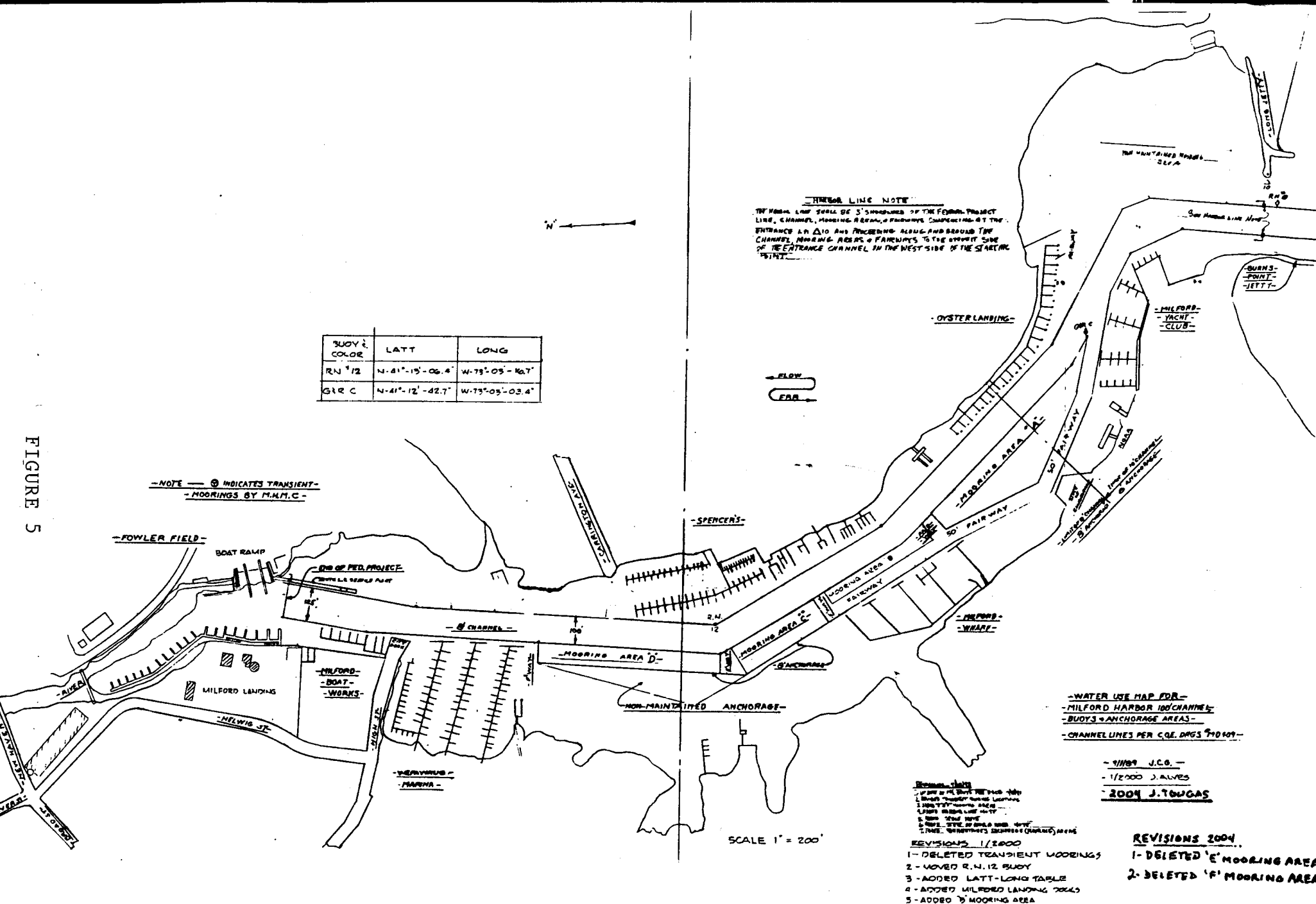
Permitted Activities	Current Regulatory Agencies Involved	Proposed Municipal Involvement	Proposed Municipal Permitting Agency	State Legislation Relevant to the Activity	Municipal Legislation Relevant to the Activity	Method of Municipal Regulation	Recommended Action
Anchorage	DOT, HM, ACOE	HM, HMC, DOT		CGS 22-113, k-t	Harbor Management Plan	HMC designation of locations for use as anchorages	Amend Article VII of Zoning Ordinance
Moorings	DOT, HM, ACOE	HM, HMC, DOT		CGS 22-113, k-t	Harbor Management Plan	HMC designation of mooring areas and permit program	Implement HMP recommendations
Dredging	DEP, IWRD, ACOE	HMC		CGS 22a 361, 383-385	n/a	HMC Consistency Determination issued at DEP request	Request IWRD consider HMP recommendations
Filling	DEP, IWRD, ACOE, P&Z	HMC, P&Z	P&Z	PA 84, 247 CGS 22a 359,361	Zoning ordinance	HMC Consistency Determination; P&Z Article VII, Special Permit	Request that IWRD consider HMP recommendations
Placement of docks, piers, and pilings	DEP, IWRD, ACOE, P&Z	HMC, P&Z	P&Z	PA 84, 247 CGS 22a 361 <i>et seq</i>	proposed	HMC Consistency Determination; P&Z Article IV, required Consistency Determination by P&Z	<ul style="list-style-type: none"> • Harbor line system • Lateral line system • P&Z to include HMC Consistency Determination before permit approval
Upland development adjacent to the waterfront	DEP, OLISP, P&Z	HMC, P&Z	P&Z	PA 84, 247 CGS 22a 101 <i>et seq</i>	proposed	HMC Consistency Determination; P&Z existing permit system to require Consistency Determination with HMP	Require that P&Z include a consistency determination prior to permit approval

LEGEND

ACOE Army Corps of Engineers
 CGS Connecticut General Statutes
 DEP Department of Environmental Protection
 DOT Department of Transportation
 HM Harbor Master
 HMC Harbor Management Commission

HMP Harbor Management Plan
 IWRD Inland Water Resources Division
 OLISP Office of Long Island Sound Programs
 PA Public Act
 P&Z Planning and Zoning Board

FIGURE 5



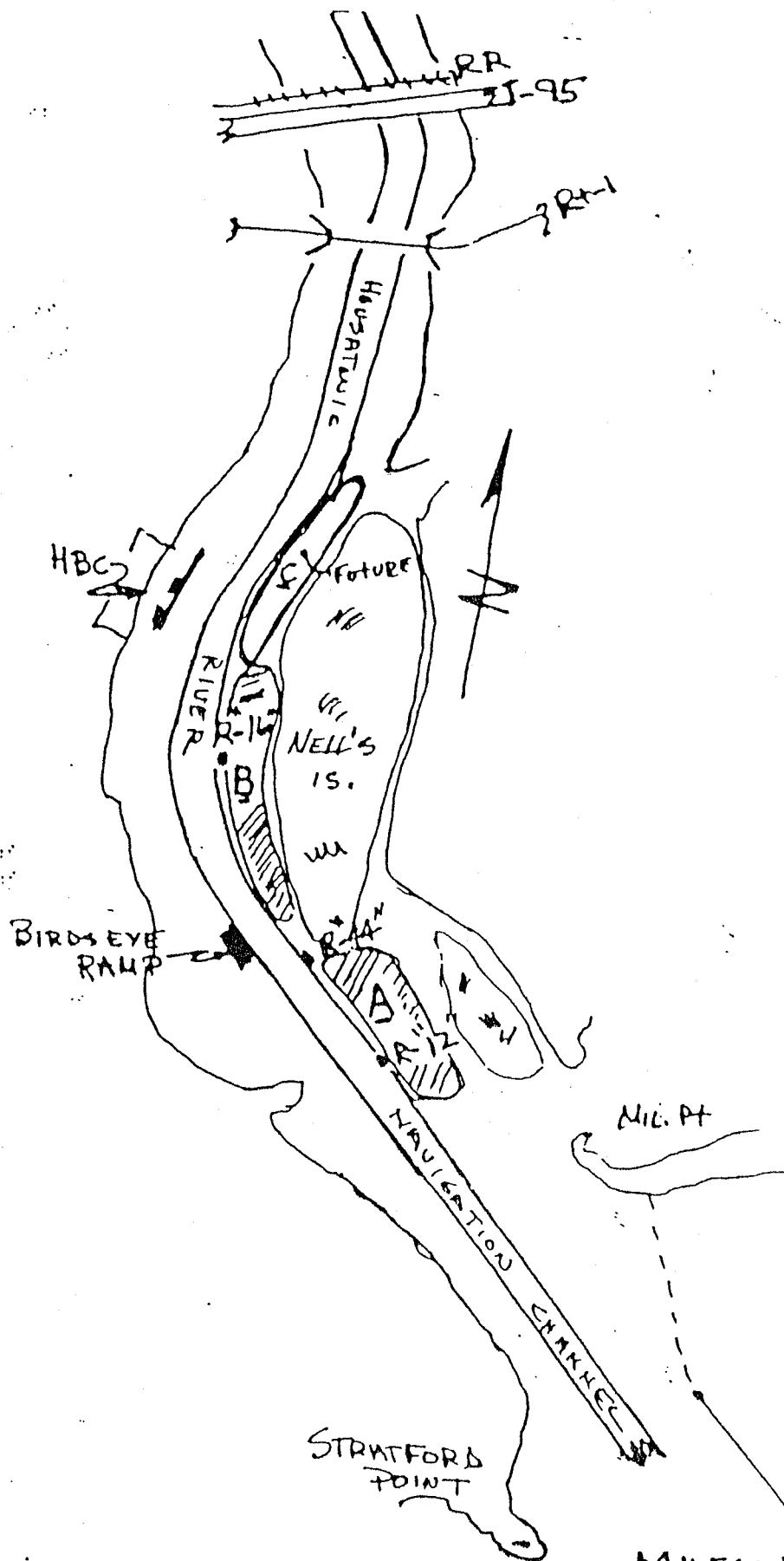


FIGURE 6

MILFORD HARBOR
COMMISSION
SCHEMATIC

HOUSATONIC RIVER
MOORING AREAS

NTS - 1123/92

SK-3

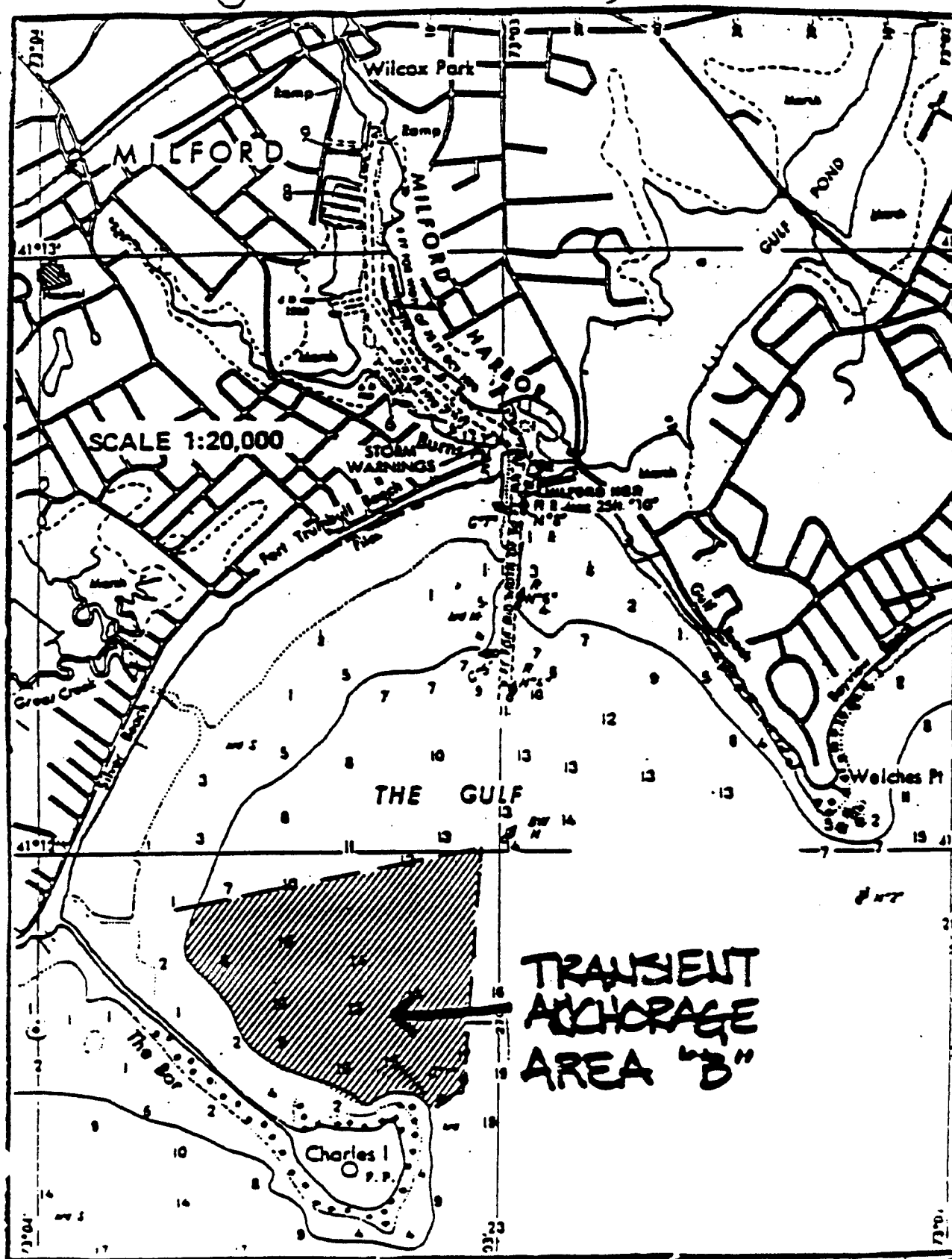
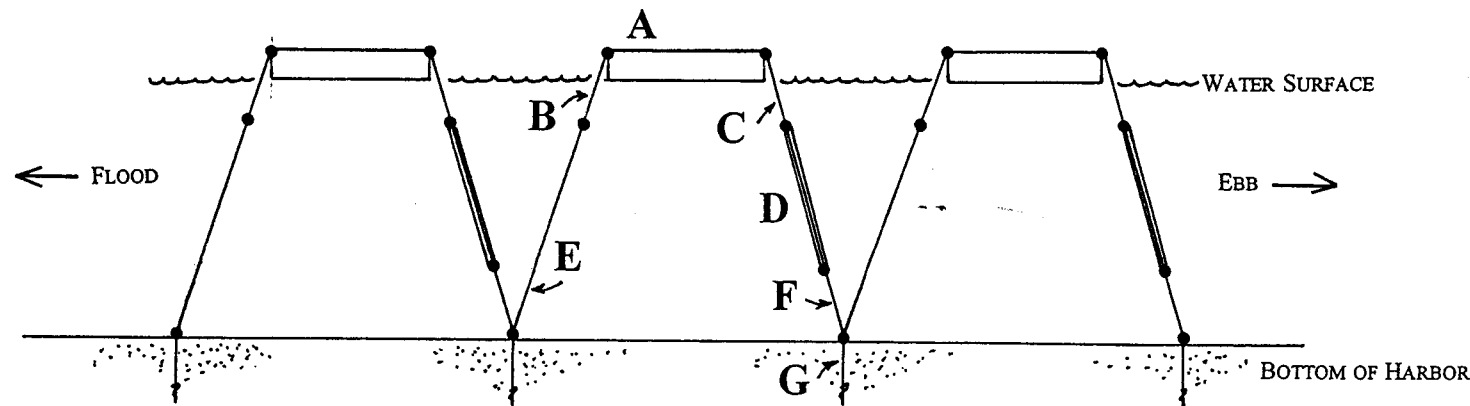


FIGURE 7

Figure 6:
CROSS-SECTIONAL SKETCH OF TYPICAL
MOORING FLOAT ARRANGEMENT
 (See figures 7 and 8 for additional details.)

MILFORD HARBOR MOORING-FLOAT PLAN
APPLICATION FOR DEP PERMIT
 MILFORD HARBOR MANAGEMENT COMMISSION
 City of Milford, Connecticut
 Consultant to the Harbor Management Commission:
 GEOFFREY STEADMAN, Westport, CT
 (Sheet 6 of 9) July 9, 2001

NOT TO SCALE



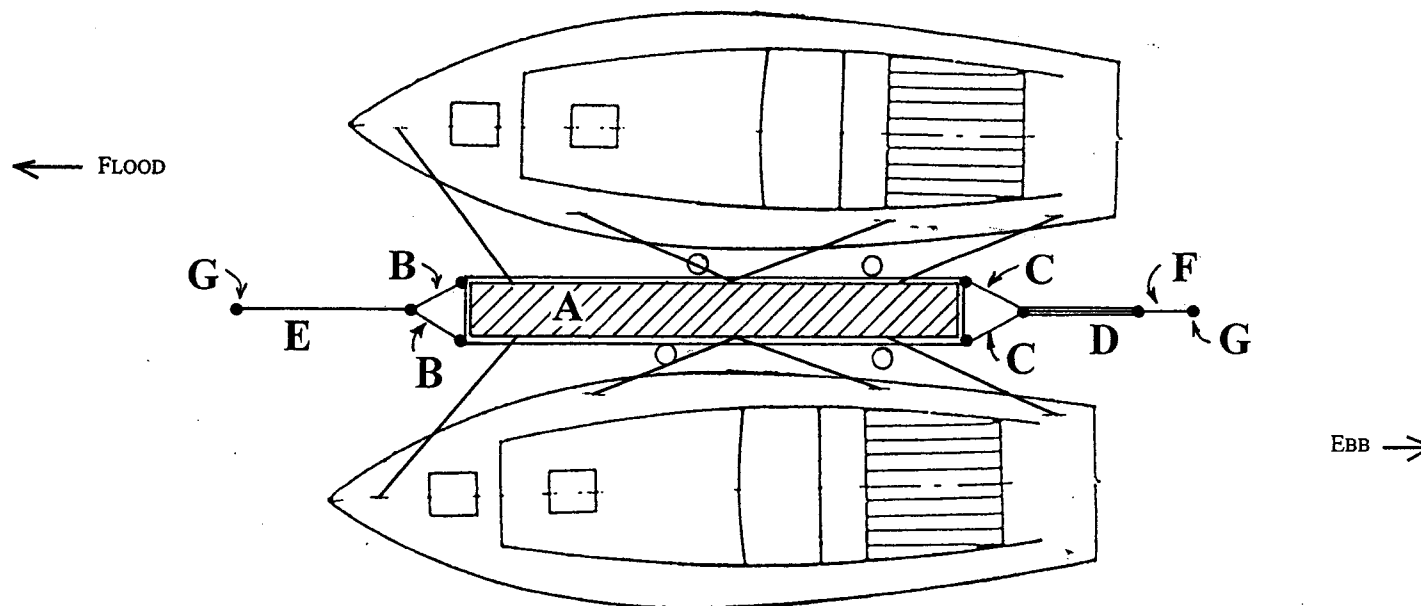
LEGEND:

- A. MOORING FLOAT: WOOD CONSTRUCTION WITH PLASTIC FLotation SYSTEM; ALL FLOATS FOUR FEET WIDE; FOUR FLOAT LENGTHS (20, 24, 30, AND 32 FEET) WILL BE USED IN THE HARBOR TO ACCOMMODATE DIFFERENT SIZE VESSELS.
- B. FIXED BRIDLE (NOT ADJUSTABLE): TWO 3/4 INCH TO ONE INCH THICK NYLON OR DACRON LINES CONNECTING CORNERS OF UPSTREAM END OF FLOAT TO FULL RODE; EACH LINE APPROXIMATELY SIX FEET LONG.
- C. RUNNING BRIDLE (ADJUSTABLE): TWO 3/4 INCH TO ONE INCH THICK NYLON OR DACRON LINES CONNECTING CORNERS OF DOWNSTREAM END OF FLOAT TO ELASTIC RODE; ADJUSTED TO SET DESIRED TENSION ON ELASTIC RODE.
- D. ELASTIC RODE ("SEAFLEX" MOORING SYSTEM): REINFORCED RUBBER CORDS WITH STAINLESS STEEL FITTINGS CONNECTING RUNNING BRIDLE TO BASE RODE; CORD LENGTH NINE FEET EXPANDABLE TO 18 FEET (SEE FIGURE 8).
- E. FULL RODE: ONE, 3/4 INCH TO ONE INCH THICK NYLON OR DACRON LINE APPROXIMATELY 20 FEET LONG CONNECTING FIXED BRIDLE TO HELICAL ANCHOR.
- F. BASE RODE: ONE, 3/4 INCH TO ONE INCH THICK NYLON OR DACRON LINE APPROXIMATELY TWO FEET LONG CONNECTING ELASTIC RODE TO HELICAL ANCHOR.
- G. HELICAL ANCHOR (HELIX): MARINE EMBEDMENT ANCHOR SCREWED INTO HARBOR BOTTOM TO ANCHOR MOORING FLOAT (SEE FIGURE 8).

Figure 7:
PLAN SKETCH OF TYPICAL MOORING FLOAT
WITH ATTACHED VESSELS
 (See figures 6 and 8 for additional details.)

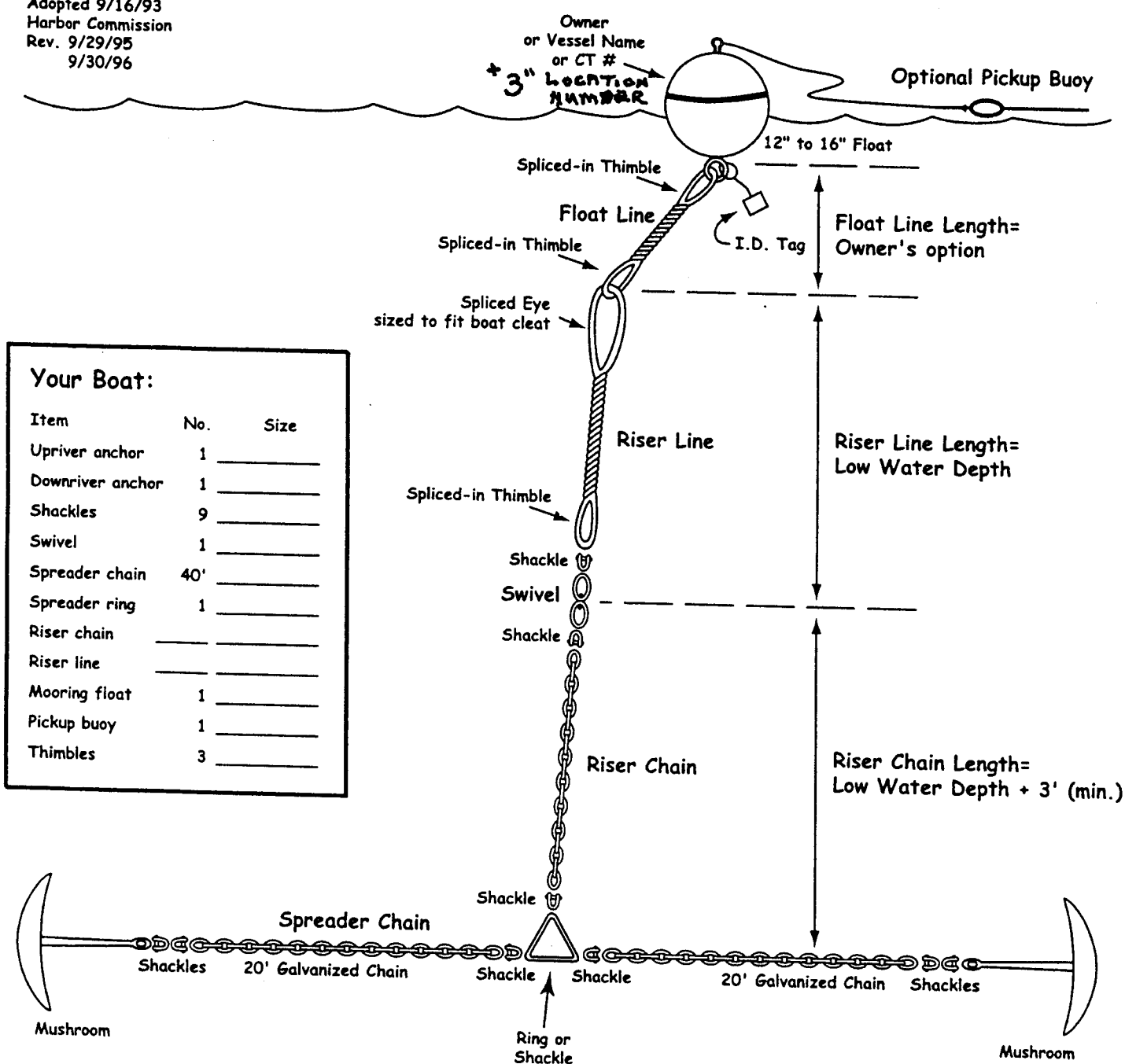
MILFORD HARBOR MOORING-FLOAT PLAN
APPLICATION FOR DEP PERMIT
 MILFORD HARBOR MANAGEMENT COMMISSION
 City of Milford, Connecticut
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 GEOFFREY STEADMAN, Westport, CT
 (Sheet 7 of 9) July 9, 2001

NOT TO SCALE



LEGEND: (Also see figure 6 legend)

- A. MOORING FLOAT
- B. FIXED BRIDLE (NOT ADJUSTABLE)
- C. RUNNING BRIDLE (ADJUSTABLE)
- D. ELASTIC RODE ("SEAFLEX" MOORING SYSTEM)
- E. FULL RODE
- F. BASE RODE
- G. HELICAL ANCHOR (HELIX)



Housatonic River Mooring Requirements

* PLEASE NOTE: All chain must be a minimum of 1/2"

Boat Size	Mushrooms		Chain		Shackles	Line Riser	Swivel
	Upriver	Downriver	Spreader	Riser			
Up to 23'	200 lbs. - 150 lbs.		1/2 "	1/2 "	1/2 "	1/2 "	1/2 "
23' to 28'	250 lbs. - 200 lbs.		1/2 "	1/2 "	1/2 "	5/8 "	5/8 "
29' to 35'	300 lbs. - 250 lbs.		1/2 "	1/2 "	5/8 "	5/8 "	5/8 "
36' to 41'	350 lbs. - 300 lbs.		5/8 "	1/2 "	5/8 "	3/4 "	3/4 "

Furnished as a guide only. Meeting specifications does not guarantee a safe mooring in all conditions.

FIGURE 10

CITY OF MILFORD, CONNECTICUT
Harbor Management Commission
37 Helwig Street Milford, CT 06460
(203) 874-1610 Fax (203) 874-1619 mfd.landing@snet.net
Office Hours: Monday – Friday 8:00 a.m. – 3:00 p.m.

SAMPLE MOORING FIELD FLOATING DOCKAGE RENTAL APPLICATION

(Please print legibly)

Owner Name _____ Vessel Name _____
Home Address _____ Registration Number _____
City _____ State _____ Zip _____ Vessel Make/Model _____
Length **including all projections** _____
(New Vessel Maximum LOA – 43')
Home # (____) _____ Bus # (____) _____ Beam _____ Draft _____ Power or Sail
Fax # (____) _____ Email _____ Dinghy Launch: Ramp MYC Other (Circle one)
(circle one)

Floating Dockage Rental Rates

This contract is for the period May 1, 2009 to November 1, 2009. It includes sewage pump-out at Milford Landing Marina and temporary **one hour attended** tie up at Milford Landing Marina based on availability.

\$25.00 per linear foot including all projections + 6% CT Sales Tax. This fee is non-refundable.

Conditions of Floating Dockage Rental

1. Rental Charges must be paid **in full** prior to October 31, 2008. **No exceptions.**
2. Vessel Owners are required to carry adequate insurance. The City of Milford/Harbor Management Commission is not liable for loss by fire, theft, storm damage, vandalism or deterioration. **Please have your agent supply us with a Certificate of Liability Insurance showing limits of coverage on your hull and P & I (this latter must be at least \$300,000). The City of Milford/Harbor Management Commission shall be named as certificate holder.** This Floating Dockage Rental Contract shall not be considered complete until we are in receipt of your current insurance certificate. No space will be assigned if this form is not received.
Insurance Agent _____ **Agent's Telephone #** _____
3. A copy of your current **Connecticut** vessel registration must accompany this contract.
4. In the event of severe storm or hurricane, or Act of God, the Harbor Management Commission will attempt, if practicable and possible, to provide preparation and damage prevention service. However, the Tenant remains solely responsible for taking all emergency measures possible, and the Harbor Management Commission does not assume any responsibility for said protection and/or damages to the owner's vessel.
5. Rental of this space is for pleasure use only and does not include display for sale, use for charter or commercial fishing.
6. No major repairs may be made to vessels on floating docks; please be considerate of your neighbors.
7. No swimming, scuba diving, fishing, fish cleaning or open fires are permitted on floating docks. Due to fire and environmental concerns, vessels may not be fueled from portable containers on our floating docks. Sailboat halyards must be tied off to prevent slapping. **Live-aboards are not allowed.**
8. No alterations to floating docks may be made. Only rubber dock bumper materials may be used, no carpeting or other materials that retain water.
9. This assignment is for the period May 1, 2009 to November 1, 2009 only, and is non-transferable. No sub-leasing of floating docks or transfer of vessels between floating docks is permitted.
10. It is a violation of Federal Law to discharge trash, oil or sewage into the water. Tenants must comply with all environmental regulations.
11. Conduct by a tenant or his guests that might cause injury, property damage, or disturbance to other tenants of the mooring field floating dockage shall be cause for immediate termination of this contract.
12. Failure to comply with any of the above conditions shall void this contract. Tenant shall immediately remove his vessel from the floating dock. In the event that the Tenant refuses to leave, the Harbor Management Commission reserves the right to remove Tenant's vessel at Tenant's sole expense.

Owner's signature >

Date >

-- For Milford Harbor Management Commission Use Only --

Original Application Date	Fee Paid
Position Assigned	Decal Sent

MILFORD HARBOR MANAGEMENT COMMISSION

37 Helwig Street - Milford, CT 06460
Tel (203) 874-1610 Fax (203) 874-1619
Harbormaster (203) 882-5049
mfd.landing@snet.net

**SAMPLE REQUEST FOR
ANNUAL MOORING SPACE**

Renewal application period is Oct. 1 - Oct. 31, 2008

Office Hours: Monday - Friday 8:00 a.m. - 3:00 p.m.

INSTRUCTIONS

Enter all information requested and sign this form in the box below.

Attach your check for the proper amount made payable to:
Milford Harbor Management Fund

Attach a copy of your **current** CT boat registration.

Attach a Certificate of Liability insurance naming MHMC certificate holder.

ANNUAL MOORING FEES

Recreational craft \$ 132.50
Commercial craft \$ 66.25

Prices above include applicable taxes

This application is for a mooring assignment for the period from May 1, 2009 to November 1, 2009.

Check one box in each of the four categories below:

Housatonic River (east side)

☐
☐

New application

☐
☐

Renewal application

Power boat

☐
☐

Sail boat

Recreational

☐
☐

Commercial

Was this mooring used this past season?

circle one

YES

NO

PLEASE PRINT LEGIBLY

Owner Name (only one)		Date	
Address		Home Tel	
		Office Tel	
Vessel Name		CT vessel #	
Vessel overall length (including all projections) (New Vessel Maximum LOA — 40')		Minimum draft	
Vessel Make	Model	Year	Beam

Moorings must have adequate ground tackle and scope for the area and conditions expected and must be inspected by an authorized mooring inspector. Ground tackle must meet minimum standards as set forth in the *Milford Harbor Management Plan*. Mooring scope must not allow any infringement on other moorings with the vessel attached. Under no condition are moorings allowed which would permit the vessel to swing into the Army Corps of Engineers' established navigational channels by action of wind or tide, or into any established fairway, wharf, dock or float. Buoys must be identified with the vessel's or owner's name. Housatonic mooring balls must show location number in 3" letters.

I understand that my vessel must be properly registered in Connecticut with evidence of such registration submitted with this application and that the appropriate mooring fee must be paid before a space will be granted. I further understand that I may not sublet or transfer any mooring which is granted to me. The annual decal issued by the Milford Harbor Management Commission must be displayed on the vessel as instructed. I further understand that the terms, conditions, rates and other information covered in the Milford Harbor Management Commission's information notice dated September, 2008 included with this form and I agree to those conditions. All fees are non-refundable. I acknowledge and agree that mooring services will be provided by Michael Dunn, Housatonic Boat Club, PO Box 694, Stratford, CT 06615 (Tel 203-521-4722).

Owner's signature >

- For Milford Harbor Management Commission Use Only -

Original application date	Fee paid
Position assigned	Decal sent

MILFORD HARBOR MANAGEMENT COMMISSION

37 Helwig Street - Milford, CT 06460
Tel (203) 874-1610 Fax (203) 874-1619
Harbormaster (203) 882-5049
mfd.landing@snet.net

**SAMPLE MOORING SPACE
WAITING LIST**

Office Hours: Monday - Friday 8:00 a.m. - 3:00 p.m.

INSTRUCTIONS

Enter all information requested and sign this form in the box below.

Check one box in each of the three categories below:

Milford Harbor

☐
☐

Power boat

☐
☐

Recreational

☐
☐

Housatonic River (east side)

Sail boat

Commercial

PLEASE PRINT LEGIBLY

Owner Name (only one)		Date	
Address		Home Tel	
		Office Tel	
Vessel Name		CT vessel #	
Vessel overall length (including all projections) (Max. Lengths—Harbor 43' - River 40')		Minimum draft	Beam
Vessel Make	Model	Year	Location of Dinghy Launch

For Housatonic River only: Moorings must have adequate ground tackle and scope for the area and conditions expected and must be inspected by an authorized mooring inspector. Ground tackle must meet minimum standards as set forth in the *Milford Harbor Management Plan*. Mooring scope must not allow any infringement on other moorings with the vessel attached. Under no condition are moorings allowed which would permit the vessel to swing into the Army Corps of Engineers' established navigational channels by action of wind or tide, or into any established fairway, wharf, dock or float. Buoys must be identified with the vessel's or owner's name. Housatonic mooring balls must show location number in 3" letters.

For both Milford Harbor and Housatonic River: **I understand that my vessel must be properly registered in Connecticut with evidence of such registration submitted with this application** and that the appropriate mooring fee must be paid before a space will be granted. I further understand that I may not sublet or transfer any mooring which is granted to me. The annual decal issued by the Milford Harbor Management Commission must be displayed on the vessel as instructed. I acknowledge and agree that mooring services will be provided by Milford Harbor Management Commission, 37 Helwig Street, Milford, CT 06460 (Tel 203-874-1610) for moorings in Milford Harbor and by Michael Dunn, Housatonic Boat Club, PO Box 694, Stratford, CT 06615 (Tel 203-521-4722) for moorings in the Housatonic River.

Owner's signature >

- For Milford Harbor Management Commission Use Only -

Original application date	Number assigned
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