

Housatonic River Estuary Commission (HREC)

HOUSATONIC RIVER ESTUARY COMMISSION MEETING MINUTES

7:00 P.M., Thursday, September 25, 2008

Craft Room 2, Shelton Community Center

Shelton, CT

****Revised****

1. CALL OF THE MEETING/PLEDGE OF ALLEGIANCE

Chairman Gesullo called the meeting to order at 7:15 P.M..

All in attendance pledged allegiance to the flag.

ATTENDANCE

Robert Gesullo, Chairman, Shelton

Lori Romick, Vice-Chairman, Milford

Bill Rock, Commissioner, Stratford

Also in attendance:

Marianne Chaya, Clerk, HREC

Melody Wood – University of New Haven

Justin Goggins – University of New Haven

Note: There was not a quorum present.

2. PUBLIC PORTION OR GUEST

Mr. Goggins stated that they are grad students at UNH. My thesis project is at Milford Point at the wildlife preserve.

Mr. Goggins explained his project, who he is working with, and that the marsh he is studying in is the only growing marsh in America.

Vice-Chairman Romick explained that the Ron Rosza from the CT Dept. of Environmental is doing a study on the north side. They are doing a yearly measurement. You may want to contact him.

Commissioner Rock said that the marsh is incredibly complex. He lives right on the Housatonic River across from the marsh.

Ms. Wood said that her thesis project is on the invasive tunicate. This has become a very large problem for the fishing industry. They stick on anything hard, such as boat docks. The reason they are so hard to get rid of is that they don't have any predators because of their hard outer covering. They are not indigenous to this area; they came from Korea and the South Pacific.

Vice-Chairman Romick said that the DEP boat, comes down this way periodically and a lot of times when they put out their traps they get a lot of organisms that collect on them and is great for studies. You can go to the National Fisheries Service in the Milford harbor. The older nets and traps that have been unattended for quite a while are the ones you want to pull up and look at.

Chairman Gesullo thanked the two grad students for their attendance.

3. APPROVAL OF THE July 24, 2008 MEETING MINUTES

There is not a quorum present; therefore no votes can be taken. The approval of these minutes will have to be addressed at the next regular meeting but the Commissioners could comment.

Chairman Gesullo said from the last meeting there was an action item that he wanted to follow-up. It was arrangement of a river ride down the river. He tried to arrange it through the Coast Guard auxiliary but was turned down due to some legal issues on taking civilians on the boat.

Vice-Chairman Romick said that Commissioner Blake offered his boat at the last meeting.

Chairman Gesullo said that they will follow-up with the legal end of it and thinks it will be ok but would now be pushed out to the beginning of the season.

4. FINANCE REPORT

Commissioner Blake sent his report to Chairman Gesullo. He spoke with the Shelton Finance Dept. and the current balance is just over \$2000 posted as of June 1, 2008. There has been no request for payment to him since our last meeting. He believes Orange and Ansonia still have not made any contributions. I talked with Commission Urban tonight told him that Ansonia has not sent their contribution. He asked if Marianne Chaya has submitted her invoice for payment and Marianne said yes, from the last meeting and Jason was copied. She will forward the invoice to him again.

5. COMMISSIONER'S REPORTS – REMARKS AND/OR OUTREACH EFFORTS

Vice-Chairman Romick reported that she went to a social marketing workshop put on by the Long Island Sound society. I received a great listing of contacts of river groups. The marketing workshop was essentially a way to brainstorm on how to make the most of your money and get people to do what you want them to do, especially with the environmental issues going on. It was a worthwhile workshop and I got a lot out of it.

Tuesday night Vice-Chairman Romick will be attending a meeting at the new office (in Norwalk) of Long Island Sound for dredging applications. They are changing the dredging permitting process. What they will now do is to have the applicants send in the submissions to Harbor Management Commissions, Bureau of Aquaculture, and local shellfish commissions first. The idea is to get all the comments first and then forward on to the DEP. Right now approvals take up to 18 months and once this new process takes effect it should take less than 6 months.

Chairman Gesullo asked Vice-Chairman Romick to write a summary report from that meeting to have for the next Commission meeting.

Vice-Chairman Romick stated that she contacted the River Alliance, who has the small grants program for new emerging watershed groups. They have extended the deadline for applications to October 15. We do have time if we felt there was a project that we wanted to get involved in. They would like it done in the first year, but you can get an extension if you feel you need more time. It is a small grant that is for up to \$5000. It may be enough for us to be able to do some type of mailings or piggyback and work with another group to join efforts. I don't want to do a grant just to get grant money; I want to do it for something that really needs to be done. I contacted DEP to find out what they thought was missing as far as the lower end of the Housatonic River – what pieces haven't been picked up or what do they feel needs to be done? They really felt that a lot of the work is getting done; it's just that they haven't gotten a good handle on the organizational effort. That may be something they will work on first – getting a better organizational layout so that they know what group is doing what specifically, what needs to be done, and then take that information and filter that information back to groups like ours who are willing to pick up some pieces. They didn't have any information for me on this grant so we would kind of be on our own for the time being if we want to apply. We can match funds (40%) with in-kind services. For example, if we use Jason's boat for picking up water samples along the river that aren't already being done by another group, we can use his gas and boat for matching in-kind funds. They won't pay for the sampling, so we would have to work with another river group that has a 5013C (non-profit status), which we don't have. River Watch/Harbor Watch has offered to work with us and use their non-profit status. In exchange, they would do the sampling and we would buy the equipment. You are allowed to buy water-sampling equipment with the grant.

Chairman Gesullo asked how would we work under their non-profit status?

Vice-Chairman Romick responded that we would apply for the grant jointly.

Since Commissioner Blake had stated he had an interest in this water sampling, I was just supporting his effort. There is a whole list of types of projects and activities that qualify for the grant.

Chairman Gesullo said he wanted to comment that before we started on something like this I had to find out if we were qualified. As I read the notations I noticed the part about being a non-profit organization. I called and talked to the person involved with this and said that we chose not to finance ourselves that way because it would take too much paperwork to do it that way and that we are part of a trust for each of the towns. She said that in knowing that we would not qualify. She was the one who suggested partnering with another group who had it, like HVA. That is kind of where I left it. This person told me that she has been trying to take this Commission to make sure other people know about us and said there may be other ways. She talked with the DEP and I did receive a communication from them and they asked for more information about who we are. I think for now we will table this until we have full attendance.

Vice-Chairman Romick said that this is the 5th round of this grant and chances are the money will be available again for next year.

Commissioner Rock said that when the correspondence was circulating for the initial idea of doing this water sampling, my response to you was why?

Vice-Chairman Romick responded that Commissioner Blake has suggested it because he had a boat available and was willing to volunteer the gas and his time and he even said he'd pay for the samples if we didn't get a grant. He wanted to do this because we are now set up and wanted to do a project and begin actively working with the river groups. We got the listed of the impaired waters from the DEP and there are areas of the river that are considered unfunded; no one is working on them right now. He thought by doing this river sampling would be a great way of getting involved.

Commissioner Rock asked if we are looking for polluters?

Vice-Chairman Romick answered and explained that we would be doing bacterial sampling, dry and wet weather events due to either runoff or current conditions. This would be on areas where we could do follow-up. This would be where the result would cause us to notify the affected towns and have them investigate further.

Chairman Gesullo explained that Commissioner Blake's motivation was that we spent a year getting this Commission up and running and he wanted to be proactive. The grant thing came up after his idea of getting this going and we were looking into tying it together but it is kind of falling apart because we don't qualify because we are not non-profit.

Commissioner Rock said that instead of pursuing that type of activity what seems to be more pressing in the towns is how to keep the incredible amount of debris that comes down the river in the springtime. Most of it ends up at the boardwalk marina in Stratford. The consensus is that this is a FEMA problem and this is something this Commission should be doing something about. We went to the Coast Guard and they didn't want to deal with it unless it was hazardous waste. We went to the DEP, and said there is nothing they would do because it doesn't involve them. FEMA says there is nothing they can do about it either. This is something that this Commission could look into to see if there is a way that there can be a study of the phenomenon which takes place every spring and if there is a way that each town can collectively work together and do their part to try and trap it so it doesn't end up in this guy's back yard. What he did with it is he hired a tugboat, broke it up and sent it on its merry way. I told him that he was legally responsible for doing that. Some of the huge logs that end up there could hit the boats that are moored and sink them.

Vice-Chairman Romick said that CT is one of the states now that is working with a national group to reinvestigate stormwater issues because it has become such a problem. Because of all the flood control work we have done over the past 20 years in removing it from people's backyards and parking lots and this new extra large volume of water is now being sent into the river along with all the sediment and debris. This new project, which will take about 10 years, is to decide where they are going to retrofit pipes and dealing with the maintenance on the filtration systems.

The last item Vice-Chairman Romick had to report is that there is still work going on legislative initiatives for buffering for all rivers in CT. The submitted legislation

was for 100' buffer (vegetative strip or zone with plantings for water absorption and filtering) for all properties along the rivers in the state. The problem is that most people don't have 100' available for a buffer. It didn't pass and they are hoping to get any type of buffer, even if it's 20'. The next step was to go to the individual towns to get their people to try and enforce a buffer zone.

Commissioner Rock reported that Stratford's representative; Jeff Stedman will attend the same meeting Vice-Chairman Romick will be attending on the dredging application process change.

The Commissioners discussed the application process as it is now.

Chairman Gesullo reported that he has been following the issue of the canal filling by McCallum Enterprises in Shelton and how it may or may not affect the Housatonic River. We thought it was over because they pulled the application but now I found out it is back on again. I met with some people on various Commissions' in the City and it is probably a dead issue because it seems to be a maneuvering game. They want to sell the property to the City and the City doesn't want to buy it. I will be monitoring it.

6. OUTLINE OF THE DISCUSSION OF THE PLANNED DREDGING AT CASWELL COVE MARINIA - MILFORD

This is the topic that originally got us all together.

I did write a summary of my meeting with Dave Phillips from Caswell Cove Mariana association and is as follows:

The following is a summary of a meeting I had today with Dave Phillips from Caswell Cove Marina association to discuss the recent permit to allow dredging at the Marina and its effect on Housatonic River.

a) There are two phases to this issue, the first phase is the reconfiguration of the marina inside the cove itself, and this effort comes under an already in place COP with planned construction some time this November 08 and it would last about two weeks. The purpose of this reconfiguration is to allow better access for routine maintenance and more use of the already deep water with no dredging at this time, The Marina will keep the same slip capacity it now has at about 110 slips, there are no plans or no attempts to increase slip space, they do not have the ancillary support space like parking for any increases.

b) Phase two has more to do with the DEP Permit for dredging that is now in the public 30-day stages at the DEP before they give final approval, however

Dave did advise me that other than any unknown objection that it is likely they would receive final approval soon. He shared with me the details of plans and the permits, which requires dredging of not just a small part of the marina itself but also the natural channel that parallels the federal channel for about 200 ft.

The dredging is being done to maintain 7ft at low tide depths at the natural channel only (which is private property); it will not impact the already low depth of the federal channel that it runs parallel to it. This is being done for safer and easier access to marina entrance from the River.

The total planned dredging material is about 14000 cubic yards with additional 7000 yards for the marina area too. The removed material will be dumped in LIS open water in places already used by the DEP for the same purposes; no material will be removed and dumped into the River! This work will start most likely next year.

The removed material does meet min levels of non-contamination but does not meet new definition from the DEP standards of today, so the removed material when dumped will need to be capped, the coordination of that effort still has to be worked out with the DEP for the Capping. The Permit defines and also requires that all dumping of the removed materials have to be done on site with the Army Corps of Engineers.

******Vice-Chairman Romick commented that there is a newspaper article regarding Milford's plan to dredging at the mouth up to the bridge. Mayor Richitelli had gone to Washington in an attempt to secure funds for removal of 600,000 cu. yards up to 18' depth.

Commissioner Rock commented that the funding was in reference to a meeting, one of the most recent initiatives of the Stratford Waterfront and Harbor Management Commission, to bring the situation to the attention of the mayors of Milford and Stratford. Stratford had been pursuing this as the lead agency for the past 18 years and has been informed that we are getting closer to that end. ******

They discussed the piping of the fuel for the power plant.

Commissioner Rock and the Commissioners discussed a joint meeting that was held back in 2003 about dredging, the cost, and what was the plan for the dredging material.

Tape 1, Side B

The Commissioners discussed the probability of the dredging occurring anytime soon and where they felt the most important areas to be dredged.

Chairman Gesullo said that he got a call from someone from the Army Corps asking why we did not respond to the survey that went out regarding dredging of the river. We talked about this at the last meeting and we all felt the survey was very specific to owners of property along the river. I explained what we were doing and she said I had to contact another person. I copied all of you on the letter I sent. It is as follows:

Dear Stacy Pala:

I am witting to you in regards to your request for our response to the recent survey about the needs for dredging on the Housatonic River. We did not respond only from that fact that your survey was site location specific.

The HREC and it's membership who represent the bordering towns on the River and are responsible for the stewardship by a state charter of the lower section of Housatonic

River want for you to understand the need for dredging of the federal channel is of paramount concern.

Our main focus for dredging on the river start at buoy number 1 at the mouth of the river at LIS of the Milford/ Stratford line and up to buoy 64 in Shelton on the River.

With the most recent depth finding from the Army Corps of Engineers which define the area of most concern are at the Channel bends that flow against the currents and tidal direction of those currents which continue to fill causing serious navigation issues with depth a low as 4ft at low tide in some areas.

Additionally at the mouth river as tidal currents flow across the channel direction have over time given to serious narrowing of the channel at the very busy entrance into the harbor.

We have encouraged those who did receive your survey to respond and should you need our support please ask we would be happy to do what we can, we trust you will include this response to your data collection.

Bob Gesullo (Shelton)
Chairman Housatonic River Estuary Commission

Vice-Chairman Romick stated that a few years ago a barge ran aground on the Housatonic and the concern was if there was a break in the hull we could have a problem with oil leaking out. This is Mayor Richitelli's concern as far as the safety aspect and the environmental issue.

Commissioner Rock commented that there hasn't been a oil barge in the river in 3 years and there had been more than one incident.

Vice-Chairman Romick said that due to the increased economic development along the river plus increased desire for public access the Mayor is thinking there is the potential for greater sized vessels on the river.

There was discussion of the different river groups and waterfront Commissions, mostly individuals who are volunteers.

Chairman Gesullo asked Vice-Chairman Romick to look into the tree clearing at private property at the 15-bridge in Milford. She said she would check to see if the proper permits were taken.

7. STATUS OF YEAR-END REPORTS TO WHOM AT EACH TOWN

Chairman Gesullo and Vice-Chairman Romick said that all the people they wanted to receive the annual report received theirs. Commissioner Rock said he has a copy but has not done anything with it. Are you sending it to the Mayor?

Marianne Chaya reported that all the Mayors/First Selectmen of the towns received the report along with all the individuals that Chairman Gesullo, Vice-Chairman Romick and Jeff Snyder provided. No email addresses were received

from Derby, Ansonia, Orange or Stratford. Commissioner Rock said he would like the town council to receive a copy and he would provide email addresses to Marianne.

8. NEW BUSINESS

Vice-Chairman Romick mentioned that the Sports Center in Shelton is expanding and there is concern that the river access would be affected. Chairman Gesullo said he would check w/P&Z.

She also brought a copy of the newspaper article regarding the Shelton Conservation Commission/Trails Committee, that they were awarded recognition of their work on the Shelton trails and greenway.

There also was an article in last week's newspaper about rain gardening and the growing popularity.

9. NOVEMBER HREC MEETING DATE/PLACE

The next meeting date is Thursday, November 20, 2008. Vice-Chairman Romick said she would make arrangements for a room in Milford.

10. ADJOURNMENT

The meeting adjourned at 8:15 P.M.

Respectfully submitted,

Marianne Chaya