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VOLUME I, PAGES 1-169

US ARMY CORPS OF ENGINEERS  
NEW ENGLAND DISTRICT  
File Number: 200202751

COMMENTS OUTSIDE THE MAIN HEARING ROOM,  
held at the Veterans Memorial Auditorium, Parsons  
Government Center, 70 West River Street, Milford,  
Connecticut, on Wednesday, July 23, 2003,  
commencing at 5:00 p.m., concerning,

MARICULTURE UNLIMITED, LLC  
PERMIT APPLICATION

JUSTICE HILL REPORTING  
BY JULIE THOMSON RILEY, RMR, CRR  
252 JUSTICE HILL ROAD, P.O. BOX 610  
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## 1 ORAL STATEMENTS

2

3 MARTHA ANN TYNAN: I'm Martha Ann  
4 Tynan, T-Y-N-A-N. I live at 179 Third Avenue in  
5 Milford, which happens to be the Laurel Beach  
6 section of Milford, and I am opposed to this as it  
7 is presented here.

8 I feel that the depths that they are  
9 showing are not accurate as the shoreline exists  
10 today, and in questioning some of the  
11 representatives here, I was told that they took the  
12 figures from a 1980 NOAA chart, and the shoreline  
13 has changed considerably since then, and I am very  
14 concerned about the safety and what it's -- what  
15 something like this is going to do so close to the  
16 shoreline, and I guess that's all.

17 ANDREW DUHAIME: And I'm Andrew H.  
18 Duhaime, 662 Bridgeport Avenue, Milford, and  
19 D-U-H-A-I-M-E.

20 I'm opposed to it. From experience,  
21 since my high school days in the late '40s, sailing  
22 through this area for so many years, we saw the  
23 buildup of the bottom with sand, which was probably  
24 10 to 12 feet deep at that time, and today the

1 sandbars are above high tide.

2 I feel that the whole area is filling  
3 in, and as nature does will build an atoll as the  
4 shoreline changes.

5 The depths that they are showing on  
6 their map, I don't believe to be very accurate,  
7 just from my past experience.

8 And I would -- I just think that would  
9 be a very serious question and should be surveyed  
10 or however you do it, probably with depth gauges,  
11 et cetera.

12 So, as it stands, I'm opposed to the  
13 project.

14 THOMAS GRAVES: My name is Thomas N.  
15 Graves, G-R-A-V-E-S. My address is 210 Gillies,  
16 G-I-L-L-I-E-S, Lane, Norwalk, Connecticut 06854.

17 I am opposed to having the oyster beds,  
18 the marine culture, put in this area. It is a high  
19 traffic area for boats.

20 This spring I was sailing in. I have a  
21 30-foot sailboat. I was sailing in, and it was  
22 blowing about 20 out of the southeast, which was  
23 blowing right up the channel, up the Saugatuck  
24 River, when the water pump on my engine failed, and

1 I had to stop the engine and throw an anchor out in  
2 order to get the boat in order, put a sail up, and  
3 sail in. Had the apparatus that holds the oyster  
4 bed been in place, I would have fouled it, and that  
5 would have not been good for me or for the  
6 aquaculture folks.

7 So, I'm opposed to it on that grounds.  
8 I think there's plenty of places upstream, towards  
9 the Fairfield area, that does not have the density  
10 of recreational boating traffic that you have off  
11 of Compo Beach, in Westport.

12 Thank you.

13 GARY HELMIG: Gary Helmig, H-E-L-M-I-G,  
14 122 Indian Hill, Wilton, Connecticut 06897.

15 I am testifying today that I support  
16 the position that has been taken by the Cedar Point  
17 Yacht Club in opposition to the application for a  
18 permit of Mariculture to suspend oyster cages on  
19 longlines in their leases in the vicinity of the  
20 mouth of the Saugatuck River. Literally hundreds  
21 of boats can be in this busy area on the weekend.

22 Joe Conti, Mariculture spokesman is  
23 quoted in the July 17th "Norwalk Hour," quote, We  
24 are hoping a smaller -- we were hoping a smaller

1 area would allow them (Cedar Point) to maneuver the  
2 races around the gear since they cannot race over  
3 it, unquote.

4 I agree with Mr. Conti's conclusion  
5 that races cannot be held over the cages. It  
6 should be noted that Mr. Conti's statement was made  
7 relative to a 25-acre compromise proposal, not the  
8 350 acre per request, which will have significantly  
9 more impact.

10 Mariculture asserts that the proposed  
11 area is a small percentage of the Cedar Point race  
12 area. The fallacy of that argument is that there  
13 are other leases in the race area, and if  
14 Mariculture -- if the Mariculture application is  
15 approved and successful, the other leases will want  
16 to install -- leasees -- excuse me -- will want to  
17 install suspended cages on their leases.

18 This would effectively eliminate any  
19 possibility for sailboat racing in the area. It is  
20 impractical for several reasons, (e.g. inability to  
21 get Coast Guard approval and time required to reach  
22 the area) to move the racecourse further south and  
23 east. The ultimate impact of approving the  
24 Mariculture application will be to eliminate

1 sailboat racing at Cedar Point.

2 HARRISON VALANTE: My name is Harrison  
3 Valante, and my last name is spelled V-A-L-A-N-T-E.  
4 My address is 18 Pequot Trail, in Westport,  
5 Connecticut 06880.

6 I'm here as Past Squadron Commander of  
7 Saugatuck River Sail and Power Squadron, Past  
8 District Two Commander, and at the present time,  
9 Safety Officer Of District Two, which goes from the  
10 Long Island Sound, up the Hudson River, to the  
11 Canadian border.

12 I'm going to say what the role of the  
13 Power Squadron is in being at this hearing. We  
14 were asked by the local boaters to offer an expert  
15 opinion on specific navigational points and  
16 circumstances related to the area, and we are ready  
17 to share this with you, other than serving the  
18 purposes of providing a practical, technical  
19 opinion on recreational navigation; however, as an  
20 organization, we are not expressing either a  
21 positive or a negative view on the merit of the  
22 project.

23 Our members may have individual  
24 opinions on the merit of this project and may

1 address petitions to the authorities, but this is  
2 beyond our participation as an organization and are  
3 not, to be understood, made under our name.

4 Okay. Since I lecture for the  
5 Saugatuck River Sail and Power Squadron on adverse  
6 weather conditions and boating safety in general,  
7 for the purposes of this meeting tonight, I have  
8 been asked to concentrate my remarks on anchoring.

9 Now I'll talk on the anchoring  
10 situation. There are emergency anchoring  
11 situations such as heavy weather, storms, squalls,  
12 fog, time when your boat may be washed ashore and  
13 into rocks; therefore, dropping an anchor is  
14 absolutely important.

15 There's another time when you could  
16 have a strong tidal current, again in need of  
17 anchoring.

18 Excessive windage, wind that cannot be  
19 overcome with engine help alone.

20 Engine mechanical failure is a time  
21 when you might want to use your anchor and need to,  
22 and also for a boat trying to assist someone in the  
23 water quite often it's time to drop the anchor and  
24 put yourself in the location of the person.

1                   Anchoring guidelines, and this is  
2 page 5 in the report that I'm giving to the Army  
3 Corps of Engineers. There's a graphic that goes  
4 with that. Anchors need to be affixed to a rode  
5 which is strong and long. The anchor needs to be  
6 settled with enough horizontal plane to assure it  
7 gets surely affixed to the bottom.

8                   Then we have a scope which is a ratio  
9 of the rode, the line that goes from the anchor to  
10 the boat in a horizontal plane, to the vertical  
11 distance of the bow to the bottom of the water.

12                   On an educational basis, you then have  
13 anchoring, scope of the rode guidelines. The  
14 normal scope that is recommended and taught by the  
15 United States Power Squadron is a scope of seven to  
16 one ratio. For every one foot of rise, there would  
17 be seven feet of anchor rode necessary. In very  
18 heavy weather, you could have a ratio of ten to  
19 one, because remember the strength of the anchor is  
20 on the horizontal pull, not on the vertical uplift.

21                   Now, I can give you an example which is  
22 page 7 in the report to the Corps, and I'll  
23 summarize this. Assuming a depth of 20 feet, at  
24 mean low tide, that's the chart numbers, normal

1 conditions with scope of rode, seven to one, that  
2 would give us 20 foot of water depth, plus we have  
3 to add to that 3 feet of freeboard of the boat,  
4 which is 23 feet times seven ratio equals 161 feet  
5 of rode necessary under normal conditions.

6 I can expand this further in a further  
7 example two, which is on page 8, and we must also  
8 consider the tidal increase. That tidal increase  
9 on the Long Island Sound is 7 feet; therefore, if  
10 we do the math, we have 20 feet of water depth,  
11 7 feet of tidal increase, 3 feet of boat freeboard,  
12 take that which is 30 times 7 ratio equals 210 feet  
13 of rode necessary.

14 Now, this is an important consideration  
15 for current swing. On a 360 degrees circumference,  
16 that anchor would have to be in a cleared area of  
17 420 feet of area.

18 And I'm getting close to summarizing  
19 here, but prudent navigation principles, which is  
20 page 9, include safe seamanship principles indicate  
21 to avoid navigating over an area affected by  
22 submerged objects, meaning that the area affected  
23 will not be safe for navigating through, and lastly  
24 of the principles, obstructions can dangerously

1 foul anchoring rodes.

2                   And in conclusion, page 10, the  
3 navigable area engaged in the project is used to  
4 accede the mouth of the Saugatuck River where  
5 significant vessels are moored. Prudent marine  
6 seamanship avoids navigating on top of a complex of  
7 a line system as the one included in the project.

8                   And, lastly, as emergency or forced  
9 anchoring in the area becomes either not possible  
10 or insecure, it could further cause danger and  
11 damages to property and life.

12                   The implications are that we will be  
13 facing a relative vast area of no anchoring, much  
14 beyond the limits of the designated area.

15                   I want to thank the Corps for listening  
16 to my information and hope that it helps them in  
17 making their decision.

18                   Thank you very much.

19                   JAMES TRAPP: James Trapp, T-R-A-P-P,  
20 238 Second Avenue, Milford, Connecticut.

21                   I have four concerns, and the first one  
22 is basically the system itself. Has a system been  
23 tested or proven and proven elsewhere. I'm  
24 concerned about that, and this is obviously not the

1 first time it's been put into use; so, I'm  
2 interested in where I can look and find a system  
3 that has been proven, and I just wanted to check  
4 that out.

5           Okay. Second thing is the maintenance  
6 that was mentioned in one of the articles I read  
7 about the high pressure washing, and the thing that  
8 I'm concerned about is what exactly is that  
9 procedure? What does the residue consist of after  
10 the washing procedure has been completed? How  
11 often is the washing done? And how long does it  
12 take to complete the task? And is there any  
13 environmental impact because of that washing?

14           Number three, I'm concerned about the  
15 integrity of the lines and the helix anchors and  
16 the other anchors that might be used, and I'm  
17 interested in what the dynamic force on the system  
18 under normal and adverse weather conditions would  
19 be.

20           And the fourth thing I'm concerned  
21 about what possible -- what are the possible worst  
22 case scenarios that could happen in our environment  
23 or in our neighborhood area of where these things  
24 are placed. That's my concern. That's it.

1                   CHRISTOPHER POLLAK: Okay. My name is  
2 Christopher W. Pollak. Pollak is spelled  
3 P-O-L-L-A-K, no "C". Address is 235 Old Boston  
4 Road, in Wilton, Connecticut.

5                   Okay. And this is a letter addressed  
6 to Cori M. Rose, New England District Regulatory  
7 Division, 696 Virginia Road, in Concord, Mass. The  
8 zip's 01742-2741 -- excuse me. Correction -- 2751.

9                   Dear Ms. Rose: The following is my  
10 statement to be entered into the public record as  
11 respect the Mariculture Unlimited project, File  
12 Number: 200202751.

13                   I have reviewed the proposal for  
14 Mariculture Unlimited to install an "oyster farm"  
15 near Cockenoe Island off Westport, Connecticut.  
16 This oyster farm consists of a number of longlines  
17 and cage units which would be raised above the  
18 bottom but moored 10 feet below mean low water. It  
19 would be kept afloat between large flotation buoys.  
20 Additional buoys are proposed to keep the longlines  
21 off the bottom. Numerous anchors would be required  
22 to hold this gear in place against the wind and the  
23 tidal currents.

24                   Let me state for the record that I am

1       unequivocally opposed to approval of any  
2       application for this proposal.

3                       I have been boating in the area which  
4       would be affected by the Mariculture proposal since  
5       1959. My family and I have, and continue to be,  
6       active as swimmers, rowers, powerboaters,  
7       fishermen, water-skiers, tubers, and recreational  
8       and racing sailors in dinghies and cruiser racers.  
9       There's no question in my mind that the Mariculture  
10      proposal would have a very negative impact on the  
11      public's use and enjoyment of the area as well as  
12      negative safety ramifications for commercial and  
13      recreational boaters of all types.

14                      This proposal would benefit a single,  
15      private enterprise at the expense of and detriment  
16      to other commercial enterprises and thousands of  
17      recreational fishermen, sailors, and powerboaters  
18      by limiting access to a very widely used area of  
19      Long Island Sound. That reason alone should be  
20      sufficient to deny any needed approvals, but it's  
21      more than that. This project would pose a serious  
22      hazard to navigation that would needlessly put  
23      other marine interests at jeopardy.

24                      Anchoring for recreation or safety

1 would be difficult, if not impossible. Sailboats  
2 which capsize and "turn turtle" (rotate 180 degrees  
3 so their mast is pointing down), which is a very  
4 common occurrence, would become fouled on  
5 longlines, cages, or rigging. Affecting rescues  
6 would be hampered by the limited maneuverability  
7 among the buoys and lines. Fishermen, both  
8 commercial and recreational, would also find their  
9 gear fouled. Racing vessels would be unable to  
10 anchor in the area to set marks. Recreational or  
11 racing sailors or powerboaters would not be able to  
12 anchor in the event of a breakdown or at other  
13 times when it would be prudent to hold their  
14 positions rather than operate.

15                   This proposal is a bad idea for both  
16 safety and its potential limitations on the  
17 public's use and enjoyment of the area. Please  
18 reject the Mariculture Unlimited proposal.

19                   Thank you for your consideration.

20                   Sincerely, Christopher W. Pollak.

21                   PAUL KREITLER: My name is Paul  
22 Kreitler, K-R-E-I-T-L-E-R, and I'm from  
23 23 Homestead Avenue, number 3, Black Rock,  
24 Connecticut 06605.

1                   And I'm here to come on the record  
2                   tonight to state my position on Mariculture's  
3                   application for putting in new oyster beds  
4                   in -- off of Cockenoe Island.

5                   I support the position of Cedar Point  
6                   Yacht Club and the sailboat racing on Long Island  
7                   Sound.

8                   And that's it.

9                   RICHARD GOLD: My name is Richard Gold,  
10                  G-O-L-D, 68 Westover Lane, Stamford, Connecticut  
11                  06902.

12                  To whom it may concern: I live in  
13                  Stamford and travel to Westport three times a week  
14                  to participate in sailboat races administered by  
15                  Cedar Point Yacht Club.

16                  I've been traveling 30 minutes each way  
17                  every summer for the past ten years to participate.  
18                  It is the quality of racing and the timeliness of  
19                  the water route to the racecourse that has kept me  
20                  active in coming back for more. A displaced  
21                  racecourse would require significantly more time  
22                  associated with the activity, hence curtailing the  
23                  ability to do so as often.

24                  I am passionately opposed to allowing

1 longline oyster farming in the area south of  
2 Saugatuck Harbor entrance, off Westport,  
3 Connecticut. The needs of an established  
4 recreational boating center will greatly be  
5 impacted in a negative way if forced to share the  
6 waters with a commercial longline venture over the  
7 proposed 366-acre area.

8                   The reason this application is in  
9 direct conflict with the recreational use needs are  
10 safety for anchoring racing sailboats, flexibility  
11 in anchoring race committee boats, flexibility in  
12 anchoring racing marks, safety to capsized racing  
13 sailboats, and hazards of navigation for deep keel  
14 vessels racing or sailing over the structure.

15                   The area has a history of recreational  
16 boating activity and sailboat racing dating back  
17 perhaps 100 years, and the waters are enjoyed by  
18 many sailboat racers, day sailors, fishermen, and  
19 other recreational boating activities. Part of the  
20 uniqueness of the area is its lack of commercial  
21 boating activity, which makes the expanded sailboat  
22 racing programs administered by CPYC possible and  
23 available to the entire Westport community.

24                   It is very important to note that CPYC

1 runs and conducts races not only for its members  
2 but invites the entire recreational boating  
3 community to be part of and share the sport under  
4 its administration.

5           The result of approval and execution of  
6 this proposal would be the displacement of the  
7 sailing activity to areas that would not be over  
8 longlines. This would result in forcing the  
9 sailboat racers to travel additional time and  
10 distance so the racing area would be unencumbered  
11 by the longlines. This would seriously affect the  
12 ability to run the kinds of programs that have  
13 benefitted the community, region, and the sailors  
14 who have enjoyed the programs for recreational use.

15           Minimal to nonexistent commercial  
16 traffic blesses the area, and the racing area has  
17 been used for many years.

18           Hopefully, the experts studying the  
19 issue will conclude that it is in the best public  
20 interest of the most people to decline the  
21 application for longline structures in the area.

22           Thank you for your willingness to hear  
23 my point of view.

24           Sincerely, Richard Gold.

1                   JACQUELINE FLOURNOY:  Jacqueline  
2    Flournoy, F-L-O-U-R-N-O-Y, 37 Bermuda Road,  
3    Westport, Connecticut 06880.

4                   To the Army Corps of Engineers and to  
5    the DEP:

6                   And I'm saying, Dear, Sirs, We are  
7    submitting this letter to object to the application  
8    of Mariculture Unlimited to install 169 longlines  
9    to grow oysters on the 366.8 acre site at Lease 602  
10   and 612.

11                  We feel this application should be  
12   denied because it would hinder trolling and  
13   anchoring by fishermen.  Sailboats are also at risk  
14   if they capsize in the area.  Their masts could  
15   become entangled in the longlines and endanger  
16   rescue.

17                  The area in question has been used for  
18   recreational boating for over 100 years, and this  
19   should be given topmost consideration.

20                  Thank you for your consideration.

21                  Jacqueline and James Flournoy.  My  
22   husband's ill and could not come.

23                  AMANDA ROMERO:  Amanda Romero,  
24   R-O-M-E-R-O, 93 Richards Avenue, apartment 507,

1 Norwalk, Connecticut 06854.

2 I am against the project of  
3 oyster -- Mariculture Unlimited permit because it  
4 will hurt tremendously our local economy. Local  
5 fishermen will be hurt by this same company, as the  
6 prices will -- for oysters will drop, and it will  
7 hurt them.

8 This project is not good either for our  
9 environment as these oysters are not native or from  
10 Connecticut; they are from another place, and the  
11 new baby oysters will damage our local oyster  
12 family, and that will damage our environment.

13 Our recreational sailing all over the  
14 Long Island Sound will be hurt as well. We have  
15 been sailing for many, many years and -- in the  
16 Sound, and when they put these cages with the  
17 oysters, that will hurt our -- the purpose of  
18 recreational sailing.

19 NELSON STEPHENSON: All right. My name  
20 is Nelson Stephenson. S-T-E-P-H-E-N-S-O-N is the  
21 last name, and the first name is Nelson,  
22 N-E-L-S-O-N. It's 100 Jessica Lane, Southport,  
23 Connecticut 06890.

24 I've been a racing sailor in Long

1 Island Sound for over 20 years. I'm a member of  
2 Cedar Point Yacht Club, and I have very, very  
3 serious concerns about the effect of the proposed  
4 Westport project on the recreational boating  
5 activities and access for Long Island Sound.

6 The site that's been discussed is the  
7 most active site for sailboat racing in Long Island  
8 Sound. This is not a site which is a casual use  
9 site. It is a very actively used racing venue for  
10 classes that go from as small as 8-foot boats to as  
11 large as 45-foot boats.

12 For the site to be lost to racing would  
13 be a tremendous loss to the recreational interests  
14 and the economic interests of the Town of Westport  
15 and the community as a whole.

16 Thank you.

17 JOCELYN POLLAK: All right. My name is  
18 Jocelyn Pollak, P-O-L-L-A-K. My address is 235 Old  
19 Boston Road, in Wilton, Connecticut.

20 My name is Jocelyn Pollak, and I'm  
21 18 years old. I'm writing to express my opposition  
22 to the placement of the oyster hatchery in a public  
23 area used frequently by recreational boaters.

24 I have sailed at Cedar Point Yacht Club

1 for my entire life. My father helped build Cedar  
2 Point's current location, and I was sailing by the  
3 time I was six months old.

4 I participated in the junior program  
5 from age 7 until 17. I sailed a dinghy called the  
6 Thistle, sailed on Vanguard 15s, Lightnings, Club  
7 420s, and several big boats. Basically, as a  
8 result of sailing small boats regularly at Cedar  
9 Point, I've had the greatest experiences of my  
10 life.

11 I do not support the applicant's  
12 request because an oyster hatchery would produce a  
13 safety hazard so great that it would be virtually  
14 impossible to sail small boats in the area.

15 My greatest concern, however, involves  
16 the over 30 students on the high school sailing  
17 team. With the support of Cedar Point, I created  
18 the high school sailing team three years ago. This  
19 team was immensely popular from the start and now  
20 over 30 students are involved. Next year, the club  
21 will become an official team at Wilton High School,  
22 providing the opportunity for high school students  
23 to competitively race small boats without paying  
24 any money.

1                   This team is not a summer sport; it  
2 begins in late March when the water is still very  
3 cold. If a boat were to capsize in the heavier  
4 winter winds and get stuck, it would be a race  
5 against the clock to rescue the freezing crew and  
6 free the boat from the netting. The people that  
7 would be harmed in a situation like this would not  
8 be wealthy, big boat owners but 13- to 18-year-old  
9 students.

10                   As the captain of the high school  
11 sailing team, I urge the Army Corps of Engineers to  
12 take into consideration the negative effect an  
13 oyster hatchery would have on the blossoming team.

14                   I, in addition to many other dedicated  
15 parents and students, have worked tirelessly to  
16 develop a successful team. We are not people out  
17 for a weekend sail; we are young people who share a  
18 genuine passion and love for the sport of sailing.  
19 The oyster hatchery would endanger the lives and  
20 the hobbies of many passionate students.

21                   Sincerely, Jocelyn Pollak.

22                   MEGHAN POLLAK: Meghan, M-E-G-H-A-N,  
23 Pollak, P-O-L-L-A-K, and 235 Old Boston Road,  
24 Wilton, Connecticut 06897.

1                   Okay. Over the duration of the  
2                   2002-2003 school year, I have been working  
3                   arduously with many other sailors to establish a  
4                   sailing team at Wilton High School.

5                   After finding a qualified coach,  
6                   organizing meetings with interested sailors, and  
7                   having mundane conferences with the high school  
8                   administration, we were finally accepted into the  
9                   high school varsity program. Because Wilton teems  
10                  with young, avid sailors the Wilton sailing  
11                  membership has grown substantially. I'm proud to  
12                  say that I have helped create such a beneficial  
13                  team for Wilton High School, and I know next season  
14                  will be highly successful since we finally have  
15                  support from the school.

16                  As the co-captain of the 2003 Wilton  
17                  High School Sailing Team, I urge you not to  
18                  establish an oyster farm off Compo Beach shore.  
19                  Although I understand the environmental benefits of  
20                  such a farm, I strongly believe it should be  
21                  planted elsewhere because of the competitive  
22                  sailing that has taken place in the same vicinity  
23                  for years.

24                  The high school is extremely strict

1 about how long practices must be for varsity  
2 sports, and if we have to sail out much farther  
3 than Compo, we will never get a constructive amount  
4 of sailing practice in.

5 I know the oyster company has been  
6 stressing that the oyster farm area is sailable. I  
7 most ardently disagree, because sailing over nets  
8 presents a cumbersome and even hazardous situation  
9 for sailboats, such as the ones we sail for high  
10 school.

11 If we were to be hit by an intense  
12 squall, which has happened in the past, our  
13 capsized masts would surely get entangled in the  
14 nets, making it more difficult to get back to shore  
15 safely.

16 If any liability issues came forth  
17 because of the nets, I'm sure that the high school  
18 administration would be deterred from offering any  
19 more money to our team.

20 I am also fearful that because of our  
21 restricted sail area, the sailing itself will not  
22 be as much fun causing sailors to be skeptical  
23 about the strength of our team. The oyster farm  
24 could literally destroy our infant team that I and

1 many others have worked so arduously to establish.

2 Cedar Point exudes high level sailing  
3 competition from all levels. With the presence of  
4 the youthful level, Cedar Point and Long Island  
5 Sound will always be thought of as a sailing  
6 community.

7 I hope you find my input valuable and  
8 consider what I have to say when making the final  
9 decisions.

10 Thank you.

11 HARRY WEYHER: Harry Weyher, which is  
12 W-E-Y-H-E-R, 215 Ridgefield Road.

13 My name is Harry Frederick Weyher, IV.  
14 I am 14 years old. For all of my life, I've sailed  
15 in the proposed "oyster bed" area in numerous types  
16 of sailing craft. I'm proud to say that I'm able  
17 to sail 10 months out of the year. My friends and  
18 I are very concerned about the proposed oyster beds  
19 for various reasons.

20 I understand how the State is trying to  
21 preserve the old oyster tradition, but safety,  
22 local economy, and maritime convenience is at  
23 stake.

24 The boats that me and -- or that I and

1 my friends sail are very fast and very fun, and  
2 capsizing is always inevitable. Never before have  
3 I had to worry about capsizing my boat and worry  
4 about not being able to right her.

5           The proposed suspended oyster bed would  
6 pose a clear and present danger to capsized  
7 vessels, and especially when heavy seas are  
8 present. There is no guarantee that me or one of  
9 my sailboats won't become entangled in one of these  
10 oyster pots or lines.

11           In addition to the clear and present  
12 safety issue, one must look at how this would  
13 affect local fishing and sailing. The good old  
14 tradition of taking a boat out to go fishing would  
15 be eliminated because vessels would not be able to  
16 anchor.

17           Over 100 years of sailboat racing would  
18 also come to a grinding halt because races cannot  
19 be conducted without anchored start and finish  
20 boats as well as marks. Next week Cedar Point  
21 Yacht Club is hosting one of my favorite sailboat  
22 races where over 200 junior sailors will compete in  
23 the proposed oyster area. If this oyster plan  
24 follows through, 200 sailors and their families

1 would no longer travel to Westport, Connecticut, to  
2 bring their kids to race in one of New England's  
3 premier sailboat racing areas.

4 I speak on behalf of the junior racing  
5 program at Cedar Point when I say that we are the  
6 next generation of mariners. Many of my friends  
7 share a common goal of pursuing their sailing  
8 careers into the Olympics. This is not a fantasy  
9 because we are able to sail out of one of the  
10 country's best yacht clubs and best sailing areas.

11 I, for one, will be starting an Olympic  
12 campaign when I'm 18. Sailing in Westport,  
13 Connecticut, in the proposed oyster area is how I  
14 am going to accomplish my goal.

15 Please take a good look on how this  
16 will affect the present but also the future.

17 Thanks.

18 DAVID TOOMEY-WILSON: My name is David  
19 Toomey-Wilson, T-O-O-M-E-Y - W-I-L-S-O-N. My  
20 address is 3 Cannon Brook Lane, Norwalk,  
21 Connecticut 06851.

22 What Sailboat Racing in Westport Means to Me:

23 A lifelong sport I can share with my  
24 wife and family.

1                   Weekends on the water with and among  
2 friends.

3                   Wednesday nights away from the TV.

4                   An opportunity to contribute to the  
5 racing program.

6                   Watching junior racers develop and  
7 grow.

8                   Stretching my own abilities.

9                   Increasing my sailing skills.

10                  Increasing my communication skills.

11                  Coming to terms with my limitations and  
12 in some cases overcoming them; helping others  
13 overcome theirs.

14                  Learning from others and an opportunity  
15 to teach others.

16                  Living in harmony within the community.

17                  And an opportunity to meet new friends.

18                  The sailboat racing program in Westport  
19 is the foundation of my family's reason to live in  
20 this area. It anchors us to the community at large  
21 and gives us the basic basis to contribute to the  
22 area in general.

23                  As well as buying a house here, we  
24 relocated my company to South Norwalk in 2001, and

1 I continue to be involved in the community.

2 With no intention of giving up the  
3 sport, we will be forced to move away if it becomes  
4 impossible to race in our home waters, as will many  
5 others.

6 The sport of sailboat racing enhances  
7 the life of so many in this area. Please preserve  
8 it at this location.

9 Respectfully, David Toomey-Wilson.

10 Thank you.

11 DIANA TOOMEY-WILSON: I'm Diana  
12 Toomey-Wilson, T-O-O-M-E-Y - W-I-L-S-O-N, 3 Cannon  
13 Brook Lane, Norwalk, Connecticut.

14 To me, Sailboat Racing in Westport  
15 means: Good clean outdoor fun with no deer ticks.

16 Being transported somewhere magical  
17 without getting on I-95.

18 Moving gracefully under sail, without  
19 being swamped by ferry wakes or dodging barges.

20 Actually using my boat regularly and  
21 getting to know her intimately.

22 Building a crew and watching their  
23 skills and confidence develop.

24 Teaching and learning from people of

1 diverse ages, careers, and backgrounds.

2                   Confronting my own limitations in  
3 communication, skill, and strength, and working  
4 through them.

5                   Salt water, sunscreen, windblown hair,  
6 and the occasional soggy shoe.

7                   The rush of great speed, at only five  
8 miles per hour.

9                   Challenging my wits to work with Mother  
10 Nature.

11                   Camaraderie, trust, teamwork, and a job  
12 well done.

13                   Competition, sport, mastery, and  
14 humility.

15                   Roles for all ages, physical abilities,  
16 and skills.

17                   Community, in Westport and any port,  
18 lake, or puddle around the world.

19                   For me, sailboat racing in Westport has  
20 determined the quality of my life. We moved to  
21 Norwalk from New York City six years ago just  
22 because we spotted a house for rent one day on our  
23 way home from a race.

24                   Just last week, I spent a day with my

1 father. He hoisted me up my 48-foot mast and kept  
2 me up there for an hour while we prepared my 1986  
3 cruising boat for its first race with a spinnaker.  
4 It was a day we'll never forget.

5 And, most importantly, sailboat racing  
6 in Westport taught my husband to sail, quickly,  
7 introduced him to his best friend, and provided the  
8 two of us with a pastime we can share for a  
9 lifetime.

10 We have invested considerable time and  
11 resources this season preparing our boat for  
12 racing, employing several local firms in the marine  
13 industry. We are committed to this lifestyle and  
14 hope the committee respects that we are not alone.

15 This sport does so much for me and my  
16 family. Please preserve it at this location.

17 Submitted respectfully by Diana  
18 Toomey-Wilson, 3 Cannon Brook Lane, Norwalk.

19 JACK CONTI: My name is Jack Conti,  
20 C-O-N-T-I, 98 Buckingham Ridge Road, Wilton,  
21 Connecticut.

22 As a Connecticut citizen, I'm concerned  
23 about the local economy being diverse and growing.  
24 The proposal that Mariculture has made is an

1 attempt to aid an ailing industry that's in need of  
2 help.

3 I think this proposal should be  
4 accepted and given a chance to help the Connecticut  
5 economy grow.

6 And also, I believe that this proposal  
7 takes into consideration the concerns of the  
8 recreational boating community, and concessions  
9 have been made where we could -- where they could  
10 coexist.

11 Respectfully submitted, Jack Conti.

12 JOAN KENNEY-ROMANO: My name is Joan  
13 Kenney-Romano, K-E-N-N-E-Y - R-O-M-A-N-O. My  
14 address is 4 Checkerberry Lane, Sandy Hook,  
15 Connecticut.

16 My concerns for the proposal of the  
17 oyster beds is the volume of traffic on the boating  
18 out there, the skill levels of the sailors that are  
19 sailing out there. Longshore has a mentor program  
20 and a school, so I think that not all the people  
21 that are out there are experienced sailors and can  
22 be expected to not get into trouble.

23 I think it's also a hazard for many of  
24 the racing sailboats and also a major inconvenience

1 for eight different classes of racing boats, and  
2 there's junior sailing. There's high school  
3 sailing, and there's the Special Olympics. There  
4 were young children out there in the Optimists this  
5 past weekend, and I think it's a dangerous  
6 situation for them.

7 Also, it's not just the people that are  
8 members of the yacht club that are impacted, but  
9 the many crew members and other people that we take  
10 out on a regular basis to enjoy the Sound.

11 It also concerns me that the land was  
12 snapped up, as they say in their own literature,  
13 right before a moratorium was put on to keep people  
14 from profiteering, and I have some concerns that,  
15 you know, if somebody's running in to try to grab  
16 something up, that they may continue to expand and  
17 to push every inch that they can.

18 Thanks.

19 TJ CASEY: My name is TJ Casey, Sr.,  
20 C-A-S-E-Y. My address is 59 Green, as the color,  
21 Street in Milford 06460.

22 I'll shorten this up from my statement.  
23 Site two, Milford, Connecticut of Mariculture  
24 Unlimited request for an Army Corps of Engineers

1 permit under Section 10 of the Rivers and Harbors  
2 Act to install and maintain 155.5 acres of  
3 submerged longlines for the rearing of eastern  
4 oysters at the administrated -- at State  
5 administered shellfish lease areas in the nearshore  
6 coastal environment, located offshore of Cedar  
7 Beach and Laurel Beach I strongly urge you to deny.

8           The application, as proposed, would  
9 have a significant impact on the historic public  
10 use of this water area. It is heavily used  
11 environmentally. It is a heavily used recreational  
12 swimming, water-skiing, boating, sailing, power and  
13 fishing area. Fifty-six 325-foot longlines, each  
14 suspending 50 cages is a huge submerged floating  
15 structure that will be a potential hazard to the  
16 health and safety of the current and future  
17 recreational users.

18           Personal experience with a 17-foot  
19 catamaran, pushing it to the limits had me upside  
20 down in this area several years ago. I really find  
21 it most discomfoting to think of the problems I  
22 may have had to encounter if longlines were just a  
23 few feet below.

24           Two of my brothers are sailors. Both

1 have owned and sailed up and down the East Coast  
2 into the Bahamas as well as several trans-Atlantic  
3 crossings. They have brought their vessels into  
4 Long Island Sound and anchored right in the middle  
5 of the Milford site. Their ability, as other  
6 sailors, to find safe harbor off of Cedar Beach and  
7 Laurel Beach will be gone if this permit is  
8 granted.

9                   Finally, if this sized facility were  
10 proposed directly off the coastline with docks and  
11 piers, it would be denied upon arrival. The public  
12 trust water rights must be protected above and  
13 below the surface of Long Island Sound. This  
14 application will take from the public trust waters  
15 of very rich and well used recreational area.  
16 Again, I urge your rejection of this permit.

17                   LISA SIMMONS: It's Lisa Simmons,  
18 S-I-M-M-O-N-S. It's 301 Godfrey -- R-E-Y -- Road,  
19 Fairfield, Connecticut 06825.

20                   I am writing in opposition to the  
21 Mariculture Unlimited's proposed longlines and  
22 cages off Westport, Connecticut.

23                   I have lived in Fairfield since 1968  
24 and have always enjoyed Long Island Sound

1       recreationally. I started sailing with my father  
2       and then took sailing lessons at Jennings Beach.  
3       I am passing the tradition on to my nieces by  
4       teaching them to sail on my -- on the Sunfish my  
5       sister and I learned on.

6                       Over the years, I have watched Long  
7       Island Sound change. When I first moved to  
8       Connecticut as an eight-year-old, I thought the  
9       water was "yucky". Today I am happy to swim and  
10      sail in the waters. The condition of the Sound has  
11      greatly improved.

12                     In the winter, I take my dogs to the  
13      beach for swimming and running with other dogs - a  
14      sport they really relish.

15                     I have concerns about the safety of the  
16      proposed longlines and cages. My first concern is  
17      boating safety. Squalls are known to kick up fast  
18      on Long Island Sound and have a large amount  
19      of -- and to have -- and having a large amount of  
20      area off limits to anchor is a potential hazard.

21                     Another concern is since I sail small  
22      boats that capsize and sometimes turtle, I worry  
23      that my rigging will be damaged or damaging the  
24      oystering equipment. If someone cannot upright a

1 boat that is caught in the oystering equipment, who  
2 knows what the outcome will be.

3 Since Longshore Sailing School is  
4 located in the vicinity, I also have qualms about  
5 inexperienced sailors getting caught up in the  
6 oyster equipment.

7 My last concern is about the amount of  
8 shells that may wash up on the shore. Oyster and  
9 clam shells can pose a hazard to bare feet and  
10 paws.

11 Long Island Sound is a wonderful  
12 recreational asset to the State of Connecticut as  
13 well as New York and Rhode Island. I feel the  
14 proposed application limits that asset. I hope the  
15 board considers my thoughts about the proposed  
16 application and denies it.

17 ANDY LOZYNIAK: My name is Andy  
18 Lozyniak. It's spelled L-O-Z-Y-N-I-A-K. My  
19 address is 45 Honeysuckle Hill Lane, Easton,  
20 Connecticut.

21 I am here to strongly urge the Army  
22 Corps of Engineers to reject the proposal as  
23 currently stated in the Mariculture Unlimited  
24 proposal to put in -- off the waters of Westport

1 the planned oyster beds.

2 I have been a boater for over 30 years  
3 in the Westport waters, and I believe that there  
4 would be a significant hazard to public safety by  
5 putting the proposed beds in a major boating  
6 thoroughfare.

7 It is a hazard to both sailboaters and  
8 powerboaters. I am a powerboater, and the anchor  
9 buoys, along with the marker buoys in adverse  
10 weather conditions would create a significant  
11 hazard to all boaters.

12 Again, I strongly urge the US Army  
13 Corps of Engineers to reject the proposal by  
14 Mariculture Unlimited.

15 Thank you.

16 JAMES WALSH: James Walsh, W-A-L-S-H,  
17 112 Ponus Ridge Road, in New Canaan, Connecticut  
18 06840.

19 I'm strongly against this proposal. I  
20 think it's ludicrous that one man what he calls his  
21 hobby can displace the boaters in a community. He  
22 is placing his nets and his cages directly in the  
23 harbor entrance, and it's going to create a safety  
24 hazard for all the boats that go through that area.

1                   That's basically it.

2                   GINNY BERNSTEIN:  Ginny, G-I-N-N-Y,  
3                   Bernstein, B-E-R-N-S-T-E-I-N, 111 Steep Hill Road,  
4                   Weston, Connecticut 06883.

5                   I am in favor of this project due to  
6                   the fact that I believe that it's good for the  
7                   environment.  It will make our waters cleaner, and  
8                   I just feel very strongly that overall it will be  
9                   good for the fishing industry.

10                  Thank you.

11                  DAVID MACLAY:  So, my name is David  
12                  Maclay, and Maclay is spelled funny.  No capitals  
13                  in the middle of it.  M-A-C-L-A-Y.  Address is  
14                  29 Owenoke, O-W-E-N-O-K-E, Park, Westport.

15                  And I live just west of Compo Beach,  
16                  and I've lived there for 34 years.  I have a boat  
17                  of my own, and I am constantly aware of the very  
18                  heavy boat traffic, all sizes, from May to  
19                  November.

20                  There are many large boats, including  
21                  many over 50 or 60 feet.  Sailboats have deep  
22                  keels.  There are also some very large powerboats.  
23                  Year round there are half a dozen commercial  
24                  fishermen's lobster boats.

1                   All of this traffic usually uses the  
2 main entrance to the harbor, traveling north of the  
3 Cockenoe -- the Cockenoe Reef, which is dangerous  
4 any time and is impossible at low tide, in the fog,  
5 or in heavy weather.

6                   I have always understood that the Army  
7 Engineers and all governmental authorities respect  
8 the general public's right to navigation. This  
9 project will have -- interfere drastically with all  
10 the navigation of the general public.

11                   In contrast, the proposal serves  
12 absolutely no common public interests. The  
13 sacrifice of free navigation would only be for  
14 private profit.

15                   Thank you.

16                   KATHY THOMPSON: Okay. So, Kathy  
17 Thompson. Thompson, T-H-O-M-P-S-O-N. My address  
18 is 157 Mile Common, C-O-M-M-O-N, Easton,  
19 Connecticut 06612.

20                   And I am speaking to express my concern  
21 over the proposed oyster farming on the nearshore  
22 coastal environment of Long Island Sound,  
23 specifically those acres off of Westport,  
24 Connecticut.

1                   While I appreciate the intent of  
2                   coastal management plans, I do not believe that  
3                   these artificial reefs in the proposed location are  
4                   in the best interest of the public.

5                   Long Island Sound is a valuable,  
6                   natural resource to all citizens of the surrounding  
7                   states, providing both environmental and quality of  
8                   life benefits.

9                   From an environmental standpoint, the  
10                  exhibits at Norwalk Aquarium make it only too clear  
11                  how easily artificial changes made to our Sound can  
12                  forever damage the delicate balance of the waters.

13                  The 169 325-foot-long longlines pose a  
14                  potential hazard to wildlife, including the water  
15                  birds frequently seen diving and fishing on  
16                  nearshore waters and the fish and other creatures  
17                  living beneath the surface of the Sound.

18                  The Public Notice acknowledges that the  
19                  longline gear may "adversely affect the normal  
20                  migratory movement of pelagic fish..." Why is this  
21                  acceptable when we have tried for many years to  
22                  successfully bring marine life back to the Sound?

23                  The artificial reef structures are not  
24                  the only hazards created. The boats, equipment,

1 and people required to maintain and harvest the  
2 oysters create their own pollution and  
3 disturbances, particularly when they operate so  
4 close to the shore where the water is more shallow  
5 and the currents less strong.

6           Equally important are the quality of  
7 life benefits that this area of the Sound provides  
8 to tens of thousands of people each year. If  
9 you've ever been on the Sound off Compo Beach, you  
10 know that the area is filled with boaters,  
11 kayakers, windsurfers, PWCs, and even swimmers.  
12 All of these citizens are enjoying the water and  
13 the freedom of being able to safely use Long Island  
14 Sound. All of this activity takes place every day,  
15 exactly in the area that Mariculture Unlimited  
16 wants to take as their own.

17           The proximity to Cockenoe Island,  
18 several harbors, a channel, Compo Beach, and  
19 Longshore makes the area in Westport particularly  
20 well used and highly trafficked. Should the oyster  
21 beds be approved, the safety of everyone using the  
22 area will be compromised.

23           Boats will be unable to anchor safely  
24 in the event of an emergency, including the

1 unpredictable and dramatic storms that arise,  
2 especially during the summer.

3 Broken and loose lines from the beds  
4 will cause motors to be fouled, resulting in loss  
5 of steering.

6 Swells, common in the Sound, could  
7 cause boats to become fouled in the lines of the  
8 beds.

9 Given the many acres of available  
10 water -- water that is much less trafficked, much  
11 less used for recreation, and has much less of an  
12 impact on so many citizens -- it is certainly  
13 possible for Mariculture Unlimited to select an  
14 area that achieves their economic and business  
15 goals, as well as respects the rights of private  
16 citizens who use and love this nearshore portion of  
17 the Sound.

18 ROBERT FILEPP: My name is Robert  
19 Filepp. Last name is spelled F-I-L-E-P-P. My  
20 address is 27 Silent Grove North, Westport,  
21 Connecticut 06880.

22 I'd like to say that I'm opposed to the  
23 Mariculture oyster farm, and I believe that it's a  
24 hazard to navigation.

1                   I own a sailboat and sail out of Compo  
2 Marina and would not be able to get access to the  
3 Sound without traversing the proposed oyster  
4 fields. Essentially, the oyster field blocks the  
5 entire harbor entrance.

6                   That's it.

7                   MICHAEL WEINSHEL: My name is Michael  
8 Weinshel, W-E-I-N-S-H-E-L. My office is at  
9 799 Silver Lane, Trumbull, Connecticut 06611.

10                  I'd like to talk in favor of the  
11 proposal. I am the accountant for Mariculture;  
12 therefore, I do have some biases.

13                  However, I am also a boater and a  
14 fisherman and use Long Island Sound all the time.  
15 I do know of Mariculture's investment in this  
16 project which is very large. I believe the  
17 advantages far outweigh the disadvantages.

18                  I am also an investor in Sound Tigers  
19 in Bridgeport, so I do believe in Bridgeport, and I  
20 do believe this project will bring economic  
21 development to Bridgeport, which is badly needed.

22                  I don't agree with all the things in  
23 the proposal. I don't believe that this is  
24 necessarily a substitute for dredging or the old

1 methods, but I think any time there's new  
2 technology which might improve the industry, we  
3 should give it a shot and see how it works, and  
4 again, economically, and for the betterment of the  
5 Bridgeport economy, I believe we should put through  
6 the proposal.

7 JOANNA EBERT: My name is Joanna Ebert.  
8 It's spelled E-B-E-R-T. I live at 71 Woods End  
9 Road, in Fairfield.

10 I have run the Junior Sailing Program  
11 at Saugatuck Harbor Yacht Club, and I'm very  
12 concerned about the proposed location for the  
13 Mariculture project.

14 We have very young boaters who go out  
15 on the water, and as they evolve into stronger  
16 sailors, they will be venturing out into this area;  
17 and if these small, motorless boats tip over and  
18 capsize, the masts and the rigging could get caught  
19 up in the cages and the equipment and the lines  
20 that are proposed, and I think a younger sailor  
21 who's trying to master techniques and skills and  
22 safety would be really disconcerted to have such a  
23 traumatic thing happen as they're trying to learn  
24 to sail in the open waters.

1                   I'm also a member of Saugatuck Harbor  
2 Yacht Club, and as a mother and as a boater, I'm  
3 very concerned about children being out there as  
4 well as just other families in the area and the  
5 ramifications that this proposal has for safe  
6 boating off the Westport shoreline.

7                   Thank you.

8                   PATRICIA SCANLAN: My name is  
9 Pat Scanlan, S-C-A-N-L-A-N, 9 Placid Lake Lane,  
10 Westport, Connecticut.

11                   And I am a member of Saugatuck Harbor  
12 Yacht Club and a longtime boater in the area out  
13 where this proposal is scheduled to be put.

14                   I'm very concerned about the false  
15 bottom that it might create, wave action that it  
16 might create, rough days on Sunday evenings when  
17 many boaters are out there, sometimes thousands of  
18 boats at one time; and I'm also a committee boat  
19 for our sailing -- on a committee boat for our  
20 sailors. We anchor right there where this is  
21 proposed to be, and I think this is going to create  
22 a lot of problems for our racing committees and our  
23 races on weekends and Wednesday nights, and as a  
24 member of the club, and past board member, I'm also

1 concerned about our junior sailors possibly  
2 being -- having to anchor there and getting caught  
3 in the traps; and I have nothing against the  
4 Mariculture itself, but I do not think this is the  
5 appropriate place for it to be.

6 Thank you.

7 JIM GOODRICH: My name is Jim Goodrich,  
8 G-O-O-D-R-I-C-H. My address is 5 Nutmeg Lane,  
9 Westport, Connecticut.

10 And my statement is that the proposed  
11 project is a hazard to a busy navigational area,  
12 and as stated by Mariculture, it is one person's  
13 hobby versus basically the hobby of many hundreds  
14 of people.

15 And one of the areas that I think is  
16 most critical is the inability to anchor in the  
17 area that -- where the project has been put in  
18 place and that would be anchoring for people who  
19 fish. It would be anchoring for committee boats  
20 that are involved in sailboat racing, and it would  
21 stop people from being able to drift fish over the  
22 bottom in what is a significant area.

23 The other thing that the anchoring does  
24 is to create a situation where a tactic used in

1 sailboat racing when the wind dies and the tide is  
2 taking you further away from the mark, you can  
3 anchor, but you can't anchor obviously if you're in  
4 a no-anchor zone.

5                   In addition to that, it's a hazard to  
6 navigation, because there are many boats which do  
7 not have engines which are out there on a regular  
8 basis, and I'll name them. They are boats like  
9 Optimist Prams, 420s, 470s, the Thistle, the  
10 Lightning, the Star, Solings, and the Atlantics,  
11 and in the event of an emergency, a storm, or  
12 something that happens to someone on board, the  
13 inability to anchor creates a dangerous situation,  
14 and all of these boats lack engines, and in a  
15 crisis, they've got to be able to stop. They can't  
16 get to shore without aid, and therefore, I'm saying  
17 that this is some of the biggest issues that have  
18 to do with the -- the lack of ability to anchor  
19 creates a dangerous situation.

20                   KATHY BRUNJES: Okay. My name is  
21 Kathy Brunjes. The last name is spelled.  
22 B, as in boy, R-U-N-J-E-S. I live at 3 Riverview  
23 Road, Westport, Connecticut.

24                   And my statement is that when a

1 community comes together to make changes to an  
2 existing road and parking situation, it makes those  
3 decisions based on the traffic, points of entrance,  
4 and egress, based on pedestrians, based on the  
5 businesses in that location. When it comes down to  
6 Mariculture's plan, it does not take into  
7 consideration the things that one normally takes  
8 into consideration when it comes to planning a  
9 community.

10 It's equivalent to putting cars in the  
11 center of the Post Road. What we need to do is  
12 look at a different plan, one that doesn't exclude  
13 Mariculture, but one that plans for the community  
14 and the uses that the community has for that  
15 waterway.

16 Thank you.

17 DENNIS ANDERSON: My name's Dennis  
18 Anderson, A-N-D-E-R-S-O-N. I live at 165 Third  
19 Avenue in Milford, which is in Laurel Beach.

20 I'm against this proposal for the use  
21 of public water areas for private enterprise.

22 As I understood it, the State and the  
23 Army Corps of Engineers control the use of the  
24 waterways as a matter of public trust for the

1 public's use for recreational and other purposes.

2 I'm not sure what the State and the  
3 Army Corps of Engineers' thought process is to  
4 allow a private enterprise to gain a profit for the  
5 use of what is otherwise supposed to be public  
6 property.

7 It will adversely affect recreational  
8 uses: swimming, boating, anchoring, fishing,  
9 windsurfing, and probably a lot of other  
10 recreational uses of the water areas.

11 I think it's a bad precedent. If you  
12 allow these lease rights in certain water areas,  
13 then some other commercial company's going to want  
14 to come in and do it other places, and I don't  
15 think that's the purpose of the public use of the  
16 waterways and the public trust that the State and  
17 the Army Corps of Engineers is supposed to  
18 preserve.

19 I think it's going to adversely affect  
20 property values for those people and entities that  
21 own properties in the area. Over the years they've  
22 developed those properties and the rights for the  
23 water use are related to that, and this is going to  
24 adversely affect it.

1                   Laurel Beach 30, 40, 50 years ago put  
2                   in groins and brought in sand to preserve the beach  
3                   rights area and to have a gradual beach area that  
4                   leads out and that's used for recreational purposes  
5                   by lots of folks, and the ability to adversely  
6                   affect that after that investment was made by  
7                   Laurel Beach for some private enterprise that now  
8                   wants to go out there in that waterway area and put  
9                   in lines and anchors that are going to affect those  
10                  recreational uses doesn't seem justified.

11                  I think the disadvantages outweigh the  
12                  advantages, and I don't know of any good reason to  
13                  allow a private enterprise to have this kind of use  
14                  of public property.

15                  Thank you.

16                  JANE TWOMBLY: My name is Jane Twombly.  
17                  It's spelled T-W-O-M-B, as in boy, L-Y, and I live  
18                  at 194 Third Avenue in Milford, Connecticut.

19                  Regarding this proposal, I am not  
20                  opposed to cleaning the waters of Long Island  
21                  Sound. I am, however, opposed to the area or  
22                  location that is proposed in Milford that is far  
23                  too close to the mean low water line.

24                  With two small children that are at the

1 low water line for most of the summer, I just feel  
2 that the site is far too close in, and it just  
3 doesn't seem possible that they could submerge what  
4 they need to submerge in that amount of water.

5 That's it.

6 BOB ZANNETTI: My name is Bob Zannetti.  
7 The spelling of my last name is Z-A-N-N-E-T-T-I,  
8 and I live in Westport, 20 Sunnyside Lane,  
9 Westport, Connecticut.

10 I am the Race Committee Chairman of  
11 Saugatuck Harbor Yacht Club in Westport, and I'm  
12 opposed to the proposal to put the oyster farm in  
13 the mouth of the Saugatuck River.

14 My objection is based on the fact that  
15 it's my strong feeling that this will be a major  
16 hazard to navigation.

17 I've been sailing for 30 years in Long  
18 Island Sound, for 20 years in Westport, and the  
19 area that has been identified as the oyster farm  
20 area would severely inhibit racing and recreational  
21 boating from taking place in Westport.

22 I'm not opposed to the project of  
23 farming oysters, but I am opposed to the location  
24 of the oyster farm.

1                   It's my feeling that the State needs to  
2                   develop a long-range plan that will take everyone's  
3                   interest into consideration, recreational boaters  
4                   as well as the oyster farming community; and that  
5                   until that's done, I think there should be no lease  
6                   granted to Mariculture in the mouth of the -- mouth  
7                   of Westport Harbor.

8                   JOHN MAGEE: My name is John Magee. I  
9                   reside at 75 Milford Point Road, and I have been on  
10                  Cedar Beach.

11                  I've been a resident of Cedar Beach for  
12                  almost 50 years. Throughout that time, we have not  
13                  been allowed to acquire shellfish from in front of  
14                  my property. This is per the EPA, based on  
15                  upstream PCBs -- PCB tainting from the GE plants,  
16                  General Electric's plants in Pittsfield,  
17                  Massachusetts.

18                  This coupled with the fact that earlier  
19                  oyster beds were a trial -- were trial and have  
20                  suddenly become an established fact. We have to  
21                  endure the sound of chugging diesel engines at  
22                  six a.m. each morning coupled with the wonderful  
23                  scent that accompanies diesel engines. This is  
24                  why -- this is not why I pay the highest -- some of

1 the highest taxes in Milford.

2 I'm strongly opposed to any expansion  
3 or change in the current oyster beds, and based on  
4 our inability to clam these waters suggests that  
5 the existing beds be closed, not expanded.

6 Thank you.

7 EDWARD MAGEE: Edward Magee, M-A-G-E-E,  
8 23 Marsh Street on Cedar Beach.

9 And pretty much I have done oystering.  
10 I'm a licensed oyster fisherman myself. I don't do  
11 it any more, but I feel that if this precedent is  
12 set, that there will be many, many other ones to  
13 follow.

14 There's -- I didn't count them. I wish  
15 I counted them, but there's -- I'll estimate.  
16 There's probably 75 to 80 existing oyster beds that  
17 are under the water that will all come above the  
18 water, and there will be no more recreational  
19 boating. No more sailboats. No more jet skis. No  
20 more anything. It will just be a  
21 commercial -- commercial area, and you won't be  
22 able to enjoy what we've enjoyed for, you know, our  
23 whole time living there, which I'm close to  
24 50 years too in the same area, same beach, and

1 that's it. That's my big gripe.

2 Thanks.

3 ELIZABETH LURIE: My name is Elizabeth  
4 Lurie, L-U-R-I-E. My address is 192 Heather Drive  
5 in New Canaan, Connecticut.

6 I'm a recreational sailor who  
7 frequently sails in the area proposed to be  
8 developed into a 367-acre longline oyster farm.

9 I sail in that area about 50 days each  
10 year on a small boat that is easy to capsize and to  
11 return to upright when it's windy. The boat's mast  
12 is 18 feet tall. I am concerned that if I were to  
13 capsize in the area where the oyster farm is  
14 located, my mast would be entangled in the ropes.  
15 My mast could rip the lines holding the oyster farm  
16 apparatus together. My mast could break, and I  
17 could endanger myself in trying to free my boat  
18 from the lines.

19 The proposed oyster farm area is  
20 located such that there is no way to get into  
21 Westport Harbor without sailing over it, so if a  
22 sudden summer squall comes up, I have no choice but  
23 to risk my boat and possibly myself by sailing over  
24 the oyster farm.

1                   Sailing is my family's primary  
2                   recreation activity. I sail with my husband and  
3                   three young children, ages two, four, and seven  
4                   years old. I have been sailing since I was  
5                   eight years old and racing actively for almost  
6                   15 years. I hope that my children will enjoy this  
7                   hobby as much as their parents do.

8                   Sailing is a wholesome, sustainable  
9                   activity that our entire family can enjoy together.  
10                  Sailboat racing teaches children important lessons  
11                  about sportsmanship, teamwork, confidence, and  
12                  self-reliance.

13                  Sailing feeds the local economy. On  
14                  days when we race, we go out for a meal at a local  
15                  restaurant afterwards along with other racers.

16                  I buy all my marine equipment at local  
17                  stores, and I employ local service providers to  
18                  help maintain my boat. If the proposed oyster farm  
19                  were developed, it would put the commercial  
20                  concerns of one small company above the  
21                  recreational interests of hundreds of local  
22                  sailors, to the detriment of the local economy.

23                  ERIK HAAKONSEN: It's Erik Haakonsen,  
24                  H-A-A-K-O-N-S-E-N. Our address is 50 Motil,

1 M-O-T-I-L, Place, in Stratford, Connecticut.

2 I think what I'd like to say is at the  
3 heart of the matter here is the evaluation of the  
4 probable impact on the proposed activity to the  
5 public interest.

6 What I see is a shellfishery that's in  
7 decline, and the proposal does much for one  
8 individual and the four workers that he has in the  
9 Milford/Stratford area, but does nothing for the  
10 aesthetics, conservation, general environmental  
11 concerns, fish and wildlife values, navigational  
12 areas, and recreational areas of Stratford and  
13 Milford.

14 By impeding navigation and impeding the  
15 recreational areas can cause safety issues as  
16 sailboats and powerboats get stuck in the lobster  
17 pots currently that are out there.

18 I think that allowing one  
19 shellfisherman to put in these traps opens the door  
20 for all the other shellfishermen in the area, and  
21 would thus eliminate the recreational value of all  
22 the areas between Stratford, Breakwater, and  
23 Charles Island.

24 And if you look at the sheer numbers of

1 recreational boaters in Stratford and Milford,  
2 you're talking thousands, pumping millions, if not  
3 over ten million dollars into the local economies  
4 every year, and this is -- would be for the benefit  
5 of a shellfishing industry that employs far fewer  
6 people than the recreational boating industry.

7                   And that's what I would like you to  
8 take into consideration.

9                   Thank you.

10                   LAWRENCE WILLIAMS: Okay. My name's  
11 Lawrence Williams, W-I-L-L-I-A-M-S, 68 Anchorage  
12 Drive, Milford.

13                   I'm a full-time shellfisherman, and I  
14 have been employed in the shellfish business for  
15 32 years.

16                   I lease beds from the State of  
17 Connecticut off of Milford, and I'm familiar with  
18 all aspects of the shellfish industry.

19                   I also have -- I'm a neighbor of the  
20 applicant. I lease ground from the State adjacent  
21 to the applicant off of Milford. My lease number  
22 is 391.

23                   As a shellfisherman, speaking as a  
24 shellfisherman, I can generally support the

1 application with the qualification that the  
2 implementation of the longlines is as the  
3 application states and no closer to the surface of  
4 the water because of navigational concerns by other  
5 user groups.

6 As a shellfisherman, working two boats  
7 that draw 6 feet of water, I do have a concern that  
8 the head ropes of the longlines be maintained at  
9 the proposed depths.

10 I don't object to Type II aquaculture  
11 applications in general. The shellfish industry is  
12 expanding in this area coastwise, and it represents  
13 a significant departure from the traditional  
14 on-bottom culture that Connecticut has employed for  
15 the past hundred years.

16 Basically that's it.

17 EMILY WOOD: My name Emily M. Wood,  
18 W-O-O-D, 118 Fifth Avenue, Laurel Beach, Milford,  
19 Connecticut.

20 I live one block from Long Island Sound  
21 and use it daily. I am opposed to the Mariculture  
22 Unlimited plan and any other organization with  
23 their same plan.

24 I feel any further developing of

1 oystering will just have to be done the, quote, old  
2 fashioned way with no buoys and nets and intrusive  
3 things into the ocean.

4 Thank you.

5 NANCY BRUNO: Okay. My name is Nancy  
6 Bruno, and I live at 67 Sixth Avenue, in Milford,  
7 Connecticut.

8 I am oppos -- these proposed longlines  
9 will be a navigational nightmare for all types of  
10 recreational boating. Residents of Milford who  
11 enjoy fishing will have trouble keeping their lines  
12 free of them.

13 Water-skiers will be presented with a  
14 very real hazard, and boaters, in general, will be  
15 heavily impacted by this plan for harvesting  
16 oysters.

17 It is a commercial endeavor that  
18 benefits one industry, while manipulating the  
19 aquatic environment in this beautiful area at the  
20 expense of those who live here and those who enjoy  
21 the Sound for recreation.

22 I believe this is a plan based on greed  
23 as it benefits a few and negatively affects many  
24 who pay high taxes to live in this area.

1 I strongly voice my opposition.

2 Also one last postscript, I am also  
3 opposed to any other oyster industries trying to do  
4 this same type of harvesting. The old fashioned  
5 way is good enough.

6 EDWARD SULLIVAN: My name is Edward B.  
7 Sullivan, S-U-L-L-I-V-A-N, 71 Milford Point Road,  
8 Milford, Connecticut 06460.

9 My concern is that our house is  
10 directly inland from the location that's been  
11 selected by this commercial company to run their  
12 pilot program. That means that when I get up in  
13 the morning, which is already occurring, their ship  
14 is out there which is powered by a diesel engine,  
15 so you hear the engine. There's always the  
16 environmental possibility of a diesel spill because  
17 the location is very close to shore.

18 They, from memory, I think they told me  
19 it was 1,500 feet. That's what I thought they  
20 said, but it's so close that on the map that's  
21 handed out for information, that distance is not  
22 shown.

23 But in any event, my family -- myself,  
24 and my family, my father and grandfather have

1 sailed and boated and fished in this particular  
2 area for well over 40 years.

3           It is directly off shore of our main  
4 swimming beach for Cedar Beach, which not only  
5 denies the waters -- the use of the water to the  
6 people that live along the shore, but also all of  
7 the houses in the rear, and when I say deny the  
8 use, I mean the possibility of the spills that I've  
9 talked about, but also, as explained, this rack  
10 system will only be 8 feet under the surface of the  
11 water when smooth; and at mean low water, which the  
12 definition of mean shows that there can be a great  
13 variation, so that at times these things, from my  
14 experience -- I've seen Northeasterner storms come  
15 in where these things would literally be on the  
16 surface, depending on where the wind is blowing and  
17 how strong.

18           The other is they've already put a  
19 number of floats out there. I don't honestly know  
20 whether the number of floats is greater than  
21 they'll end up with or less, but from speaking to  
22 the representative, they're going to add more  
23 floats than they have out there now, which makes it  
24 literally impossible for me to sail my sailboat in

1 that area that I have used through the years.

2 I have 13 grandchildren, all of them  
3 sailors of sorts, and you're denying the use of  
4 that waterway, because on a windsurfer, you just  
5 can't go around those floats that easily, and on a  
6 Hobie Cat, you cannot go around those floats that  
7 easily.

8 So, as I look at it, for commercial  
9 purposes, for increasing the dollar return, that is  
10 what is driving this proposal.

11 I would say that really the best -- if  
12 this is a pilot program, and they want to try it  
13 out, great, put it much further out from shore or  
14 put it where there are no houses along the shore,  
15 and I'm sure in Long Island Sound, there are  
16 certainly areas that that can do.

17 I've left out many, many items that,  
18 you know, are important, but I'm speaking just  
19 impromptu to what I hear being said and what I see  
20 being said.

21 The other thing is that the notice that  
22 was put out was extremely confusing. Anywhere from  
23 being told that you had to be here at 5:00 in order  
24 to hear the commercial proposal of what they were

1 going to do, to be here at 6:00 to sign to speak,  
2 to be here at 7:00, but you wouldn't be allowed to  
3 talk, very, very confusing.

4                   The other thing is the notice that was  
5 mailed, I think is defective in the size of the  
6 print and in the size of the charts that were  
7 included. You could not measure how far out from  
8 shore these areas were.

9                   STEPHEN MENDILLO: Stephen Mendillo,  
10 M-E-N-D-I-L-L-O, 24 Seaview Avenue, Laurel Beach,  
11 Milford.

12                   So, I have lived at Laurel Beach on the  
13 waterfront for many, many decades. I swim there.  
14 I boat there. I do not impinge on anybody else's  
15 business or water activities, enjoyment of the  
16 coastline, visual aesthetics, or any noise or  
17 anything else, but the oyster men are already so  
18 egregious in that area that they are a nuisance  
19 already without putting these cages and  
20 experimenting with a lot of nonsense that seems to  
21 me counterproductive to the purposes of the ocean,  
22 of the sea, of Long Island Sound.

23                   If they are so eager to go make money  
24 with oysters, go do it someplace, but do not usurp

1 what has been for me and my family, my two sisters  
2 and their families live up the street from me. We  
3 all swim avidly. We boat avidly. We love Long  
4 Island Sound, and we do not like big hunks of iron  
5 and steel and chains lurking in the waters to break  
6 free during Nor'easters and other hurricanes and  
7 storms.

8                   Nothing in the sea behaves according to  
9 any foreseen plan. Things happen, and I do not  
10 want to be swimming in the water and see -- come  
11 across a metal cage or pieces of a cage or pieces  
12 of chain or rope. I just -- I just think that  
13 they're already too much with us in Long Island  
14 Sound close to the shore where people are going to  
15 great lengths to be there to enjoy.

16                   I intend to learn more about this whole  
17 thing. I don't know everything about it, and I'm  
18 going to attempt to learn, and I will follow this  
19 up with a letter, but I am vehemently opposed to  
20 this, and I will resent it every second I see it,  
21 and I already resent the huge number of floats and  
22 buoys that flood the water, that pollute the water  
23 from Stratford Point and Lordship Point, over to  
24 Laurel Beach. You can't even get a boat through

1       there.  It's a disgrace.  Go back to wherever you  
2       came from, whoever you are.

3                       FRANCIS GAROFALO:  Francis Garofalo,  
4       G-A-R-O-F-A-L-O, 426 Belden Hill Road, Wilton,  
5       Connecticut.

6                       I'd like to speak in favor of this  
7       proposal.  I believe it's environmentally sound.  
8       It is not experimental.  It's been proven to be  
9       environmentally friendly and boater friendly in the  
10      United States and Canada.

11                      I believe that the shellfish industry  
12      is dying in the Long Island Sound.  A \$200 million  
13      a year industry and that something needs to be done  
14      to allow it to prosper.

15                      It employs otherwise unemployable  
16      individuals who would be on your welfare rolls.  I  
17      know this from firsthand experience.

18                      The -- I am especially upset by the  
19      amount of misinformation that is circulating at  
20      this hearing.  I can understand individuals,  
21      homeowners, et cetera, who have been misinformed,  
22      but the blatant lies that politicians at this -- at  
23      this hearing is just mind blowing.  I guess I  
24      shouldn't expect much from a politician.

1                   That's it.

2                   ERIC TWOMBLY: I'm Eric, E-R-I-C,  
3 Twombly, T-W-O-M-B-L-Y, and I live at 194 Third  
4 Avenue, in Milford.

5                   And I'm here to speak against the  
6 proposal. While I believe that the proposal, in  
7 general, is something I could support, the size and  
8 scope of the plot, particularly in Milford,  
9 concerns me, and its close proximity to the shore,  
10 particularly in the Third Avenue area where a  
11 substantial sandbar extends out from the coast, and  
12 at low tide in order to swim in that area, you have  
13 to walk several hundred yards off the shore in  
14 order to find good swimming space; so, thereby,  
15 having this development in such close proximity to  
16 the shore impedes the use of the shore at low tide  
17 for swimmers, by sailboaters, and by other boaters.

18                   If it could be scaled back in size, it  
19 might be something that I would be more supportive  
20 of.

21                   In general, the homeowners who buy  
22 properties along this stretch pay a significant  
23 premium in both real estate purchase price and in  
24 taxes, based on those real estate purchase prices,

1 because of the views and use of the waterfront, and  
2 so by having a development which degrades the use  
3 of this area, it's negatively affecting those  
4 homeowners for the betterment of a single  
5 individual or I guess a company in the case of  
6 Mariculture Unlimited.

7 And that's about it.

8 LISA MENDILLO: Lisa Mendillo,  
9 M-E-N-D-I-L-L-O, 24 Seaview Avenue, Milford,  
10 Connecticut 06460.

11 I am worried about the location and the  
12 safety and I feel we need to find alternatives to  
13 this plan and make an overall plan as someone said,  
14 and -- okay. That's it.

15 ALAN STERLING: First name is Alan,  
16 A-L-A-N, Sterling. It's S-T-E-R-L-I-N-G,  
17 P.O. Box 2333, Westport, Connecticut 06880.

18 My statement is I'm concerned about the  
19 growth that will acquire on the cages: plankton,  
20 seaweed, mussels, and barnacles. All of these  
21 things will have to be cleaned off on -- off the  
22 cages on a continuing basis, and I assume power  
23 washed, and this will cause a concentrated  
24 situation of all this material in the local area,

1 and what I think will happen is with the tides will  
2 drift onto other people's grounds as it settles and  
3 possibly onto the beaches, and I don't think that's  
4 such a good idea.

5 That's it.

6 DOCTOR TARA GLENNON: Good evening. My  
7 name is Doctor Tara Glennon, G-L-E-N-N-O-N. I  
8 reside at 23 Seaview Avenue, Milford.

9 I came here with an open mind this  
10 evening. I got here at ten after five when they  
11 said that the informational sessions would begin at  
12 five o'clock.

13 I was extremely disappointed that there  
14 was no statistical or research-based information to  
15 give me to help me understand the implications of  
16 what was being proposed here.

17 I would hope that the DEP and the US  
18 Army Corps of Engineers would not consider  
19 something that does not have a statistical or  
20 research-based information that is needed before  
21 approving or potentially approving this  
22 application.

23 I would hope that they would deny the  
24 application as it stands, reinvestigate the

1 situation, and then make a determination on how to  
2 proceed.

3 Thank you.

4 BARBARA COPPETO: Okay. My name is  
5 Barbara Coppeto, C-O-P-P-E-T-O, 126 Shorefront,  
6 Milford, Connecticut.

7 I'm opposed to this proposal. I think  
8 it's a very poor location. It's too close to  
9 shore. It's a threat to navigation, to boaters,  
10 and to the use of the Sound by all of its  
11 residents; so, I hope that the Army Corps of  
12 Engineers will reject this application.

13 TRACIE CONTI: Tracie Conti, C-O-N-T-I,  
14 20 Pearson Avenue, Milford, Connecticut.

15 I have taken the time to read the Army  
16 Corps of Engineers Environmental Assessment and  
17 Statement of Findings on the Mohegan Aquaculture  
18 Project. It is my understanding that the  
19 Mariculture Unlimited proposal is based on the  
20 exact same engineering that the Army Corps has  
21 already permitted for the Mohegan project.

22 Some of the positive effects listed in  
23 the Statement of the Findings include positive  
24 effects on finfish and plankton, due to increased

1 habitat diversity; positive effects on shellfish  
2 populations, due to the source of seed provided by  
3 the culture of oysters; positive effects on the  
4 economy, due to the work the operation will provide  
5 to the local area and support and distribution  
6 industries; positive effect on the needs, and  
7 welfare of the people, because State and local  
8 governments have determined that development of  
9 aquaculture is in the national interest; positive  
10 effects on food production because the culture of  
11 shellfish will enhance aquaculture opportunities in  
12 Connecticut and may help reduce the U.S. trade  
13 deficit in fisheries projects.

14           The Mariculture Unlimited project will  
15 have the same positive effects as the already  
16 permitted project in the eastern portion of our  
17 State.

18           TERRENCE KEHOE: It's Terrence,  
19 T-E-R-R-E-N-C-E, Kehoe, K-E-H-O-E, 8 Seaview  
20 Avenue, Milford, Connecticut.

21           And my point is that we are opposed to  
22 this project, and I'd like to get a little detail  
23 and that would be that there are 56 longlines in  
24 front of Milford, 50 lines -- 50 baskets per line

1 is 2,800 baskets. Each basket needs to be cleaned  
2 through a process by which it's brought on deck,  
3 power washed, and the debris is thrown overboard.  
4 This field is extremely close to shore, and the  
5 debris will pollute our beaches.

6                   Currently we object to the noise from  
7 the existing oystering that takes place on the Long  
8 Island Sound in front of our homes and the diesel  
9 fumes which drift across the Sound into our homes.

10                   And who will police the area once this  
11 zone is created?

12                   And thank you for your consideration.

13                   MICHELLE ABRAHAM: Michelle Abraham,  
14 two "L"s in Michelle, A-B-R-A-H-A-M, 4 Francis  
15 Street, in Milford, and that's Cedar Beach,  
16 Milford.

17                   I'm opposed to this project mainly  
18 because I would like free use of the waterways and  
19 the beach where we live. My mate and I have made a  
20 lot of sacrifices so that we can afford to live in  
21 this area, and one of our dreams is to be able to  
22 use a sailboat right off the shore outside of our  
23 house, and we wouldn't be able to do that at all if  
24 this project went through.

1                   And I also object to the way in which  
2                   it would change the view of the natural setting of  
3                   the ocean.

4                   That's it.

5                   ROBERT LAMBERT: My name is Robert  
6                   Lambert, L-A-M-B-E-R-T. My address is 4 Francis  
7                   Street in Milford.

8                   I've lived on Cedar Beach for the last  
9                   nine years and have enjoyed using the waters off  
10                  the beach for sailing and other recreation. One of  
11                  the reasons why I live at Cedar Beach is to enjoy  
12                  these waters. I've been sailing on a number of  
13                  occasions in that area and plan on doing so in the  
14                  future.

15                  And the proposed site for these oyster  
16                  beds is a safety hazard. It is in the exact same  
17                  area that's now used by -- extensively by sailors,  
18                  both from the Milford area and other communities  
19                  who enjoy those waters, and I feel it proposes a  
20                  safety risk, and it's incompatible with the  
21                  recreational use that these waters are now used for  
22                  by the citizens of Milford and especially those  
23                  folks that live on Cedar Beach and Laurel Beach.

24                  And I -- and so I oppose the

1 applicant's proposal.

2 Thank you.

3 CRAIG CONOSCENTI: Craig Conoscenti,  
4 C-O-N-O-S-C-E-N-T-I, 7 Dewal, D-E-W-A-L, Drive, in  
5 Norwalk, Connecticut.

6 I've been a boater over the past decade  
7 in the same waters that Mariculture is looking to  
8 utilize and have a keen interest not only in the  
9 recreational use of that area but also  
10 understanding the devastation that the shellfish  
11 beds have seen and also the shellfish occupational  
12 issues that have arisen, and I feel that there are  
13 several issues that have been raised prior to this  
14 meeting and during this meeting looking at the  
15 places for Mariculture to move their operation to,  
16 but I also feel that given the fact that they've  
17 leased the beds that they actually are trying to  
18 use and have paid for the lease in those beds and  
19 the Yacht Club has not actually leased the area  
20 that they're looking to use, that I think there  
21 needs to be as much compromise on the side of the  
22 Cedar Point Yacht Club as there is on Mariculture.  
23 I would preface it by saying that I don't hold any  
24 interest in Mariculture.

1                   I think that the Yacht Club needs to  
2           consider whatever it takes for them to come up with  
3           the alternatives, just as they have asked  
4           Mariculture to come up with the alternatives, and  
5           both should have to come back to the table and  
6           propose their alternatives, and I don't think it's  
7           fair for the Yacht Club to not have to look at  
8           alternatives that are available to them, and again,  
9           I bring up the point that these shellfish beds were  
10          leased from the State by Mariculture.

11                   ROSANNE CONOSCENTI: My name is Rosanne  
12          Conoscenti. Last name is spelled  
13          C-O-N-O-S-C-E-N-T-I. My address is 7 Dewal Drive,  
14          D-E-W-A-L, in Norwalk 06851.

15                   I've taken the time to read the Army  
16          Corps of Engineers permit that was issued to the  
17          Mohegan Aquaculture Group. While there are general  
18          conditions listed in the permit, there are also  
19          29 special conditions that are specified in this  
20          permit for the same type of aquaculture gear  
21          proposed here tonight.

22                   My point is this: If ACOE is going to  
23          hold Mariculture Unlimited to the same standards,  
24          then a permit should be granted.

1                   If Mariculture Unlimited wants to  
2                   continue to hold this permit once granted, they  
3                   will most likely have to meet some very strict  
4                   conditions, including the establishment of an  
5                   environmental monitoring program, gear maintenance  
6                   schedules, and strict adherence to engineering  
7                   guidelines.

8                   RONALD MYRICK: Thank you very much for  
9                   the opportunity to testify. My name is Ronald,  
10                  R-O-N-A-L-D, E. Myrick, M-Y-R-I-C-K, 51 Kettle  
11                  Creek, Weston, Connecticut.

12                  I'm pleased to have the opportunity to  
13                  testify on this event.

14                  Having been the beneficiary now of  
15                  90 minutes of able testimony from the Attorney  
16                  General, the elected representatives, and others, I  
17                  can dispense with most of my remarks except to say  
18                  that if the Corps were to approve this particular  
19                  application, having heard so clearly how sensitive  
20                  the area is and how well established traditional  
21                  uses of that area are and the obvious hazards of  
22                  navigation that the proposal presents, I am at a  
23                  loss to be able to assess how the Corps could ever  
24                  turn down any other application of a similar nature

1 anywhere on the shore of the Sound.

2 The precedent will be inescapable that  
3 any application would be approved if this one is  
4 approved in view of this record.

5 Thank you.

6 BOB GRACE: Okay. My name is Bob  
7 Grace. Last name is spelled G-R-A-C-E. My address  
8 is 29 Briar Oak Drive, in Weston.

9 I've been boating in the community for  
10 about 25 years. I'm not opposed to Mariculture  
11 farming in principle, however, I think that the  
12 application is inconsistent with the use of the  
13 waters, and I think that the application seems  
14 self-serving.

15 The applicant addressed issues  
16 regarding the oyster industry and brought up topics  
17 that went as proof as the national deficit for  
18 seafood which really becomes irrelevant to the  
19 applicant's proposed use.

20 I think if you look at the broad  
21 picture and the scope of the use for a crowded  
22 harbor, the use of subsurface apparatus poses risk  
23 and inconvenience for thousands of boaters who use  
24 the waterway for both recreational and other

1 commercial interests, you know; and to serve one  
2 individual's interests seems to me, you know, to  
3 defy kind of common sense.

4 That's it.

5 ALLISON EHRI: My name is Allison Ehri,  
6 E-H-R-I. My address is 20 East 35th Street,  
7 New York, New York.

8 I am a member of Cedar Point Yacht  
9 Club, where I have sailed for the past 12 years. I  
10 learned to sail at Longshore Sailing School  
11 13 years ago. I have also been an avid water-skier  
12 for 22 years.

13 The area outside Saugatuck Harbor,  
14 between Cockenoe Island and Compo Beach is unique  
15 in that it's protected from commercial traffic,  
16 well policed and shallow enough to drop anchor  
17 should a dangerous squall suddenly blow in. These  
18 factors make this area safe and ideal for water  
19 sports.

20 Construction of the proposed oyster  
21 beds would make this area unsafe for reasons which  
22 have already been outlined.

23 There must be a way for marine culture  
24 and water sports to coexist safely on Long Island

1 Sound, and I suggest that this be further  
2 researched before valuable recreational areas are  
3 destroyed.

4 TIM MAIER: My name is Tim Maier. Last  
5 name's spelled M-A-I-E-R. I live at 253 Silvermine  
6 Avenue, in Norwalk.

7 I'm here to comment about the proposed  
8 aquacultural siting for the mouth of the Saugatuck  
9 River and the Long Island Sound, off Westport,  
10 Connecticut.

11 Coming back to my home in Milford  
12 always prompts memories for me. Many of those  
13 memories are connected with Long Island Sound.

14 I remember the oyster docks across from  
15 the Yacht Club, at the entrance to Milford Harbor.  
16 I remember Babe's Lobster Pound at the end of High  
17 Street on the harbor. My mother remembers when  
18 Milford Harbor extended to Harborside Drive before  
19 the hurricane silted in the area where the ball  
20 fields are now. I remember when all the motor  
21 boats, sailboats, and fishing boats were made out  
22 of wood.

23 Many people here tonight have similar  
24 memories or memories that go back much farther than

1 mine. Commercial use of our waterways has a rich  
2 past and deserves to have a solid future.

3 I believe that the public should be  
4 able to have some control and planning how  
5 commercial or recreational use of our waterways  
6 affects other potential users. For example, if a  
7 speeding motor boat collides with a kayak, someone  
8 is going to have a grave problem. It makes sense  
9 to me that there should be some way to regulate and  
10 enforce motor boat use so that accidents of this  
11 nature aren't likely to occur. I believe there's  
12 currently a policy to ensure public safety among  
13 boaters, and that this policy is enforced to a  
14 large extent, although maybe not perfectly.

15 If, in addition, an easy plan presented  
16 itself to increase safe boating, I believe our  
17 appointed and elected officials would be wise  
18 enough to adopt such a plan. We are here instead  
19 to talk about public planning to reduce boating  
20 safety. I don't think that's such a good idea.

21 Traditionally one of the biggest  
22 hazards to boats of all kinds has been the bottom.  
23 Just as airplane crashes often occur at zero  
24 altitude because the ground is pretty hard compared

1 to the air, a large share of boating accidents over  
2 the years have involved running aground. Severe  
3 weather can aggravate this tendency. One way to  
4 avoid severe weather when not already in a safe  
5 harbor is to stay away from land. The more common  
6 reaction though is to seek out a safe harbor.

7                   The fact that Mariculture Unlimited  
8 wants to construct an apparatus that would block  
9 the deepest portion of the entrance to the harbor  
10 used by thousands of boaters is unthinkable as far  
11 as I'm concerned.

12                   Take a look at the site for the  
13 proposed oyster nursery superimposed on a  
14 navigational chart. Ask a friend to help you read  
15 the chart if you're not familiar with the markings  
16 for shoals, buoys, and channel entrances. A shoal  
17 extends east of Cockenoe Island to Georges Rock.  
18 There's a green government marker indicating the  
19 current safe limit for navigation, meaning it's  
20 unwise to pass between the marker and the shoal.  
21 The western edge of the proposed aquaculture site  
22 would lay next or near the spot.

23                   The blue areas on the chart are to  
24 indicate shallows such as those leading up to Compo

1 Beach at the northern edge of the proposed site.  
2 Similarly, it would be unwise to pass to the north  
3 of this boundary, especially in foul weather, i.e.,  
4 heavy waves, fog, low visibility, strong winds,  
5 et cetera. In fair weather, there are swimmers and  
6 kayakers in the vicinity of Compo Beach.

7 Let me now address the issue of  
8 navigation over or above the proposed site. As a  
9 sailboat racing enthusiast who sails dinghies in  
10 the area under proposal, let me give evidence that  
11 this is also unsafe.

12 Cedar Point Yacht Club sponsors racing  
13 in Laser class sailboats from October through  
14 December and March through May. I have recently  
15 been honored by being named fleet captain for that  
16 program. There are over 100 boats in our program  
17 with experts and novice sailors alike.

18 In addition, I also race a Vanguard 15  
19 from May to September in the same area. These  
20 boats are not naturally stable. Expert sailors  
21 capsize more than occasionally; less adept capsize  
22 more frequently. A capsized dinghy will invert to  
23 a turtled position unless immediately righted.  
24 While inverted, the masts of these boats extend

1 over 15 feet downward. With wave action added,  
2 this distance would increase in the wave troughs.

3 In addition to the vertical dimension,  
4 a capsized boat will drift laterally. A capsized  
5 boat might not initially be above the structure,  
6 yet drift into the structure.

7 If the mast of a capsized boat became  
8 entangled in aquaculture cages, it would likely  
9 prevent sailors from being able to rescue  
10 themselves. I have personally been involved and  
11 witnessed others in need of assistance for righting  
12 capsized boat not caught in aquaculture equipment.  
13 Larger boats could snag the same equipment without  
14 capsizing.

15 I'm asking please that you consider to  
16 deny the proposal in question.

17 Thank you.

18 JOHN SHANLEY: Okay. My name is John  
19 Shanley, S-H-A-N-L-E-Y. My address is 225 Third  
20 Avenue, in Milford, Connecticut.

21 And I am opposed to this request.

22 Thank you.

23 JANET KEMPNER: My name is Janet  
24 Kempner, K-E-M-P-N-E-R. I live at 33 Spriteview

1 Avenue, in Westport, Connecticut. I am  
2 representing myself and my family.

3 We are avid recreational powerboaters  
4 who use the area in Westport that this proposal is  
5 planning, just about daily.

6 I also have a nine-year-old daughter  
7 who is learning to sail at the Longshore Sailing  
8 School, which I haven't heard mentioned yet tonight  
9 but should be. It's a school that's very active in  
10 the area. There are many, many young sailors that  
11 are right in the area where Mariculture is planning  
12 to submerge this tremendous structure.

13 I oppose it because it's a navigational  
14 hazard, and it is not a complementing use of State  
15 waters. It is benefitting one individual, possibly  
16 cleansing water, which I am all in favor of, but  
17 not at the entrance to the Westport Harbor, in such  
18 a heavily trafficked area.

19 Please oppose the Mariculture proposal.

20 Thank you.

21 ARTHUR BOGEN: I am Arthur Bogen,  
22 B-O-G-E-N, 73D East Broadway, in Milford.

23 I have several concerns. I don't see  
24 any information regarding the amount of waste to be

1 produced by these oysters in this density and what  
2 the effect of that would be on other sea life  
3 nearby.

4 I also don't see any information on  
5 intense feeding practices that might include  
6 antibiotics that could affect other sea life and  
7 bathers, and my last concern is that currently, all  
8 along the beach on which I live, broken lobster  
9 pots, lines, and poles wash up in storms, and I  
10 have concern about some of these breaking away and  
11 coming on shore and following the beach.

12 Thank you.

13 JULIEN BERESFORD: My name is Julien  
14 Beresford, J-U-L-I-E-N B-E-R-E-S-F-O-R-D. I'm a  
15 resident of Westport, Connecticut, and I have been  
16 a resident for about 15 years and a boater for the  
17 last 10.

18 I wish to report that in addition to  
19 all of the wonderful comments that I've heard this  
20 evening in the auditorium against this proposal, I  
21 would like to add a personal note to this.

22 I was returning with my family on our  
23 37-foot sailboat from Port Jefferson, under sail,  
24 and as we entered the Westport area, the channel,

1 we decided because the wind was light to put on our  
2 engine. Our engine promptly failed, and we were at  
3 risk of drifting into the Cockenoe Shelf, Cockenoe  
4 Reef which could damage our boat.

5 We would have dropped the anchor  
6 precisely in the area where the proposed longlines  
7 are suggested, and it would have caused damage.  
8 Even if it had been a no-anchoring zone, if it was  
9 the safety of my vessel and my family, I would have  
10 dropped anchor. Who would have been liable? I  
11 don't know. I fear that I would have been, and my  
12 insurance would be very high as a result.

13 Also, as has been noted by at least one  
14 party, every year for the Fourth of July fireworks,  
15 hundreds of boats anchor precisely in this spot to  
16 watch the fireworks, and if this application is  
17 approved, boats could no longer anchor there. They  
18 would probably have to move the fireworks because  
19 the barge that displays the -- from which the  
20 fireworks are shot would have to be moved as well.

21 Lastly, the applicant presented -- in  
22 his presentation to the public suggested that there  
23 is a thin channel of boats that go past Georges  
24 Rock, also known as G1, the Westport Channel, and

1 that is misrepresenting the use of that marker. It  
2 is simply an end point. The whole gulf between  
3 G1 -- Georges Rock and the shore is used by boaters  
4 to come into the Westport Channel, and his proposed  
5 oyster bed with 338 longlines -- excuse me -- 338  
6 buoys for the 169 lines would be not only a hazard  
7 to navigation, but would be a direct affront to the  
8 aesthetics of our beautiful waterway, and I  
9 strongly urge the Commission to deny this  
10 application.

11 Thank you.

12 JULIE CARPENTER: Julie Carpenter,  
13 C-A-R-P-E-N-T-E-R. Address is 319 Newtown  
14 Turnpike, Redding, Connecticut 06896.

15 I want to tell everyone how important  
16 sailboat racing in Westport is to my husband, my  
17 son Michael, who is eight years old, and just last  
18 week passed his safe boating and sailing class, and  
19 to me.

20 All of us enjoy sailboat racing. We  
21 have been racing in Westport now for a few years,  
22 and it has become a very important part of our  
23 life. It is a great sport, a great way to meet  
24 people and a lifelong activity that my family and I

1 can enjoy together. We especially like Wednesday  
2 night races. They are a perfect way to divide the  
3 workweek and reduce the stresses of work.

4 We do not own our own boat, but the  
5 sailors and boat owners here in Westport are warm,  
6 wonderful people who have welcomed my family and  
7 me. We also were not expert sailors prior to  
8 racing, but we have always been made to feel  
9 welcome. The racing community is a lovely  
10 community of people who share the love of racing  
11 and welcome new sailors to the sport.

12 Racing is teaching me how not just to  
13 sail from point A to point B or to cruise, but it  
14 is teaching me how to sail well, how to really  
15 understand the weather, the winds, the tides, how  
16 to adjust the sail shape and how to get the most  
17 speed from the boat.

18 Racing is a sport that can be learned  
19 quickly, but I believe it takes a lifetime to  
20 master and can continue to be challenging and  
21 exciting over an entire lifetime. I value the time  
22 I can spend racing, and I hope that racing in  
23 Westport can and will always be part of my life.

24 Thank you.

1                   TRACEY HOULE: My name is Tracey Houle,  
2                   H-O-U-L-E. I live at 3 Smith's Point, Milford,  
3                   Connecticut.

4                   We are vehemently opposed to the  
5                   placement of these oyster facilities in this area.  
6                   As a result of dredging and a lot of the silting  
7                   that goes on in the area, the sandbars not only are  
8                   constantly shifting, but are also growing  
9                   tremendously, by -- which is significantly reducing  
10                  the amount of area in which recreational boating,  
11                  swimming, et cetera, can occur.

12                  Everybody who's living out at that  
13                  point is living out there because of the access to  
14                  the water and the recreational facilities provided,  
15                  and we're already experiencing a significant loss  
16                  of useable area as a result of all of the dredging  
17                  that's being done in the Housatonic. They bring it  
18                  out to sea, and it's all washing back and creating  
19                  these massive sandbars that's blocking our access  
20                  or limiting our access.

21                  By adding a significantly greater area,  
22                  which is going to be posing hazards to recreational  
23                  use is really going to make this entire area of  
24                  Milford nonuseable for recreation period. It's a

1 huge infringement on our area.

2 GORDON LEIBOWITZ: Okay. My name is  
3 Gordon Leibowitz, L-E-I-B-O-W-I-T-Z. I live at  
4 28 Seaview Avenue, in Milford.

5 My concerns are -- I have concerns for  
6 noise pollution. We now have a boat out in this  
7 proposed area that's been working daily placing  
8 trays, and the noise is very obvious.

9 They talk about the fact  
10 that -- obviously it's invasive. They talk about  
11 the fact that the activities will only be occurring  
12 in late morning or early morning to early afternoon  
13 and not on weekends, and there are a number of  
14 retirees who live in close vicinity as well as on  
15 the beach on whom this pollution would impact  
16 considerably.

17 I'm also concerned about the issue of  
18 safety for the turtling of sailboats and catamarans  
19 and so forth. The tying up of lines, hazards to  
20 jet skis, jet ski operators, as well as to  
21 water-skiers.

22 This is a highly active area, and I  
23 believe that it is to the detriment of the  
24 community. I agree with the officials that spoke

1 this evening that, yes, it's a technology that  
2 should be encouraged, but I think when and how it's  
3 encouraged and where it's placed requires further  
4 study.

5 I'll just leave it there for now.

6 EVAN SEIDEMAN: Evan Seideman,  
7 S-E-I-D-E-M-A-N, 336 South Compo Road, Westport.

8 I am here this evening in my capacity  
9 as a member of the Board of Governors and the  
10 President of the Compo Beach Improvement  
11 Association. The CBIA is a voluntary, neighborhood  
12 Connecticut nonprofit organization whose  
13 approximately 100 members live in the neighborhood  
14 of Compo Beach in Westport and are dedicated to  
15 working with the Town of Westport to preserve,  
16 beautify, and protect Compo Beach.

17 While many of our members are  
18 recreational boaters and share the concerns  
19 expressed by many of the representatives in the  
20 boating organizations addressing you this evening,  
21 our organization's focus and our members' primary  
22 concerns are the effects of Mariculture's  
23 application on the safety and beauty of Compo Beach  
24 for our members and all who enjoy this public

1 beach. The application at best raises unanswered  
2 questions, and at worst, poses threats to the  
3 safety and beauty of our beach.

4 We are here in opposition this evening  
5 not to aquaculture or even to Mariculture  
6 Unlimited, but because we are concerned about  
7 ensuring that our public officials make fully  
8 informed decisions with respect to this application  
9 and fulfill their obligations to preserve the  
10 public trust.

11 Preserving the public trust in this  
12 case, we believe, includes preserving the rights of  
13 recreational boaters and protecting the residents  
14 and thousands of users of one of Westport's most  
15 cherished public resources.

16 Our concerns then are in the form of  
17 questions. What impact does a sudden and  
18 significant increase in the number of oysters in  
19 the shallow waters just off of Compo Beach have,  
20 including the washing and opening of the oysters;  
21 the draining of the juice; the alleged 5 percent  
22 mortality rate (or approximately 875,000 dead  
23 oysters, assuming 17 and a half million oysters in  
24 8,500 suspended baskets); the disposal of sick or

1 dead oysters; and the cleaning and maintenance of  
2 the suspended oyster harvesting baskets. What  
3 effects do these elements have on the water quality  
4 and the ability of beachgoers to enjoy the water  
5 and the sandy beach?

6                   In comments and advertisements in local  
7 media, Mariculture Unlimited has maintained that  
8 water quality will be improved. Is this true?  
9 Will we instead see massive algae blooms that will  
10 close our beaches in addition to closings caused by  
11 unusually heavy rains and/or sewage treatment  
12 release issues? Have Environmental Impact Studies  
13 been conducted, and if so, what are the results and  
14 if not, why not?

15                   Our members are concerned that Compo  
16 Beach not become the aqua equivalent of a North  
17 Carolina hog farm. We need your assurances that  
18 this won't happen.

19                   What testing has been conducted on  
20 Mariculture's system to ensure that the lines and  
21 baskets will not fail, including sustaining the  
22 impact of one or multiple Nor'easters? What would  
23 be the impact of severed lines and/or destroyed  
24 baskets with their contents washing ashore,

1 particularly given the traditional summer  
2 prevailing southwest or beach bound wind?

3           While not an expert on oyster disease,  
4 our members are aware that oyster diseases in the  
5 waters off of Westport and other areas of Long  
6 Island Sound have increased and reduced the ability  
7 to harvest and consume oysters from local waters.  
8 Mariculture Unlimited has indicated that its  
9 growing and harvesting methods off of the floor of  
10 the Sound will reduce these diseases. Is this  
11 true?

12           Lastly, harvesting and cleaning vessels  
13 will presumably be required to service the lines  
14 and baskets. When will this occur? And to the  
15 extent that the concerns of recreational boaters  
16 are addressed, does this mean that these harvesting  
17 and cleaning vessels will be working late at night  
18 or during other nonracing hours? Is this  
19 reasonable to residents? And if working during  
20 beach-going hours is this reasonable to beachgoers?

21           In conclusion, our concerns expressed  
22 this evening are to ensure the protection of the  
23 beauty and safety of Compo Beach. We understand  
24 that the Corps has a duty to consider the continued

1 enjoyment and maximum sustained use by the public  
2 of the lands and waters, to prevent conflict  
3 between uses, to prevent visual and physical  
4 encroachments, and to optimize recreation and fish  
5 and wildlife benefits.

6                   Assuming for these purposes that  
7 Mariculture Unlimited's application is consistent  
8 with any of these duties, and I personally am hard  
9 pressed to see any duty to assist in maximizing the  
10 profits of this private commercial endeavor, the  
11 CBIA wants to ensure that the public trust and all  
12 of the competing interests among aquaculturalists,  
13 recreational boaters, beach residents, and beach  
14 users are studied, respected, and addressed.

15                   Without answers to our questions, we  
16 don't believe that this application serves the  
17 public trust. We cannot support it, and we urge  
18 the Corps to take this opportunity not merely to  
19 reject the application but more importantly to  
20 develop a long-range and fully integrated plan for  
21 these leases that accommodates all interests.

22                   Thank you for the opportunity to  
23 address you.

24                   JOHN PORTER: John Porter, P-O-R-T-E-R,

1 and my address is 9 Willow Street, Norwalk,  
2 Connecticut 06851.

3 And I am the drystall chairman of Cedar  
4 Point Yacht Club, and that's basically the area  
5 that is used to store all of our small boats, which  
6 in total is approximately at least 150. No, that's  
7 not correct. Probably bordering on 225 if I take  
8 all of the classes into account.

9 My main concern is safety. With that  
10 in mind, I would like to focus your attention and  
11 my comments around Mariculture's own subsurface  
12 oyster farm proposal, specifically the lead  
13 paragraph of page 3.

14 I would just like to read page 3, if  
15 that's possible: "Concerns have been raised for  
16 the safety of young sailors who might turtle their  
17 catamarans in the shellfish areas and as a result  
18 suffer injury from an inability to right their  
19 vessels.

20 As the lines will be placed in parallel  
21 to the current, it would seem most unlikely that  
22 the mast or rigging of the sailboat would actually  
23 become entangled in the underwater gear. A  
24 capsized sailboat could be just as difficult to

1 right in 10 feet of water against a 10 feet deep  
2 line. These sailors do not avoid waters less than  
3 20 feet in depth due to the concern of snagging the  
4 mast in the event of capsizing. Therefore, there  
5 should be no need to avoid the shellfish growing  
6 area. In the worst case scenario, if a sailboat  
7 were to capsize adjacent to the subsurface line,  
8 the boat and its occupants would be no worse off  
9 due to the presence of the line, as the line would  
10 not cause the boat to become submerged. In a  
11 properly supervised sailing program, prompt  
12 assistance would be available."

13           This paragraph was written -- and it is  
14 very clear to see by anyone who has sailed at all  
15 that this paragraph was written by someone that has  
16 never, never capsized a sailboat and subsequently  
17 turtled that sailboat which means to -- for the  
18 sailboat to completely invert so the mast would be  
19 in the opposite direction,

20           And it is almost -- to someone who has,  
21 it is almost blasphemous. It is so incorrect, and  
22 to the uneducated person, as you probably are who  
23 is reading this, it is -- it is a travesty, and I  
24 feel it should be stricken from the record, and it

1 is also very insulting.

2 And in closing, I would just like to  
3 say that I would like to invite all of the people  
4 involved in making this decision to come to Cedar  
5 Point and go out and observe normal racing in this  
6 area and just to have that as a basis for making a  
7 decision about this.

8 Thank you.

9 RICHARD THACKABERRY: My name is  
10 Richard Thackaberry, T-H-A-C-K-A-B-E-R-R-Y. My  
11 address is 140 Captain's Walk, Stratford,  
12 Connecticut.

13 My comments are: My first concern is  
14 safety. I've been a small boat sailor in the  
15 waters off of Westport for 30 years. During this  
16 time I faced very severe weather many times and  
17 have capsized my boat several times, and I have  
18 been able to right it each time. If these  
19 underwater cables are approved, the chances of my  
20 mast getting caught on them would be significant,  
21 resulting in the loss of the mast as well as damage  
22 to the boat.

23 In order to avoid this area, we would  
24 have to sail further out on the Sound, away from

1 the harbor, which is inherently more dangerous,  
2 particularly being further from aid.

3           And my second concern is that approval  
4 of this proposal would, in effect, be giving almost  
5 full control of a large part of the navigable  
6 water, near a popular harbor, to one individual for  
7 his personal gain, thereby, disenfranchising the  
8 many, for the gain of the few.

9           The third concern I have is for the  
10 dinghy racing program at Cedar Point Yacht Club and  
11 other clubs nearby. Sailboat racing is a fragile  
12 sport that must be fit into a family's list of  
13 activities. The longer the distance to the  
14 racecourse and increased risk to the sailors may  
15 cause severe harm to the racing program.

16           Cedar Point Yacht Club's sailing  
17 program is recognized as one of the best in the  
18 nation and one of the few clubs on Long Island  
19 Sound with an active racing program. Harm to this  
20 program will affect racing all over the Sound.

21           One other point that isn't in here that  
22 I would like to make is that these regattas that  
23 Cedar Point hosts draw sailors, many sailors from  
24 around the State and other parts of the Northeast

1 and even the nation. They, in turn, bring a lot of  
2 tourist dollars into the area. They stay in  
3 hotels, eat in restaurants, and this kind of thing,  
4 and so it will pump a lot more money into the  
5 economy, perhaps overall more money than the oyster  
6 thing will put into the economy.

7 My last thing is the recent policy of  
8 the DEP and Army Corps is to promote usage of the  
9 waterfront by all people, not just those able to  
10 afford a home there. Approving this proposal would  
11 be contrary to that policy.

12 DONALD BUDDE: Okay. My name is Donald  
13 Budde. I live in Stratford, Connecticut.

14 I am a member of Pootatuck Yacht Club  
15 and Stratford -- a charter member of Stratford Boat  
16 Owner's Association. I'm 84 years old. I've been  
17 fishing Long Island Sound with my father since the  
18 age of six years old.

19 The area we are talking about right now  
20 for the Mariculture is one of our prime fishing  
21 areas. I've fished there all of my life, and I  
22 have caught blue fish, winter flounder, summer  
23 flounder, black fish, and sometimes weak fish.

24 We use this area in our fishing

1     troughing with wire and drifting lines, so it would  
2     very, very -- be very likely that we would tangle  
3     up with all these buoys and so forth.

4                     I am speaking as a fisherman for not  
5     only myself but all of our club members, and I  
6     think that this is a very poor area to put these  
7     buoys and so forth. I think it would cause a lot  
8     of commotion.

9                     I also want to add one final thing. I  
10    was fishing last week, and I notice that there are  
11    already 30 or 40 or 50 buoys in that area right  
12    now. I don't know whether Mariculture has put them  
13    in there or who has, but there are buoys there now.

14                    Thank you for allowing me to speak.

15                    Thank you.

16                    FERNANDO FRILLICI: So my name is  
17    Fernando Frillici, but they call me Fred, and I  
18    spell my last name F-R-I-L-L-I-C-I, and I live at  
19    5 Random Road, in Fairfield, Connecticut 06825.

20                    I think that the proposal by  
21    Mariculture, the idea of it is a good idea, but  
22    it's the wrong place and the wrong time, and having  
23    said that, I just want to bring something up that  
24    hasn't been brought up tonight.

1                   The Federal Government has given  
2 control of Long Island Sound to Connecticut and  
3 New York. In 1881 the State of Connecticut gave  
4 the towns along the coastline jurisdiction over the  
5 shellfish beds off their shores.

6                   In 1910, the Towns of Westport,  
7 Milford, West Haven, and New Haven returned the  
8 jurisdiction of the shellfish beds back to the  
9 State. Some questions have been raised as to which  
10 shellfish beds jurisdiction was returned; that is,  
11 whether the commercial or the recreational beds or  
12 both.

13                   Nonetheless, these towns and/or the  
14 State have jurisdiction by statute over the  
15 shellfish beds. This authority should not be  
16 usurped by the Army Corps of Engineers, and to this  
17 speaker's knowledge, the Army Corps of Engineers  
18 have never intervened in State/local shellfish  
19 issues, so why does it intervene now?

20                   Aside from this issue, the speaker  
21 feels that this project, because of its location is  
22 a very serious navigational hazard, impacting on  
23 the safety of boaters, sailboaters, fishermen, and  
24 all those who participate in marine activities.

1                   Historically, these places have been  
2                   fished for hundreds of years, so why take this  
3                   opportunity away from these people now?

4                   Along with that, I'm very concerned  
5                   about the financial impact that this operation  
6                   would have on activities related to other marine  
7                   activities. I'm talking about marinas, fishing and  
8                   tackle stores, people who sell bait, motels, people  
9                   who sell gas, you know, and all the other things  
10                  that are related to people who do these marine  
11                  activities.

12                  Okay. I think for the financial gain  
13                  of one individual, you should not affect the  
14                  livelihood of literally probably hundreds of other  
15                  people who may not live necessarily on the water,  
16                  but, you know, such as boat builders and people  
17                  like that. All these lives would be affected.

18                  Okay. That's enough.

19                  MICHAEL AIKEN: Hi. My name is Michael  
20                  Aiken. That's A-I-K-E-N, and I live at 33 Wilshire  
21                  Boulevard, in Milford, Connecticut.

22                  And I would just like to comment that I  
23                  represent Valley Yacht Club, which is one of the  
24                  yacht clubs in the Housatonic River, the Coastal

1 Conservation Association of Connecticut, which has  
2 about 800 members presently right now, and the  
3 Connecticut Saltwater Fly Rodders Association,  
4 which has another 50 or 55 members.

5           And I'd like to go on record saying  
6 that while these people have a real good idea, and  
7 I think, you know, aquaculturally it's a sound  
8 idea, it's -- their proposal to put it where they  
9 want to put it, which I understand is in the beds  
10 that they've leased from the State, I think it's  
11 the wrong place because of the boat traffic. The  
12 people have told me it's not going to be lighted at  
13 night, which I think will create a hazard that  
14 could end up being detrimental.

15           I have fished that area for over  
16 22 years, and I know the area very well, and there  
17 is a lot of people that do a trip from Milford  
18 Harbor to the Housatonic River, the mouth of the  
19 Housatonic River and vice versa, and especially the  
20 one in Milford is going to be right on the way.

21           There's also a casual anchorage that's  
22 right out on the east side of the breakwater in the  
23 Housatonic River that is real close to where these  
24 grounds are going to be set. I do see sailboats

1       there that have a draft of more than two or three  
2       feet.  Maybe they're down seven or eight feet and  
3       talking with the people here, they say that the  
4       distance between the surface and the top of the  
5       buoys is only going to be five to 6 feet so you  
6       could have sailboats and rather large deep draft  
7       boats get tangled up in the gear.

8                        I just don't think it's a good idea  
9       because it's in too shallow water, and I think it's  
10      not lit, and we could end up having somebody die  
11      out there unfortunately.

12                      And I'd like to just go on record to  
13      say that I'm against it in that particular  
14      location.  I think there's other areas along the  
15      coast, and there's possibly deeper areas that they  
16      could look at.

17                      The State of Connecticut does have  
18      thousands and thousands of acres that are unleased  
19      right now that they could work with these people  
20      and find another area, and I think that's the way  
21      to do it.

22                      Thank you very much.

23                      CARL VERNON JOHNSON:  Carl Vernon  
24      Johnson, J-O-H-N-S-O-N, and 439 Oronoque Road,

1 O-R-O-N-O-Q-U-E, Road, Milford, Connecticut.

2 I'm a member of the Wind Jammers  
3 Sailing Club, also the Housatonic Boat Club. Both  
4 clubs race in that area and have for many, many  
5 years. I believe that this project will be a  
6 detriment to the racing possibilities in the future  
7 and a safety hazard.

8 I'm opposed to it.

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WRITTEN STATEMENTS

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Written Statement of Margery Silk

July 23, 2003

Ms. Cori M. Rose

US Army Corps of Engineers, NE District

696 Virginia Road

Concord, MA 01742-2751

Dear Ms. Rose or Hearing Chairman:

It is NOT RIGHT that a dilettante doctor should be allowed to impose a subsurface system of longlines to grow oysters in the body of water south of Hillspoint between Sherwood Island State Park and Cockenoe Island, Westport.

This is a major recreational boating-sailing area whose equal you would have to look to Marblehead or Annapolis to find. From these waters have come America's Cup sailors and skippers, builders and designers. The use of the longlines imperils the safety of the young sailors in the sudden squalls, to which the Sound is

1 subject. The longlines are threatened by the keels  
2 and motors of larger boats. To allow this system  
3 of aquaculture would mean the end of the  
4 preeminence of sailing and boating in these waters.

5           The State of Connecticut is charged  
6 with the administration of Coastal Zone Management.  
7 That management should be directed toward a  
8 balanced use of these waters. NOT commercialism  
9 alone, but recreation, education, and health.  
10 Permitting the oyster culture by this method in  
11 this area would obliterate the importance of the  
12 recreation and education and health.

13           Therefore, the Army Corps of Engineers  
14 should, must deny this application for a permit  
15 altogether.

16           Very sincerely,  
17           Margery Silk.

18           I would challenge Marine Biologist Ed  
19 Rose's statement that his mariculture had no  
20 negative impact on small boat recreational sailing.  
21 I have birded the Chilian Coast and never witnessed  
22 comparable concentrations of small boats to what we  
23 have constantly in Westport.

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Written Statement of Orvis Yingling

7-23-03

US Army Corps of Engineers

Attn: Ms. Cori Rose

Dear Ms. Rose:

I have been racing sailboats for nearly 40 years out of clubs along the Saugatuck River and have learned the following:

1. The channel is not wide and fairly shallow in certain places. It is not unusual to see larger keel boats aground in and out of the channel.
2. There are many sailboat regattas every summer with skippers from all over the USA who are not familiar with local conditions. They sometimes end up far out of the racing area.
3. In stormy weather, sailboats will scatter and drop anchor wherever they can. Smaller One Design boats may capsize and end up with masts sticking in the bottom.

For these and other reasons, there will

1 be problems interfering with any Mariculture cables  
2 and cage units, and it will be much better to use  
3 another area with less boat traffic.

4 Respectfully submitted,

5 Orvis Yingling

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9 Written Statement of Paul A. Myerson

10

11 Notice of Public Hearing - July 23, 2003

12

Mariculture Unlimited

13

14 I am writing to express my opposition  
15 to the proposed installation of submerged longlines  
16 within the existing racing circuit of Cedar Point  
17 Yacht Club ("CPYC")

18

19 I write not as a sailor, but as the  
20 Governor of CPYC in charge of the Club's Junior  
21 Sailing Program and as a spokesperson for both the  
22 Junior Sailing Association of Long Island Sound  
23 ("JSA") and all Junior Sailors on Long Island  
24 Sound.

24

CPYC is perhaps the most active club in

1 all of Long Island in terms of hosting Junior  
2 Sailing events. This is due to the fact that the  
3 waters off the club are ideal for holding races for  
4 Junior Sailors ages 8 to 17. Very few of the  
5 48 clubs affiliated with the JSA can host Junior  
6 regattas with over 100 boats. CPYC routinely hosts  
7 Junior Sailing events attended by over 100 sailors,  
8 and as such, serve the Junior Sailing communities  
9 of Fairfield County, Westchester County, and Long  
10 Island.

11           The boats participating in Junior  
12 Sailing include the Optimist Pram, Blue Jay, Laser,  
13 and Club 420. Each of these boats has a mast/sail  
14 that extends more than ten (10) feet, and thus  
15 could become entangled in submerged longlines as  
16 currently proposed.

17           To portray the magnitude of Junior  
18 Sailing races hosted by CPYC, listed below are the  
19 major junior regattas held at CPYC from 2000  
20 through 2003, showing the number of boats and  
21 junior competitors:

22           2000

23           \* JSA Opti Regatta - 110 boats/sailors,  
24           ages 8 to 14

1           2001  
2           \* JSA Optimist Regatta - 120 boats/sailors,  
3           ages 8 to 14  
4           \* JSA Laser/Radial/420 Raceweek - 156 boats;  
5           212 sailors, ages 13 to 17

6           2002  
7           \* Blue Jay Nationals - 25 boats/53 sailors,  
8           ages 12 to 15  
9           \* Optimist New Englands - 187 boats/sailors,  
10          ages 8 to 14, from 11 states, plus Bermuda

11          2003  
12          \* JSA Optimist Regatta -- 144 boats/sailors,  
13          ages 8 to 14  
14          \* JSA Laser/Radial/420 Raceweek -- 169 boats;  
15          224 sailors, ages 12 to 17

16                    The proposed longlines would create a  
17          very unsafe condition for Junior regattas, as  
18          mentioned above. Either CPYC would continue to  
19          race in the existing area, thus risking a young  
20          sailor's rig becoming entangled in the longlines,  
21          or CPYC would be forced to relocate the racecourse  
22          further out from the Club. Given that an Optimist  
23          Pram is only 8 feet in length and prone to  
24          capsizing, requiring Junior Sailors as young as

1 8 years old and as light as 60 pounds to sail  
2 extended distances to reach the racecourse is  
3 extremely undesirable due to increased risks.

4 For the safety of the hundreds of  
5 children who compete at CPYC each year, I ask that  
6 the proposal be denied.

7 Respectfully,  
8 Paul A. Myerson

9

10 \* \* \* \* \*

11

12 Written Statement of Seth Shepard IV

13

14 Public Hearing on the Proposed Oyster Farms

15 Westport and Milford

16 7/23/03

17 For the Record:

18 This area that of a proposed oyster  
19 farm which will encompass nearly 400 AC in the  
20 middle of one of the most used areas surrounding  
21 the shores in the Westport/Southport, and Milford  
22 areas is outrageous and criminal.

23 Thousands of people play and work these  
24 areas daily.

1                   By allowing this commercial venture to  
2 benefit such a small group, you will eliminate an  
3 existing area used by thousands of people a day.  
4 This is an outrage and misuse of public trust and  
5 resources.

6                   Not only will this become a hazard to  
7 navigation but will be potentially fatal to any  
8 mariners that capsize or sink in the area. Small  
9 boats who routinely sail in these waters run the  
10 risk of capsizing and being fouled in these  
11 longlines submerged below the surface.

12                  Divers will no longer be able to dive  
13 and explore or enjoy these waters. Nor will anyone  
14 be able to anchor and enjoy the views, sunsets, and  
15 natural beauty of this natural resource.

16                  Fishing will be impossible along with  
17 lobster and oyster harvesting.

18                  If this is allowed to go forward, you  
19 may as well ban all the clubs, sailing school  
20 business, and other water-related activities that  
21 traverse these waters regularly and say good-bye to  
22 the income generated by these activities as well.

23                  Respectfully,  
24                  Seth Shepard IV

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Written Statement of Jane Dickenson Porter

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7

My name is Jane Dickenson Porter. I am  
in opposition to the oyster bed proposal secondary

8

to a strong regard for safety and in being a

9

testing ground that may prove disastrous.

10

Jane Dickenson Porter, 7/23/03

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\* \* \* \* \*

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Written Statement of Philip C. Simmons

15

16

Subject: Oyster Bed Proposed By Mariculture

17

Unlimited off Westport, Connecticut

18

19

Gentlemen, for the past 35 years, my  
family and I have enjoyed boating on LIS. My

20

children and now, their children, have developed a

21

real fondness for the water and waterborne

22

activities.

23

24

As weather conditions can change very  
quickly on the Sound, it is oftentimes necessary to

1 anchor ASAP, and I feel the longlines and cages  
2 would interfere with safely securing an anchor. My  
3 real concern is safety for the boaters.

4 Philip C. Simmons  
5 5 Windfall Lane  
6 Niantic, Connecticut 06357  
7 23 July 2003

8

9 \* \* \* \* \*

10

11 Written Statement of Jim Brigger

12

13 Comments Regarding the Proposed Longline  
14 Oyster Farm to Be Located Off Compo Beach  
15 Near Westport, Connecticut

16

17 Thank you for the opportunity to  
18 express my views on this matter.

19 I believe that the proposal under  
20 consideration should be rejected. I do not believe  
21 the proposal is in the public interest of the  
22 community most affected.

23 As I think you know, the area proposed  
24 for the farm is in the middle of an area used

1 extensively by local sailors for cruising and  
2 racing. In particular, the members of Cedar Point  
3 Yacht Club (and other nearby Clubs) race nearly  
4 every Wednesday evening, and Saturdays and Sundays.  
5 There are also several major regattas in the area.  
6 I don't think it is an exaggeration to say that  
7 hundreds of local residents and visitors spend many  
8 hours, in dozens and dozens of boats, in this  
9 general location.

10 My own boat, a J/105 (which has a draft  
11 of 6.5 feet) participates in these races regularly,  
12 along with many other boats with similar draft. As  
13 I understand it, the proposed operation will  
14 involve an arrangement of buoys, anchors, and  
15 longlines, supporting large oyster containers above  
16 the bottom, over an area of more than a half square  
17 mile.

18 In my view, there is no question that  
19 this would interfere with and disrupt the safe  
20 passage of sailboats through the area. It is  
21 inevitable that boats will become entangled in the  
22 lines and buoys, with attendant risk of damage and  
23 injury.

24 In addition, the proposed apparatus

1 would interfere with the masts and equipment of  
2 capsized sailing dinghies (which often are  
3 overturned in racing.)

4 Finally, it would be almost impossible  
5 to anchor safely in the area, whether for a Race  
6 Committee boat running a race or, more importantly,  
7 for a boat in difficulty and needing to anchor for  
8 safety reasons.

9 My comments have focused on the impact  
10 on sailboat racing, but powerboats and fishermen  
11 will likely face similar difficulties.

12 I ask that you reject the proposal.

13 Thank you for your attention.

14 Sincerely,

15 Jim Brigger

16 20 Westview Lane

17 Norwalk, CT 06854

18

19 \* \* \* \* \*

20

21 Written Statement of John Craine

22

23 FAIRFIELD COUNTY COMMODORES ASSOCIATION

24 To: Ms. Cori M. Rose

1 US Army Corps of Engineers, NE District  
2 696 Virginia Road  
3 Concord, MA 01742

4 Subject: Mariculture Unlimited Oyster Nursery  
5 Proposal

6 Our organization was founded in 1993  
7 and represents 14 clubs with over 5,000 members,  
8 including more than 1,500 junior sailors, and 3,000  
9 adult boaters.

10 The mission of our organization is to  
11 further the relationships between the sailing and  
12 yacht clubs of Fairfield County and the Maritime  
13 Aquarium. To inform, support, and encourage member  
14 clubs in areas of common interests and concerns  
15 relating to:

- 16 \* The keen interest in the competitive side of  
17 our sport
- 18 \* The sailing education and training of all  
19 ages
- 20 \* Pleasures and problems of Long Island Sound
- 21 \* Various aspects of club management and  
22 activities

23 We would like to take this opportunity  
24 to express our strongest concern and opposition to

1 the proposed oyster nursery, Sites 1a/1b Westport,  
2 and Site 2, Milford, CT. Our position regarding  
3 the subject proposal is based on the following:

- 4 \* The proposed longline areas are actively  
5 used during the entire boating season by  
6 large fleets of junior and adult sailors  
7 and other recreational boaters.
- 8 \* The Mariculture proposal would essentially  
9 prevent all vessels from anchoring, bottom  
10 fishing, and under certain conditions,  
11 obstruct safe passage for deep draft vessels  
12 in the designated sites.
- 13 \* Small boats, which often capsize in wind  
14 gusts, would likely have their masts  
15 entangled in the submerged cages and  
16 lines - a major boating safety issue.
- 17 \* In the event of violent thunderstorms,  
18 boaters would be unable to drop anchor in  
19 attempting to avoid the danger of sailing in  
20 severe weather conditions.

21 We feel this proposal would create  
22 substantial navigation hazards to sailors, boaters,  
23 and fishermen of all ages. These significant  
24 boater safety risks have not been adequately

1 addressed by Mariculture.

2                   We recommend the Corps of Engineers  
3 have Mariculture revise their proposal to a seeding  
4 process such as that recently implemented by  
5 Atlantic Clam Farms in Greenwich, CT. 1.7 million  
6 farm grown oysters were planted in Greenwich Cove;  
7 coordinated by the Greenwich Shellfish Commission.  
8 No cages or longlines were used in this very active  
9 boating area. A recent article from the local  
10 newspaper is attached.

11                   Respectfully submitted,  
12                   John Craine, Co-Chairman  
13                   10 Tory Road  
14                   Riverside, CT 06878  
15                   203-698-0118  
16                   jcraine@optonline.net  
17                   cc: Mr. Peter Francis, CT DEP

18

19                   Attachment from Greenwich Time

20

21 Oyster beds get fresh seedlings

22 by Martin B. Cassidy

23 Staff Writer

24 July 3, 2003

1                   Dan Barrett and half a dozen volunteers  
2                   drew thousands of pebble-sized oysters from small  
3                   white buckets and scattered them onto a small  
4                   island blanketed with the shells of dead oysters.

5                   Placing the brittle baby oysters among  
6                   the empty shells or "kultch," will impede predators  
7                   such as mudcrabs and oyster drills from reaching  
8                   the fledgling shellfish, said Barrett, a member of  
9                   the Greenwich Shellfish Commission

10                   "The dead shells will cover up the  
11                   young," Barrett explained. "You don't want too  
12                   muddy an area, either, because they'll suffocate."

13                   At low tide early yesterday morning,  
14                   members of the Greenwich Shellfish Commission  
15                   boarded a barge owned by Atlantic Clam Farms of  
16                   Brookhaven, NY, to dump an estimated 1.7 million  
17                   farm-grown oysters into dormant oyster beds in  
18                   Greenwich Cove. Two parasites, MSX and Dermo,  
19                   virtually wiped out the state's oyster population  
20                   in 1997. Yesterday's project is part of an effort  
21                   to replenish the town's stock.

22                   A batch of 15,000 baby oysters dumped  
23                   in Greenwich Cove in 2001 have been a great  
24                   success, many of them reaching maturity already,

1 Jinishian said.

2 As volunteers, wearing thick rubber  
3 gloves to avoid getting cut, deposited the  
4 shellfish yesterday morning, Conservation Director  
5 Denise Savageau used a geographic mapping device to  
6 record where oysters were being dropped.

7 In an agreement reached last month, the  
8 town is trading 1 million mature clams, or quahogs,  
9 with Atlantic Clam Farms in return for 2 million  
10 oyster spat, Shellfish Commission Chairwoman Lucy  
11 Jinishian said.

12 "We hope this will trigger a rebound,"  
13 Jinishian said. "Hopefully, soon we'll get a good  
14 natural set of oysters."

15 Atlantic Clam Farms will sell some of  
16 the adult clams to environmental organizations, and  
17 the rest will become food, co-owner Ed Stillwagon  
18 said.

19 The oysters deposited yesterday have  
20 genetically engineered markings that will help the  
21 shellfish commission monitor their progress,  
22 Jinishian said.

23 Inke Sunila, a shellfish pathologist  
24 for the State Bureau of Aquaculture, a division of

1 the Department of Agriculture, said the young  
2 oysters were genetically designed to resist disease  
3 and grow fast, reaching legal size in two years  
4 rather than the usual three. Sunila farms oysters  
5 at a state lab in Milford and researches oyster  
6 diseases.

7 "This is the positive side of it, and  
8 I'm excited," Sunila said. "Usually I just study  
9 the mortality, but this is an attempt to increase  
10 the population."

11 William Caldwell, who cultivates  
12 oysters for Atlantic Clam Fisheries, supervised  
13 yesterday's volunteers, directing them where to  
14 dump the oysters. To find the most hospitable  
15 locations for the shellfish, Caldwell and  
16 volunteers had planted and monitored tens of  
17 thousands of oysters in several Greenwich Cove  
18 locations over the past month.

19 "It seems the survival rate has been  
20 high," Caldwell said.

21 The slow rebound of the oyster  
22 population is prompting alliances between marine  
23 scientists, communities, and commercial fishermen,  
24 Caldwell said.

1                    "We've given up on getting a natural  
2 oyster set and are trying to bolster the  
3 population," he said.

4                    Connecticut's oyster population is  
5 gradually rebounding, Sunila said. The new oysters  
6 could breed as early as August, she said, with  
7 farmed oysters spawning with wild oysters in the  
8 Cove and forming large colonies.

9                    A typical female oyster releases  
10 150 million eggs each spawning season, and about  
11 150 of those reach maturity, Sunila said.

12                   "There is a potential for an enormous  
13 number of oysters here," she said.

14

15

\* \* \* \* \*

16

17                   Written Statement of Douglas C. Latour,

18                   Denise D. Latour

19

20 July 23, 2003

21 US Army Corps of Engineers

22 State of Connecticut Department of Environmental

23 Protection

24 RE: Proposed Oyster Farm

1 Dear Sir or Madam:

2 From May through September, my wife and  
3 I actively race a 19-foot Lightning sailboat in the  
4 Westport waters where the Oyster Farm is proposed.  
5 From October through December and from March  
6 through May, I race a 14-foot Laser sailboat in the  
7 same area. Both the Lightning and Laser have  
8 occasion to capsize in certain windy conditions.

9 The proposed Oyster Farm would cause  
10 the following difficulties with regard to safety  
11 and race administration:

12 \* Race committee boats could not anchor in the  
13 area, which would restrict the ability to  
14 set proper racecourses in varying wind  
15 directions;

16 \* In the event of a storm, the primary safety  
17 maneuver for sailboats that are not in  
18 striking distance of shore is to drop its  
19 sails and anchor. Sailboats would not be  
20 able to safely anchor in the area;

21 \* The rigging of a capsized sailboat could  
22 easily become tangled in the Oyster lines  
23 and result in damage to the boat or injury  
24 to a competitor.

1 I strongly oppose any Oyster Farm in  
2 Westport waters.

3 Sincerely,  
4 Douglas C. Latour  
5 Denise D. Latour  
6 1 Broad Court  
7 Norwalk, CT 06850

8

9 \* \* \* \* \*

10

11 Written Statement of Susan Edwards

12

13 July 23, 2003  
14 Ms. Cori Rose  
15 US Army Corps of Engineers  
16 New England District  
17 696 Virginia Road  
18 Concord, MA 01742-2751

19

20 Mr. Peter Francis  
21 Connecticut Department of Environmental Protection  
22 Office of Long Island Sound Programs  
23 79 Elm Street  
24 Hartford, CT 06106-5127

1

2 Re: File Number 200202751

3

4 Ms. Rose and Mr. Francis,

5 I write to you as a concerned member of  
6 the Cedar Point Yacht Club regarding the impact of  
7 the proposed rearing of eastern oysters put forth  
8 by Mariculture Unlimited

9 I am very concerned about the negative  
10 impact to our One Design sailing program should the  
11 submerged longlines be installed in Site 1A/1b in  
12 Westport, CT.

13 As a resident of Chester, CT, I travel  
14 in excess of 75 miles to participate in what I  
15 consider to be the best One Design sailing program  
16 around.

17 I don't believe the benefits of rearing  
18 eastern oysters in the midst of Cedar Point Yacht  
19 Club's racing area are great enough to outweigh the  
20 benefits to the club, especially the dinghy One  
21 Design program or the future of dinghy sailing in  
22 this area.

23 Please carefully consider the negative  
24 impact to the club and to its future.

1 Susan Edwards  
2 27 High Street  
3 Chester, CT 06412

4

5

\* \* \* \* \*

6

7

Written Statement of Brian Joyce

8

9

To whom it may concern: My name is  
10 Brian Joyce, and I am a sailboat racer and spend  
11 all of my free time racing my 17-foot Thistle  
12 sailboat off the shores of Westport, CT in the  
13 location of the proposed oyster farms. I wanted to  
14 take this chance to express my safety concern about  
15 the proposed oyster farms and how they will  
16 directly affect myself and other public boaters.

17 My boat is a centerboard boat with a  
18 round bottom that can tip over and potentially roll  
19 completely over "turtle" where the mast is pointing  
20 directly towards the bottom of the Sound under the  
21 boat.

22 The Thistle mast is roughly 21 feet  
23 long and would become entangled in the oyster  
24 farms' metal netting, which will cause damage to

1 both the vessel and the farm structure and possibly  
2 bodily injury.

3           Of course, boat handling is my highest  
4 priority while I am on the water, but not having an  
5 engine has exposed me to inclement weather where  
6 accidents can occur.

7           This safety concern is real to our  
8 class and many other small sailboats. I have raced  
9 off the shores of Westport on a weekly basis for  
10 many years in order to stay a nationally  
11 competitive racer. The Thistle class is amongst  
12 the most active One Design sailboat classes in the  
13 country, and there are many local residents who  
14 actively partake in weekly organized racing. The  
15 absence of such racing and preparation would hinder  
16 the success of local residents to compete on a  
17 national level.

18           The presence of this oyster farm would  
19 also directly affect our safety, which I believe  
20 should be looked at closely. Several of us have  
21 evaluated alternative racing venues, and there is  
22 no other local Thistle class that our participants  
23 could travel to in order to race.

24           I wanted to simply share my story with

1 you so you may take my concerns under advisement.

2 Sincerely,

3 Brian Joyce

4

5 \* \* \* \* \*

6

7 Written Statement of Georgiana Silk

8

9 I grew up in Westport, learning to sail  
10 as a young child with my parents on our home-made  
11 SAILFISH. When I was about 12, I started racing  
12 sailboats and participated in a junior sailing  
13 program with my older brother.

14 My father meanwhile was also competing  
15 in sailboats. He raced a 31-foot boat called an  
16 Atlantic. In the winter, I raced with my father in  
17 small dinghies called Super Sprites in a  
18 "frostbiting" series. I raced 14-foot long Blue  
19 Jays, 18-foot long Lightnings and 17-foot long  
20 Thistles at one time or another through Junior  
21 High, High School, and College. When I returned to  
22 the area after further schooling, I returned to  
23 competitive sailing. I married another  
24 second-generation Thistle sailor, and all three of

1 our children have been in the same Junior Sailing  
2 Program that I participated in during the 1960s

3           None of the boats I have sailed and  
4 raced have been large boats. They have all had the  
5 capacity to capsize and turtle. They have all,  
6 except the Super Sprites, been raced on the waters  
7 above where this proposed oyster bed would lie.  
8 All of their masts are longer than 10 feet.

9           I am concerned that these smaller,  
10 competitive sailboats will not be able to use this  
11 historically long used area if the beds are  
12 created. I do not believe that it would be safe or  
13 logical for them to sail above this construction.  
14 Masts caught in the wires would make righting the  
15 boat and continuing in the race impossible. If you  
16 take it a step further, the people who can't right  
17 their boats will be stuck in the water hanging on  
18 the slippery bottom of the boat. There is not much  
19 to hang on to on an upside down boat. Also, if the  
20 water is cold, the danger increases dramatically if  
21 they can't get out of the water.

22           I remember leaning into the boat  
23 instead of hiking out to avoid being hit by an  
24 occasional oyster stick as we sailed upwind to the

1 windward mark. It wasn't too bad. It sort of  
2 added to the adventure. They didn't drastically  
3 interfere with the sailboat racing that my family  
4 has enjoyed so much over the last 48 years. I am  
5 afraid this oyster bed design would make racing  
6 sailboats in Westport a thing of the past.

7

8

\* \* \* \* \*

9

10 Written Statement of Vincent Gallogly

11

12

Position Statement of

13

Vincent Gallogly

14

Westport, CT

15

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24

This filing relates to Public Notice  
dated March 13, 2003, and Public Notice of Hearing,  
dated June 19, 2003, regarding the application for  
oyster culture within the waters of Westport, CT,  
(Site 1a/1b) filed by Mariculture Unlimited  
(Applicant), 11 Surf Road, Westport, CT  
(applicant), presently pending before the Corps of  
Engineers, File Number 200202751.

This is an application for the private

1 farming of eastern oysters within public waters at  
2 the expense of and with potential serious adverse  
3 harm to the public recreational boating enjoyed by  
4 the residents of and visitors to Connecticut, a  
5 potential danger to boating participants, and a  
6 clear hazard to navigation. And I believe that a  
7 grant of the application would be inconsistent with  
8 the public interest and inconsistent with the  
9 Coastal Management Plan. I am an active boater and  
10 resident of Westport for over 30 years.

11 First, I'd like to point out that in  
12 many Federal license matters, licensees are  
13 required to be of good character. That is, one who  
14 is consistent in statements and candidly presents  
15 all of the facts relating to his proposed  
16 activities as a licensee. Unfortunately, that is  
17 not a requirement set out in the standards that the  
18 Corps is applying to the instant request. Were it  
19 a factor, the applicant would fail.

20 Let me explain, three full-page ads  
21 were run by the applicant in the Westport  
22 newspapers.<sup>1</sup> Additionally, applicant placed a  
23 commentary in the same papers. I'll address the  
24 ads. They contain gross misstatements regarding

1 the application before us today. In the pictorial  
2 representation of the Westport area to be farmed,  
3 applicant has set out an approximate 25-acre tract,  
4 yet the application before us is for 366.8 acres in  
5 Westport.<sup>2</sup>

6           Again, in the ad, applicant claims that  
7 one needs to "Save the Oyster!" The fact is  
8 however, that the Eastern Oyster does not appear on  
9 the US EPA's "Endangered" or "Threatened" lists.  
10 Further, the applicant is requesting the right to  
11 replace the natural Long Island Sound oyster  
12 breeding bottom with an artificial farm, thereby,  
13 converting a presently multifaceted publicly used  
14 area to a private farm.

15           Prior to this ad, applicant claimed  
16 that his proposed structure would not interfere  
17 with anchoring within the 366 acres, stating:  
18 " ... a vessel should have no problem retrieving an  
19 anchor by powering forward, directly over the  
20 anchor before lifting it off the bottom." And, the  
21 "two shellfish containment areas (his farm) are not  
22 proposed to be restricted boating areas.<sup>3</sup>"

23           However, in the ad he now states,  
24 "Knowledge of the location of these underwater

1 farms will allow good yachtsmen to avoid anchoring  
2 in areas where they might hook up with an oyster  
3 nursery."

4 Perhaps applicant has finally read the  
5 comments filed in this proceeding stating that for  
6 safety, the farm would essentially become a  
7 no-anchor zone<sup>4</sup>.

8 Finally, and again in the Westport  
9 newspapers, applicant states that mooring buoys  
10 could be placed within the proposed mare's nest of  
11 metal snares so that sailboat racing can continue  
12 within the affected area.

13 Is it that the applicant just doesn't  
14 get it? Or is he being disingenuous?

15 The start line for a sailing race is  
16 laid perpendicular to the wind direction at the  
17 start of the race. While wind rises for this area  
18 (Stratford and LaGuardia airports) show a dominant  
19 wind from the SSW, say 240 degrees, the actual wind  
20 is rarely that precise. Hence, fixed buoys would  
21 always skew the start line!

22 To repeat a point made by the Westport  
23 Boating Advisory Committee, these cages will make  
24 it much easier and presumably less costly and less

1 time consuming for the harvesting of oysters; but  
2 if this application is approved, it will clearly be  
3 at the expense of the Connecticut recreational  
4 boater.

5 Connecticut policy and statutes require  
6 that the interest of the boating public not be  
7 unreasonably interfered with. Where, as here, a  
8 catacomb of mystery will be created to ensnare the  
9 boating public only one choice is available and  
10 that is to say no.

11 Footnotes

12 1. July 16, page 12 and July 18, page A36 Westport  
13 News and July 17, page A14 Westport Minuteman,  
14 Attachments A, B, and C respectively

15 2. Notice of Public Hearing, dated June 19, 2003.  
16 Ms. Rose in an e-mail to Joel Hallas of Westport  
17 has previously confirmed this.

18 3. Mariculture's letter to Peter B. Francis, CT  
19 DEP, dated June 26, 2003, page 2, Paragraphs 7  
20 and 8

21 4. See today's Poster Session on anchoring and the  
22 materials filed in the record of this hearing for a  
23 full explanation of how to anchor and why the  
24 proposed farm would create a no-anchor zone.

1                   Also get soundings which are accurate  
2 for the "real zone".

3                   Submitted by Martin Levin, 200 Milford  
4 Point Road, Milford, CT 06460

5

6   \* \* \* \* \*

7

8                   Written Statement of Mark S. Foster

9

10   CEDAR POINT YACHT CLUB

11

12                   Mariculture Unlimited Permit Application

13   366.8 Acre Longline Oyster Farm,

14   Westport, Connecticut

15   (USACE Application Number 200202751)

16   Position Statement

17   July 23, 2003

18

19                   Cedar Point Yacht Club, having  
20 encouraged and supported sailboat racing for over a  
21 century, has developed a sailing culture that has  
22 become well established in Westport. Sailboat  
23 racing is a family sport that is often enjoyed by  
24 husband and wife teams who may sail with other

1 facility members as crew. We've seen a number of  
2 sailing families span two and three generations.  
3 This culture has flourished largely due to the  
4 accessibility of our facility to those willing to  
5 participate. We've structured our programs so as  
6 to encourage motivated sailors of all income levels  
7 to become members.

8           But the majority of our participants in  
9 our sailing programs are nonmembers. These include  
10 crew members who sail on members' boats or boat  
11 owners who come to Westport for regattas, junior  
12 sailors who take sailing lessons, youth sailors who  
13 represent area high schools, and guests who attend  
14 our special events. All our regattas, our winter  
15 program, and many of our club races are open to the  
16 public. All one must do to participate is show up,  
17 register, and set sail

18           Cedar Point maintains a balance of  
19 different sailing classes for a range of sailors  
20 from junior sailors on up to seniors. A large  
21 segment of our sailing fleet is small One Design  
22 dinghies, which are affordable and easy to store  
23 and transport by car top or trailer, and are  
24 therefore very popular.

1 Cedar Point Yacht Club provides a  
2 precious foothold to the sport of sailboat racing  
3 in Westport. This is valued and recognized by a  
4 range of sailing organizations, a number of which  
5 have submitted letters to the State and Federal  
6 agencies in opposition to the proposed Oyster Farm  
7 in Westport, as they all share a concern about  
8 potential impacts, specifically to the sport of  
9 sailboat racing. These organizations are:

- 10 \* The MUMM 30 Class Association
- 11 \* The Thistle Class Association
- 12 \* The United States International Fireball  
13 Association
- 14 \* The International Laser Class Association
- 15 \* The International Lightning Class  
16 Association
- 17 \* The Yacht Racing Association of Long Island  
18 Sound
- 19 \* The United States Sailing Association

20 Cedar Point Yacht Club is opposed to  
21 the longline Oyster Farm in Westport because we  
22 realize that it creates a no-race zone. The  
23 longlines would conflict with anchoring of movable  
24 turning marks, essential race support boats, and

1     spectator boats as well as competing sailboats.

2                     Furthermore, the oyster apparatus  
3     consisting of lines, cages, floats, and fittings  
4     would conflict with the masts, sails and rigging of  
5     capsized racing dinghies.

6                     Unfortunately, we cannot realistically  
7     relocate our activities to avoid the proposed  
8     Oyster Farm due to existing constraints.

9     Therefore, with this project, we face a threat to  
10    the sailboat racing culture that has long been a  
11    tradition in Westport.

12                    We have met with the applicant to try  
13    to work out an appropriate arrangement that suits  
14    both their commercial needs and the recreational  
15    needs of the many small boat sailors who race in  
16    Westport. The applicant offered to scale back the  
17    project to approximately 25 acres and make other  
18    changes, but so far, a safe and workable solution  
19    has not been found.

20                    We are also aware that many others in  
21    Connecticut's oyster industry are watching this  
22    situation closely as a "test case," and if the  
23    longline oyster nursery is approved in Westport, it  
24    may provide a blueprint for a large number of these

1 structures along the entire coastline of  
2 Connecticut.

3 For further information, please visit  
4 our web site at [www.cedarpointyc.org](http://www.cedarpointyc.org)

5 Mark S. Foster, Commodore, Cedar Point  
6 Yacht Club

7

8 \* \* \* \* \*

9

10 Written Statement of Nelson Stephenson

11

12 Mumm 30 International Class Association

13 613 Third Street, Suite 11

14 Annapolis, MD 21403

15 June 16, 2003

16 Ms. Cori M. Rose

17 US Army Corps of Engineers, NE District

18 696 Virginia Road

19 Concord, MA 01742-2751

20 Phone: 800-343-4789; Fax: 978-318-8303

21 [cori.m.rose@usace.army.mil](mailto:cori.m.rose@usace.army.mil)

22

23 Mr. Peter Francis

24 Connecticut Department of Environmental Protection

1 Office of Long Island Sound Programs  
2 79 Elm Street  
3 Hartford, CT 06106-5127  
4 Phone: 860-424-3034; Fax: 860-424-4054  
5 peter.francis@po.state.ct.us

6

7 Re: Proposed Longlines For Rearing Oysters,  
8 Mariculture Unlimited, Westport, CT  
9 USACE File No. 200202751

10

11 Dear Ms. Rose and Mr. Francis:

12 On behalf of the Mumm 30 International  
13 Class Association, I write to express serious  
14 concerns about the proposed Mariculture Unlimited  
15 installation in Westport, CT

16 The Mumm 30 International Class is one  
17 of the largest and most active One Design Keelboat  
18 Classes in the world today, with over 200 hulls  
19 manufactured to date. The Mumm 30 International  
20 Class is an International Sailing Federation (ISAF)  
21 recognized class and an active member of the US  
22 Sailing One Design Class Council. The Mumm 30  
23 Class presently has three owners that are members  
24 of Cedar Point Yacht Club. The Club is also

1 actively recruiting additional Mumm 30 Class Yachts  
2 into its membership. See our web page at  
3 [www.mumm30.org](http://www.mumm30.org) for more details.

4           Each year, Cedar Point hosts the East  
5 Coast Championship for the Mumm 30 North American  
6 Class Association. This popular annual event is  
7 based on the racing venue available at Cedar Point  
8 and the safe, deep water access in Long Island  
9 Sound that the Saugatuck River area and Cedar Point  
10 Yacht Club's protected harbor basin and racing area  
11 provides. Mumm 30s also are frequent, active  
12 participants in the Wednesday night and Sunday  
13 racing activities at Cedar Point Yacht Club.

14           After reviewing the proposed location  
15 and dimensions of the project, we note that the  
16 proposed Mariculture longlines project would  
17 represent a serious impediment to the Mumm 30 Class  
18 and its continued use of the Cedar Point Yacht Club  
19 as a racing venue. The longlines project extends  
20 across the entire racing area as well as  
21 representing an impediment to accessing the  
22 navigation channel to Cedar Point Yacht Club. The  
23 project also appears to represent a serious hazard  
24 to anyone participating in racing at Cedar Point

1 Yacht Club in a modern racing Keelboat, and this  
2 represents a more serious issue than merely a  
3 general hazard to navigation.

4           Obviously, in the area designated for  
5 mariculture activities, anchoring of boats and Race  
6 Committee support vessels would not be possible.  
7 If a Mumm 30 cannot anchor within the designated  
8 areas, then the basic safety of our boats would be  
9 in jeopardy. If Race Committee boats cannot  
10 anchor, there can be no start or finish areas for  
11 racing.

12           It should be clearly understood by the  
13 Army Corps of Engineers and the Connecticut DEP  
14 that if racing sailboats do not have the ability to  
15 anchor while racing, then racing would not be  
16 possible in the area as a result of the serious  
17 safety concerns this would create. In the area  
18 designated for the Mariculture project, as a  
19 "no-anchor" zone, by definition, the area becomes a  
20 "no-racing" zone. This project therefore results  
21 in a noncompatible use of the project area,  
22 effectively allocating these public resources for  
23 exclusive commercial use with no compensating  
24 factors possible that involve racing sailboats. To

1 repeat, creation of a "no-anchor zone" means the  
2 area will be placed "off limits" for racing  
3 sailboats.

4                   Please further note that a Mumm 30 (and  
5 many other modern racing yachts) has a deep keel  
6 (weighing over 2,400 pounds) and a draft over  
7 7 feet deep. The keel on a modern racing sailboat  
8 also has a suspended bulb with a torpedo-like shape  
9 at the end of the keel. You should be aware that  
10 when Mumm 30s are racing competitively in winds  
11 over 15 knots (common in this area of Long Island  
12 Sound before, during, and after regular storms) the  
13 combination of the depth of a Mumm 30 keel and  
14 rolling sea conditions would result in Mumm 30s  
15 routinely striking the suspended oyster beds or the  
16 cables and buoys which tether the assembly. This  
17 is particularly true with the torpedo-like bulb  
18 design. It is very likely that these keel shapes  
19 will become ensnared in these conditions with  
20 resulting serious injury to property and persons if  
21 any project similar in size, scope, and design to  
22 the Mariculture project is approved.

23                   Picture 3 foot seas (normal in such a  
24 storm) and a 9,000 pound bulb keel yacht (crew boat

1 and equipment), surfing down waves at over  
2 15 knots. The proposed 10 foot minimum depth of  
3 the Mariculture project would be profoundly unsafe  
4 for a Mumm 30 or any similar yacht. It is likely  
5 that the bulb keel on such a racing sailboat could  
6 easily become entangled in the longlines or the  
7 oyster beds themselves. If contact is made in  
8 these conditions with longlines, lines or a single  
9 support buoy releases, there could be serious  
10 injury and potential deaths aboard a yacht that  
11 becomes entangled.

12           We note that the use of the area  
13 designated for the Mariculture project is in an  
14 area that has been actively used for racing  
15 sailboats and other recreational boating activities  
16 for the last century and for over 70 years by Cedar  
17 Point Yacht Club. It seems grossly unfair that a  
18 recreational asset such as Long Island Sound and  
19 access to the traditional racing areas of a great  
20 institution such as Cedar Point Yacht Club could be  
21 surrendered completely to a commercial interest.

22           Cedar Point Yacht Club is a world  
23 renowned yacht club that recently was awarded the  
24 2003 United States Sailing Association One Design

1 Club of the Year Award for outstanding race  
2 management and contributions to sailing and  
3 development of One Design fleets in the United  
4 States. Loss of water access to the racing areas  
5 that the Club has previously used as a result of  
6 the proposed project will result in irreparable  
7 harm to one of the leading yacht clubs in the  
8 United States.

9 Water access to recreational boating  
10 areas is a public interest deserving of protection  
11 from commercial interests. Economically, loss of  
12 access by recreational boaters would have an  
13 adverse effect on the economy of the Westport, CT  
14 area. We note that racing sailors have coexisted  
15 with both fishermen, oystermen, and lobster traps  
16 for well over a century. Unfortunately,  
17 coexistence with the proposed Mariculture project  
18 would be impossible based on the design and scope  
19 of the proposed project.

20 It is also my personal view that the  
21 loss to the economy in those terms would be far  
22 greater than any benefits that the community as a  
23 whole will derive from the proposed Mariculture  
24 Unlimited project.

1                   Due to the adverse impact of the  
2                   proposed project on recreational boating and  
3                   serious restrictions to use of the Cedar Point  
4                   Yacht Club that will result from the proposed  
5                   project, we ask that the Mariculture Unlimited  
6                   project application be rejected.

7                   Respectfully submitted,

8                   Nelson Stephenson

9                   Mumm 30 International Class and  
10                  World Council President

11                 cc: Mark Foster, Commodore

12                   Dave Rosecrans, President-US

13                   Sailing

14                   Nick Craw, Executive Director-US

15                   Sailing

16                   Diane Goss Farrell, First

17                   Selectwoman of Westport, CT

18

19                   \* \* \* \* \*

20

21                 Written Statement of Samuel Brauer, Ph.D.

22

23                 July 23, 2003

24                   Ladies and gentlemen: I am concerned

1 that the oyster farm that Mariculture Unlimited  
2 proposes is a threat to the safety of sailors in  
3 small centerboard/daggerboard boats. I am worried  
4 that during a capsize, the proposed subsurface  
5 structure will snag a sailboat mast, destroying  
6 property and posing a threat to the lives of the  
7 people on that boat.

8 At this point, I suspect some of you  
9 are wondering who I am, and how did I come to this  
10 conclusion. On a professional basis, I hold a  
11 doctorate in the sciences, and I have been employed  
12 in Norwalk for seven years as a business analyst.  
13 As a recreational boater, I have been sailing for  
14 three decades in predominantly centerboard boats,  
15 and I am an active member of the sailboat racing  
16 community. I have written articles on how to deal  
17 with capsized boats in squalls for the Bagpipe, the  
18 Thistle Class Association Journal, as well as the  
19 Cedar Point Yacht Club Bulletin

20 Like any sport such as bicycling,  
21 football, softball, or skiing, there are risks  
22 involved in sailing. Prudent sailors minimize  
23 these risks, like any other participant in a sport,  
24 by making certain safety gear is accessible and

1 working. This safety gear consists of life  
2 jackets, throwable cushions, anchors, line,  
3 whistles, et cetera, but the most important piece  
4 of safety gear is the boat itself. Time and again,  
5 the Coast Guard cautions sailors - NEVER LEAVE THE  
6 BOAT AS LONG AS IT IS AFLOAT! Modern  
7 centerboard/daggerboard boats are designed with  
8 positive flotation, which means that even if  
9 swamped, the boat has sufficient buoyancy in  
10 flotation tanks (often foam) so that even if the  
11 boat is severely damaged, it will continue to  
12 float. Staying with the boat greatly increases the  
13 chances of rescue and survival.

14           Most days out on Long Island Sound are  
15 relatively peaceful, but there are periodic squalls  
16 which occur several times a year. While safety  
17 equipment isn't needed during these relatively mild  
18 days, there are days when it is vital. I am not  
19 concerned about the proposed oyster farm on a  
20 pleasant, sunny day with 10 knots of breeze. I am  
21 worried about the oyster farm when there is driving  
22 rain, reducing visibility to a few feet, swells of  
23 3 feet or more, and wind exceeding 25 knots.  
24 Prudent sailors don't worry about their harbor on

1 calm, sunny days; they worry about the safety of  
2 their harbor when there's a storm.

3           Let me try and describe what it's like  
4 during a squall - conditions where you are likely  
5 to capsize. First off, it's LOUD. You have to  
6 shout with people a few feet away to be clearly  
7 heard. Secondly, if it's raining, you have trouble  
8 seeing more than a few feet. Your eyes sting from  
9 the rain, and even though you're blinking, it  
10 doesn't necessarily help much. Third, you're  
11 getting banged around. The boat is often pounding  
12 in the waves. When you get home, you'll find you  
13 have bruises in places you didn't know could get  
14 bruised, and you'll have no idea of how you got  
15 them. None of this is conducive to letting you  
16 think clearly.

17           Most centerboard sailboats will turn  
18 turtle, or completely upside down, once they  
19 capsize without preventative action, such as  
20 climbing up on the centerboard. This is because  
21 flotation tanks in the sides of the boat make the  
22 hull float higher than the mast. Thus, the mast is  
23 often below the surface at a steep angle - 45  
24 degrees is not uncommon. Many centerboard sailboat

1 masts exceed 20 feet in length, which puts them all  
2 within reach of the proposed oyster farm structure,  
3 especially at low tide.

4           Righting a capsized boat isn't easy.  
5 The boat is actually pretty stable on its side and  
6 is even more stable when upside down. It can take  
7 several minutes of applying one's full weight to a  
8 centerboard to right even a small boat of less than  
9 500 pounds. Since the mast is a long lever, if  
10 there is anything holding the mast back, righting a  
11 boat becomes nearly impossible.

12           As an example, last year, I went into  
13 the water to help some Lightning (a 19-foot  
14 centerboard boat) sailors in trouble. They had  
15 capsized during a race (around 20 knots of breeze),  
16 and although the crew was reasonably experienced,  
17 the skipper was not. The boat was allowed to  
18 turtle, and the mast stuck in the mud. After over  
19 45 minutes, the boat was firmly struck, and the  
20 crew was tired and out of ideas. This is when I  
21 joined the fun. Having three people on the  
22 centerboard didn't budge the boat. It required a  
23 line from a powerboat pulling on a stay - sort of  
24 like spinning a top, to roll the boat upright.

1 When the boat came upright, the problem became  
2 apparent. The mast had broken, and the top of the  
3 mast was full of mud. I hope this conveys the  
4 sense of how difficult it can be to right a boat  
5 even without any man-made obstacles in the way

6           You may be thinking what's the problem  
7 with a turtled boat? After all, isn't it stable?  
8 Couldn't you just hang onto that and wait till you  
9 were rescued? Well, the problem is not stability.  
10 A turtled boat is often more stable than an upright  
11 boat. The problem is what do you hang on to?  
12 Sailboats are smooth underneath so that they sail  
13 quickly. There are few handholds on a sailboat  
14 bottom. It's not easy to hang on to a turtled  
15 boat, and that conflicts with the advice the Coast  
16 Guard gives - NEVER LEAVE THE BOAT. For safety's  
17 sake, it's important to be able to right an  
18 overturned boat without having obstacles hinder  
19 your progress, since an upright boat, even one  
20 that's swamped, is much safer than an upside down  
21 boat.

22           This is why I'm concerned about MU's  
23 proposal. If the proposed structure would be a  
24 dome over the sea bottom, I'd consider the safety

1 issue to be irrelevant, since such a structure  
2 wouldn't snag a mast. However, even though the  
3 final structure of the oyster farm has not been  
4 determined, it consists of over 100 longlines with  
5 a variety of anchors and other lines for structural  
6 purposes. It is likely that if any of these lines  
7 became entangled with a sailboat mast, it would be  
8 sufficient to prevent a capsized boat from being  
9 righted, with possible disastrous consequences.  
10 Shouldn't the applicant have to demonstrate the  
11 safety of the proposed structure to recreational  
12 sailboaters under squall conditions found in the  
13 Sound?

14 Sincerely,

15 Samuel Brauer, Ph.D.

16  
17 \* \* \* \* \*

18  
19 Written Statement of Catherine G. Kindley

20  
21 To Whom It May Concern:

22 Re: Proposal to install shellfishing structures  
23 off the west coast of Milford

24 Although I am unable to attend the

1 meeting, I would like to go on record as being  
2 opposed to this plan.

3 As a resident of many years in this  
4 area, my opposition is based on the negative impact  
5 these structures would have on the recreational and  
6 navigational uses of Long Island Sound.

7 Based on other methods of harvesting  
8 shellfish, this proposal would be a detriment to  
9 the area, not a necessity.

10 As you review this plan, I respectfully  
11 request that you deny it.

12 Thank you.

13 Sincerely,

14 Catherine G. Kindley

15 94 Sixth Ave.

16 Milford, CT.

17

18 \* \* \* \* \*

19

20 Written Statement of Master Captain

21 James Wiesenberg, BS, MBA

22

23 For the area from the Housatonic River

24 Breakwall, from approximate latitude N41 09.38'

1 Longitude W073 05.42', plus/minus 1/2 mile, to  
2 Latitude N41 11.01' Longitude W073 03.08',  
3 plus/minus 1/2 mile, the following is "Statement of  
4 Fact":

5 Master Captain James W. Wiesenberg, BS,  
6 MBA.

7 P.O. Box 95

8 Milford, CT 06460

9 Phone: (203) 415-4647

10 \* USCG Master Near Coastal,

11 Comm.Tow. Endorsement

12 \* Maritime consortium-current member

13 \* State of CT Boating

14 Division-Certified

15 Personal Watercraft/Safe Boating

16 Instructor

17 \* American Red Cross-Certified

18 Instructor

19 Sailboat/Rowing/Canoe/Kayak/Basic

20 Water Rescue

21 \* Business: Mountain Meadow

22 Outfitters/Charters/Safe Boating

23 Instruction

24 CT State Tax Number: Yes, current

1 Business Card/Brochures available

2 \* Sole Income Source \*

3 - Regular and Routine "First Pass" Drifting for  
4 any/all Charters leaving from Milford Town Ramp  
5 and/or Brown's Marina, Stratford:

6 Activity involves utilizing drift presentation  
7 of bait, lure, or saltwater fly with prevailing SW  
8 current, Set and Drift favorable, either with 2-3  
9 oz., weight or down riggers.

10 \* Cost effective Chartering for  
11 Catch/Release and consumptive harvest,  
12 drift to shore in said area with  
13 24-foot craft, to mid-point (approx.  
14 8 feet) with 28-foot craft (Marina  
15 Berthed) when Chartering.

16 \* Safety/Business

17 Safety: For restricted visibility

18 - Regular and Routine corridor for Safe Towing of  
19 down vessels-draft plus safety buffer equal to  
20 9 feet of water; Training Area For Captains Prep.

21 \* Breakwall is effective buffer from  
22 most tidal action, SW current/wind, also anchoring  
23 likely.

24 \* Training/Safety/Business \*

1 -Regular and Routine On-the-Water Instruction for  
2 sail and power vessels/small craft

3 Activity requires safety/emergency  
4 anchoring drills from grapnel-type, danforth to  
5 plow with larger craft;

6 Man-Over-Board Training requiring  
7 emergency anchoring drills, MOB use of GPS/Fog  
8 Training Sea-Kayak training area, grapnel anchor

9 \* TRAINING/SAFETY/BUSINESS \*

10 And off time recreational activities  
11 including snorkeling, skin diving, spear fishing

12 Personally aquaculture is in and of  
13 itself an exciting and worthwhile effort, however  
14 the means, specifically the "cages and buoys in the  
15 water column" generally in any  
16 navigable/fishable/recreational coastal area and  
17 specifically in the area in Milford, as noted  
18 above, are most negatively impacting as proposed.

19 The probability of negative impact to  
20 navigation, recreational, and commercial, after a  
21 Northwestern storm, is much greater than chance as  
22 the cages /buoys will be displaced in an  
23 undeterminable arrangement and could be anywhere in  
24 the water column with or without identifying

1 marker(s)

2                   What, if any mitigating action(s) is  
3 possible to prevent this?

4                   Any/all recreational activity involving  
5 drifting/stationary anchoring is effectively  
6 prohibited. This is an area that traditionally has  
7 been used for lee-side of Breakwall "safe haven"  
8 and preferable waters for swimming, boating, drift,  
9 and stationary fishing as well as small craft use  
10 (no propulsion)

11                   Buoys may be obstacles; cages prevent  
12 any/all anchor use

13                   Any/all commercial activity relative to  
14 lee-side of Breakwall (safe haven waters) in-water  
15 vessel instruction, from canoe/kayak to Class I  
16 vessels and personal watercraft is effectively  
17 denied as on-surface buoys and water column cages  
18 prohibit typical emergency and man-overboard  
19 training exercises involving controlled anchoring,  
20 "a vessel's emergency brake."

21                   The location in Milford of the proposed  
22 "cages" is a unique, accessible area in which safe  
23 recreational use, consumptive and nonconsumptive,  
24 is a matter of record. As a professional Marine

1 Educator, Charter Captain, and recreational boater,  
2 I have "customarily" used this area for years. It  
3 is cost effective as it is located closest to the  
4 marina required for vessel docking, with one of the  
5 few marinas allowing commercial use.

6 Nonconsumptive/consumptive, regular and routine use  
7 of said area is a matter of record

8                   Because the State of Connecticut,  
9 Substitute House Bill No. 5876, Public Act 96-93,  
10 "An Act Concerning Licensing and Regulation,"  
11 effective October 1, 1999, effectively denies DEP  
12 involvement, ref. Section 1. (New) (a) "The  
13 Department of Agriculture shall have the exclusive  
14 authority for granting or denying aquaculture  
15 permits, ... and Section 1.c.) "Individual  
16 structures used for aquaculture ... but not limited  
17 to, racks, cages or bags, as well as buoys marking  
18 such structures, which do not otherwise require a  
19 permit under Federal Army Corps of Engineers  
20 regulations and do not interfere with navigation in  
21 designated or customary boating or shipping lanes  
22 and channels, shall be placed in leased or  
23 designated shellfish areas and shall be exempt from  
24 the requirements of Sections 22a-359 to 22a-363f,

1 inclusive of the general statutes," and effectively  
2 denies any/all checks and balances but for your  
3 (Army Corps of Engineers) regulations-permit  
4 process for public input, I respectfully request  
5 all due diligence in your review and that the  
6 permit be denied, as proposed, as noted above.

7

8

\* \* \* \* \*

9

10 Written Statement of Coastal Conservation  
11 Association, CT

12

13 For the MFAC: "On July 22, 2003, the  
14 newly formed State of Connecticut approved Marine  
15 Advisory Fishing Council, currently an AD-hoc  
16 subcommittee (MASC) of the CT Fishing Advisory  
17 Council, met at the DEP, Marine Headquarters, Old  
18 Lyme, Connecticut, and after cognitive review and  
19 consideration of all available information  
20 respectfully submits the following:

21 Aquaculture, in principle, is  
22 recognized and supported as long as there is due  
23 process in any/all permit granting that includes  
24 and not limited to timely public input, any/all

1 navigational hazards - all weather conditions -  
2 consideration, no water column structures placed so  
3 as to limit or otherwise prohibit traditional  
4 recreational and/or commercial coastal waters use.

5 Therefore, we request denial of  
6 permit(s) as proposed.

7 Respectfully yours,

8 Master Captain James W. Wiesenberg, BS,

9 MBA

10 Chairman, MASC, Ad-hoc of CT. FAC

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## 1 C E R T I F I C A T E

2

3

I, Julie Thomson Riley, Registered

4

Merit Reporter and Certified Realtime Reporter, do

5

hereby certify that the foregoing transcript is a

6

true and accurate transcription of my stenographic

7

notes taken on July 23, 2003, and entry of

8

statements included in the record.

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19 Julie Thomson Riley

20 Registered Merit Reporter

21 Certified Realtime Reporter

22 Certified Shorthand Reporter No. 1444S95

23

24