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- 1: At present senior state of Ct. Harbor Master for Norwalk Harbor. First appointed in 1992 By Governor Lowell Weicker and later reappointed by Governors John Rolland and Jodi Rell. Day to Day operating under the guidance and control of DOT, Bureau of Aviation and Ports.
- 2: Served on the Norwalk Harbor Management Commission for the past twenty years
- 3: 15 year member of the Board of Directors of the Ct. Harbor Management Association representing authorized Harbor Management Commissions throughout the state along with marine interest groups.
- 4: 15 years as Chairman of the Ct. Harbor Management Association's statewide Harbor Master Focus Group, representing and speaking for our states approximate 55 Harbor Masters and Deputy HM.
- 5: 8 year member of the Long Island Sound Council and Assembly, LISA was formed pursuant to public act # 89-344 and reports to the Ct. General Assembly, former two terms Chairman of the Western Council.
- 6: Present Commissioner on the Ct. Maritime Commission appointed by Senator John Mc Kinny
- 7: Currently an advisor to the Norwalk Shellfish Commission
- 8: Present member of Norwalk's Mayors Water Quality Committee

1984 Harbor Management Act.

Intent to increase and enhance local rule over state waters

Sec. 22A-113m and n

A; Provides for municipalities' to form authorized Harbor Management Commissions.

B; Authorized commissions could then develop and obtain a state approved and locally adopted Harbor Management Plans.

C; Today over 95% of our waterfront communities including our Port and Harbors possess a state approved Harbor Management Plan.

d; Approved DEEP OLISP, office of long Island Sound Programs plans provide for greater local home rule input into the permitting process for local dredging, docks, piers and structures.

E; Communities with approved DEEP plans have significant control over the Harbor Master appointment process. Statutes dictate that in a municipality where a plan exists that the Governor must appoint from a locally provided list of no fewer than three candidates.



Under Chapter 444a Harbor Management Commissions Sec. 22a-113k

When a local plan is present State appointed Harbor Masters are required to become ex-officio members of their local Harbor Management Commission and to assist with the implementation of their state approved harbor plans, again without the benefit of training increasing the threat of liability.

Fees for moorings Under Chapter 445 Sec. 22a-113s.

A; Municipalities, again possessing a state plan, can charge the boating public up to \$200.00 each for moorings placed in state waters.

B; Collected fees must be placed in a local dedicated account to cover operational expenses for both the local Commission and expenses for state appointed Harbor Master personal and equipment.

Attention to Lake Patrolman Statute under Sec, 7-151b

A; speaks to similarities of lake patrolmen's use of their private vessels as do Harbor Masters

B; speaks to similarities of Lake patrolmen being compensated by local lake authorities as is the case in some local municipalities.

C; Chapter 98 Sec. 7-151b (b) states The Commissioner of Environmental Protection shall formulate training courses for Lake patrolmen appointed pursuant to this section.

Major differences are that Lake Patrolmen are under the control of DEEP not DOT, trained by same and are able to enforce our states public safe boating laws on a limited non custodial base and to issue citations, unfortunately for boating safety in the absence of professional state training we are not.

CTION

Title 22a

Ch. 444a

HARBOR MANAGEMENT COMMISSIONS

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COMMISSIONS

ions. (a) Any municipality having section (b) of section 15-3a may nt commissions or may designate other agency as a harbor manage- on established under this section wing: The planning commission, oning commission, the conserva- on board. The harbor master or nonvoing ex-officio member of hall designate the area within the an high water that shall be within number of members of a commis- ocedure for filling any vacancy.

l statutes or any special act, if an ellfish commission or municipal mmission, the municipality may rity, commission or agency and wing: The planning commission, oning commission, the conserva- on board.

n boundaries lie within navigable may by concurrent ordinances of uanagement commissions. Each members from each municipality ny municipality that is a member , elect to withdraw from a com-

7, S. 109.)

isting authorities designated as commissions nality to have one or more harbor manage- ctive July 12, 2007.

of regulating conduct waterward of the mean r harbor management commissions it created.

hed pursuant to section 22a-113k s and other assistants and receive carry out the purposes of section 13k to 22a-113t, inclusive. Any on.

"22a-133t" was changed editorially by the

Sec. 22a-113m. Harbor management plan. Approval. The commission, in consultation with the Commissioners of Environmental Protection and Transportation, shall prepare or cause to be prepared a management plan for the most desirable use of the harbor for recreational, commercial, industrial and other purposes. For those towns in the coastal area as defined in section 22a-94, the plan shall provide for the preservation and use of the coastal resources of the harbor in a manner consistent with the provisions of sections 22a-90 to 22a-111, inclusive, and any municipal coastal plan adopted pursuant to section 22a-101 by any municipality that is a member of the commission. A copy of the plan shall be forwarded to the U.S. Army Corps of Engineers for review, comments and recommendations. Such plan shall be submitted for approval to the Commissioners of Environmental Protection and Transportation. Said commissioners shall act on the plan not more than sixty days after submission of such plan. Upon approval by said commissioners, the plan may be adopted by ordinance by the legislative body of each municipality establishing the commission. The ordinance shall specify the effective date of the plan. A modification to the plan may be proposed at any time and shall be approved in the same manner as the plan. The plan shall be reviewed annually by the commission and the Commissioners of Environmental Protection and Transportation.

(P.A. 84-247, S. 3; P.A. 10-106, S. 7.)

History: P.A. 10-106 replaced reference to Sec. 22a-112 with reference to Sec. 22a-111.

Sec. 22a-113n. Content of plan. (a) The plan shall identify existing and potential harbor problems, establish goals and make recommendations for the use, development and preservation of the harbor. Such recommendations shall identify officials responsible for enforcement of the plan and propose ordinances to implement the plan. The plan shall include, but not be limited to, provisions for the orderly, safe and efficient allocation of the harbor for boating by establishing (1) the location and distribution of seasonal moorings and anchorages, (2) unobstructed access to and around federal navigation channels, anchorage areas and harbor facilities, and (3) space for moorings and anchorages for transient vessels.

(b) The plan may recommend: (1) Boundaries for development areas to be approved and established by the Commissioner of Environmental Protection in accordance with the provisions of section 22a-360; (2) designations for channels and boat basins for approval and adoption by the Commissioner of Environmental Protection in accordance with the provisions of section 22a-340; (3) lines designating the limits of areas for the location of vessels with persons living aboard to be approved and adopted by the director of health in accordance with section 19a-227; (4) pump-out facilities, including the designation of no discharge zones in accordance with Section 312 of the federal Clean Water Act; and (5) regulations for the operation of vessels on the harbor pursuant to the provisions of section 15-136. Upon adoption of the plan, any recommendation made pursuant to this section shall be binding on any official of the state, municipality or any other political subdivision when making regulatory decisions or undertaking or sponsoring development affecting the area within the commission's jurisdiction, unless such official shows cause why a different action should be taken.

(P.A. 84-247, S. 4; P.A. 95-218, S. 9, 24.)

History: P.A. 95-218 amended Subsec. (b) to replace a reference to "subsection" with a reference to "section".

When city has established a harbor management commission which has enacted a harbor management plan, the terms of that plan are binding on commissioner when he issues a permit to construct docks. 93 CA 314.



ION Title 22a

Ch. 445

HAZARDOUS WASTE

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of plan. In preparing the plan, (1) Recreational and commercial shellfisheries; (3) fish and shellfisheries; (4) conservation of natural resources including but not limited to hurricanes V-zones on a flood insurance program; (6) exposed areas subject to commercial and industrial uses of section 22a-93; (8) waterways including boating and fisheries; (10) and (12) tidal wetlands, beaches and other areas defined in section 22a-93.

Local agencies referred to in this section shall make recommendations, consistent with the recommendations of the harbor master or contiguous to the harbor that shall be made by the commission or combined planning and district commissions, flood and port authority, redevelopment and pollution control authority or such agencies shall send a copy of such commission. The commission shall hold a public hearing at least thirty-five days prior to the meeting is held, at least thirty-five days prior to the meeting. The local agency authorized to act on the proposal shall give a favorable recommendation of this section shall not be subject to the jurisdiction over the proposal by the commission to submit a recommendation.

Delegation of enforcement authority request a general permit from the harbor master or harbor authority.

Enforcement of ordinances imposing a fee for mooring or anchorage shall be placed on the harbor master or deputy harbor master for the first day of December next following the day the harbor master shall keep a record of each permit has been issued, the harbor master shall keep a record of each vessel to be moored. Such provisions shall be enforced to enforce the provisions

of chapter 268. The harbor master or deputy harbor master shall enforce any ordinance adopted by a municipality to implement the plan.

(P.A. 84-247, S. 8.)

See Secs. 15-1 and 15-7 re duties of harbor masters.

Sec. 22a-113s. Permit fee. The commission may propose a fee schedule for a permit for a mooring or anchorage or any other activity within the scope of the plan to be adopted by vote of the legislative body of each town establishing the commission. The maximum annual fee for a mooring or anchorage shall be two hundred dollars. The harbor master or deputy harbor master for the municipality shall collect such fee. Any fee collected pursuant to this section shall be deposited into a fund maintained by the municipality in which such fee was collected and shall be used for the maintenance and improvement of the harbor for the public and for expenses for personnel and equipment directly related to the function of the commission and the harbor master or deputy harbor master.

(P.A. 84-247, S. 9; P.A. 94-108, S. 3.)

History: P.A. 94-108 increased the maximum mooring fee from \$100 to \$200.

Sec. 22a-113t. Model harbor management. Not more than six months after October 1, 1984, the Commissioner of Environmental Protection in consultation with the Commissioner of Transportation shall prepare a model harbor management plan.

(P.A. 84-247, S. 10.)

CHAPTER 445*

HAZARDOUS WASTE

*See Sec. 22a-901 re permanent placement, disposal or storage of certain asbestos-containing material. Cited. 215 C. 292.

Sec. 22a-114. Legislative finding; policy of the state. The General Assembly finds that improper management of hazardous wastes has contaminated the water, soil and air of the state thereby threatening the health and safety of Connecticut citizens; that the economic benefits to the state from industry are jeopardized if hazardous waste disposal facilities are not available in Connecticut; that the safe management of hazardous wastes, including state involvement, is mandated by the federal Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.) and implementing regulations; that the siting of hazardous waste disposal facilities is in the best interest of Connecticut's citizens and that the public should participate in siting decisions. Therefore the General Assembly declares that it is the policy of the state to initiate final remedial action by the year 2000 at each hazardous waste disposal site listed on July 3, 1989, on the inventory maintained by the Commissioner of Environmental Protection pursuant to section 22a-133c and to assure the siting of hazardous waste disposal facilities so that the health and safety of Connecticut's citizens and the environmental and economic interests of the state are protected. The purpose of this chapter is to establish a process for the siting of hazardous waste facilities that will protect the health and safety of Connecticut citizens and assure responsible economic development and to have that siting process be at least as strict as that required by federal law.

(P.A. 81-369, S. 1, 20; P.A. 89-365, S. 1, 9.)

Sec. 22a-113o. Factors considered in preparation of plan. In preparing the plan, the commission shall consider the following factors: (1) Recreational and commercial boating; (2) recreational and commercial fisheries and shellfisheries; (3) fish and shellfish resources, including leased or designated shellfish beds; (4) conservation of natural resources; (5) areas subject to high velocity waters, including but not limited to hurricanes, wave washes or tsunamis, that are designated as V-zones on a flood insurance rate map published by the National Flood Insurance Program; (6) exposed areas subject to flooding and erosion as defined in section 25-70; (7) commercial and industrial uses that are water dependent as defined in subdivision (16) of section 22a-93; (8) water quality and public health; (9) recreational uses other than boating and fisheries; (10) water dependent educational uses; (11) public access; and (12) tidal wetlands, beaches and dunes, bluffs and escarpments and intertidal flats as defined in section 22a-93.

(P.A. 84-247, S. 5.)

Sec. 22a-113p. Action on applications to municipal agencies referred to commission. The commission may review and make recommendations, consistent with the plan, on any proposal affecting the real property on, in or contiguous to the harbor that is received by any zoning commission, planning commission or combined planning and zoning commission, zoning board of appeals, historic district commissions, flood and erosion control board, harbor improvement agency, port authority, redevelopment agency, shellfish commission, sewer commission, water pollution control authority or special district with zoning or other land use authority. Such agencies shall send a copy of any such proposal to the commission upon the request of such commission. The commission shall be notified of any such proposal at least thirty-five days prior to the commencement of the hearing thereon or where no hearing is held, at least thirty-five days prior to the taking of any final action on the proposal. The local agency authorized to act on the proposal shall consider the recommendations of the commission. A two-thirds vote of all the members of the local agency having authority to act on the proposal shall be required to approve a proposal which has not received a favorable recommendation from the commission, provided that the provisions of this section shall not be deemed to alter the authority of the agency having primary jurisdiction over the proposal to deny, modify or condition the proposal. Failure of the commission to submit a recommendation shall be deemed to be approval of the proposal.

(P.A. 84-247, S. 6.)

Sec. 22a-113q. Request for general permit and delegation of enforcement authority. Upon adoption of the plan, the commission may request a general permit from the United States Army Corps of Engineers and delegation of enforcement authority pursuant to section 22a-2a.

(P.A. 84-247, S. 7.)

Sec. 22a-113r. Mooring or anchorage permit. Enforcement of ordinances implementing plan. Upon adoption of the plan, no mooring or anchorage shall be placed in the harbor without a permit from the harbor master or deputy harbor master for the municipality. Any permit granted by the harbor master or deputy harbor master shall be consistent with the plan and shall expire on the thirty-first day of December next following its issuance. The harbor master or deputy harbor master shall keep a record of the location of each mooring and anchorage for which a permit has been issued, the name and address of the owner and a description of the vessel to be moored. Such information shall be made available to any officer authorized to enforce the provisions

of chapter 268. The harbor master or deputy harbor master shall be authorized to adopt by a municipality to implement

(P.A. 84-247, S. 8.)

See Secs. 15-1 and 15-7 re duties of harbor masters.

Sec. 22a-113s. Permit fee. The commission may adopt by vote of the legislative body a maximum annual fee for a mooring or anchorage or harbor master or deputy harbor master fee collected pursuant to this section shall be used for the improvement of the harbor for the public benefit directly related to the function of the harbor master.

(P.A. 84-247, S. 9; P.A. 94-108, S. 3.)

History: P.A. 94-108 increased the maximum mooring

Sec. 22a-113t. Model harbor master. Chapter 1, 1984, the Commissioner of Environmental Protection and the Commissioner of Transportation shall promulgate a model harbor master agreement. (P.A. 84-247, S. 10.)

CHAI

HAZARD

*See Sec. 22a-901 re permanent placement, disposal and maintenance of hazardous waste. Cited. 215 C, 292.

Sec. 22a-114. Legislative finding. The General Assembly finds that improper management of hazardous waste and air of the state thereby threatening the health and the economic benefits to the state from the siting of hazardous waste disposal facilities are not available in Connecticut, including state involvement, in the Comprehensive Environmental Response, Compensation and Recovery Act of 1976 (42 USC 9601-9607) and that the siting of hazardous waste disposal facilities should be subject to public participation and that the public should participate in the siting of hazardous waste disposal facilities. The General Assembly declares that it is the policy of the state to maintain the siting of hazardous waste disposal facilities by the Commissioner of Environmental Protection and to assure the siting of hazardous waste disposal facilities and the safety of Connecticut's citizens and the state are protected. The purpose of this section is to assure the siting of hazardous waste disposal facilities that will protect the health and safety of the state and assure responsible economic development as strict as that required by federal law.

(P.A. 81-369, S. 1, 20; P.A. 89-365, S. 1, 9.)

C.G.S. Revised to 1/1/11

authorities. Withdrawal of town. (a) As waters within the territorial limits of the town. Any two or more towns which have a lake water may establish by ordinance a lake water authority in cooperating with the member towns in the enforcement of the boating laws

section 7-330, such authority shall be composed of one or more member towns whose term of office and powers shall be established by ordinance provided for in the ordinance. Each town shall pay its share of the expenses of the commission prorated on the basis of population or other formula agreed on and adopted by the member towns. Any member town may withdraw from the commission upon the mailing of written notice to the other member towns. The withdrawing town shall be liable for its share of such notice. Upon the withdrawal of a town, the authority shall be reduced to that portion of the authority which such remaining town or towns shall have. If such body of state water lying within the territorial limits of such town shall revert to the status existing prior to the withdrawal of such town.

section (a) of this section, a lake authority shall have the same powers as the respective towns powers to: (1) Control and regulate the use of water within the town including, but not limited to, water use for navigation, water use for action to its member towns; (3) file applications for grants and reimbursement from the Department of Environmental Protection and other state agencies and (4) act as agent for member towns in any matters subject to regulation.

shall protect and save harmless such town from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence on the part of such lake patrolman while acting in the scope of such lake patrolman's employment.

financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence on the part of such lake patrolman while acting in the scope of such lake patrolman's employment.

P.A. 73-241, S. 1-3; P.A. 75-408, S. 2; P.A. 76-435, S. 17; P.A. 10-32, S. 15.)

of lake authorities and ban on jurisdiction in matters other than linear footage for basis of expense as agent for towns in applications to various state agencies to alternate formulas of expense apportionment gifts under Subsec. (c); P.A. 75-408 added Subsec.

(e) indemnification of lake authority delegates; P.A. 76-435 replaced state boating commission, water resources commission and board of fisheries and game with commissioner of environmental protection, pursuant to 1971, P.A. 873; P.A. 88-364 deleted reference to Secs. 22a-338 and 22a-339 from Subsec. (c); P.A. 93-238 amended Subsec. (b) to authorize an additional member for municipal delegations to the authorities; P.A. 07-217 made a technical change in Subsec. (c), effective July 12, 2007; P.A. 10-32 made a technical change in Subsec. (c)(4), effective May 10, 2010.

Sec. 7-151b. Appointment of lake patrolmen. Requirements for carrying a firearm or baton by lake patrolmen. Liability. Training courses. (a) The Commissioner of Environmental Protection may appoint lake patrolmen to enforce any boating laws delegated by said commissioner. Any such lake patrolman may carry a firearm or baton, or both, only upon completion of a basic police training course defined in section 7-294a or a firearms safety course offered by the Department of Environmental Protection. Such lake patrolmen shall not be construed to be state employees and compensation therefore shall be paid by the municipality or lake authority responsible for the lake. Such lake patrolmen may use their own vessels to enforce the provisions of this section, provided the state shall not be liable for any damage caused by a lake patrolman using such vessel in the course of such lake patrolman's duties. A municipality employing lake patrolmen shall assume liability for damage caused by such patrolmen pursuant to section 7-465. A lake authority may protect and save harmless any lake patrolman employed by the authority from financial loss and expense, including legal fees and costs, if any, arising out of any claim, demand, suit or judgment by reason of alleged negligence on the part of such lake patrolman while acting in the scope of such lake patrolman's employment.

(b) The Commissioner of Environmental Protection shall formulate training courses for lake patrolmen appointed pursuant to this section.

(P.A. 88-98, S. 5, 6; P.A. 01-204, S. 27; June Sp. Sess. P.A. 01-9, S. 73, 131.)

History: P.A. 01-204 amended Subsec. (a) by adding provision to allow a lake patrolman to carry a baton and by making technical changes, including changes for purposes of gender neutrality; June Sp. Sess. P.A. 01-9 changed effective date of P.A. 01-204 from October 1, 2001, to July 11, 2001, effective July 1, 2001.

Secs. 7-152 and 7-152a. Keeping of snakes. Municipal garden program; ordinance establishing; indemnification of municipality. Sections 7-152 and 7-152a are repealed.

(1951, S. 278d; P.A. 75-497, S. 3, 4; P.A. 82-327, S. 12.)

Sec. 7-152b. Hearing procedure for parking violations. (a) Any town, city or borough may establish by ordinance a parking violation hearing procedure in accordance with this section. The Superior Court shall be authorized to enforce the assessments and judgments provided for under this section.

(b) The chief executive officer of the town, city or borough shall appoint one or more parking violation hearing officers, other than policemen or persons who issue parking tickets or work in the police department, to conduct the hearings authorized by this section.

(c) A town, city or borough may, at any time within two years from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any alleged violation under any ordinance adopted pursuant to section 7-148 or sections 14-305 to 14-308, inclusive, send notice to the motor vehicle operator, if known, or the registered owner of the motor vehicle by first class mail at his address according to the registration records of the Department of Motor Vehicles. Such notice shall inform the operator or owner: (1) Of the allegations against him and the amount of the fines, penalties, costs or fees due; (2) that he may contest his liability before a parking violations

6/15/12

STATE NEWS

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THE HARTFORD COURANT FRIDAY, JUNE 15, 2012 B3

DEPARTMENT OF AGRICULTURE

Training Ahead For Animal Control

New Law Requires Officers To Have Yearly In-Service Education For Certification

By **JOSE KOVNER**
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6/15/12

Few municipal jobs in Connecticut vary as widely in quality and effectiveness from town to town as animal control officers.

Some ACO's are sworn police officers or work under the police department and are well-equipped and trained to exercise their considerable authority, which includes the power to arrest for animal cruelty.

Others are appointed with little or no qualifications and are barely able or willing to take a statement from a witness or do other straightforward tasks.

A new law is about to instill training, certification and minimum standards into an increasingly important field that to this point has been hampered by a total absence of uniformity. Under the animal control officers'

training act recently signed into law, the state Department of Agriculture will establish a two-week certification course for new ACO's. The officers will gain the expertise to carry out a job that is growing more complex. For example, the legislature, recognizing the parallels between child abuse and animal abuse, passed a law last year allowing the Department of Children and Families to cross-check its files of active child-abuse cases against the addresses where animal-control officers had applied to seize abused animals.

The new training act will also require that current ACO's receive at least six hours a year of in-service education each year. Many animal-control officers had sought certification and went to training conferences on their own. Now it's the law and the cost of certification - about \$1,000 per person - will be covered by the agriculture department's animal population control account.

The bill was a top priority of state officials and animal-care activists.

"Fifteen years I've worked on this," said Raymond Connors, supervisor of the agriculture department's Animal Control Division. "The time has come to bring in the professionalism the job deserves."

Connors said instructors from the National Animal Control Officers Association will be asked to offer the certification course, probably at a conference center on Windsor Locks. He said the curriculum can easily be tweaked to include Connecticut humane laws.

Debra Bresch of the ASPCA said she noticed "a surge of interest" in raising the standards of the job as she lobbied for the bill in Connecticut.

"There are great responsibilities and obligations that come with the post. Going forward, all new officers will have the knowledge and expertise to do the job effectively," said Bresch, the organiza-

tion's director of government relations for the eastern region.

Connors said cities and towns will still have the option to send their ACO's for additional training.

The certification course will cover such topics as conducting animal-cruelty investigations, evidence handling, court procedures, drafting search warrants, crisis intervention, officer safety and civil liability for ACO.

Connors said officers with little training are vulnerable to lawsuits.

"What's the first thing the lawyer's going to ask in a civil liability case? 'What training does the officer have?' If the answer is 'none' or 'very little,' the case, basically, is over right there."

Connors said some animal-control officers that lacked formal training were sometimes afraid to act because of the liability question.

FINAL
EVALUATION FINDINGS FOR THE
CONNECTICUT
COASTAL MANAGEMENT PROGRAM
FOR THE PERIOD FROM
DECEMBER 1993 THROUGH AUGUST 1997

Office of Ocean and Coastal Resource Management
National Ocean Service
National Oceanic and Atmospheric Administration
United States Department of Commerce



✓
①
2. **PROGRAM SUGGESTION:** In order to ensure more effective coordination of the Harbormaster program with coastal management activities, and to provide better state support and visibility for the program, the state should reconsider the option of transferring the Harbormaster supervisory authority to DEP. Modernization of the statutes to reflect the changing roles of Harbormasters and to raise the professional standards of the Harbormaster positions should also be considered.

✓
Finding: Connecticut's Office of Long Island Sound Programs undertakes many outreach activities, but often these activities are not clearly articulated as results of the coastal management program and its staff. While OLISP has often let others take the credit for its actions in order to gain support for its projects and objectives, it should ensure that its role is recognized. This is important because it shows the continuing need for and benefits of coastal management.

3. **PROGRAM SUGGESTION:** OLISP should enhance the visibility of its office and the coastal management program within the state and better articulate its links with the national coastal zone management program. One way to accomplish this would be to publish and distribute a CTCMP newsletter or insert for a Department newsletter as a means to inform the public about the importance of coastal stewardship. OLISP should also strengthen the Internet link between the state DEP web site and the national CZM program. A link to OCRM's homepage could accomplish this.

Finding: Currently, structures and dredging permit application fees are based on the square footage occupied by the proposed project, while certificates of permission (COP) and general permit applications require flat fees ranging from \$50 to \$350 depending on the activity. Square footage of area occupied is not necessarily a good proxy either for the potential environmental impact or the staff time necessary to evaluate an application, nor does the set of fees provide adequate disincentives to overly large projects.

4. **PROGRAM SUGGESTION:** DEP/OLISP should consider forming a workgroup to investigate its fee schedule and make changes where warranted. The changed fee schedule should better reflect the actual costs required by DEP to process a particular permit. The role of permit fees in influencing the types of projects that get submitted should also be investigated, and changes made accordingly.

Finding: Since the approval of the Connecticut coastal program in 1980, Connecticut has submitted two sets of program changes to OCRM. The first set of program changes was submitted in 1983 and was a general update of existing authorities. The remaining program change was submitted in 1992 and brought the Long Island Sound License Plate program into Connecticut's coastal program. Based on this historical record, most of Connecticut's core authorities have not been officially updated since 1980 and so appear to be inconsistent with statutory amendments and current procedures. In the previous evaluation, as a necessary action, Connecticut was required to develop a schedule for analyzing potential program changes and, if



(B) Harbormasters

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Harbormasters and Deputy Harbormasters are appointed by the Governor and supported by the Commissioner of the Department of Transportation in accordance with the Connecticut General Statutes Sections 15-1 and 4-9a. Their main responsibility is keeping channels and established fairways clear of obstructing vessels. The U.S. Army Corps of Engineers is the primary agency for granting Federal approval of moorings and has delegated to Harbormasters approval authority for the installation of individual, non-commercial moorings. Consistent with the Corps' guidelines and pursuant to Section 15-8 of the Connecticut General Statutes, Harbormasters may require mooring owners to apply for permits and assign their locations.

In 1984, Connecticut passed the Harbor Management Act in response to increased coastwise pressures and competing demands for harbor use and development. The Act authorizes OLISP to support towns with navigable waters to establish special harbor commissions to prepare and enforce local harbor plans under the supervision of the state's coastal management program. Among the components of such plans are provisions for the orderly allocation of mooring and anchorage space. Under state statutes, the Harbormaster retains sole authority for the placement of moorings after the adoption of a plan, with additional condition that they must be placed consistent with the policies and provisions of the approved harbor plan.

As a result, DEP oversees harbor management planning, while Harbormasters, under the authority of the DOT implement sections of the harbor management plans. These two functions have not produced much conflict between DEP and DOT, but has resulted in a fragmented approach to the implementation of harbor management which is split between the harbormasters, municipal harbor management commissions and OLISP. In addition, due to budget cutbacks, the number of DOT staff overseeing and assisting the Harbormasters has dropped 60% and the remaining staff cannot devote time to individual harbors due to their involvement with harbor pilot license issues. OLISP, by contrast, has staff liaisons assigned to coastal municipalities and who are familiar with individual town's harbor and coastal management issues.

Through discussions and interviews during the site visit, the Evaluation Team believed that the transfer of harbormaster supervisory authority and related funding to the DEP would promote efficiency and coordination in harbor management, which in turn would help OLISP address in-water use conflicts such as mooring field impacts on submerged aquatic vegetation. This action would improve coordination with related state programs, such as harbor





management planning, shellfish leasing and the regulation of structures and dredging. Also, the increasingly complex nature of harbor management highlights the need for an increased level of professionalism, structure, and compensation for the Harbormaster position.

In order for the transfer to be successful, sufficient funding should be allocated to DEP to ensure that it does not lose the institutional knowledge or expertise of the existing DOT staff. *HARBOR MASTERS & DISM*

PROGRAM SUGGESTION: In order to ensure more effective coordination of the Harbormaster program with coastal management activities, and to provide better state support and visibility for the program, the state should reconsider the option of transferring the Harbormaster supervisory authority to DEP. Modernization of the statutes to reflect the changing roles of Harbormasters and to raise the professional standards of the Harbormaster positions should also be considered.

C. Outreach/Program Visibility

Connecticut's Office of Long Island Sound Programs undertakes many outreach activities, but often these activities are not clearly articulated as results of the coastal management program and its staff. While OLISP has often let others take the credit for its actions in order to gain support for its projects and objectives, it should ensure that its role is recognized. This is important because it shows the continuing need for and benefits of coastal management.

An inexpensive approach to increase visibility for the CTCMP and its programs would be through development of an informational newsletter. Since many worthwhile projects are the result of funding through the Long Island License Plate Fund, which is part of the approved CTCMP, a newsletter would provide an avenue to highlight these accomplishments. A newsletter would provide a forum for OLISP/DEP to acknowledge the contributions of the bigger picture of coastal zone management both regionally and nationally.

As mentioned previously under the Accomplishments Section of these findings, DEP and several of its offices have been very successful in utilizing technology for information exchange and dissemination. The Department of Environmental Protection has also set up a web site which contains information on the entire Department, including a description of all of its strategic plans. The Office of Long Island Sound Programs has a place on this website, where they provide a concise summary of OLISP's mission statement, duties, core authorities, programs, and the types of activities that it undertakes. This summary of OLISP is a very good public outreach effort and provides

