

S. B. No. 78 (Raised) An Act Concerning the Disposition of Dredged Materials from Certain Harbors and Ports on Long Island Sound

Testimony of J. Thomas Macy Guilford, Connecticut

February 19, 2016

Good afternoon, Senator Kennedy and other Committee members. Thank you for this opportunity to appear before you to present this testimony.

My name is J. Thomas Macy. I am a resident of Guilford, CT and am appearing before you on behalf of the Unit Owners Association at the Guilford Yacht Club where I serve as Treasurer of the Board of Directors.

The Guilford Yacht Club is located at the mouth of the West River on the Long Island Sound. Because of the accumulation of silt in the channel and basin, each year we must dredge approximately 15,000 cubic yards to achieve a minimum depth of 6 feet at mean low tide. Historically, we have disposed of the dredged material in the Long Island Sound. Beginning last year and again this year, we have introduced hydraulic dredging of the basin with upland disposal of the material onto our property. However, for a number of operational reasons, we must continue to rely on mechanical dredging of the channel with disposal of the material in Long Island Sound.

Patrick Doyle has just testified on the impact the proposed legislation would have on the operations at the Guilford Yacht Club, Brown's Boat Yard, Guilford Boat Yard, Bayberry Creek Marina and a number of commercial fishermen. I would like to focus my testimony of the financial implications of the proposed legislation.

I believe that this legislation represents an existential threat to the financial viability of the Guilford Yacht Club. We currently anticipate that dredging the channel and basin will cost at least \$368,000 in 2016. This represents 40% of our total expenses. Any change to the offshore disposal of dredging material will add significantly to this amount.

We could be faced with two choices:

- (1) Hauling the material around the east end of Long Island and disposing of it offshore in the Atlantic Ocean, if permitted by the Army Corps of Engineers and other regulatory agencies. This is a round trip of perhaps 150 miles for each barge-load of material.

- (2) Disposing of the material using mechanical dredging in the channel, loading it into trucks and dumping it onto our property. However, we will run out of space to do this by 2017. As discussed by Patrick Doyle, we currently are not permitted by DEEP to transfer the material to other locations, even though our material has been declared to be “clean” for at least the last eight years.

This past year, we experienced an increase in the cost of mechanical dredging from \$16.00 per cubic yard to \$22.00 per cubic yard – a 38% increase. Before agreeing to \$22.00, we contacted 14 dredging companies on the East coast, ten of which were not interested in proposing on our project. We requested formal bids from four companies, but only two submitted bids – one for \$45.00 and the other for \$22.00. Simply put, the cost of transporting the material an additional 75 miles out into the Atlantic Ocean would be prohibitive, assuming we could find a dredging company willing to do it.

We currently charge each of our 153 unit owners \$2,400 per year just for dredging. This amount, which is 60% of our total common charges, is \$768 or 47% more than we had been charging in 2013, just three years ago. We cannot raise it any higher without experiencing a cascading flight of unit owners from the Association; indeed, we are pushing the limit right now. This “run for the exits” could wipe out our reserves and close us down in less than one year.

It should also be noted that each unit owner pays real estate taxes on his slip to the Town of Guilford since we operate, in effect, as a condominium or “dockominium”. Collectively, we are one of the larger taxpayers in Guilford, paying perhaps \$200,000 per year in taxes. If we are forced to close, the Town of Guilford will suffer a significant loss of real estate taxes.

Adopting this proposed legislation will result in substantial financial losses to our 153 unit owners (primarily residents of Guilford, Branford and Madison), to other users of the West River, and to the Town of Guilford. For this reason, **I urge you NOT to move forward with S.B. No. 78.**

Thank you for this opportunity to testify. I would be happy to respond to any questions you may have.

