Saco Coastal Waters Commission  
Minutes of the May 3, 2006 Meeting

I. Call Meeting to Order – At 7:05 p.m. a Saco Coastal Waters Commission meeting was held at City Hall.

II. Roll Call of Members – The members present constituted a quorum. The members present: Chairman Joseph Stephenson, Wayne Hutchins, Peter Scontras (left at 8:45 p.m.), Todd Stewart, and Mike Gray. Also present: Harbormaster Don Abbott, Council Liaison Roland Michaud, Deputy Director of Public Works Mark Lorello and Dale Shannon, Supervisor at Public Works. Vice Chairman Robert Morowski Jr. (Notified), Treasurer Robert Barris (Notified) and Asst. Harbormaster were absent this evening.

III. Approval of Minutes – April 5, 2006

Wayne Hutchins moved, Michael Gray seconded to approve the April 5, 2006 minutes. The motion passed with five (5) yeas.

IV. General

V. Old Business


Currently there is “No Fishing” from the City Wharves. There has been discussion from members of the public that Fishing should be allowed. Commission members feel that the “No Fishing” from City Wharves should stay in the Ordinance for Public Safety reasons and City Liability. Council Liaison Roland Michaud urged the Commission members to contact their City Councilors to let them know the reasons why they don’t think there should be Fishing from the Wharves. The Second & Final Reading for the Harbor & Waterfront Ordinance is scheduled for May 15, 2006.

B. Letter from Army Corps of Engineers Regarding Yacht Club Moorings

A letter from the Department of the Army Corps of Engineers was received on April 4, 2006. The Yacht Club Moorings were approved for the 2006 boating season.

Note: A copy of this letter is on page 4, “Exhibit A”.

C. Hoist & Pilings – Update

Deluca Hoffman hadn’t gotten the structural components plan done yet for the Hoist, so there is nothing new to report.

Commission members asked Dep. Dir. of Public Works Mark Lorello to file a “Permit by Rule” through DEP for approval of the Pilings project.

D. Parking Lot & Dock – Update

Dock Master Jerry MacMillian will be back again this year.

The Parking Lot & Dock Master will have separate tickets this year, in order to get a better idea of what Revenues are being generated by each.

Next month the Commission will be reviewing the total hours worked, and Revenues collected by the Dock Master to see if it is cost effective to have him there so much.
VI. New Business
   A. Mooring Issues

There have been several inquiries as to when the “No Wake” buoys will be put in. Saco only has one “No
Wake” buoy, the others belong to Biddeford. In order to get them in, they need to be registered with the Coast
Guard, and the Coast Guard needs to approve them. The Commission believes the date they need to be put in by
is June 1st. Carla Dube will be verifying this date for the Commission. Last year, they weren’t put out until
about the middle of the season. The Commission would like the City Administrator Rick Michaud to contact
the City of Biddeford to see when they intend to put these “No Wake” buoys out.

B. Whistle Buoy

Carla Dube has been contacting several people and getting support for getting the Whistle Buoy back. She
will be talking to John Moreau tomorrow to let him know exactly what the Commission would like for a buoy. The
Commission stated they would like a Lighted Bell or Whistle Buoy. Chairman Joe Stephenson will be drafting
a letter to Senator Collins Office regarding the Whistle Buoy.

Peter Scontras moved, Todd Stewart seconded that the Commission draft and send a letter to the appropriate
authorities sitting the need and hope in which the previous Whistle Buoy be replaced. The motion passed with
five (5) yeas.

Note: A copy of this letter is on page 5, “Exhibit B”

C. Benches at Camp Ellis

The Commission authorized Public Works Supervisor Dale Shannon to do the Downriver Benches with the
concrete ends, which is the more cost effective at $65.00 for a set of concrete ends and bolts, plus the wood.

Peter Scontras moved, Wayne Hutchins seconded to move that Public Works follow the route as recommended.
The motion passed with five (5) yeas.

D. Encroachment Issue

Tom Casamassa inquired as to when the dredging work is going to be done, because it is really needed. The
Anchorage inside the Ice Breakers is really getting filled in with sand, and the boats on the inside toward the
sand bar are getting encroached by the sand pushing them out farther. The floats are grounding out as well.
Mark Lorello will look into the options for dredging.

E. Boats Banging

Tom Casamassa also inquired if there were any moorings that were going to be removed this season. The boats
are tightly arranged, and are always banging each other. Harbormaster Don Abbott agreed, and said he thought
that there were a couple of people (Caron & Bastille) who weren’t going to renew there mooring this season.
The Commission requested that the City Clerk not accept those Mooring Fees until they receive a response from
the Commission. The Mooring List will be reviewed next month.

F. Old Camp Ellis Fire Barn – Currently Leased to Bastille Woodworking

There was discussion about the Real Estate sign out in front of the Cities Old Camp Ellis Fire Barn at 15
North Ave., which is currently being lease by Bastille Woodworking. The City will review the original Lease
agreement with the Bastille’s.
G. Petition – Ferry Lane

There was discussion about a person who was going to buy property on Ferry Lane. This guy wanted to put a dock in the river, and to have traps on site, and to launch from the river. This was considered a Commercial Enterprise in a Residential Zone, which isn’t permitted. The neighbors didn’t want this Commercial Enterprise allowed, so they got a petition signed buy the neighbors to try to prevent it.

H. Memorial Day Tribute – Vinney

Lynn Mann, and a couple of others are having a small get together to remember one of there friends named Vinney who was lost at sea several years back. The event is planned for May 21st in Camp Ellis.

VII. Adjournment

Wayne Hutchins moved, Todd Stewart seconded to adjourn at 9:00 p.m. The motion passed unanimously.

Attest: Michele L. Hughes, Recording Secretary          Date Approved: June 7, 2006
Paul Conners  
Saco Yacht Club  
P.O. Box 682  
Saco, Maine 04072

Dear Mr. Conners:

This concerns our on going discussions regarding the yacht club’s existing moorings in the Saco River at Saco, Maine.

As you are aware the key issue with your members’ moorings is their encroachment into the Saco River Federal Navigation Project (FNP). Corps regulations do not typically allow such encroachment, particularly since the area in question is a Federal channel. The Corps has sent the yacht club a number of letters and has had numerous discussions with the affected municipalities on this issue. It is our understanding that the cities of Biddeford and Saco continue to seek modification/deauthorization of the FNP in this area through their Congressional Delegation. Regrettably this is not progressing in a timely fashion.

Since 2003 and in the spirit of cooperation, the Corps has annually authorized the moorings to remain in place as long as they do not adversely impact navigation and they are approved by the harbormaster. We continue to remain optimistic that the municipalities will be successful in their quest, particularly in light of the most recent request to the delegation. Therefore, we hereby authorize them to remain in place for the 2006 season provided they are individually approved by the harbormaster(s).

It continues to be in the best interest of the Yacht Club and its members to work closely with the municipalities, the delegation, and the Corps to resolve this issue. We recognize that this process can often be complex and so we have been patient. However three years should be sufficient to conclude the process. It is our expectation that the matter will be resolved before the 2007 boating season. Please keep us informed of your progress.

If you have any questions concerning this matter, please contact Jay Clement of my staff at 207-623-8367 at our Manchester, Maine Project Office.

Sincerely,

Frank J. Delgiudice  
Chief, Permits & Enforcement Branch  
Regulatory Division
City of Saco, Maine
Saco Coastal Waters Commission
300 Main Street
Saco, ME 04072

May 12, 2006

Senator Susan Collins
United States Senate
C/o Mike Rogers
160 Main Street
Biddeford, ME 04005

Dear Senator Collins:

The Saco Coastal Waters Commission is the primary committee within the City of Saco addressing coastal issues, including the effects of local, state and federal changes to our waterways. We are always looking to find a balance between the needs of the government and our citizens, while also being mindful of the effects any changes have to our ecological, recreational and economic interests.

It is in this respect that we are writing to you today to request your assistance in correcting a situation that was inadvertently overlooked by us, but of great importance that will impact several levels of our community. Late this fall, a navigational aid that had been deployed and maintained by the US Coast Guard, known as the Wood Island Approach Lighted Whistle Buoy, was removed with no plans to replace it. The elimination of this navigational aid is significant, as it provides a visual aid to boaters of all levels coming and going in the night as well as a pivot point for entrance into the channel. In speaking with the US Coast Guard in Boston, they felt that a “waterway analysis” had been completed, proper notice to the public was given and that with the numerous electronic devices available to boaters, the navigational aid was not needed and will not be returning. We disagree.

The Saco Bay area, including the mouth of the Saco River and the area of Biddeford Pool are most active during the summer months from both commercial and recreational boaters. We have a very active commercial fishing community and we are seeing more and more recreational boaters with each passing year. This area is known for its fishing and subsequently that generates a higher number of users each year. The State Department of Conservation currently maintains and oversees the Marblehead Boat Launch in Biddeford that is one, if not the, busiest boat launches in the State of Maine. This launch feeds recreational traffic into the Saco River and Bay area and is used frequently by commercial users as well.

In response to the Coast Guards mention of the availability of electronic devices, I would contend that the majority of recreational boaters do not spend thousands of dollars on electronic equipment nor do they have the economic means to purchase this equipment. However, we have many boaters that venture out into the bay, only to return at dusk or in the evening that rely on this buoy for visual assistance. In speaking from experience, I would also add that no one should ever rely on electronic devices alone since these items can be quickly lost due to malfunction, poor weather conditions or improper installation. These navigational aids maintained by the US Coast Guard are vital in making a safe return to port.

As for the notice to the public mentioned by the US Coast Guard, this was done in the fall in the “Notice to Mariners”, and in our eyes this was not an adequate public notice. Most recreational users stop following the activity of these notices after the regular boating season and we don’t understand why we, as a governing body, were not informed.

Sincerely,

[Your Signature]

[Your Name]

Exhibit B
agency for our City, were not specifically notified in writing as well. There may have been additional notices done by the US Coast Guard in relation to this issue, but the fact that we as users were not aware questions the process that was followed.

In looking into this issue, we understand that the decision to remove this navigational aid may be an economic one. The information we received is that a larger boat in use by the Coast Guard is required to come out of the Rhode Island area to service the buoy. We believe that a smaller buoy that can be serviced by a vessel from the Portland Coast Guard station would be just as good and may be a valid compromise. We would request that the replacement buoy is a lighted bell or whistle buoy so that we can maintain what was previously there.

Because the buoy was removed during the winter months, many boaters were unaware that it had been discontinued. As the 2006 boating season gets underway, more boaters are learning the buoy was discontinued and have expressed serious safety concerns. They have clearly stated the importance of this buoy navigating in and around Wood Island and overwhelmingly are requesting that the buoy be re-established.

The Commission cannot emphasis enough how important this buoy is to our boaters and what an important navigational aid it is. This item is needed to protect the safety of our users in navigating in and out of the channel and to provide another level of overall safety to our citizenry.

We thank you for your time and consideration in addressing this issue and should you have any questions, please feel free to contact us.

Sincerely,

Joe Stephenson, Chairman
Saco Coastal Waters Commission