Saco Coastal Waters Commission
Minutes of the July 11, 2007 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, Vice-Chairman Robert Morowski Jr., Todd Stewart, Mike Gray and Thomas Casamassa (7:07 p.m.). Also present: Harbormaster Don Abbott, Asst. Harbormaster Daniel Chadbourne, Deputy Director of Public Works Mark Lorello, Public Works Supervisor Dale Shannon and Dockmaster Jerry McMillan. Wayne Hutchins (Notified), and Treasurer Robert Barris (Notified) were absent this evening.

III. Approval of Minutes – June 6, 2007

Robert Morowski moved, Todd Stewart seconded to approve the June 6, 2007 minutes as written. The motion passed with four (4) yeas.

IV. General
   A. 5000 Account Review

No report.

V. Old Business
   A. Hoist & Pylons – Update

Hoists - The hoists are on schedule as far as being fabricated. There is an opportunity now to upgrade to a 7.5 HP single phase motor, than would increase the line speed by 25%. This larger motor would cost an additional $500 for each unit. Also different hydraulic pumps would be needed, at a cost of roughly $1000. These are approximate figures.

Mike Gray moved, Robert Morowski seconded to allow Dep. Dir. of Public Works Mark Lorello to act on the Hoist upgrades as long as it comes in under $2,500. The motion passed with five (5) yeas.

Pylons - Dep. Dir. of Public Works Mark Lorello has been waiting for Paul Pottle to let him know how much those left over pylons from the Portland Pier project would cost, and when they could get them. The Commission decided that while they wait to hear from Mr. Pottle, they should also get some quotes as to how much 50’ steel pylons will cost, just in case they can’t get the pylons from the Portland Pier project. Todd Stewart will be getting the quote for seven pylons.

Dredge Work - Dep. Dir. of Public Works Mark Lorello informed the Commission that the City of Saco is now ready to pursue getting dredge work done. City Administrator Rick Michaud would like Saco & Biddeford to put in a joint application for the dredging.

Ship Grant - The Commission is interested in applying for more SHIP Grant money to purchase more pylons, floats, and to have down river dredge work done. Dep. Dir. of Public Works Mark Lorello is going to start working on this new SHIP Grant.

A meeting between the City Council & Saco Coastal Waters Commission is scheduled for 8/6/07 at 7:00 p.m.

B. Camp Ellis Parking Lot – Update

Parking Lot Hours - There was discussion about changing the hours that the Parking Lot Attendants work. It was decided that it would be better to keep consistent hours, rather than regulating hours depending on the weather. The Commission did decide that on Friday and Saturday night’s, the Attendants should collect fees until 9:00 p.m., instead of closing at 8:00 p.m.
No Feeding the Seagulls - There are allot of people who go down to the pier to sit and feed the seagulls, and someone even dumped a truck load of bread & tomatoes in the parking lot. This increases the bird dropping on the vehicles parked in the lot. The Commission has received complaints from people who leave their vehicles there to go Fishing or Boating.

Todd Stewart moved, Robert Morowski seconded to add to the policy list a policy to stop the feeding of birds on the pier, and to have a sign made up that states "No Feeding the Seagulls". The motion passed with five (5) yeas.

Dockmaster Building - A Commission member asked that the Dockmaster Building be moved off the working part of the pier. Dep. Dir. of Public Works Mark Lorello said he would look into it.

Repairs to Middle Hoist- It was recommended to add something to the middle hoist which can be used to pull, rather than having people pull on the cord, which will eventually be pulled out.

Robert Morowski moved, Thomas Casamassa seconded to authorize Dep. Dir. of Public Works Mark Lorello to get and install the parts to fix the hoist. The motion passed with five (5) yeas.

Recreational Vessel Pier Use Permits – Can they use the Hoist? - Yes, they can use the hoist with the permission of the Harbormaster.

Joseph Stephenson moved, Todd Stewart seconded to add a policy that any approval of any rule under the Harbormaster's authority is in writing. The motion passed with five (5) yeas.

Stepping a Sail Boat Mast - Does a person have to pay to step a mast when they have a Recreational Vessel Pier Use Permit? There was allot of discussion on this.

Robert Morowski moved, Mike Gray seconded that with a Recreational Vessel Pier Use Permit, you can step your mast with the permission of the Harbormaster or his designee. The motion passed with four (4) yeas, and one (1) nay - Todd Stewart.

Commercial Vessel Pier Use Permit - It was mentioned that the Ordinance basically states the Wharf can only be used to move people, product or cargo. This is being discussed because James Bastille got a Comm. Vessel Pier Use Permit for his personal boat, and he also bought a Comm. Vessel Pier Use Permit for his boat repair business "Bastille Boat Works". The understanding is that when you get a Commercial or Recreational Vessel Pier Use Permit, it is supposed to be registered to a particular vessel. If a person doesn't have a Commercial or Recreational Vessel Pier Use Permit, and they want to dock a boat, then they would need to pay the appropriate fee of $5.00 per hour, $25.00 for the day or $2.00 per ft/ $25.00 minimum for Over-night docking. It was decided that the Harbormaster look to see what boat is registered to the permit for Bastille Boat Works.

Todd Stewart moved, Robert Morowski seconded to send a letter to Bastille Boat Works letting him know about this new policy. The motion passed with five (5) yeas.

Chairman Joseph Stephenson will draft the letter to Bastille Boat Works. Also, there are a couple of boats (Seadog & Indian) which don't have any Pier Use Permits. A letter will also be sent to them informing them to either purchase a Pier Use Permit, or they will be charged the appropriate Docking Fee.

Charter Boat Sign - Harbormaster Don Abbott stated for the record that he didn't think that the “Charter Boat Only” sign should be there. Anyone should be able to use the floats. Todd Stewart owner of the Trina Lyn Fishing Charters represented the Charter boat's, and stated that he did think that the sign and designated area should stay. He has to wait his turn with other Charter boats to use the Charter boat dock, as the Lobsterman & Fisherman have to wait there turn to unload product from the other floats. The reason this discussion came about was because Harbormaster Don Abbott told his son Jeff Abbott that he could tie his skiff up to the Charter boat float, on the side
that they don't use. Todd Stewart asked Dockmaster Jerry McMillan who's skiff was tied up there. The Dockmaster didn't know, so he asked Harbormaster Don Abbott, who told him it was his son.

Also, there is a new Charter boat Captain Garon Mailman, who has been using different floats to unload passengers. Todd Stewart informed him that he needed to use the Charter boat float. A couple of days later, Garon Mailman was seen using the other floats again.

Todd Stewart moved, Robert Morowski seconded that Charter Boats will load and unload at the designated floats. The motion passed with five (5) yeas.

Chairman Joseph Stephenson will draft a letter and forward it onto Garon Mailman to let him know about this change.

Fire Boat - It was mentioned again that the Fire boat is taking up too much valuable dock space. It should be moved in order to add additional skiff room. Dep. Dir. of Public Works Mark Lorello and Harbormaster Don Abbott will be getting together to discuss re-arranging the floats.

C. Si Development – Saco Island & River – Response to Saco Coastal Waters Co. Comments

The Commission received a letter from the Saco Yacht Club regarding the Saco Island Marina Plan. This letter outlined several concerns they had about this project.

A copy of the Saco Yacht Club letter dated 6/5/07 is on page 5 as Attachment A.

The Commission also received a letter from Buck Consulting Group dated 6/11/07 in response to questions the Commission had at last month’s meeting. Some Commission members noted that on the 1st page of Buck Consulting Group's 6/11/07 response, where it states that 75% of the river flow is diverted to the west channel in Biddeford, that this isn't true. The majority of the river flow is actually diverted to the Saco side. Florida Power and Light will be contacted to verify this statement about the majority of the river flow. It was also mentioned again that there ought to be a Hydrologic Study done, even though Buck Consulting stated on page 3 of that same letter, that a Hydrologic Study has not been performed and is not warranted. Chairman Joseph Stephenson also noted that the Planning Board will be holding a Public Hearing in the City Hall Auditorium at 5:30 p.m. on July 17th, to review the redevelopment project.

A copy of the letter from Buck Consulting Group dated 6/11/07 is on page 6 as Attachment B.

VI. New Business
A. New Mooring Tracking Software – Muni Mooring GIS - Update

Dep. Dir of Public Works Mark Lorello spoke to the GIS Coordinator Amy Dubois about this mooring tracking software. Ms. Dubois stated that the City could do something similar with the current GIS system the City has. Rob Morowski will call the Muni Mooring GIS company, and get a quote for their software package.

B. Biddeford Harbor Comm. Meeting – Report from Saco Coastal Waters Comm. Representatives

Chairman Joseph Stephenson informed the Commission that Biddeford Asst. Harbormaster Paul Lariviere had got a free 19’ Boston Whaler in good condition from the Dept. of Marine Resources. The boat has a fairly new 150 hp Johnson motor & 2 mercury engines as backup. Mr. Lariviere is also trying to get other equipment donated for the boat. If he can't get more donations, then it will probably cost about $12,000 to equip (lettering, radar, lights etc.) the boat, with Biddeford paying half. On Saco's half ($6,000), $3,000 will come out of the 5000 Account, and the other $3,000 would most likely come out of the boat excise account. The Commission’s will determine how the boat will be used, and the Police Dept's will provide the manpower.
The Biddeford Harbor Comm. has already stated that they are not in favor of having only 1 joint Saco/Bidd. Harbor Commission. They are in favor of the new Interlocal Committee that would have representatives from both sides, to discuss general issues, which effect both communities. Saco Commission members also stated that they are in favor of the new Interlocal Committee, but not the single joint Commission. Members were asked who would like to serve on this new Interlocal Committee, and Bob Barris, Joe Stephenson (Robert Morowski will fill in when Stephenson can't attend), and Tom Casamassa were recommended.

Todd Stewart moved, Robert Morowski seconded to draft a letter to the Biddeford & Saco Mayor's, City Administrator's and City Councilor's letting them know that the Saco Coastal Waters Commission is strongly opposed to a single joint Commission. The motion passed with five (5) yeas.

No-Wake Sign - It was also mentioned that there should be a "No Wake" sign at the Saco Yacht Club. Chairman Stephenson said he has already ordered one.

No River Patrol - Commission members inquired as to why they haven't seen the river being patrolled. The Biddeford boat has been fixed and is sea worthy, and Saco still has a boat. Chairman Stephenson will be checking into this.

Mooring Waiting List - Asst. Harbormaster Dan Chadbourne inquired what would be a reasonable amount of time to wait for a person who has been told they can have a mooring and come off the waiting list to respond and to pay the mooring fee at City Hall. The commission suggested that a certified letter should be sent to the individual stating they can get a mooring, and they have 2 weeks to come in and pay for it. If they don't come in by the end of the 2 weeks, then they will stay on the waiting list, and someone else who is waiting will be given the opportunity. There are currently 10 mooring spots available. Asst. Harbormaster Dan Chadbourne has got the new Front Street Anchorage set up.

VII. Adjournment

Robert Morowski moved, Todd Stewart seconded to adjourn at 9:45 p.m. The motion passed with five (5) yeas.

Attest: Michele L. Hughes, Recording Secretary     Date Approved: August 15, 2007
Saco Yacht Club

Front Street. P.O. Box 682 Saco Maine 04072

To: Saco Coastal Water Commission

From: Saco Yacht Club

Date: 8/5/07

RE: Saco Island Marina Plan

We, The Saco Yacht Club (SYC) a member owned club in existence since 1878, comprising of 200 members, mostly from the Greater Biddeford and Saco Area, are writing in regards to the proposed Saco Island Marina Plan.

We have grave concerns regarding the newly proposed Marina and Condominium Project. Our concerns are that by the placement of these slips the flow and height of the river will be altered. Our top concern lies in the direct affect the diversion of river currents will have on the existing slips’ and moorings at our Yacht Club.

Other concerns, will the re-directed river currents change the affect of the outfall pipe from the City of Saco treatment plant? What will these different conditions do to the configuration of the large sandbar below Factory Island which now extends nearly to Cow Island? Will this cause additional siting to the channel, or around our dock and mooring areas?

We are also concerned about the additional boat traffic and wake damage that we will be faced with. While we understand that the City of Saco has been trying to maintain a River Patrol, it is rare that they patrol as far up the river as the SYC. We also understand that the Patrol Boat owned by the City Of Saco, is not properly suited for patrol.

We are requesting an independent hydrologic survey to be conducted by the applicant before these slips are permitted and constructed.

Please keep us informed of any discussions that occur relating to the Saco Island development as it relates to the waters within the area of the Saco Yacht Club.

Sincerely,

James Thibodeau Commodore

CC: Saco Planning Board

e-mail: sacoyachtclub@verizon.net
June 26, 2007

Saco Coastal Water Commission ✓
Joe Stephenson, Chairman
c/o Saco City Hall
300 Main Street
Saco, Maine 04072

Saco Yacht Club
James Thibodeau, Commodore
61 Front Street
Saco, Maine 04072

Re: Response to Saco Coastal Waters Commission Comments

Dear Sirs:

Enclosed please find a copy of Mr. Blaine Buck's June 11, 2007 response to the concerns raised in the June 5 letter to the Coastal Water Commission from the Saco Yacht Club, and discussed at the June 6 Coastal Waters Commission meeting.

Be advised that the Planning Board will continue its review of the Saco Island redevelopment project at its meeting of July 17, 2007. A public hearing will be held. Further comments on the issues regarding the Saco Island plan can be raised at the meeting, or submitted as written comments to this Office.

Feel free to contact me with any questions.

Sincerely,

Bob Hamblen

cc: B. Buck, M. Robinson, M. Johnston
June 11, 2007

Mr. Joseph Stephenson, Chairman
Saco Coastal Waters Commission
c/o The Honorable Mark D. Johnston
Saco City Hall
300 Main Street
Saco, Maine 04072

RE: Response to Saco Coastal Waters Commission Comments
Saco Island
Saco, Maine

Dear Mr. Stephenson:

Thank you for taking the time to meet with us on June 6, 2007, to discuss the proposed marina on the East Parcel of Saco Island. We appreciate your comments and are providing responses at this time on the following matters:

River Currents: We understand that the Saco Coastal Waters Commission (SCWC) has concerns about the impact of river currents on navigation in the vicinity of both the east and west side slips.

The Saco River flows on both sides of the island, creating a back-eddy flow pattern in the lee of the island. The island provides protection to the marina slips from the primary currents of the Saco River. This pattern can be substantiated by the formation of the large sandbar approximately 120 feet offshore from the island. The presence of sand in this area demonstrates a predominance of currents substantially lower than surrounding areas of the river, enabling deposition of sand as opposed to erosion and transport.

Following the Patriot’s Day storm of 2007, the applicant’s engineer performed visual observations of the flow characteristics of the Saco River under the extremely high flow rates which were occurring at that time. The majority of the flow was observed to be flowing around the west (Biddeford) side of the island, with a substantial but lesser amount flowing over Cataract Dam on the east (Saco) side of the river. The observed separation of flow between the east and west sides of the island has been substantiated by Florida Power and Light (FPL), the operators of the dams, who estimate that that approximately 75 percent of the river flow is diverted to the west channel under high flow conditions.
On the west side of the island, where the strongest currents occur, the primary flow path of the river was observed to be concentrated on the western half of the river channel. The strongest currents were observed to be flowing closely along the seawall fronting the public park and wastewater treatment plant in Biddeford. Closer to Saco Island and within the area of the proposed western boat slips, substantially calmer waters were observed. A photograph documenting these observations from the Main Street bridge is provided as Attachment A.

On the east side of the island, the primary flow path was observed to follow the general run of the river from Cataract Dam toward the Saco Yacht Club. Visual observations indicated that the currents in the proposed marina area will be similar to those experienced at the Saco Yacht Club.

On April 30, 2007, the applicant performed a river current survey to gather data in support of designing the marina slips. The survey was performed shortly after the heavy rains experienced during the Patriot’s Day storm early that month. At the time of the survey, the Saco River was still experiencing high spring flows and the data is representative of spring flow conditions prior to the boating season. The measured flows reported in the study are expected to be substantially greater than what will actually be experienced by marina users.

The results of the river current survey are provided on enclosed Drawing CP-1. As shown on the plan, neither the east nor the west side slips are located in the primary flow area of the Saco River. On the west (Biddeford) side, the marina slips are located in a current transition zone. The current velocities ranged from zero to 1.3 feet per second (fps). Current directions varied but generally did not follow the primary flow path of the river. Boat users accessing the western portion of the marina will experience minor currents. The strength and direction of these currents vary with tide conditions but they are not expected to present more adversity to docking or navigation than conditions encountered at other marinas located in tidal rivers.

Similar results were documented on the east side slips. In this area, measured current velocities were less than 1 fps. Current directions varied but generally did not follow the primary flow path of the river. As with the west side, these currents will vary with tide conditions and are not expected to cause difficulties with boat docking operations.

Based on these findings, currents in the Saco River will not adversely affect navigation in the immediate vicinity of the proposed boat slips.

Sand Divergence. The SCWC expressed concern over divergence of sand and potential impacts to the Saco Yacht Club and other areas downstream. The SCWC inquired on the applicant’s willingness to perform a hydrologic study.

Due to relatively shallow water depths around the proposed slips and associated fairways, the marina has been designed to accommodate boats which draw less than 3 feet of water. The shallow depths and proximity to other boat slips at the Saco Yacht Club and Rummery’s Boat
Yard will require no-wake speeds in and around the proposed marina. The turbulence resulting from these boat activities will be minor and insignificant with respect to the overall river currents in the area and result in little, if any, potential to disturb the bottom and transport sand. As discussed above, river current patterns in the area indicate that whatever sand may be disturbed by boat traffic or the river currents themselves will tend to deposit in the vicinity of the large sandbar located off the Saco Island shoreline.

The proposed marina slips have been configured to abut, without encroaching upon, the Federal Navigation Channel and Federal Basin located east of Saco Island. The only routes of access to and from the marina slips will be through these federal navigation areas. The Federal Channel has historically been used by large barges accessing Saco Island and Biddeford. The City of Biddeford has requested that the U.S. Army Corps of Engineers (Corps) continue to maintain the Federal Channel and Federal Basin due to the continued need for barge access from time to time. The turbulence and associated potential for sand transport resulting from boat traffic at the proposed marina will be insignificant compared to the turbulence associated with historic and continued commercial barge traffic in this area.

The Federal Channel and Federal Basin are currently used by boats accessing existing marina slips and moorings at the Saco Yacht Club in Saco and Rummery’s Boat Yard as well as the public boat ramp in Saco. Due to shallow water constraints in the Saco River between the marina area and the Atlantic Ocean, the size and nature of boats using the proposed marina will be consistent with the boats currently accessing the Saco Yacht Club and Rummery’s. Accordingly, it is unlikely that the proposed boat traffic will result in any greater sand disturbance than is being caused by existing boat traffic.

The project requires permits from various state and federal agencies including the Saco River Corridor Commission, the Maine Department of Environmental Protection (MDEP) under the Site Location of Development Act (Site Law) program, and the Corps. The Site Law permit requires review and comment from numerous agencies including Inland Fisheries and Wildlife (IF&W) and the Department of Marine Resource (DMR). Although some of these permits are still under review, we have received comments from the agencies that have potential concerns with water quality and sediment transport. None of the comments received from any of the permitting authorities have expressed concern over potential sand disturbance.

Based on these factors, there is little if any potential for the project to result in sand disturbance which would potentially impact downstream locations. Consequently, a hydrologic study has not been performed and is not warranted.

**River Segment Constraints:** The SCWC expressed concern about the willingness of marina users to respect the no-wake zone over the 45-60 minute duration of navigating the Saco River to the Ocean. Concerns were also expressed regarding shallow spots along the river.
Saco Coastal Waters Commission
June 11, 2007
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As with all current recreational and commercial boaters on the river, Saco Island residents will be required to observe all navigation laws and regulations, including no-wake zones.

In preparing the design of the marina, our engineers reviewed channel sounding information obtained from the Corps for the reach of Saco River between Saco Island and the Atlantic Ocean. This data showed an area near the eastern end of the Federal Basin where mean low water depths are as shallow as 6 feet. Instances of similar shallow water occur in several other areas including:

- East of Mouse Island, depths of 8 feet or less
- Hills Point, depths of 9 feet or less
- East of Little Twin Island, depths of 6 feet or less
- Jordan Point, depths of 7 feet or less, and
- RN-6B east of Hills Beach, depths of 7 feet or less.

Based on this data, vessels drawing more than 5 or 6 feet of water may face restrictions navigating to Saco Island at periods of low tide. This condition already applies to all boat traffic accessing the Saco River including those accessing from the Saco Yacht Club, Rummery’s or the public boat ramp. The existing conditions in the Saco River impose draft constraints for vessels accessing the Saco Island area and were considered when planning the proposed marina from both design and marketing perspectives.

The users of the proposed marina will be owners of residential condominiums on Saco Island. They will likely navigate the Saco River on a frequent basis and therefore obtain and exhibit local knowledge of the river to a greater extent than transient users.

If you should have any further questions or comments, please feel free to contact me directly at 207-236-9970.

Sincerely,

Blaine M. Buck, A.I.A., P.E., President
Buck Consulting Group, LLC

Attachments

cc:  Mr. Kevin J. Mattson, SI Development, LLC
     Mr. Robert Hamblen, City of Saco
ATTACHMENT A

Photograph of Saco River
Taken April 26, 2007

Response to Saco Coastal Waters Commission Comments
Saco Island
Saco, Maine

View from Main Street Bridge, April 26, 2007