

Five Mile River Commission Annual Report 2014

Introduction

The purpose of this report is to provide the Town of Darien and the City of Norwalk with a summary of the Five Mile River Commission's ("FMRC" or "Commission") activities in 2014, as required by the Commission's ordinances. The report also includes a statement regarding the Commission's recommendations, if any, regarding the current ordinances applicable to the Five Mile River ("River") as well as a proposed budget for 2015.

Background

The FMRC is an agency of the State of Connecticut established by state statute and vested with regulatory jurisdiction over the navigation, environmental health, and conservation of the River and its drainage basin. In addition, the Commission enforces ordinances adopted by the Town of Darien and City of Norwalk governing the moorage of vessels within the River.

There are four Commissioners, two from Darien and two from Norwalk, who are appointed by the Governor of Connecticut. This equal representation reflects that the River is flanked geographically on the west by Darien and on the east by Norwalk.

FMRC Commissioners

Matthew Marion, Chairman, 16 Harstrom Place, Rowayton, CT
John deRegt, 6 Vincent Place, Rowayton, CT
William Jessup, 122 Five Mile River Road, Darien, CT
Dirk Leasure, 94 Five Mile River Road, Darien, CT

FMRC staff

Ray Meurer, Harbor Superintendent, 30 Rowayton Ave., Rowayton, CT
David Snyder, Assistant Harbor Superintendent, 10 Kellog Drive, Wilton, CT
Tammy Papp, Administrative Assistant, 95 Rowayton Ave., Rowayton, CT

FMRC meetings

Meetings in 2014 were held in the Board Room of the Rowayton Community Center, 33 Highland Ave., Rowayton, Conn., commencing at 7:30 p.m. Scheduled meeting dates were January 9, February 20, March 27, May 8, June 12, July 25, September 11, October 1 and December 4.

Highlights of the FMRC's Operations in 2014

- On March 27th and October 1st, the FMRC met with representatives of local marinas, boat yards, and marine service providers (collectively "MSP") to discuss issues of mutual interest. Of primary concern was the creation of an organized, temporary storage arrangement in the River to assist the MSPs during the shoulder seasons when they transition docks and floats to the marinas for the winter and return them to customers during the spring. Based on the March 27th meeting and subsequent informal communications with the MSPs, the Commission proposed a location in the River for such storage, set a per float storage fee, created a marina application and set time limits for storage during the shoulder seasons. At the October 1st meeting, the Commissioners and MSPs discussed and finalized several key logistical issues--the cost of temporary moorage (\$25 per dock/float), the exact length of time docks and floats may remain in temporary storage (October 1 – November 30 and April 1-May 31) and details relating to the controlled mooring area to be used for storage. An "Application for Temporary Moorage Permit" was also finalized and provided to MSPs so they could apply for storage permits.
- The Commission's 2014 financial results were consistent with its expectations. The FMRC's main source of revenue, Harbor Use Fees, are an annual fee paid by all boats berthed or moored in the River, and are earmarked to cover future maintenance dredging as well as the Commission's seasonal operating costs for River-related projects. These fees are deposited in a designated fund maintained by the Norwalk Controller, subject to examination by Darien's Finance Officer. In 2014, the FMRC received Harbor Use Fees totaling \$51,450 from 204 boat owners berthed at docks owned by boatyards, marinas and private individuals along the River. (Separately, the Commission is working with marina operators to expedite collection of these fees from customers who have not yet paid.) As of December 31, 2014, the accrued balance in the designated fund was \$590,785, including 2014 interest income of \$3,765. Operating expenses, comprised mainly of salaries for the Harbor Superintendent and Commission secretary, as well as miscellaneous expenses, totaled \$10,746.
- Use of the moorings in the River remains fairly steady. In 2014, 113 annual mooring permits were issued by the Harbor Superintendent to recreational boat owners. Three permits were issued to commercial fishermen. The Harbor Superintendent maintains a wait list of boat owners requesting a mooring in the River. The number of boat owners on the wait list ranged from a low of 38 to a high of 55 in 2014. (The wait list includes people whose boats are only suitable for certain mooring locations due to boat length or draft. Other people remain on the wait list in anticipation of purchasing a boat.) During 2014, 13 boat owners were assigned mooring

locations in the River for the first time. The wait list is made available to the clerks' offices in Norwalk and Darien, the Rowayton Library and the Darien Library, and directly from the Harbor Superintendent.

- The Commission reviewed and commented on a number of applications for docks and other waterfront construction activities on the River from the Department of Energy and Environmental Protection, Darien Planning & Zoning Commission and the Norwalk Planning & Zoning Commission. The location of the properties included 135 Rowayton Ave. and 167 Rowayton Ave. located in Rowayton, as well as 17 Butlers Island Road and 123 Five Mile River Road in Darien.
- The FMRC met with representatives of Harbor Watch (HW), a nonprofit environmental organization, to review HW's efforts to identify the storm drains that empty into the River and their plan to monitor the outflow for certain pollutants from drains and run-off into the River.
- At several meetings, the Commission discussed the logistics of its next dredging project. The River was last dredged in 1999. Cost estimates vary considerably, but the general consensus is that the Commission would need several times the current account balance to self-fund the dredging operation.
- In 2014, the Commission issued seven service moorings in accordance with its regulations. Annual service mooring permits are issued to qualified marine service operators solely for repair and commissioning purposes, and are also made available free of charge to transient vessels.
- The FMRC continued its practice of maintaining two "No Wake Zone" buoys in the River: one at the entrance to the harbor and a second one 200 yards from the entrance. Enforcement of the "no wake" policy is provided by the Norwalk Marine Police and the Darien Marine Police. The FMRC also maintains a "No Discharge Area" buoy at the mouth of the River.
- The Commission also continued its practice of maintaining a Coast Guard authorized red nun marked "4A" and a green can marked "5" at the mouth of the River to ensure safe navigation as boaters enter the River. The two floating aids to navigation are designated as "private aids to navigation" and are put in place seasonally between April and November by the Harbor Superintendent.
- In the interests of safety and conservation, the Commission continued its strict policy prohibiting boats from using moorings between December-February, and monitored end of season moorage to ensure compliance with this policy.

- As in past years, the Commission maintained a trail of nine marked yellow buoys to segregate the growing number of kayakers and paddle boarders outside the River's main channel in the River. The yellow buoys create a "trail" west of the federal channel that recreational kayakers and paddle boarders are required to follow when transiting the River, thus reducing traffic in the federal navigable channel.

2015 Budget and Ongoing Reviews

For its 2015 budget, the Commission projects income of \$54,000 and operating expenses of \$11,000, and does not at this point anticipate any extraordinary new expenses. In 2015, the Commission intends to continue its review of the environmental health of the River, the timing/logistics for proposed future dredging, and the suitability of the governing ordinances and policies for the Commission's regulatory activities in the River.

Signed,
Matthew Marion
Chairman, Five Mile River Commission