

PA 71-155

SB14

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1451-1967**

0482, an Act concerning appointment and certification of local Fire Marshals and Deputies, File No. 247; Calendar No. 549, S.B. No. 0483, an Act concerning aid to dependent Children, File No. 249; at the bottom of the page, Calendar No. 557, S.B. No. 0878, an Act concerning termination or removal of notice of a vessel lien, File No. 306. And also, Mr. Speaker, on Page 1, I would ask you to remove Calendar No. 529, Substitute for H.B. No. 6167, an Act providing one appraiser of real estate for savings banks and savings and loan associations, File No. 487.

EFH

MR. SPEAKER:

So ordered.

RONALD A. SARASIN:

Mr. Speaker, I move acceptance of the Joint Committees' favorable reports and passage of the Bills on today's Consent Calendar. Bills on today's Consent Calendar, Mr. Speaker, are Calendar No. 519, H.B. No. 5254, an Act concerning estates of welfare recipients, File No. 484; Calendar No. 526, Substitute for H.B. No. 5540, an Act concerning indemnification of directors, officers and employees of mutual insurance companies, File No. 486, Calendar No. 530, Substitute for H.B. No. 6172, an Act concerning home improvement and personal loans by savings and loan associations, File No. 479; Calendar No. 543, S.B. No. 0014, an Act concerning the taking of oysters in the Housatonic River, File No. 325; Calendar No. 550, S.B. No. 0491, an Act concerning Schoolhouse construction, File No. 342; Calendar No. 553, skipping 551, Substitute for S.B. No. 0610, an Act concerning the definition of

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correctional institutions, File No. 290; on Page 3, Calendar No. 558, S.B. No. 0881, an Act concerning notice of a vessel lien, File No. 343; Calendar No. 561, S.B. No. 1011, an Act concerning the keeping of prescription records by pharmacies, File No. 292; Calendar No. 564, Substitute for S.B. No. 1513, an Act concerning testimonial affairs in honor of candidates, File No. 372; Calendar No. 566, S.B. No. 1642, an Act authorizing the State Park and Forest Commission to exchange certain land. Mr. Speaker, referring you, sir, to Page 2, I would ask that Calendar No. 551, S.B. No. 0598, an Act concerning the entering of unauthorized items or persons into correctional institutions, File No. 210, be removed from the Consent Calendar.

MR. SPEAKER:

So ordered.

RONALD A. SARASIN:

An I would ask the adoption of the other Bills.

MR. SPEAKER:

You've heard the motion. Is there objection on the part of any individual member to any of the enumerated items being considered on Consent? Hearing none, the motion is for acceptance and passage on consent of the enumerated items. All those in favor will indicate by saying "aye". All those opposed. The Bills are passed.

RONALD A. SARASIN:

Mr. Speaker, I move the following items be placed on the Consent Calendar, pursuant to Rule 48. On Page 10, the middle of

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CONNECTICUT
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SENATE

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SENATOR PAC. An Act Concerning the taking of Oysters in the Housatonic River.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. Currently, under the present statutes, the only way we can harvest oysters is through the use of tongs. But these tongs are rather heavy and difficult to use and they don't get at the oysters that are covered by sediments. Further, they are unable to get to those oysters that are in deeper water. This bill would permit the use of dredging equipment to do the job. There's an awful good harvest now in the rivers and frankly the mortality rate is very high because they are just going to harvest. In this respect this bill would bring to the markets some seafood that carries a rather heavy price. This will possibly knock down the commercial going price.

SENATOR [unclear]:

Mr. President, I rise to support this bill. It has been well covered by Senator Pac. This will take and eliminate an archaic method of removing these seed oysters. These are the babies that are now suffocating through the sulfa process down there. Right now, about 75% of them are dying through silting, because they aren't being removed. There is sufficient control on this bill by the State through the State Shell Fish Commission on the local beds in the Housatonic River which will control the type of dredging and the amount of seed oysters that are allowed to be taken from the rivers. It's a good bill and should pass.

THE CHAIR:

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Question is on passage. Will you remark further? If not, all those in favor say, "aye". Opposed, "nay". The ayes have it. Bill is passed.

THE CLERK:

CAL. NO. 266. File No. 328. Favorable report of the joint committee on Liquor Control. Senate Bill 725. An Act Concerning the Mandatory Refusal of Liquor Permits.

SENATOR MURPHY:

Mr. President, I urge the adoption of the joint committees favorable report and passage of this bill. All this bill does is, remove from the disability in order to receive liquor permits and also to work it outlets A selectman whose been elected to office, so long as he holds an office in a town, which is different from which the outlet is located.

THE CHAIR:

Question is on passage. Will you remark further? If not, all those in favor signify by saying, "Aye". Opposed, "nay". The bill is passed.

THE CLERK:

CAL. NO. 270. File No. 226. Favorable report of the joint committee on Judiciary. House Bill 5170. An Act Concerning Jurisdiction of Foreclosure or Redemption Suits.

SENATOR CALDWELL:

Mr. President, I move the acceptance of the committee's favorable report and passage of the bill. This bill merely extends the jurisdiction forclosure actions to circuits for the circuit court foreclosures as well as the counties or districts in the Common Pleas, Superior Court. I urge passage.

THE CHAIR:

**JOINT
STANDING
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about an annual fee in that section; it is a daily fee that I had intentions on. There is no question in my mind that this program would not just subsidize itself, but would ultimately provide additional revenue to the State. S.B. 13, AN ACT CONCERNING HUNTING AND FISHING ON GROUNDS OF PUBLIC WATER SUPPLY RESERVOIRS, would provide for fishing and hunting on public water supply reservoirs by permit. This bill was favorably reported out of committee in 1969, passed the Senate and died in the House during the last day of the session. Other states allow the use of reservoirs and they have worked out to the benefit of all. About the only objection to this bill I have ever heard is from our State Health Department who claim the possibility of contamination by the permittees. Frankly, I feel this is about as ridiculous an objection as you can imagine. I'm sure that the State Department of Health does not exterminate all the fish, birds and animals that inhabit the reservoir area. Certainly the "human animals" that would be permitted use of these areas have moral restrictions on their habits and would not add contamination to our public water supplies. I would also call your attention to the fact that because of tax abatements for those water companies, all citizens help to subsidize the cost of having them in our communities. The least they can do is allow these recreational benefits to accrue to the people so they can enjoy them. I'd like to speak favorably on S.B. 15, AN ACT CONCERNING STATE PARK, FISHING AND HUNTING PERMITS FOR ELDERLY PERSONS. We all look forward to the day when we have raised our families, filled our obligations and can enjoy the fruits of our life's work. Unfortunately, every day seems to increase our cost of living, and many of our senior citizens find themselves counting every penny to make ends meet. What little is left over can then be put into the enjoyments that they can afford. S.B. 15 is designed to give our senior citizens a little back for many years of what they have been giving to us. Many of our senior citizens would like to enjoy the benefits that are available in our State Parks, but the burden of additional fees might discourage them. The little income that would be lost by the State by waiving all fees would not be noticed in our present day budgets. In addition to entry into all State Park and Forests facilities without fee, I have also suggested the permit allow the aged to make use of the short term camping areas from Monday to Thursday. This would make good use of our camping areas during the slack periods, Monday through Thursday, but allow for our younger working families to have sufficient camping facilities available to them on the weekends. This would see the State getting full use of our camping facilities for the whole week. I have included the hunting, fishing and trapping sections in this bill, which I think is identical to what Rep. Truex was just talking about, as I am sure there are very few senior citizens who apply for these licenses, even at the present reduced rates. Certainly a state as wealthy as Connecticut can afford to lose \$1.35 on every person over 65 that is still able to hunt and fish. Last year only 19 elderly applied for this license in Stratford - a town of almost 50,000 people. I would like to ask for favorable consideration of S.B. 14, AN ACT CONCERNING THE TAKING OF OYSTERS IN THE HOUSATONIC RIVER. To substantiate the need to eliminate an archaic

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regulation relative to oystering, I have submitted S.B. 14. The gathering of seed oysters in the Housatonic River has been limited to the use of tongs, a device that should have gone out with high-button shoes. It makes about as much sense in 1971 as requiring all trees to be cut in Connecticut using a hand saw. There is no question that years ago this may have eliminated the taking of seed oysters from the natural beds of the Housatonic River -- and because of the number of natural growth oystermen working the beds, it made sense. However, today our natural growth oyster farmers are far and few. Because of this law, a very few seed oysters, in comparison to the potential, are being harvested from the Housatonic River. In fact 75% of the seed oysters are being smothered because of silting and the present restrictions of the use of tongs. I submit a report from Mr. Clyde MacKenzie, Marine Biologist of the U. S. Department of Interior, Marine Lab, Milford, Connecticut, who is an eminently qualified marine biologist specializing in oyster culture. This report will substantiate the mortality rate of seed oysters in the Housatonic River and the need to change the policy of limiting the taking of oysters by tongs. The last paragraph of this report states, "The present management of stocks of seed oysters in the River should be modified in order to obtain maximum yields of market oysters from them in the future. Obviously, much larger quantities of young seed oysters should be removed each year, and general harvesting over all beds should be encouraged during March and early April before the silt-covered oysters suffocate. This latter aspect would also help to remove silt from covered oysters that are not harvested." We can still protect these oyster beds from destruction by limiting a daily take by dredging methods. In this way we will also be able to farm the deeper sections of the river that are presently impossible to work with tongs. In addition, it will allow for better preparation of the natural beds for new "set." At present, less than 10,000 bushels of seed oysters were taken from the Housatonic River natural beds in 1968-69 out of a potential of 50,000 bushels. If we had this law in effect in the 1966-67 period, a total volume of seed oysters available could have been as high as 770,000 bushels. And incidentally, Gentlemen - those are worth about \$2.75 per bushel to \$3.00. Lastly, I would like to speak in favor of S.B. 82, AN ACT CONCERNING THE FUNCTIONS OF THE STATE SHELLFISH COMMISSIONERS. The Connecticut oyster industry can no longer afford to continue its "business-as-usual" attitude towards our dwindling natural resource. A major deficiency in our oyster industry is people who can develop programs to reclaim what we have lost and institute programs to enhance what we have left. The present law provides for the Shellfish Commission to appoint a civil engineer, on a full-time basis, to supervise the office and field work. At the time this law was implemented the office and field work involved was buoying the many private and natural oyster beds in our State. To illustrate the magnitude of that work at that time, I would call your attention to the 1896 Annual Report of the Shellfish Commission. During the year of 1896 the Commission put together an exhibit for the Danbury Fair; repaired or rebuilt 11(eleven) landmarks and stations; 273 buoys were set on just the

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logist, having served the state of New Jersey for nine years as an associate biologist in oyster investigations. I think we're quite aware of the problems that exist, and my good friend, Sen. Gunther is rightly concerned about the fact that the shellfish industry has had difficulty. Let me say this, that the primarily our problems are pollution, the removal of estuaries, the inland waters where oysters naturally breed, propagate, and the pollution that is under them - those things and also the loss of marshes. Connecticut has lost about 50% of its tidal marshes over the last few decades. Those are the problems. I want to say one thing more. We are also opposed to S.B. 14, and at the February meeting of the Shellfish Commission, we unanimously voted to oppose it. This is a bill to enable or allow power-dredging in the Housatonic River. The Housatonic River is under dual control with the waters of the town of Stratford under the jurisdiction of the local shellfish commission, and the waters of Milford under the jurisdiction of the State Shellfish Commission. Section 26-232 and 26-233 regulate the time and method of taking oysters from the River. The restriction to tonging was established primarily as a means of conserving the resource, and the fact that the Housatonic River is still productive in oysters qualifies this restriction. Permitting the use of dredges would, in our opinion, hasten the depletion of the Housatonic River oyster beds. The presence of dredges in the Housatonic River would also encourage possible illegal activities, no matter how well-intentioned the regulation might be under this bill. The Shellfish Commission is of the opinion that S.B. 14 is not in the best interests of maintaining the Housatonic River shellfishery, and respectfully requests this come to your attention. May I say just one more thing - that Sen. Gunther and his presentation spoke about the silting, which is a very real problem in the river, and one that we in the oyster industry, I'm an oyster planter myself, it's a situation that we run into also on our private beds. There are devices, de-silters such as an angled board on wheels so that it will not interfere with the oysters, that is towed over the beds that can be used to desilt the beds without dredging, without any touching of the oysters themselves, and I would respectfully suggest consideration by the Stratford Commission of the use of that type of equipment which is certainly allowable under the present law, and would not have to be allowed under another law. Thank you.

Sen. Gunther: Mr. Nelson, as I said before to Rep. Bigos, we really didn't have a chance to discuss the report we got in on that committee relative to the duties and I would point out that a lot of those duties are secretarial or something that anybody could do in the office, such as licensing, collecting taxes, and this type of thing. It doesn't require an engineer to do that, does it?

Mr. Nelson: Senator, I'm going to take issue with you on that. The office duties that you speak of are handled almost exclusively by the clerk who is a full-time office man, and that the engineer has full-time, believe me, he has full-time duties which is to take care of the engineering needs.

Sen. Gunther: That's the point I was going to make second place. Putting those duties under his certainly isn't a true reflection of the duties he had there.

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How many disputes have we had on boundaries in the past year in the shellfish industry? Do you know?

Mr. Nelson: I don't know of any. I think it's pretty well understood, if you are in doubt, you get the shellfish engineer to buoy the ground which is done for a fee, and that's it. It's just taken for granted, you just don't dispute the -

Sen. Gunther: The point here I was making, we didn't have to settle a dispute this year then.

Mr. Nelson: None that I know of.

Sen. Gunther: So we didn't need the services there. How many bouys were set in the past year by the engineer? I believe by law we're required to buoy the natural grounds, aren't we? All right, now, how many buoys did we place this year?

Mr. Nelson: I don't have that figure, sir. It's, it would be a great many of them. Hundreds, I'm sure.

Sen. Gunther: Would you say they were as great as 350? I'm sorry - the 273 that back in 1898, that's seven years after the Commission, I know you weren't on it yet.

Mr. Nelson: I'm old, but not quite that old.

Sen. Gunther: Again, I point out that the activities that were conducted back in 1898 when apparently the setting up of the engineering services were necessary, that there were 350 sloops operating on the natural growth beds, that there were 75 commercial boats, that today we have nowhere that activity, do we?

Mr. Nelson: No, we do not.

Sen. Gunther: And actually, when we're talking about engineering, the laying out of these beds and I'm sure, unfortunately, many of our non-coastal people probably don't know what we're talking about. I'm trying to get this into their testimony, so they'll know a little something about it. We're down, really, to about 30 or 40 boats on the entire Long Island Sound that we have to take and contend with.

Mr. Nelson: Directly engaged in oystering. I would imagine that is approximately correct.

Sen. Gunther: All right, now, as you know the bill does specify that you can get the services of the engineer from the State Highway, and if I might make mention of this at this time, the present engineer was a State Highway civil engineer, wasn't he? Prior to coming to -

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Mr. Nelson: That was his previous assignment.

Sen. Gunther: All right. In the engineering procedures of laying out the beds, although you've implied specialty, they do use standard engineering procedures in order to lay these beds out, don't they, Mr. Nelson?

Mr. Nelson: They're standard engineering procedures with special applications and we have had experience in New York state where I also operate with expert engineers sent down from Albany, and they spent days getting educated as to how find corners under water, which was just laughable, and we in the industry who set buoys ourselves by using sextants, under the direction of an engineer, really had to get in and show them how to do it. It was really quite a party.

Sen. Gunther: Now, you've made mention of the Marine Laboratory which is primarily a research, this is the United States Marine Laboratory in Milford, which is primarily research, and certainly not into the actual programming that the bill in question here is involved in. We're talking about a management-type biologist, not a research biologist.

Mr. Nelson: We are, we have available, and they have been very cooperative in helping us with our management projects, of which we have had several; and as I mentioned before, the policies of the Commission are determined by the Commission, not by its employees.

Sen. Gunther: Now, you say the problem with the oyster industry is primarily pollution. But how much of the total oyster beds in the state of Connecticut right now are being prepared and cultivated for oyster culture and agriculture or farming?

Mr. Nelson: Of the total 40,000 acres, because of the impact of pollution and because of the shrinkage of available stock, the percentage is quite small. I would not be able to give you a figure, but it is -

Sen. Gunther: Would 1% be roughly about a close figure?

Mr. Nelson: No, it would not.

Sen. Gunther: You think it would be greater than one? Would it be greater than 5%?

Mr. Nelson: I think it would be in the neighborhood of 25%.

Sen. Gunther: So actually, we have a much reduced activity in the state of Connecticut relative to oystering.

Mr. Nelson: For reasons which I have touched on, yes, sir.

Rep. Costello: Mr. Nelson, Rep. Costello from the 72nd District. I heard Sen.

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Gunther's remarks in support of his bill this morning, and as a result of listening to those, I'd like to ask you a multiple question. He specified that the state of our shellfish grounds at the present time is characterized as disastrous, and also he commented that the results of an expenditure of some \$200,000 of a Federal grant by your Commission in the past three years might also be characterized as having results that are disastrous. I wonder if you might comment on those.

Mr. Nelson: I would be very happy to. Contrary to that belief, the results of that project, which was started in 1966, in 1965 the industry was down to such a low point that it qualified for a disaster loan, or rather, a disaster grant from the Federal government, and this was used to primarily establish some 37 spawning areas, using current spawners of known good qualities, under the direction and advice of the Federal laboratory, Milford laboratory that I've spoken about. As a result of this, we had a very good oyster set, natural oyster set in 1966. In 1967 the temperature did not rise enough to allow spawning in the regular manner, and there was no oyster set. In 1968 we had the largest oyster set, the most abundant oyster set that's occurred since 1930, and we had another set in 1969. So we have produced three bumper oyster sets as a result of this program, and I would say that this could not be categorized as a disaster, by any means. I would say that the supply of oysters, while still very much below the potential of the state, is more than 100 times, and I would almost say 1,000 times what the supply was in 1965 when this disaster loan program was carried out.

Sen. Gunther: You said it was very successful, we had a good spawn that year, and the program was producing spawning beds, 32 I believe you mentioned. Now was the spawning only in the area of those spawning beds, or did it involve the entire East Coast oyster fisheries, and I'm not talking just Connecticut, I'm talking the entire East Coast.

Mr. Nelson: I don't have knowledge of the situation in all of the East Coast areas. There was a good set, I believe, in Maryland that year. I have some knowledge of that, and let me say this. Categorically, in order to have a successful set, natural set, you've got to have two things, you've got to have more than two, but there's two that are absolutely essential. One is parents, which anybody knows we've got to have, and the other is weather conditions that favor the juveniles, these little larvae when they spend about fifteen to seventeen days as swimming animals, you have to have weather conditions that do that. If you don't have those, you flunk out. Now, we've had now, thanks to this program, we have the spawners; in '66 we had weather, we got the set; in '67 we didn't have the weather, we didn't get the set; in '68 we had the weather and we got the set; in '69 we got the set. Now, I would judge that similar favorable weather conditions would help the oyster industry in other states, and perhaps the pattern obtained here would have also been in other points on the Coast.

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Sen. Gunther: Mr. Nelson, how many of those spawning beds still exist of the 32?

Mr. Nelson: Quite a number, I don't know the exact figure.

Sen. Gunther: I believe you've seen a copy of the report I believe of some eight to ten beds that I requested be surveyed by the United States Marine Biology Lab in Milford, and the condition of those beds, in an area that was supposed to be part of the spawning program. I believe I sent a copy of that to you.

Mr. Nelson: I believe that I recall such a -

Sen. Gunther: Frankly, I could hardly call the analysis of the bed area that was supposed to have been planted, I shouldn't say supposed - the area that was planted, certainly didn't demonstrate a viable type spawning area. In fact some of them were mud, no evidence of spawners, I've got that report, I'm sure that if you review it, you'll find that in the ten areas that I requested, that that did not show a productive viable type spawning bed still existing. I think an exception was one in the Stratford River, or the Housatonic River. Actually, when it comes to programs, is there any other program besides that program that's been implemented by the Shellfish Commission in the State of Connecticut in the past ~~ninety~~ years?

Mr. Nelson: Yes, there's been a number of them

Sen. Gunther: What programs have you implemented?

Mr. Nelson: Well, we're very active in programs of starfish eradication, and this has led to methods whereby today the industry has effective means of combatting starfish. Now, I just want to remark on your survey. Of necessity you have current spawning areas that are most advantageous. One has to go into estuaries where the water is shallow, where the sun will warm the water, and the conditions are favorable to the propagation. Now, many of those areas are subject to winter storms, erosion, that sort of thing, and spawners can be placed there in the spring after the winter storms are over, they do their spawning. The fall comes along; they either must be removed and stockpiled which the Commission has been doing to a great extent, stockpiling those unsafe beds in the harbor, and then replanting those at the time of the year. This program is currently being carried on at the present time.

Sen. Gunther: Would you say that the engineer would be primarily involved in locating those spawning beds, and this a duty that's delegated to him? By your Commission?

Mr. Nelson: We would certainly ask the engineer to locate a spawning bed if we could not find it any other way.

Sen. Gunther: But you don't direct him to the spawning bed yourself with your marine

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biology background?

Mr. Nelson: We might.

Sen. Gunther: Well, you might, but did we?

Mr. Nelson: Probably.

Sen. Gunther: Well, I'm not getting a yes or no, and I know I'm -

Mr. Nelson: I'll say, yes I did.

Sen. Gunther: You gave directions to the 32 spawning beds?

Mr. Nelson: I won't say to the 32, no = but I directed him to and discussed this with him, and depended upon him to get these plantings made.

Sen. Gunther: Now, there was one ingredient you left out on - sort of the demise of the oyster industry, or let's say a reduction to where we are now. You went into pollution and weather conditions and this type of thing, but one area you didn't touch on was the need for cultch, or preparation of beds. Now, in the state of Connecticut, have you any idea of how much cultching goes on, and it's done, I take it, by the four or five commercial owners only, aren't they?

Mr. Nelson: Right. Cultching, and just for explanation, cultching means the preparation, the best cultch is shell that has been put on the dock and allowed to bleach, and then is removed at the right time of the summer and put out on the beds where the swimming oyster larvae are for them to attach to. Now, that is an expensive job, it costs about 50¢ a bushel to gather this shell, put it ashore, and under the most favorable conditions with using power equipment. The growers do it themselves because, on certain beds, because of the hope for and in years of setting the profit that can be made. The natural beds, Bridgeport natural beds for instance, Bridgeport and Stratford, has approximately 1,000 acres on it. To prepare and plant cultch adequately for that 1,000 acres would be a million dollar job, probably more. Now, I'd like to say that the state of Maryland does just that. The state of Maryland has a fortunate situation. They have beds of fossil shells in the bottom of Chesapeake Bay; they have worked out an arrangement with the commercial dredger to go in and hydraulically dredge those shells with very big equipment, it operates 24 hours of day, there's a string of barges that just go right around the clock and fill up. The millions of bushels of oysters are mined hydraulically, but the state requires the contractor to turn over to the oyster industry without cost to the oyster industry, about 5,000,000 bushels of those shells which are on natural beds. This is wonderful, I wish we had it. I wish we even had a replica of it. We do not have, and we would love to, we do not have the means of cultching the Bridgeport beds adequately, which we wish we did.

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Rep. Ciampi: No, Senator, I'm not cutting you off. Do you have many more questions? If you have - we could bring Mr. Nelson back to us in Executive session, if you have many. If you have just -

Sen. Gunther: Last one. You don't know, or probably you do know, how much of a cultching program was conducted by the commercial oyster growers in the state of Connecticut last year? Was it 50,000 bushels, 100,000 bushels?

Mr. Nelson: Approximately a quarter of a million bushels.

Sen. Gunther: 250,000 bushels. Of course I quoted the figure in 1889, 8,000,000 - almost 9,000,000 bushels - so that we didn't have the growing area, the farmer wasn't out there to catch the set even if we had it. And the only area it has to go, really, right now, is primarily to the commercial beds and to some choice natural beds. Isn't this true?

Mr. Nelson: We are making an effort to do what we can, and I think I know that you were instrumental in an effort on the Bridgeport beds, which was unfortunately not great, because of limitations, but most mindful of that, and also let me say, Senator, that we thank you for the cooperation you have given us, we know that you are in favor of bringing back this resource, and we just, however, have to take issue with you out of these bills.

Rep. Ciampi: Thank you very much, Mr. Nelson. We'll move on to the next speaker. Mrs. Bertrand Brown, Glastonbury.

Mrs. Brown: Mrs. Bertrand Brown, Chairman of the Glastonbury Conservation Commission, speaking for the Commission for H.B. 5036 regarding soils mapping. The town of Glastonbury is very fortunate; we have a complete set of soil maps. We find them indispensable for all kinds of land use planning. This is the kind of information a town has to have, you have to know where the wet spots are, where the ledges are, in order to make any kind of intelligent decision about what to put where, and what not to put where. We feel this information should be made available as soon as possible to all Connecticut communities, and for this reason, endorse and increase the appropriation for this purpose. Thank you.

Rep. Ciampi: Thank you, Mrs. Brown. Mrs. Tanya Metaksa.

Mrs. Metaksa: Chairman, members of the committee, I am Tanya Metaksa, representing the Connecticut Sportsmen's Alliance. The Connecticut Sportsmen's Alliance is the political action organization for all the sportsmen of Connecticut. I am here to endorse two of the bills that you are considering. The first is H.B. 5808 introduced by Rep. Thomas J. Donnelly. This bill would repeal the bounty laws now in existence. The bounty system is not needed in the

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having a diminishing area for hunting and fishing, and we favor this bill. I can point out, and Mr. Iwanicki can attest to this, that we have a lot of hunting on public water supply in the city of Meriden for the last fifteen years with no adverse affect to the ecology. It provides an excellent area for recreation. We have also allowed fishing on the reservoir, Broad Brook Reservoir, one of the areas of Broad Brook, for the last, I believe, five years, and it was on a required basis, a permit basis, a limited basis, where you could come into the Town Clerk and you could obtain a permit to allow you to fish. It was very regulated fishing. We did have some minor problems with litter, but we find that the litter is not caused by the fishermen primarily, but it's caused by the people who travel along the highways. As a matter of fact, the local Rod and Gun Club has a clean-up processevery Fall, and along the reservoir, they pick up two and three truckloads of debris that just a careless citizen deposits along the roadways. These are not by hunters, these are not by fishermen, these are by people who are insensitive to our woodlands and waterlands. You know, the American people are one of the greatest litterers. We also wish to go on record opposing the bounty bill. This bounty bill, its concept might have been fine three or four hundred bills when we had a load of wildlife, but we've now learned that there's a balance of nature we have to be concerned about, so consequently we are opposed. Thank you for your time.

Rep Ciampi: Thank you very much. Edwin C. Porter:

Mr. Fordham: Mr. Chairman, and gentlemen, I am Edwin C. Fordham, Chairman of the Stratford Shellfish Commisison of the town of Stratford. We are in favor of S.B. 14 regarding the taking of oysters in the Housatonic River. The Stratford Shellfish Commission has had a program for oyster propagation since 1955 in the Housatonic River. The program is primarily a cultching operation whereby shells are planted in the river to which young oysters attach. The young oysters are then removed from the river by independent oystermen, known as natural-growth oystermen, and sold to large oyster companies. The town of Stratford has paid 40¢ for each bushel of oysters removed from the river. The monies collected are used to purchase and plant shells the following year. A unique feature of the Housatonic River program is that resident of the state of Connecticut can harvest oysters from this area, providing they comply with state and local laws. One of the major obstacles in harvesting the oysters from this river is the restriction of catching the oysters with tongs. Although oysters are abundant in the river for the past three years, a maximum of six men have harvested oysters from this area in any one year. The prime reason for the lack of oystermen is the strenuous labor connected with the tonging of oysters. A good oyster set was obtained in 1968, and a survey of the oyster population was made for the years 1968 through 1970. The survey was made Clyde L. MacKenzie, Jr. from the Bureau of Commercial Fisheries, Milford, Connecticut. This survey established that 87% of the young oysters, which had set in 1968 had died from the silting action in the river by may 12, 1970. During this time approximately 20,000 bushels of oysters were harvested by a maximum of six men who worked on a part-time basis. An additional 50,000

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bushels more oysters remain in the river today because of the harvesting methods required by law. The Stratford Shellfish Commission is interested in the propagation of oysters in the Housatonic River for the following reasons: 1) to apply management methods to this natural resource which will provide a maximum yield of shellfish; 2) to provide a source of young oysters for oyster companies in Connecticut or other states; and 3) to provide a source of income to ambitious young men who want to take advantage of this natural resource. If we are to convince people to participate in this industry, we must update our harvesting laws. The tonging restriction dates back to 1900 and was used as a means of keeping, as a means to keep from depleting the oyster beds, which were worked at that time by several hundred persons. However, our knowledge of this animal is greatly improved, and there are better methods for controlling the animal population than through the restriction of tonging. Whenever there is an 87% loss of a harvestable crop, the problem must be recognized, and a course of action taken. Dredging of oysters in the Housatonic River will reduce the mortality of the oyster through silting, because areas will be dredged which are too deep for the tonging operation. A method of harvesting which will increase the yield of the individual oystermen should attract more people to take advantage of this natural resource. The Stratford Shellfish Commission urges this committee to support S.B. 14. I would also at this time like to make a couple of comments in regard to the Stratford Shellfish Commission. The Stratford Shellfish Commission came into being because in 1965 the State Shellfish Commission, in an act of conservation-mindedness, requested the closing of the Housatonic River from the removal of all shellfish for a period of two years. The citizens in Stratford opposed this conservation measure, and after that the Shellfish Commission of Stratford was formed. At that time the shell propagation program was initiated and the State Shellfish Commission cooperated with the Town Shellfish Commission. However, in 1969, it was obvious that although we had a good cultching program, the tonging law and also the laws which prohibit the taking of oysters from other natural beds, by specific means, were inadequate. They all dated back to approximately 1880. I personally asked the State Shellfish Commission to submit a new proposal for the dredging of oysters on the natural beds, and I was told by the engineer, Mr. Bontya from the State Shellfish Commission, that it was too much trouble to take the time to submit the laws. Consequently, we made the submission of the law through Senator Gunther. And the law was passed by you gentlemen two years ago for the taking of oysters through dredging, on the state natural beds. As of this date, as of May 1970 - it was December 1970, there were 25 oystermen who were asked and received permits to remove oysters from natural bed areas. Nineteen of these people worked on the Bridgeport natural bed and removed a total of 22,000 bushels from this area. In the Housatonic River we only had six people working through use of the tonging law. Now, everyone of these 25 people had a permit to work in the Housatonic River, but did not do so because of the restrictions of the tonging law and the work connected with it. Consequently, we are back again this year, and we are asking for the dredging to be extended

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to the Housatonic River. Now I think that any local community should be able to turn to a state commission and look to them for help and aid, primarily because they have more resources, they have full-time help in many cases, and they have access to the legislators. However, you will note, and I make a point of this, that of any bill that we have submitted, the one organization against it has been the State Shellfish Commission. And I do not think that they are taking the road of good conservation practice in this industry. At this time, I would also like to point out that I have a letter to submit on S.B. 14 concerning the taking of oysters from the Housatonic River by the Blum Brothers Oyster Company in Norwalk, Connecticut. I would also like to speak in regard to S.B. 82 regarding the replacing of the engineer by a shellfish biologist. There are roughly 50,000 acres of oyster grounds in the state of Connecticut, and up to about 1930, about 30,000 acres of this ground was utilized by oyster companies, and this included the natural beds, which - the natural beds are all of the inshore harbors and inland waters. Up to this period of time, approximately 30 oyster companies existed, and their land holding areas ranged in the average of four to twelve thousand acres of grounds. Today, we have four oyster companies in Connecticut. Whereas there was a great requirement for an engineer to designate lots, to do surveying, this was a need in the years prior to 1930. However, today there is no need for an engineer. Or if there is a need for an engineer, then a man should be able to be hired whenever this need arises. I have had lots surveyed in Florida, and I called out engineers to do original survey work. Any engineer used in the state of Connecticut has books, located in the Shellfish Commission's office in Milford, Connecticut, where they can turn to get all the required angles to set up any lot that has been established. The only time he would have to do brand new work is when a new lot was set up that had never, in all ninety years of the Commission's existence, been surveyed for oystering. Now I submit that with the condition the oyster industry is in today, a biologist would be far more important than the present engineer. I might also add that, actually two of these four companies, are located in Norwalk, Connecticut. The State Shellfish Commission last year told the oyster companies that exist in Norwalk, Connecticut, that they could not furnish, and would not furnish a state shellfish engineer to survey these lots. Consequently, one-half of his work was diminished with that decision by the Shellfish Commission. Consequently, if this, if the Shellfish Commission is to help oyster companies, and they will not allow the work done to these private oyster companies, then I think this job should be abolished. Thank you.

Rep. Miller: I have a question on the refusal to do the surveying. What reason did they give?

Mr. Fordham: The oyster grounds in the state of Connecticut are divided into grounds that are under the jurisdiction of the state, and grounds that are under the jurisdiction of the township. In this particular case, it is a prerogative of the Shellfish Commission to decide whether they want surveying to be handled by

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request by the shellfish engineer. However, up until the time Mr. Bontya became engineer, to my knowledge all grounds were surveyed by the engineer, whether they were in the jurisdiction of the state or whether they were in the jurisdiction of the township. In fact, all of the angles for all of the corners of these grounds should be located within the Shellfish Commission office, and right now, in fact, because of the demolishing of many old landmarks, landmarks, such as old chimneys, high buildings, and these are being replaced with new power plants with 500 foot chimneys, and new landmarks, we have requested that the State Shellfish Commission have new angles set up because many of these old points on which the surveying is accomplished have been destroyed in recent years. And once these landmarks are gone and not any new angles set, then of course the work will be multiplied ten-fold for any engineer undertaking the job.

Sen. Gunther: Is there a fee paid by the commercial companies for the laying out of the beds by request, or is this a courtesy?

Mr. Fordham: All engineering costs have to be paid by the company for which the surveying has been done.

Sen. Gunther: In other words, we're reimbursed for any -

Mr. Fordham: You're reimbursed according to whatever the Shellfish Commission sets as a price for that survey.

Rep. Matthews: I have a question here. In your estimation, can you tell us what the major duties of whoever becomes the head of your shellfish directorship, what is the main duty of that person in your mind, and how much of his time would be spent doing the major duty that you're going to describe?

Mr. Fordham: I would say if a biologist were -

Rep. Matthews: I'm not asking that, I'm asking what are the major duties, and how much time would the person appointed be performing those duties?

Mr. Fordham: I cannot really answer your question, because I do not follow the engineer around all day, but in terms of surveying grounds, which is his prime business, I know that in the Norwalk area, he has not been called down there for at least one year.

Rep. Matthews: Well, that's fine, but I still am asking you if you can, maybe it's not a fair question, but can you tell us what you think the major duties of the director would be?

Mr. Fordham: Well, the director of the Shellfish Commission, if he is the engineer,

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he should be responsible for operating the boat, he should be responsible for the direct, according to the Commission's wishes, instigation of programs, he should get the oyster industry, if it were in its prime, he would probably have 95% of his time spent surveying grounds. Now, in regard to disputes over grounds, to my knowledge, these have always been minor, and have been usually settled between companies themselves.

Rep. Ciampi: Thank you very much. Anthony Perrone.

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Mr. Perrone: My name is Anthony Perrone, I'm a public school educator, and I live in the town of Somers, Connecticut. A former United States Secretary of Health, Education and Welfare, Oveta Culp Hobby, hit the nail on the head when she said that "the three classical little monkeys who see no evil, hear no evil, and speak no evil, are teachers of immorality." She argued that it is the moral duty of a good citizen to inform himself about what is evil in our society and to speak out against it. Distinguished members of the Environmental Committee, I have been informed, as you have also, about a condition which exists in our society that permits, because there is no legislation to prevent or outlaw it, unwanted animals, sick animals, and surplus animals to be disposed of in manner that can only be described as slaughter. It is not my intent to rehash or to redescribe the many varied ways animals are being slaughtered; the Report of the American Veterinary Medical Association Panel on Euthanasia, which each of you received a few days ago, takes care of that nicely. Pardon the mis-use of the word 'nice' because, some of the methods mentioned in the referred report of the A.V.M.A. on animal euthanasia could at best be described as immoral, degenerate, disgusting, cruel, etc. I am sure that you do not like to hear or read about the cruelties. Most people don't, but now that you are aware, or being made aware, of the situation which exists that permits the use of inhumane methods of putting animals to death, I think that you will want to put a stop to it. Therefore, please react favorably to the Animal Euthanasia bill which prescribes the only true humane method of putting animals to sleep - the intravenous or the oral overdose of barbiturates, which has been introduced by Sen. Robert Houly and which is being heard today. If you do, this condition of the varied methods of animal euthanasia now being employed, which can best be thought of as nightmarish because of the almost indescribable cruelty and suffering it often causes, will be eliminated. Also, will you please keep in mind that man's responsibility to all creatures is great. He may use them for his pleasure, his enjoyment, his use, for his nutrition. But he also has the responsibility not to torture or abuse them. Thank you very much.

Rep: Ciampi: Thank you. Chester Rennison.

Mr. Rennison: Mr. Chairman, my name is Chester Rennison, president of the Game Breeders' Association, on the board of directors for the Sportsmen's League,