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1 years where you have areas that set naturally with
2 clams or oysters that need some encouragement, there
3 might be a layer of silt over the bottom, which is an
4 ongoing problem with all cultivation practices in
5 Connecticut, but this area will, and it has
6 demonstrated itself time and time again over the years,
7 that it reacts to cultivation in an extremely
8 productive way, because as a shell fisherman when you
9 look at a piece of ground, you can't judge it whether
10 it's productive or not until you employ the traditional
11 methods of cultivation, and then at the end of that
12 effort period, if the results are you don't get any
13 recruitment in the area, then you might -- the thought
14 is well then maybe it's not as productive --

15 MS. GILSON: And --

16 MR. WILLIAMS: -- but you can't look at
17 a piece of ground and say well there's only 10 clams
18 per acre on it and it's not productive. That has
19 nothing to do with cultivation, okay.

20 MS. GILSON: I see. So in the
21 undesignated beds, these are not just pieces of ground
22 that haven't been leased, these are -- are these
23 prepared grounds or are they qualified by the State in
24 any way?

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1 MR. WILLIAMS: On the undesignated
2 ground?

3 MS. GILSON: Yes.

4 MR. WILLIAMS: The undesignated ground
5 is just that, it's undesignated. It was either
6 previously owned and cultivated and given up back to
7 the State or the town for that matter --

8 MS. GILSON: Right.

9 MR. WILLIAMS: -- for whatever reason --

10 MS. GILSON: Okay --

11 MR. WILLIAMS: -- but the reason -- you
12 know, if you give up a piece of ground, it doesn't
13 necessarily mean it's not productive --

14 MS. GILSON: I see --

15 MR. WILLIAMS: -- it's speculative as to
16 the reasons why.

17 MS. GILSON: Okay. You -- in your
18 experience would you expect uniform currents disturbing
19 the sediment in a regular pattern in the harbor after
20 there's been disturbance as proposed by Islander East?

21 MR. WILLIAMS: Absolutely not.

22 MS. GILSON: Can you elaborate on that?

23 MR. WILLIAMS: Well, yeah. There's all
24 kinds of different currents up there and there's

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1 physical obstacles, there's rocks, there's different
2 currents depending on the wind regime, weather events.
3 My experience with all of this is that even the natural
4 sedimentation rates on some of the beds changes from
5 one end of a lot to another. One end of a lot can stay
6 clean year after year and the other end for some reason
7 just accumulates a natural amount of sediment and every
8 year we go back and we've got to work it off a little
9 bit to make it clean. So no, my experience is that
10 this stuff has got -- almost has a mind of its own
11 really.

12 MS. GILSON: Thank you. One last
13 question. You talked about the value of this oyster
14 fishing area and clam area in Branford. Can you
15 quantify the dollar value of the beds you testified
16 about?

17 MR. WILLIAMS: You mean talk about how
18 much I've harvested off --

19 MS. GILSON: Sure.

20 MR. WILLIAMS: Okay. Well, when I was
21 harvesting in this area and subcontracting my services
22 out to Tallmadge Brothers at the time and I was using a
23 lot of their beds even in Branford, we would harvest in
24 excess of 10,000 bushel a year of clams and oysters.

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1 And the dollar value -- I wasn't paid market value of
2 the animals, so -- but based on that, it would be fair
3 to say that between January of '87 and September of
4 '95, I harvested probably four million dollars worth of
5 shellfish in this area.

6 MR. TAIT: From this area we're talking
7 about or from all areas?

8 MR. WILLIAMS: No, no, no, no. In the
9 Branford area.

10 MS. GILSON: You yourself?

11 MR. WILLIAMS: Yes.

12 MR. ASHTON: In the Branford area?
13 Could you be more specific please.

14 MR. WILLIAMS: Well -- yeah. The scope
15 of my operations in Branford range from literally the
16 Stony Creek channel, there's lots there. West to Lot
17 10, which would be west of Branford Harbor, but it
18 would be immediately inside the Black Stone Rocks area.
19 There was -- one piece of ground was just south of the
20 breakwater at the country club there. My little
21 postage stamp 128 out there. It's -- it's on the --
22 you know -- excuse me a minute -- (pause) --

23 MR. SNOOK: We do have the Branford map
24 available identifying the beds that are being described

1 if the Council wishes.

2 MR. ASHTON: I just want to be sure we
3 understand what the relevance of the 10 million is --

4 MR. WILLIAMS: Ten?

5 CHAIRMAN GELSTON: Four --

6 MR. ASHTON: Four million, pardon me.
7 Where they were harvested.

8 MR. SNOOK: Perhaps I could be of
9 assistance. Mr. Williams, is it your testimony today
10 that the areas that you were describing from which the
11 four million dollar figure, which I believe was '87 to
12 '95, is in the vicinity of the Branford Harbor to the
13 Thimble Islands, the northwest reef area?

14 MR. WILLIAMS: Yes, it would be.

15 MS. GILSON: I apologize. This is what
16 he had testified to in response to Mr. Horne and I
17 could have identified it, but this --

18 MR. ASHTON: This is the area that would
19 be east and west of the Tilcon channel?

20 MR. WILLIAMS: It would primarily start
21 from the channel west --

22 MR. ASHTON: Okay.

23 MR. WILLIAMS: -- my primary area of
24 harvesting --

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1 MR. ASHTON: West of Black Stone Rocks -

2 -

3 MR. WILLIAMS: Actually -- yeah, with
4 the exception of 128, which is south and east, and
5 there is a lot that would be south of the breakwater
6 which was just immediately north. But roughly, yeah,
7 you're correct. If you use Black Stone Rocks, slightly
8 east of it is a line and it would be from there west,
9 right

10 MR. ASHTON: Okay.

11 CHAIRMAN GELSTON: Did you say you'd
12 like to offer a map, Mr. Snook?

13 MR. SNOOK: We have it if the Council
14 wishes. It's -- I'm not sure the Council wishes any
15 more maps. If they don't have enough maps, we can get
16 you more maps.

17 CHAIRMAN GELSTON: The application is
18 pretty thorough.

19 MR. SNOOK: I rather thought so.

20 CHAIRMAN GELSTON: You through, Miss
21 Gilson?

22 MS. GILSON: Yes, sir.

23 CHAIRMAN GELSTON: Thank you. State
24 Representative Peter Widlitz -- Patricia Widlitz? (No

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1 audible reply). Iroquois Gas Transmission?

2 MR. SMALL: No questions, Mr. Chairman.

3 CHAIRMAN GELSTON: State Senator William
4 Aniskovich? Save the Sound, Incorporated? State
5 Representative Peter Panaroni? Menunkatuck Audubon
6 Society? Mark DeFelice? Tilcon & Branford Steam
7 Railroad? Juniper Point Association? Edward P. Lang?
8 Raymond J. Gincavage? (No audible replies).
9 Connecticut Stop the Pipeline?

10 MS. KENNEDY: Yes. Katherine Kennedy
11 for Connecticut Stop the Pipeline. Again, some of the
12 questions I have, have been covered.

13 Mr. Williams, you testified that you
14 observed problems with siltation during the Iroquois
15 installation. Could you clarify what the concern about
16 siltation is to the shellfish industry in general?

17 MR. WILLIAMS: Yes. The problem is with
18 siltation -- as a person that farms the bottom of Long
19 Island Sound -- depending on the area you have a
20 natural siltation rate, siltation in Long Island Sound.
21 It is a turbid body of water and we're constantly in a
22 battle with keeping certain beds clean, free of silt,
23 and it's a year-to-year battle. And it's one of the
24 concerns that we have as far as the health of the

1 bottom. Knocking silts off the bottom is fundamental
2 to the survival of a lot of the small and medium size
3 shellfishes, particularly oysters. So it's an
4 expensive process, but it's necessary, and it's
5 directly linked to the health of the bed.

6 MS. KENNEDY: And do you have any
7 concerns about the cultivation of shellfish from the
8 exit point of the HDD on through the trench that's
9 anticipated there and on out to the state jurisdiction
10 line, do you have any concerns about after the
11 installation of the pipeline?

12 MR. WILLIAMS: Well after -- very
13 obviously there's going to be a lot of mortality along
14 the scar. It's -- that's pretty much a no-brainer.

15 My concern is the -- I -- unless I'm
16 remiss, I haven't heard or seen anything that suggests
17 that the scar is going to be either back-filled or with
18 any kind of side-cast. If they're going to back-fill -
19 - maybe I'm remiss in that. My concern is the bottom
20 profile. So ultimately somehow someday through some
21 process you'd be able to cultivate shellfish there
22 again. But the immediate concern is that -- what it
23 does, essentially, is create a zone of no cultivation.
24 I mean that's basically the bottom line as far as the

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1 shellfish are concerned.

2 MS. KENNEDY: And currently it is
3 possible to cultivate shellfish in that vicinity --

4 MR. WILLIAMS: Yes --

5 MS. KENNEDY: -- right now?

6 MR. WILLIAMS: Yes. Yes, it is.

7 MS. KENNEDY: You have -- let's see --
8 you've testified that you are concerned about the
9 anchor scars --

10 MR. WILLIAMS: Yes --

11 MS. KENNEDY: -- correct?

12 MR. WILLIAMS: Yes, I am.

13 MS. KENNEDY: And again, you're
14 concerned about them because they might serve as an
15 obstacle to the dredge and also because of the way that
16 they might fill in?

17 MR. WILLIAMS: That's correct.

18 MS. KENNEDY: Do you think that anchor
19 scars should be allowed to fill in naturally?

20 MR. WILLIAMS: No --

21 MS. KENNEDY: What --

22 MR. WILLIAMS: -- absolutely not.

23 MS. KENNEDY: What kind of mitigation
24 measures do you think that Islander East should be

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1 required to do in your experience as a shell fisherman?

2 MR. WILLIAMS: Yeah, that's kind of a
3 loaded question. You know, I'm not -- I'm not in the
4 hole filling business. You know, I'm in the
5 cultivation business. But in an ideal world it would
6 be nice to know that a lot of the scarring is going to
7 be fixed some how and the holes aren't left there. And
8 what that encompasses, I don't know. It would be a
9 comforting thought that you'd have some restoration of
10 the bottom in these impact areas.

11 MR. TAIT: You don't recommend dragging
12 an I-beam though?

13 MR. WILLIAMS: No, I don't. (Laughter).
14 No.

15 MR. TAIT: I just want to be clear on
16 that.

17 MR. WILLIAMS: Yeah, no, no. No. But
18 you know, I -- I don't want to pontificate on fixing
19 the bottom, that's not my expertise. I don't know
20 exactly what we're talking about here. I know -- I've
21 heard in the past on other mitigation methods that you
22 can use shell to fill the holes and this kind of thing,
23 that may or may not be appropriate. But it is a
24 concern, yeah, it is. There are examples in the Sound

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1 of holes that are there in my experience that have
2 stayed holes and they accumulate apparently some kind
3 of fine grain stuff and they're basically kind of like
4 dead in these holes. Some of them are quite large, but
5 --

6 MS. KENNEDY: Do you know where any of
7 these holes are located?

8 MR. WILLIAMS: Yeah. Well, some -- some
9 of them are off of Milford, but also there's -- there's
10 one in Morris Cove in New Haven. There's one off the
11 West Haven beach --

12 MR. TAIT: Is their location relevant?

13 MS. KENNEDY: I'm wondering about the
14 impact of holes that are left open in Long Island Sound
15 because of the fact that there will be anchor scars
16 along both sides of the pipeline trench and wondering
17 about the implications for that for the health of the
18 ecosystem of Long Island Sound.

19 MS. KATZ: I think we touched on that.

20 MR. TAIT: Yeah. The actual location
21 doesn't seem to be --

22 MS. KENNEDY: Okay. Is there anything
23 else you'd like to add about the anchor scars before I
24 move on?

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1 MR. WILLIAMS: Well, only that I think
2 that there should be some kind of mitigation attempt
3 there somehow, but whatever.

4 MS. KENNEDY: Do you have contact with
5 the shell fisherman that farms the ground adjacent to
6 Rogers Island?

7 MR. WILLIAMS: Yes, I do.

8 MS. KENNEDY: And what are -- just --
9 what are his -- does he have any concerns about the
10 pipeline that you've discussed with him?

11 MR. WILLIAMS: Yes. I've discussed the
12 situation --

13 MR. TAIT: We're not going to get a
14 hearsay exception, are we --

15 MS. KENNEDY: Okay --

16 MR. FITZGERALD: Well, I was thinking of
17 it, yes.

18 MR. TAIT: I wouldn't.

19 MS. KENNEDY: Okay --

20 MR. TAIT: We can admit hearsay --

21 MS. KENNEDY: Okay --

22 MR. TAIT: -- for what it's worth.

23 MS. KENNEDY: But --

24 MR. FITZGERALD: No, he was talking to

1 me. He was telling me not to object to your question.

2 MS. KENNEDY: Oh. Can he answer the
3 question?

4 MR. TAIT: Go ahead.

5 MR. WILLIAMS: Can I answer it?

6 MR. TAIT: I don't think -- I don't
7 think he has objected to your question.

8 MS. KENNEDY: Oh, okay.

9 MR. WILLIAMS: Okay, yes. You'd be
10 referring to Mr. -- can I say his name --

11 A VOICE: Objection -- (laughter).

12 MR. WILLIAMS: Jonathan Waters. And
13 yes, he's currently cultivating shellfish in that area,
14 and he's really concerned about primarily sediment
15 transport on his setting of oyster beds up there. He
16 feels, and I can validate this feeling, that if there
17 are impacts to his beds, whether they be two or three-
18 thousand feet away or even farther, that he would be --
19 he would be stuck with the bill of trying to
20 rehabilitate the beds out of his own pocket. And it's
21 a legitimate concern. And so he's -- yes, he's really
22 -- he's really concerned about what's going on here.

23 MS. KATZ: Can you establish where these
24 beds are that you're talking about relevant to the

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1 project site?

2 MR. WILLIAMS: Yes, I can. Can --

3 MR. SNOOK: Using Exhibit 20 -- I think
4 it's 26, it was the map -- can you sort of roughly
5 identify on this map --

6 MS. KATZ: How many feet from the
7 project site are these beds that you're referring to?

8 MR. WILLIAMS: Yeah. Well, based on --
9 I scaled off -- actually not on this map, but on
10 another map somewhere -- and these beds would be
11 starting approximately 2,000 feet, maybe even a little
12 bit less than that to the northeast of the exit hole of
13 the HDD.

14 MR. ASHTON: Would this be bed 170, I
15 believe it is?

16 MR. WILLIAMS: I'd have to refer to my
17 map, sir. Would you like me to --

18 MR. ASHTON: Well, I thought you might
19 have it over there.

20 MR. WILLIAMS: No.

21 MR. SNOOK: Could the Council identify
22 the map --

23 MR. ASHTON: Well, let's see -- Paul --
24 it's a map entitled --

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1 MR. SNOOK: In the application? DEIS?

2 A VOICE: It was in the original
3 application and the Council requested a larger copy of
4 it, and it was the first set of interrogatories --

5 A VOICE: I believe it was response to
6 Question No. 35.

7 MR. SNOOK: Does it have a title?

8 MR. ASHTON: Dodge the issue --

9 MR. TAIT: I guess my real concern is
10 that we can understand shell fishermen are concerned,
11 but I'm not sure that we're quantifying the exact beds
12 that will be disturbed. If we are, then I think Mr.
13 Fitzgerald may have an objection --

14 MR. WILLIAMS: Yeah, well that will be
15 part of it, but also up in here.

16 MR. SNOOK: Okay, I think --

17 MR. TAIT: Mr. Snook, are you just
18 offering this so that -- there are other concerned
19 shell fishermen in the area, or --

20 MR. SNOOK: Actually, maybe I could --
21 perhaps build a little foundation here? Mr. Williams,
22 how far in your experience in the 1991 Iroquois
23 pipeline did the extent of sedimentation plume go?

24 CHAIRMAN GELSTON: He's already

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1 testified to that --

2 MR. FITZGERALD: Well --

3 MR. SNOOK: I don't think he actually
4 testified to how far away beds were affected by the
5 1991 --

6 MR. FITZGERALD: Well, that's -- I'm
7 going to object to that. That's -- he can make general
8 statements about how -- but no, that requires expertise
9 of somebody like Mr. Bohlen --

10 MR. SNOOK: Actually --

11 MR. FITZGERALD: -- to put the cause and
12 effect --

13 CHAIRMAN GELSTON: Wait --

14 A VOICE: Well, let's --

15 CHAIRMAN GELSTON: I thought I heard Mr.
16 Williams say that this has some effect, as much as
17 2,000 feet away from the Iroquois line --

18 MR. WILLIAMS: Yes --

19 CHAIRMAN GELSTON: -- I think you
20 testified to that.

21 MR. WILLIAMS: Yes.

22 CHAIRMAN GELSTON: And you didn't object
23 to it.

24 MR. FITZGERALD: Well, I didn't hear it.

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1 I must have been talking to Mr. Reinemann. In fact,
2 I'd move to strike that on its being without a
3 foundation --

4 MR. SNOOK: In response to the belated
5 objection, my only comment is these are an observation
6 of a fact witness who was there.

7 MR. FITZGERALD: Well --

8 CHAIRMAN GELSTON: I'm sorry, Mr.
9 Fitzgerald, I could almost -- I'm not going to swear
10 because I do have a loose memory -- that he said they
11 affected 2,000 feet away.

12 MR. FITZGERALD: And there's no --
13 there's insufficient basis for him to express such an
14 opinion.

15 A VOICE: Physical observations, right?

16 CHAIRMAN GELSTON: But it's his own
17 physical observations.

18 MR. FITZGERALD: No, he didn't say that.

19 MR. ASHTON: Well, is it sediment from
20 Iroquois or sediment --

21 MR. FITZGERALD: Right --

22 MR. ASHTON: -- from the Housatonic
23 River, or what --

24 MR. FITZGERALD: Right. Is he -- is he

1 trying to tell us that he was there and he followed a
2 sediment plume in his boat and watched where it came
3 down or is his testimony based on inferences from
4 observations of conditions before and after? It's not
5 -- it's really incompetent.

6 MR. TAIT: Just how important is this
7 testimony?

8 MR. SNOOK: I'm sorry?

9 MR. TAIT: How important is this
10 testimony that we need to pursue it?

11 MR. SNOOK: Well, I believe it's
12 responsive to your question on the distance to the beds
13 in question of Mr. Waters and the distance it affects
14 that this witness has --

15 MR. TAIT: We were pulling out maps and
16 trying to identify things -- I thought the concern was
17 are there other shell fishermen --

18 MR. SNOOK: Right --

19 MR. TAIT: -- that would be concerned
20 that the drift would cause damage to their beds and --

21 MR. SNOOK: We can move along --

22 MR. TAIT: If that's okay, then let's
23 leave it there.

24 MR. SNOOK: Very good.

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1 MS. KENNEDY: And I guess just to finish
2 up, you in response to an earlier question about
3 whether or not you would like to bid on these shellfish
4 land -- potential shellfish beds, would you cultivate
5 them or use them for speculation, just -- do you have
6 anything else to add in terms of the compatible use of
7 shellfish beds with pipeline installations or with
8 deeded town grounds?

9 MR. WILLIAMS: Yeah, I -- first of all,
10 this is not a compatible use for shellfish cultivation
11 and the installation of these things. I just don't --
12 you know, as a shell fisherman, I don't know how it's
13 possible to even assume that it is a compatible use of
14 basically the public trust lands.

15 That being said, it's just my
16 observation that -- that we have the intent of
17 shellfish cultivation, and I can't stress that enough -
18 - I -- I'm actually scared about the consequences of
19 some of this stuff being installed in the bottom of
20 Long Island Sound. My experience in the past has not
21 been good. I don't know ultimately what will happen to
22 the setting patterns at the bottom. Maybe it will
23 settled out, maybe it's possible to mitigate some of
24 the damages, but I honestly -- I can't answer that, you

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1 know, I don't know what's going to happen to the
2 bottom.

3 So basically to answer your question, I
4 don't feel it's a compatible use and I think that as
5 far as looking at this from the long-term standpoint,
6 it's a gigantic question mark.

7 MS. KENNEDY: Okay, thank you very much.
8 No further questions.

9 CHAIRMAN GELSTON: William and Susan
10 Lazine? Paul and Jacqueline Huang? The Town of North
11 Haven? (No audible replies). Paul, I neglected you
12 before, you can go first from the Council.

13 MR. ARESTA: Thank you, Mr. Chairman.
14 Mr. Williams, you stated earlier that you work the bed
15 to make it clean. I believe you said something to that
16 effect. Can you -- can you explain what you meant by
17 that with regards to sedimentation, not with regards to
18 --

19 MR. WILLIAMS: Well, depending on what
20 the intent is -- (indiscernible, moving mic) -- is on
21 the beds -- first of all, the typical clamming
22 operation will re-disburse the sediments and by its
23 very nature takes a lot of the top accumulated stuff
24 and re-suspends it. But that -- that particular type

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1 of operation we found through experience actually
2 enhances recruitment for reasons I'm not sure. I
3 really don't know what's going on there.

4 However, the more critical and more
5 important aspect of sedimentation on the beds is that -
6 - when you have areas that will support the larvae
7 state of shellfish, clams, oysters, particularly
8 oysters, they're filter feeders and they're very small
9 when they set on preferably a hard object, so when we
10 go into an area that's either used for grow-out of
11 oysters or for that matter setting of oysters, it's --
12 it's really imperative that a lot of -- even the
13 natural silt is removed or reduced to bring the bottom
14 to a state where if there's any hard material on the
15 bottom at all, it will be on the surface and fairly
16 clean. You can plant shell in that area or you might
17 even be stirring shell up out of the bottom and
18 bringing it to the surface. At that point that hard
19 material is exposed to the current flow and the oxygen
20 in the water and any small oyster, particularly a
21 cultivated oyster, will have the opportunity to feed
22 unfettered from an increased amount of siltation that's
23 going to affect its biology, the pumping, that kind of
24 thing. And if the -- if it later proves to be an area

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1 that has a high sedimentation rate after bed
2 preparation, then, as is the case in some areas -- and
3 you can't leave this stuff there, you have to move it
4 out -- so familiarity with the area and the
5 sedimentation regime, depending on -- it can be very
6 site specific -- you might only be able to cultivate
7 shellfish there a certain part of the year and then
8 move them out, because particularly in the wintertime,
9 we -- when a lot of the animals go into hibernation,
10 you get what we call the -- we call them the winter
11 muds -- siltation will build up in certain areas and
12 they can smother, so you want to move them out. That's
13 -- I'm trying to answer it as accurately as I can, but
14 siltation will kill cultivated shellfish in certain
15 areas under certain conditions.

16 MR. ARESTA: Yeah, I understand, but I
17 thought you made mention of the fact that you worked
18 the beds in such a way as to try to eliminate the
19 sedimentation or the siltation effect. You -- I think
20 you stated something to the effect of you work it to
21 make it clean --

22 MR. WILLIAMS: Yeah --

23 MR. ARESTA: -- and that process that
24 you referred to is the dropping of culch? Is that -- I

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1 mean I'm trying to get --

2 MR. WILLIAMS: No, that's only part --
3 culch -- culch --

4 MR. TAIT: What is culch?

5 A VOICE: Shells.

6 MR. WILLIAMS: Well, it's usually just
7 shells.

8 MR. ARESTA: Well, I'm looking for the
9 actual -- the -- you know, the physical activity that
10 you undertake to bring about this cleaning of the bed -
11 -

12 MR. WILLIAMS: Okay --

13 MR. ARESTA: -- as you referred to it.

14 MR. ASHTON: Your exact term was working
15 off a bed.

16 MR. ARESTA: Yes --

17 MR. WILLIAMS: Yeah, right --

18 MR. ARESTA: -- that's it.

19 MR. WILLIAMS: -- okay -- well we use
20 dredges, okay. And in Connecticut there's various
21 designs for clam dredges, there's all kinds of
22 different designs for those. Basically, there's two
23 type of dredges that we employ. There's a hydraulic
24 clam dredge -- there's actually dry clam dredge too.

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1 And then there's an oyster dredge, or known in the
2 industry as an American oyster dredge, which is
3 basically -- it looks like a cage with teeth that
4 scrapes the surface. And the two are radically
5 different from each other. They're completely
6 different designs. But that -- as far as farming
7 implements, that's what we use.

8 MR. TAIT: Describe the two if they're
9 radically different? One is -- the oyster one dredges
10 with a --

11 MR. WILLIAMS: It scrapes the surface,
12 it's got teeth.

13 MR. TAIT: With a cage and picks up the
14 silt?

15 MR. WILLIAMS: Well if the silt is
16 there, it can if it's not fished right. It will
17 accumulate silt in the bag, but if you're -- if you're
18 looking to turn over what we call basically harrowing,
19 or turning over a piece of ground that has a pretty
20 good sediment load to bring the -- you know, to clean
21 it up a little bit and knock it off, what we do is we
22 open the gate, which is the door, and you tow the
23 dredge that way around the ground, and, yeah, it kicks
24 stuff up into the water column, but it has a tendency

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1 to -- you know, it's -- it's dispersing the load that's
2 in that particular area. But with the dredges if you
3 keep the gate closed on them in an area of high
4 siltation, they're just going to pack right up and then
5 you've got a mess on your hands because your boat isn't
6 big enough to carry a load like that, so what you're
7 doing is you're just -- you're turning the bottom over.
8 Very simply that's --

9 MR. ASHTON: When you say surface and
10 turning over the bottom, how deep are you going into
11 the silt --

12 MR. WILLIAMS: With --

13 MR. ASHTON: -- you going in an inch --

14 MR. WILLIAMS: On a -- on a typical --

15 MR. ASHTON: Six inches?

16 MR. WILLIAMS: That would be a stretch -

17 -

18 MR. ASHTON: (Indiscernible, overlap of
19 talking) --

20 MR. WILLIAMS: -- yeah, at the most --
21 at the really most, that's pretty deep -- I'd say it
22 would be more in the area of two to three inches.

23 MR. TAIT: But you're not removing it,
24 you're just resuspending it?

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1 MR. WILLIAMS: Yeah, that's right, um-
2 hmm.

3 MR. TAIT: Once it settles down again,
4 you have the same problem?

5 MR. WILLIAMS: Well, that's -- that's
6 part of the nature of -- that's the ongoing battle in
7 Long Island Sound.

8 MR. ASHTON: Do you select the time to
9 do this when there is tidal current that will dissipate
10 the --

11 MR. WILLIAMS: Yes, um-hmm.

12 MR. ASHTON: Okay. So you pick a time
13 when the water is dynamic --

14 MR. WILLIAMS: Um-hmm.

15 MR. ASHTON: -- and there is something
16 that's going to -- the current will sweep the sediment
17 --

18 MR. WILLIAMS: Yes.

19 MR. ASHTON: -- off the plot you're
20 working on and may dump it on the next --

21 MR. TAIT: Someplace else.

22 MR. WILLIAMS: It's got to go somewhere.

23 (Laughter).

24 MR. TAIT: You don't remove it from the

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1 Sound in a bucket and take it someplace else?

2 MR. WILLIAMS: No, no, no. This -- no.

3 CHAIRMAN GELSTON: If I may ask a
4 question? Mr. Williams, don't you pull a John Deere 8-
5 foot harrower? (Laughter). What are you laughing
6 about, I've seen it happen.

7 MR. WILLIAMS: A John Deere 8-foot
8 harrow --

9 CHAIRMAN GELSTON: Yeah.

10 MR. WILLIAMS: -- harrower -- well
11 basically, that's what we're talking about.
12 (Laughter).

13 CHAIRMAN GELSTON: It's a John Deere 8-
14 foot harrower, isn't it?

15 MR. WILLIAMS: No. (Laughter). It's a
16 good analogy though.

17 MR. WILENSKY: Mr. Williams, just a
18 quick question before it leaves my mind. In this
19 clamming process or whatever process you refer to it
20 as, and there's a certain amount of sediment that's
21 still dislodged, wouldn't that -- that sediment that's
22 dislodged, would that be any different than a dredging
23 process as proposed by the Applicant?

24 MR. WILLIAMS: Oh, it's absolutely

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1 different.

2 MR. WILENSKY: And how would it be
3 different? I mean, I --

4 MR. WILLIAMS: Yeah, it -- look, we're
5 dealing with a natural sedimentation rate on these beds
6 and it's a constant battle, it really is, throughout
7 the whole region. It -- it's the reason why you --
8 it's a traditional practice of the shellfish oyster
9 companies to stockpile their shells and dry them out so
10 they have clean beds to put the shells on after --
11 after bed preparation. In fact, a larger -- the larger
12 shellfish concerns in Connecticut actually have sucker
13 boats with 12-inch, 15-inch sand and gravel pumps that
14 they'll redo some of the bottom right down to the
15 gravel just in an attempt to clean it, so -- I hope
16 that answers your question. The -- in addition to the
17 natural sedimentation rate, anything else that's
18 introduced -- a storm represents a problem, there are
19 some nasty surprises from storms -- uh --

20 MR. WILENSKY: You're saying they
21 reintroduce shells into these bed areas that you work,
22 is that what you're saying?

23 MR. WILLIAMS: Well, that's -- in some
24 of the beds, yes. Not --

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1 MR. WILENSKY: Why can't the shell be
2 reintroduced into the pipeline area?

3 MR. WILLIAMS: You can put shells into
4 the pipeline area after the installation and whatever
5 you want to do as far as backfilling it. If you want
6 to put shells there, God bless you. But I'm in the
7 shellfish cultivation business and there's a
8 fundamental difference between putting shells on an
9 area to enhance the benthic community and you'll have
10 opportunistic species, barnacles, weeds, crabs,
11 whatever, that might want to go into those shells, but
12 if you're left with a bottom topography that's so upset
13 and irregular and soft here and hard there and this,
14 that, and the other thing, it basically becomes
15 undredgable, the dredges don't work, they'll cut into
16 a high spot, they'll drop into a low spot, it's -- it's
17 not -- it just doesn't work. So that's why you
18 wouldn't -- you know, ultimately -- ultimately at some
19 point, with time being the factor, if it settles out
20 and you cap it with shells, it may become cultivable,
21 but I -- that's a stretch. It's not in my experience.

22 MR. WILENSKY: Okay.

23 MR. WILLIAMS: Okay.

24 MR. WILENSKY: Thank you, Mr. Williams.

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1 Thank you, Paul.

2 CHAIRMAN GELSTON: Paul.

3 MR. ARESTA: Yes -- yes, sir, thank you.
4 Just one last question. Based on your experience with
5 regards to the cultivation, are there any provisions
6 that you would recommend that the Council consider
7 being part of a development and management plan that
8 would take into account restoration efforts or post-
9 construction monitoring or those types of issues?

10 MR. WILLIAMS: This is a pretty
11 sensitive area, okay. I mean, I'm going to have to
12 answer that as honesty as I can. I -- to start with,
13 my gut feeling is maybe the project should be moved
14 somewhere else or directional drill it out, but -- you
15 know, out much farther than it is. But that being
16 said, okay, yeah -- the bottom -- even in the
17 undesignated area, the State bottom, the town bottom, I
18 think it's doing a disservice to even the town if it's
19 just left that way, because it's really a loss, so --

20 MR. ARESTA: But what specific
21 recommendations --

22 MR. WILLIAMS: Specifically, I can
23 honestly say that some kind of -- now I can only speak
24 for shellfish --

1 MR. ARESTA: That's fine.

2 MR. WILLIAMS: -- some kind of shelling
3 program, some kind of combination of shelling program
4 and maybe some hatchery seed program --

5 MR. ARESTA: Excuse me. By shelling
6 program, can you be more specific about what you mean
7 by that?

8 MR. WILLIAMS: Well, the procurement of
9 shell, the purchasing of dry shell from different
10 suppliers.

11 MR. ARESTA: Okay.

12 MR. WILLIAMS: And --

13 MR. ARESTA: And that would be --

14 MR. WILLIAMS: -- the dispersal of that
15 shell at some point -- if it's -- if it's not on the
16 scar, you know something adjacent to it would be
17 helpful.

18 MR. ARESTA: Okay.

19 MR. WILLIAMS: It's -- it's not going to
20 -- it might not institute cultivation right away, but
21 it would certainly help with improving the benthic
22 community in the area. There are shellfish that are
23 going to be affected by this whether it's one per
24 square meter or a hundred and also possibly some kind

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1 of reseedling of the area with even seed clams or
2 whatever. There are a lot of hatcheries that are
3 producing an awful lot of shellfish seed on the east
4 coast, and this is available.

5 MR. ARESTA: Now with -- now with
6 regards to the placement of shell, would you recommend
7 that for shellfish beds that are used for -- primarily
8 for clams or ones that are used primarily for oysters?

9 MR. WILLIAMS: Okay. Shell if it's --
10 if it's on -- first of all, I have to change something
11 there -- most of these beds with the right kind of
12 cultivation techniques -- not all of them, sometimes
13 the bottom is so soft that they won't support oysters -
14 - but you can grow two crops on the same piece of
15 ground. So that being said, the shell could be used to
16 enhance shellfish leases, or deeds, or whatever that
17 might potentially be impacted by the project. It would
18 -- and it would -- it would have to be site specific as
19 far as talking to the owner of the ground to see how
20 they felt about it. But my general recommendation is
21 if it's available, it's -- it's certainly a step in the
22 right direction as far as that's concerned.

23 MR. ARESTA: Okay, thank you. Thank
24 you, sir. Thank you, Mr. Chairman.

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1 CHAIRMAN GELSTON: Mr. Williams, have
2 you any knowledge of what went on after the Iroquois
3 and how much remuneration there was paid to Iroquois?

4 MR. WILLIAMS: Any remuneration? Money?

5 CHAIRMAN GELSTON: Money.

6 MR. FITZGERALD: You mean paid by
7 Iroquois?

8 CHAIRMAN GELSTON: How much collection
9 was done of shells? What was done?

10 MR. WILLIAMS: Yeah. There was -- there
11 was an allocation for shell on the Iroquois project.
12 If my memory serves me right, I'm not -- I'm not
13 exactly sure that they ended up shelling that scar
14 right away with the shells though because of the
15 reasons why I've described. Hmm -- I don't recall what
16 they did with the shell. You'd have to talk to
17 somebody from Tallmadge. But there was shell
18 available.

19 CHAIRMAN GELSTON: Ed?

20 MR. WILENSKY: Just a couple of brief
21 questions, Mr. Williams. Just maybe a technical
22 question. I noticed in the -- in your pre-file that
23 you said you owned I believe shellfish beds in
24 Branford?

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1 MR. WILLIAMS: Yes.

2 MR. WILENSKY: I was under the
3 impression they were all leased. You --

4 MR. WILLIAMS: No. No, that is not true
5 at all.

6 MR. WILENSKY: Okay.

7 MR. WILLIAMS: The area north of the
8 jurisdiction line within the jurisdiction of the Town
9 of Branford is primarily deeded ground, which is the
10 oldest form of private ownership in the State's
11 program. And it basically reads like underwater land.
12 It was the very first attempt at private ownership. It
13 goes back to I think 1850. And the town -- when you
14 own one of these pieces from the town, they give you a
15 deed and it's taxed just like land. So there seems to
16 be a very legitimate question as to this early form of
17 shellfish ground, exactly what its status is. But I --
18 I would stress the distinction between deeded ground,
19 franchise ground and leased ground, which is the
20 program the State employs now is leased ground.

21 MR. WILENSKY: So you have some land
22 ground or ground that is owned by --

23 MR. WILLIAMS: Deeded -- deeded town
24 ground, yes, I do.

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1 MR. WILENSKY: That's owned by yourself?

2 MR. WILLIAMS: Yes, I do.

3 MR. WILENSKY: Is there many people such
4 as yourself in this kind of situation --

5 MR. WILLIAMS: Yes, there are.

6 MR. WILENSKY: The other question I have
7 is the Tilcon operation, which I assume you're familiar
8 with, does that have any affect on the oyster or clam
9 beds or whatever is out there?

10 MR. WILLIAMS: The Til -- the barges?

11 MR. WILENSKY: Yes.

12 MR. WILLIAMS: Well, outside of getting
13 out of their way -- uh -- somewhere offshore I think at
14 one point they must have spilled a couple of barges
15 because there's some big piles of like trap rock out
16 there and such, but -- well, I'm not going to -- I'm
17 not going to accuse Tilcon of putting it there, but it
18 came from somewhere, maybe it's geologic, I don't know.
19 They in positioning their barges in the near-shore
20 area, they will kick up a lot of stuff with the wheel
21 wash from the tugboats and if you have -- if you have a
22 planted crop in shallow water and they happen to be
23 coming through, you know, there is quite a bit of wheel
24 wash from that --

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1 MR. WILENSKY: But it's something you --
2 it's something you live with, you have to?

3 MR. WILLIAMS: Yeah -- actually, in that
4 particular area I don't own the ground up in the
5 proximity to the --

6 MR. WILENSKY: Okay --

7 MR. WILLIAMS: -- to a wheel wash area
8 from a tugboat. It's just a statement that I can throw
9 out, but -- I guess the ground owner lives with it, I
10 don't. (Laughter).

11 MR. WILENSKY: Thank you, Mr. Williams.
12 Thank you, Mr. Chairman.

13 CHAIRMAN GELSTON: Mr. Ashton.

14 MR. ASHTON: I have a number of
15 questions if I can. Just picking up on --

16 MR. TAIT: There's an honest man --
17 (laughter) -- an honest man.

18 MR. ASHTON: Picking up on Mr.
19 Wilensky's question, when you say that they're deeded
20 grounds, are they not deeded rights to cultivate for
21 shellfish on those grounds or do you own the ground in
22 the same way you own a piece of ground on land that you
23 can build a house on or whatever?

24 MR. WILLIAMS: Yeah. I've --

1 MR. ASHTON: Yes what?

2 MR. WILLIAMS: Yes, I'm sorry. I've
3 pondered that --

4 MR. TAIT: Is this the witness to give
5 us a legal opinion on --

6 MR. ASHTON: Well, he --

7 MR. WILLIAMS: Yeah, I --

8 MR. ASHTON: He mentioned it --

9 MR. WILLIAMS: -- I'm not a lawyer --
10 (Overlap of voices, indiscernible)

11 MR. GOLDEN: He owns it --

12 A VOICE: He owns it --

13 COURT REPORTER: One at a time please --

14 MR. TAIT: Well, that's --

15 MR. WILLIAMS: Yeah, I do -- I do have a
16 deed for the ground.

17 MR. ASHTON: I can have a deed that
18 gives me the right to pass and repass or the right to
19 cultivate or what have you --

20 MR. WILLIAMS: Um-hmm.

21 MR. ASHTON: -- but I may not own the
22 land --

23 MR. WILLIAMS: Um-hmm.

24 MR. ASHTON: -- and that's what I want

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1 to be sure we don't get hung up on semantics here --

2 MR. WILLIAMS: Yeah, right. My -- I
3 agree. My personal belief, which has no legal bearing,
4 I'm not an attorney, that the entire intent, even going
5 way back to 1850 or before, was that the State
6 recognized the value of its near-shore areas and the
7 program that it instituted basically validated the
8 importance of it for the cultivation of shellfish --

9 MR. SNOOK: If I may interrupt, Mr.
10 Ashton? I can --

11 MR. ASHTON: Well, I don't want to make
12 a federal case out of this. The deeds are whatever the
13 deeds are --

14 MR. WILLIAMS: Yeah --

15 MR. ASHTON: -- and there is an
16 ownership interest of some nature on record transmittal
17 to subsequent generations I presume.

18 MR. SNOOK: Yes and I -- without -- this
19 is not a fact, but this is the legal issues -- prior to
20 the existence of this state, Branford had a unique
21 position before this country was formed, those charter
22 rights still exist, but the deeds that were granted
23 were granted subject to the rights that Branford had
24 which involved shellfishing, so it's deeds of

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1 shellfishing as opposed to the State's current program
2 of leases to shellfish.

3 A VOICE: (Indiscernible) -- addressed
4 in the briefs --

5 A VOICE: Yeah --

6 A VOICE: My real question is why does
7 it make any difference?

8 MR. ASHTON: Just for some clarification
9 --

10 (Overlap of voices, indiscernible)

11 A VOICE: But we don't decide that --

12 MR. ASHTON: Just for clarification,
13 what is the predominant shellfish that is harvested in
14 these areas? We've talked about shellfish and we've
15 talked about clams and oysters, but I think everybody
16 would agree that clams grow in some areas and oysters
17 will grow in others, you may get both in some, but not
18 necessarily both in all areas.

19 MR. WILLIAMS: Well, that's true, but it
20 -- it is both, it's clams and oysters, and it's -- and
21 it can be site specific --

22 MR. ASHTON: Well, oysters need a hard
23 substrate on which to --

24 MR. WILLIAMS: Well harder -- yeah.

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1 MR. ASHTON: And they don't like silt as
2 much as clams do. Clams will bury in the silt and come
3 out of it, they can survive in silt to an extent. Is
4 that not correct?

5 MR. WILLIAMS: I -- I have -- I have a
6 little problem with that. Silt --

7 MR. ASHTON: I'm --

8 MR. WILLIAMS: Yeah, I -- I agree with --
9 -- but I want to expand on something that you said --

10 CHAIRMAN GELSTON: Mr. Williams doesn't
11 harvest his clams with a clam --

12 MR. WILLIAMS: I used to do that with a
13 rake, yeah. Siltation on a clam bed --

14 MR. ASHTON: I'm not talking about
15 siltation on the bed. I'm talking soft bottom --

16 MR. WILLIAMS: Soft -- yeah --

17 MR. ASHTON: -- clams will live in the
18 soft bottom where oysters may not --

19 MR. WILLIAMS: That's -- that's correct,
20 yes.

21 MR. ASHTON: Okay. But silt is a
22 problem across all beds here --

23 MR. WILLIAMS: Okay, yeah.

24 MR. ASHTON: Now the majority of beds

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1 are what, are they soft bottom and there are clams?
2 I'm thinking of the area -- it would be northwest of
3 Rogers Island -- west of Rogers Island in the area of
4 the directional drilling --

5 MR. WILLIAMS: That --

6 MR. ASHTON: -- are those clam beds or
7 oysters beds?

8 MR. WILLIAMS: As -- through personal
9 communication with Mr. Waters who is farming those
10 areas, he indicated to me that he employs both clamming
11 and oystering. The -- he stressed to me that north and
12 -- north, south and east of Rogers Island he is
13 currently cultivating oysters.

14 MR. ASHTON: North, south and east --

15 MR. WILLIAMS: Yes.

16 MR. ASHTON: -- what about west of
17 Rogers Island?

18 MR. WILLIAMS: He didn't indicate to me
19 what he's cultivating there.

20 MR. ASHTON: Okay. What is your bed
21 128, what does that cultivate? I think it's yours,
22 isn't it?

23 MR. WILLIAMS: Currently, it's just a
24 clam bed, that's all it is, yeah.

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1 MR. ASHTON: Okay. Now, clams are
2 harvested in a different manner from oysters, aren't
3 they?

4 MR. WILLIAMS: Yes, they are.

5 MR. ASHTON: Without trying to display
6 my mining ignorance of this thing, I can recall
7 clamming with feeling into the mud with my toes until
8 you hit something that was hard, and with luck it was
9 not a broken bottle. But in a commercial environment
10 can you explain the difference briefly as to how
11 they're harvested?

12 MR. WILLIAMS: Sure. I -- we use
13 hydraulic clam dredges, which is a cage, it's got a set
14 of teeth, it's got a water manifold --

15 MR. ASHTON: And that mixes water and
16 the clams and the sediment all up, you suck it all up -
17 -

18 MR. WILLIAMS: Well, you don't -- you
19 sort of --

20 MR. ASHTON: -- and take the clams out -
21 -

22 MR. WILLIAMS: You're sort of blowing it
23 up and back into the cage --

24 MR. ASHTON: Yeah.

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1 MR. WILLIAMS: -- into the dredge, okay.

2 MR. TAIT: Is the cage solid or is it a
3 cage?

4 MR. WILLIAMS: Yeah, it's -- it's a
5 cage. It's -- most of them are made out of 3-ace bar
6 and they're various sizes and various widths.

7 MR. TAIT: So that it's a mesh and not
8 solid?

9 MR. WILLIAMS: No, it wouldn't -- a
10 solid -- a solid box would act like a baffle --

11 MR. TAIT: You're dealing with people
12 who don't -- who aren't familiar, so a cage is a cage -

13 -

14 MR. WILLIAMS: Okay.

15 MR. TAIT: Alright.

16 MR. WILLIAMS: Yeah. And basically what
17 we do is we have to pump water down to a clam dredge
18 through a hose, three inch/four inch hose. Depending
19 on the type of bottom if it's soft or if it's shelly or
20 if it's hard, there's -- there's various adjustment
21 that you have -- we have different manifolds, different
22 water pressures, different volumes, different distances
23 between a manifold and the teeth, tones, speeds, on and
24 on. So fundamentally, you're pumping water to the

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1 bottom, you're stirring the bottom up, loosening it up,
2 the teeth come along and the -- in an ideal world the
3 hard material will get caught by the teeth and back
4 into the cage.

5 MR. ASHTON: And the small soft
6 materials will pass through the cage and be redeposited
7 on the bottom?

8 MR. WILLIAMS: In an ideal world, yeah.

9 MR. ASHTON: Yeah.

10 MR. WILLIAMS: In theory that's the way
11 it's suppose to work.

12 MR. ASHTON: How deep does that dredging
13 operation go below the sediment line?

14 MR. WILLIAMS: An actual measurement --
15 you know, I wondered about that myself. It depends on
16 the type of bottom and the water pressure. You know,
17 you can -- you can make a manifold that has so much
18 water pressure and volume, you know, you're going to
19 dig a trench. So that's part of the cultivation is you
20 don't want to be digging down too far with these
21 things. But roughly speaking, I would say anywhere
22 from an inch to maybe three inches roughly.

23 MR. ASHTON: And the clams are all in
24 that level or are they down deeper?

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1 MR. WILLIAMS: Well, they might be --
2 they might be deeper in the wintertime because they
3 will migrate lower into the water -- into the bottom
4 for hibernation purposes, but mostly the smaller clams
5 do. The larger clams don't migrate that much, they
6 stay on the top, they won't migrate that much.

7 COURT REPORTER: Excuse me one moment.

8 (Whereupon, a luncheon recess was
9 taken.)

10 CHAIRMAN GELSTON: Questions -- Paul,
11 you all through?

12 MR. ARESTA: Yes, sir.

13 CHAIRMAN GELSTON: Where is Ed Wilensky?

14 MR. WILENSKY: Right here. I'm under
15 the table. I'm all through, Mr. Chairman.

16 MR. ASHTON: You're under the table --
17 (laughter) -- that's the wrong answer.

18 CHAIRMAN GELSTON: Phil Ashton?

19 MR. ASHTON: Yeah, I've got a few more,
20 Mr. Chairman.

21 Mr. Williams, I -- just as I came in,
22 and I apologize for being late, I heard -- I think that
23 you had mentioned indentations, depressions, whatever
24 you want to call them in the seabed from the Iroquois

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1 pipeline. And as I recall, you mentioned that you had
2 seen these in the fall of 1991. Have you looked in
3 this area recently?

4 MR. WILLIAMS: No, I -- my
5 subcontracting terminated on September of '95.

6 MR. ASHTON: So you have no knowledge of
7 whether they've filled in, or healed, or whatever since
8 -- direct knowledge?

9 MR. WILLIAMS: Direct knowledge from '95
10 on the 600 lots would be no.

11 MR. ASHTON: Okay. Have -- has there
12 been any other I'll call it broadly utility work in the
13 area of this discussion coming off Pleasant Point and
14 in that for supply of power or telephone or water to
15 the Thimble Islands, to your knowledge?

16 MR. WILLIAMS: The only thing that I
17 know about in that area, that not being my ground,
18 would be what's on the map, and apparently it's just
19 cable and -- even on this map it says cable and
20 pipeline area, apparently referring to from an on-shore
21 site out to the islands. But I -- I wouldn't have any
22 hands on experience.

23 MR. ASHTON: You don't know whether
24 that's caused any irreparable damage to any of the

1 shellfish beds?

2 MR. WILLIAMS: Honestly, I just --

3 MR. ASHTON: Okay --

4 MR. WILLIAMS: I don't know.

5 MR. ASHTON: Are you aware of any
6 instance of reseeding an area with clams? Are you --
7 any awareness of nursery stock for clams or anything
8 like that? We've heard of it for oysters, but I've
9 never heard of it for clams.

10 MR. WILLIAMS: Reseeding an area --

11 MR. ASHTON: Yes --

12 MR. WILLIAMS: -- with clams?

13 MR. ASHTON: Yes.

14 MR. WILLIAMS: Yes.

15 MR. ASHTON: Okay.

16 MR. WILLIAMS: Yes, absolutely.

17 MR. ASHTON: Are you aware of any burrow
18 pits in the Sound?

19 MR. WILLIAMS: Yes, I am.

20 MR. ASHTON: And are they still in
21 evidence?

22 MR. WILLIAMS: They most certainly are,
23 sir. Yes, they are.

24 MR. ASHTON: Okay. Thank you. That's

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1 all I have, Mr. Chairman.

2 MR. TAIT: No questions.

3 MR. HEFFERNAN: No questions, Mr.
4 Chairman.

5 CHAIRMAN GELSTON: Brian?

6 MR. EMERICK: Yeah. Mr. Williams, am I
7 correct in assuming that earlier when you described
8 some of your activities, they were done relatively
9 close to the Tilcon channel?

10 MR. WILLIAMS: Yes, that's correct.

11 MR. EMERICK: And we heard earlier in
12 other testimony by others that in '95 at least there
13 was a dredging project in that area that removed 90,000
14 cubic yards of material. And I was just wondering what
15 your experience as a shell fisherman near that facility
16 was during that dredging operation?

17 MR. WILLIAMS: In '95?

18 MR. EMERICK: Well, that's -- that's
19 what was -- I believe that was reported by another
20 witness, yes.

21 MR. WILLIAMS: Yeah, I -- if it was in
22 '95, I must have missed it because it's -- that's
23 probably about the time that the Tallmadge Brothers'
24 ground that I was working -- in that immediate area I

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1 had ceased working. And/or if I was currently active,
2 I may have been somewhere else during that operation.
3 I don't recall the dredging operation. I just don't
4 recall it in my immediate memory.

5 MR. EMERICK: But the area that we're
6 talking about -- I thought you had said in terms of
7 your experience in this area was in '88 to the present?

8 MR. WILLIAMS: No.

9 MR. EMERICK: No, okay. Then correct my
10 memory.

11 MR. WILLIAMS: No, it was -- it was in
12 January of '87 I believe to September of '95. I
13 believe I said that in my testimony.

14 MR. EMERICK: Okay.

15 MR. WILLIAMS: I've -- you know, I think
16 I should be a little bit more specific here --

17 MR. EMERICK: Okay, anything to help.

18 MR. WILLIAMS: Yeah. Most of the area
19 that I gained my experience from is so wide spread,
20 basically by the graces of another oyster company,
21 shellfish company, the Tallmadge Brothers. During that
22 period from 1987 to '95, I had almost virtual carte
23 blanche on access to virtually all of their holdings
24 from Branford literally to Greenwich. And my

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1 experience from harvesting and cultivating oysters and
2 clams encompasses that wide of an area in Connecticut.
3 That being said, I also own ground in this area that I
4 have farmed on my own before that and after that '95
5 period, okay. So my activity in the area
6 intermittently after '95, but consistently up to '95 I
7 was in the area. Does that clarify it?

8 MR. EMERICK: I guess it does. We
9 didn't have a specific time --

10 MR. WILLIAMS: Yeah.

11 MR. EMERICK: -- it was just said in
12 '95, 90,000 cubic yards --

13 MR. WILLIAMS: Yeah.

14 MR. EMERICK: -- and I don't know if it
15 was the first of the year or the end of the year --

16 MR. WILLIAMS: I don't know either --

17 MR. EMERICK: -- and maybe --

18 MR. WILLIAMS: -- I just don't recall it
19 --

20 MR. EMERICK: -- the middle of the year,
21 or on or around that time, so --

22 MR. WILLIAMS: Yeah.

23 MR. EMERICK: -- I was just again trying
24 to establish --

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1 MR. WILLIAMS: Yeah, okay.

2 MR. EMERICK: -- what your experience
3 was with an activity --

4 MR. WILLIAMS: With an activity similar
5 to that?

6 MR. EMERICK: Well, an activity that was
7 moving 90,000 cubic yards --

8 MR. WILLIAMS: Okay --

9 MR. EMERICK: -- near an area that you
10 were farming?

11 MR. WILLIAMS: Okay. I can -- I can't
12 directly comment on that activity, but I've experienced
13 dredging -- channel dredging whether it's just
14 maintenance dredging in the New Haven Harbor area where
15 I also farm ground. And at the time there was -- there
16 was a real concern for some of the setting beds,
17 especially in the lighthouse point area by Tallmadge
18 Brothers in that it was done at the time of year where
19 -- there wasn't setting occurring, but I remember a
20 real -- a real effort by the company to make sure that
21 the ground was really scrutinized afterwards for any
22 additional sedimentation impacts, and they had those
23 big sucker boats working the grounds that spring rather
24 heavily in preparation for shell planting. But it was

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1 a concern because it's always in addition to the
2 natural sedimentation process and it's -- it's all --
3 it all contributes to the load. All these activities
4 contribute to the load. You have a natural -- a
5 natural amount and then you have an activity amount and
6 it all has a consequence. It's all got to go
7 somewhere.

8 MR. EMERICK: You said that after that
9 dredging activity, they had the sucker boats really
10 working. Who's the they --

11 MR. WILLIAMS: The Tallmadge Brothers --

12 MR. EMERICK: -- are they the same --

13 MR. WILLIAMS: The Tallmadge Brothers.

14 MR. EMERICK: Okay. They weren't the
15 same parties that were doing the dredging?

16 MR. WILLIAMS: Oh, no. No. No, no.
17 The Tallmadge Brothers were the shellfish concern.

18 MR. ASHTON: What was the experience
19 with that dredging -- (indiscernible) --

20 MR. WILLIAMS: On the channel dredging
21 in New Haven? Uh --

22 MR. ASHTON: If you know

23 MR. WILLIAMS: I don't know. I know
24 that there was a lot of concern and they made it --