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INTRODUCTION AND PLAN OVERVIEW

Much of the history of Norwalk, from the first settlements to the present day, must be told with respect to the City's location on Norwalk Harbor and Long Island Sound. Today, the City's connection to the Harbor and Sound are as vital as ever.

Photo 1-1: *Looking south over the Norwalk River and Harbor from the "head of navigation" at Wall Street.*

Norwalk Harbor in 2009 is a major center of recreational boating, commercial shellfishing, and other water-dependent activities. Harbor facilities now include 15 commercial marinas, 13 private clubs, two port terminals, and a number of commercial fishing businesses, including shellfishing businesses. There are over 1,800 berthing spaces and over 500 Harbor mooring locations serving recreational vessels. Also, many boats are launched regularly from storage racks at marinas and clubs and over 3,000 trailered boat launches occur each year from the City's David S. Dunavan Boating Center at Veteran's Memorial Park. The Harbor Management Commission estimates that between 2,000 and 3,000 commercial vessel trips to and from the Harbor's port terminals occur each year. Recognizing the importance of the Harbor to the economy of southwest Connecticut, the U.S. Congress recently allocated over $10 million for the maintenance dredging of the Harbor's federal channels and anchorage basins; the State of Connecticut provided another $1 million; and the dredging was conducted in the period 2005-2009.

Numerous points of public access to the Harbor and Long Island Sound are found along the Norwalk shoreline; these include the large waterfront parks Veteran's Memorial Park and Calf Pasture Park, as well as City boating facilities such as the Norwalk Visitor's Dock and launching ramps at the Dunavan Boating Center and the City Marina in the East Norwalk Basin. In addition, the Norwalk Heritage Park provides a linked system of historic places and activity centers that further affirm Norwalk's status as a vibrant urban center on Long Island Sound.

Photo 1-2: *South Norwalk district on Norwalk Harbor.*

The Harbor is also Norwalk's most important natural resource; its tidal wetlands, intertidal flats, beaches, shellfish beds, fish and wildlife, and other resources, including the Norwalk Islands with part of the Stewart B. McKinney National Wildlife Refuge, provide a variety of irreplaceable ecological functions and values as well as recreational opportunities. The Harbor's environmental quality is an important determinant of the City's overall quality of life.

Today, perhaps more than ever, public attention is directed toward the opportunities for community enhancement and economic development presented by the Norwalk Harbor and waterfront. The Maritime Aquarium at Norwalk, the South Norwalk, Wall Street, and mid-harbor revitalization efforts, Norwalk Heritage Park, Sheffield Island Lighthouse Park, Dunavan Boating Center, and special events such as the annual Norwalk Oyster Festival are some of the prominent results of this attention. So too are the numerous projects pursued each year for enhancement or redevelopment of privately owned waterfront properties.

Moving forward in the 21st century, Norwalk Harbor will continue to be a source of significant economic, environmental, recreational, and cultural benefits for Norwalk's citizens and for the public at large. To sustain those benefits, there will be a continuing need for long-range planning and active involvement by City government, working in coordination with State and Federal agencies, private organizations, waterfront property owners, and all other stakeholders. For almost 20 years now, the Norwalk Harbor Management Plan (NHMP) has provided the foundation for the City's efforts to maintain safe and beneficial use of the Harbor as well as conservation of the Harbor's vital natural resources.

The Norwalk Harbor Management Commission and Harbor Management Plan

The need for a strong and active City role for managing the Harbor was recognized by the Norwalk Common Council in 1984 when it adopted Article III of Chapter 69 of the Norwalk Code to create the nine-member Norwalk Harbor Management Commission. The Commission was thereby authorized by City ordinance to carry out all of the powers and duties granted to municipal harbor management commissions through the Connecticut Harbor Management Act of 1984 (Sections 22a-113k through 22a-113t of the Connecticut General Statutes). These powers and duties include preparing the Norwalk Harbor Management Plan to guide the most desirable use of Norwalk Harbor for recreational, commercial, and other purposes. Chapter 69 of the

Norwalk Code defines the boundaries of Norwalk Harbor for the purpose of the NHMP and for setting the jurisdiction of the Commission.[1]

Photo 1-3: *Harbor dredge passes through the Washington Street bridge.*

The NHMP was prepared by the Harbor Management Commission with input from interested citizens and organizations, City officials, and local, State, and Federal governmental agencies with roles and responsibilities affecting the Harbor. Since the NHMP affects navigable waters, it required approval from the State of Connecticut as well as adoption by the Common Council in order to take effect. Amendments to the NHMP also require State approval and Council adoption. The NHMP was approved by the State of Connecticut in 1989 and adopted by the Council effective September 1, 1990.

Following adoption of the NHMP, the Harbor Management Commission proceeded to carry out its responsibilities for implementing the NHMP. Toward this end, the Commission prepared proposed amendments to Sections 69-2 and 69-3 of the Norwalk Code defining the Inner and Outer Harbors and restricted speed zones. Those amendments were adopted by the Common Council in April 1992. The Commission also prepared and adopted the ''Rules and Regulations for Mooring and Anchoring Vessels'' and ''Minimum Standards for Mooring Tackle'' in Norwalk Harbor. These rules, regulations, and standards were first approved by the Common Council in October 1992 with subsequent amendments in 1993, 1994, and 1998. In addition, a ''Mooring Permit Fee Schedule'' was adopted by the Commission and then approved by the Common Council in December 1992; several amendments to the fee schedule have been approved by the Council since then.

The first amendments to the NHMP were approved by the State of Connecticut and adopted by the Common Council effective April 1, 1993. Those amendments included additional provisions concerning the Outer Harbor. At the same time, the Common Council adopted some amendments to Chapter 69, Article III of the Norwalk Code concerning the powers and duties of the Harbor Management Commission. In 1993, the Commission reprinted the NHMP document to incorporate the adopted amendments.

Additional amendments to the NHMP were prepared by the Commission in 1997 and included in a 1997 ''Plan Addendum'' that was approved by the State of Connecticut and adopted by the Common Council effective March 1, 1998.

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[1] The jurisdiction of the Harbor Management Commission includes all of the waters of the City within the territorial limits of Norwalk Harbor except the Five Mile River Harbor which is subject to the jurisdiction of the Five Mile River Commission.

Amendments to the NHMP were most recently prepared by the Commission in 2009, following a comprehensive review of the NHMP and conditions in the Harbor. Included were amendments to the NHMP's goals, objectives, policies, area-specific guidelines, water-use plans, and implementation responsibilities and recommendations. The amendments were approved by the Connecticut Commissioners of Environmental Protection and Transportation, reviewed by the U.S. Army Corps of Engineers, and then adopted by the Norwalk Common Council effective August 11, 2009. The adopted amendments were included in the document ''Norwalk Harbor Management Plan 2009 Plan Amendments,'' adopted August 11, 2009. Following adoption of the 2009 Plan amendments, the Commission reprinted the NHMP document to incorporate those amendments as well as the Plan amendments included in the 1997 Plan Addendum.

In 2009, the City's program for managing Norwalk Harbor through implementation of the NHMP is one of the longest-standing and most comprehensive municipal harbor management programs in Connecticut. This is due to the broad geographic extent of the Harbor, the diversity and intensity of recreational boating and other recreational activities, the prominence of commercial water-dependent activities, the significant value of the Harbor's environmental resources (including, but not limited to, its shellfish resources), and the many land-based uses attracted to the waterfront.

The NHMP complements the City's Coastal Area Management Program, as well as the Norwalk Plan of Conservation and Development (PCD) and waterfront zoning regulations, by focusing on issues most pertinent to the safe, orderly, and beneficial use of the Harbor and protection of the Harbor's natural coastal resources. The provisions of the NHMP are consistent with and complement the provisions of the PCD which guides land-use in the City. Together, these two City plans function as the principal guides for use and conservation of Norwalk's Harbor and waterfront resources. The City's Planning and Zoning Department works to ensure coordination between the Harbor Management Commission and the City's land-use agencies, including the planning and zoning commissions.

Photo 1-4: *Outer Harbor shoreline and mooring areas.*

What Does the Harbor Management Plan Include?

The Norwalk Harbor Management Plan includes the City's goals, objectives, and policies for managing Norwalk Harbor in the public interest. The goals and objectives are directed toward achieving balance among a number of equally important purposes, including encouragement of beneficial water-dependent use of the Harbor and waterfront; conservation of environmental quality; and protection of the health, safety, and welfare of everyone who uses the Harbor and waterfront. The goals and objectives also establish the basis for the NHMP's harbor management policies and area-specific guidelines.

Figure 1-5: *Norwalk Harbor looking south over Veteran's Park.*

The policies apply throughout all areas of the Harbor to guide administration and implementation of the NHMP. The policies address concerns related to navigation, recreational boating, port activities, waterfront land-use and development, public access to the Harbor, environmental resources, and administration and financing for harbor management.

The NHMP's area-specific guidelines add detail to the policies, and have been formulated for each of six identified ''harbor management units'' within Norwalk's Inner Harbor and for five management units in the Outer Harbor. The Inner Harbor is that part of the Harbor from the ''head of navigation'' at Wall Street south to an imaginary line between Manresa Island and Calf Pasture Point. The Outer Harbor includes the Norwalk Islands as well as the Wilson Cove, Village Creek, and Sprite Island areas. In addition, the NHMP sets forth responsibilities for its implementation.

How is the Harbor Management Plan Implemented?

The Norwalk Harbor Management Plan is based on recognition that Norwalk Harbor provides opportunities for beneficial use and development, but those opportunities are subject to limitations posed by the value and sensitivity of the Harbor's natural coastal resources.

The NHMP, through its goals, objectives, policies, and guidelines, provides a decision-making framework to guide the City's actions, including case-by-case decisions by the Harbor Management Commission, as well as the actions of State and Federal agencies. The Commission acts within that framework to manage the use and conservation of the Harbor and, where necessary, improve Harbor conditions.

Implementation of the NHMP is achieved primarily through actions of the Mayor, Common Council, Harbor Management Commission, other City agencies, the State of Connecticut Harbor Master for Norwalk Harbor, and relevant State and Federal agencies.

- **Mayor.** As the City's Chief Executive Officer acting in coordination with the Common Council, the Mayor provides leadership and support for implementing the NHMP and for otherwise advancing the City's goals for use and conservation of the Harbor. The Mayor appoints the members of the Harbor Management Commission with confirmation by the Common Council.

- **Common Council.** As the City's legislative body, the Council provides leadership and support for the City's harbor management initiatives. Any amendments to the NHMP and to the Norwalk Code as needed to implement certain provision of the NHMP, require adoption by the Council in order to take effect. In addition, the Council is responsible for confirmation of the Mayor's appointments to the Harbor Management Commission, approval of the City's capital budget affecting the Harbor, approval of rules and regulations adopted by the Harbor Management Commission, and oversight of City-owned waterfront properties and facilities.

- **Harbor Management Commission.** Among its responsibilities established in the Norwalk Code and NHMP, the Commission plans for the most desirable use of Norwalk Harbor and otherwise pursues implementation of the NHMP. The Commission conducts a ''harbor management consistency review'' to review proposals affecting the real property on, in, or contiguous to the Harbor to determine their consistency with the NHMP. The Commission's review is carried out within the duly established time frames used by other City, state, and federal agencies in their review of proposed activities and therefore does not add to the time required for processing development applications. The Commission reviews applications to City of Norwalk agencies as well as to the Connecticut Department of Environmental Protection's Office of Long Island Sound Programs (DEP OLISP) and to the U.S. Army Corps of Engineers for consistency with the NHMP. In addition, the Commission serves in an advisory capacity on City-supported planning and development initiatives that affect the Harbor.

Photo 1-6: *Veteran's Memorial Park.*

  The Commission also pursues special projects to advance the goals of the NHMP. For example, the Commission is the City agency responsible for working with the USACE and other agencies to achieve maintenance dredging of the Norwalk Harbor federal navigation project and, provides leadership for the Mayor's Water Quality Committee.

  Through its regularly scheduled and special meetings, the Commission provides a continuing forum to hear the concerns, questions, and thoughts of City residents, waterfront property owners, water-dependent facility operators, and others concerning the Norwalk Harbor, waterfront, and the NHMP.

- **Other City Agencies.** As part of their normal procedures, City commissions and departments with authority to review and approve proposals affecting the real property on, in, or contiguous to the Harbor are required to refer those proposals to the Harbor Management Commission for review and comment as part of the harbor management consistency review

process. In addition, City agencies proposing actions themselves that would affect the Harbor do so in a manner consistent with the NHMP and refer their proposals to the Commission for review and comment.

The Planning Commission, Zoning Commission, Zoning Board of Appeals, Department of Public Works, Water Pollution Control Authority, Police Department, Fire Department, Shellfish Commission, and other City agencies with roles and responsibilities affecting the Harbor work cooperatively with the Harbor Management Commission to achieve the goals and objectives established in the NHMP.

- **State of Connecticut Harbor Master.** The Norwalk Harbor Master is appointed by the Governor of Connecticut and is responsible for the general care and supervision of the navigable waterways within the jurisdiction of the City. In accordance with Section 15-1 of the Connecticut General Statutes, the Harbor Master must exercise his or her duties in a manner consistent with the NHMP. The Harbor Master is an ex-officio member of the Harbor Management Commission and works cooperatively with the Commission to implement the NHMP, and carries out his or her responsibilities in accordance with the NHMP.

- **State and Federal Government Agencies.** Actions by State and Federal government agencies should also be consistent with the NHMP to the maximum extent practicable and required by law. The Harbor Management Commission reviews applications submitted to the Connecticut DEP OLISP and USACE for consistency with the NHMP. The DEP OLISP and USACE then incorporate the Commission's findings into their overall review and decision processes.

Photo 1-7: *East Norwalk Basin.*

What are some of the benefits of the Harbor Management Plan?

There are several broad benefits that the City of Norwalk realizes through the Norwalk Harbor Management Plan. First, the City's role, relative to State and Federal authorities, for the planning, management, and regulation of in-water and waterfront activities is strengthened.

Prior to the Harbor Management Commission and NHMP, the City's authority to address a number of important concerns affecting the Harbor was relatively limited. All tidal waters, submerged lands, and intertidal areas are held in trust by the State of Connecticut for the benefit of the general public; most all activities that take place below the high tide line are subject to the control and jurisdiction of the State of Connecticut and Federal government, acting primarily through the DEP and USACE, respectively.

Through the Commission and NHMP, Norwalk assumed an integral role in the planning, management, and regulation of in-water and waterfront activities. Establishment of such municipal involvement is an important aim of the Connecticut Harbor Management Act which authorizes municipalities to create harbor management commissions and prepare harbor management plans. The NHMP establishes a basic City role in the State and Federal decisions (pertaining to permits for docks, piers, and dredging, for example) that affect waterfront development, environmental resources, and the boating and other activities that take place in Norwalk Harbor. City, State, Federal, and private actions affecting the Harbor are to be consistent with the Plan. This consistency requirement is a significant tool that the City uses to ensure that State and Federal actions conform with Harbor conditions and the City's goals.

Pursuant to Sec. 22a-113n of the General Statutes, a recommendation of the NHMP with respect to a proposed project shall be binding on any official of the State when making regulatory decisions or undertaking or sponsoring development affecting the Harbor, unless such official shows cause why a different action should be taken.

Photo 1-8: *Water Street marine commercial area.*

The NHMP also increases coordination among the different City commissions and departments that carry out harbor management-related responsibilities. A number of City commissions and departments in addition to the Harbor Management Commission have authority or influence over the City's Harbor and waterfront areas. Close coordination among these City agencies is necessary to accomplish the most effective management of Norwalk Harbor and the Harbor's waterfront in the public interest. The NHMP provides a guiding framework (e.g., the City's harbor management goals, objectives, and policies) within which the decisions of these commissions and departments should be made in a coordinated and effective manner. The NHMP helps ensure that awareness and understanding of harbor management concerns are incorporated into the actions of City agencies without removing any of their existing authorities.

In addition, the duties of the State of Connecticut Harbor Master for Norwalk must be carried out in accordance with the NHMP. The Harbor Master is subject to the direction and control of the Connecticut Department of Transportation. The duties of the Harbor Master must be conducted in accordance with the NHMP which provides local direction and control with regard to the Harbor Master's activities, and ensures continuity between the actions of current and future Harbor Masters. Also, the existence of the NHMP ensures that future Harbor Masters must be appointed by the Governor from a list of candidates provided by the Commission.

The NHMP helps to clarify and formally establish, in coordination with the Norwalk Plan of Conservation and Development, the City's long-range vision for beneficial use and conservation of the Norwalk Harbor and waterfront.

An Ongoing Process in the Public Interest

Managing Norwalk Harbor through implementation of the Norwalk Harbor Management Plan is an ongoing process that continues to evolve in response to changing conditions and circumstances. The Harbor Management Commission recognizes that the NHMP can not identify every issue that is likely to affect the Harbor in the future, nor does it provide a definitive answer to every possible concern. The need for case-by-case decision-making remains, but the NHMP provides a framework to guide this decision-making. The framework is flexible and requires modification over time as conditions change and responses to sometimes complicated harbor management issues continue to evolve.

Photo 1-9: *Calf Pasture Park.*

As Norwalk's harbor management program continues, additional management provisions may be formulated to respond to changing circumstances. To accommodate this additional work, and to ensure that the NHMP responds to changing conditions, the NHMP will continue to be amended as needed. The Commission is responsible for conducting an ongoing examination of the effectiveness of the NHMP and of conditions in Norwalk Harbor and for proposing amendments to the NHMP as necessary. The process for amending the NHMP is set forth in the NHMP, City Code, and Connecticut General Statutes. Any amendments that may be proposed by the Commission must be submitted to the USACE for review, comments, and recommendations; to the Connecticut commissioners of Environmental Protection and Transportation for review and approval; and to the Common Council for adoption.

The Commission, through its regularly scheduled and special meetings, provides a continuing forum to hear the concerns, questions, and thoughts of City residents, waterfront property owners, water-dependent facility operators, and others concerning the Norwalk Harbor, waterfront, and the NHMP.

Photo 1-10: *Sheffield Island and the Norwalk Islands looking east.*

NOTE:

Laws, regulations, and ordinances affecting Norwalk Harbor, including laws, regulations, and ordinances enforced by agencies of the State of Connecticut and City of Norwalk, are subject to change and/or renumbering. Persons affected by or otherwise interested in laws, regulations, and ordinances noted in the Harbor Management Plan should consult the most current sources, and may contact the appropriate agency for information on the status of current laws, regulations, and ordinances.