

**City of Norwalk
Shellfish Commission Meeting
September 3, 2020
Minutes**

CALL TO ORDER 7:15 PM

ATTENDANCE

Commission: Steve Bartush, Pete Johnson, Nick Sacchinelli, Joe Madaffari, Tom Mattera
Staff: Thomas Closter

Police:

Advisory:

Guests: Joe Schnierlein, Tony Mobilia, Geoff Steadman, Christian Brown, Christopher Samorajczyk, Rich Bertoli, Adam Fox, James Fallon, Kimberly Lesay, John Pinto, Andrew Davis, Sara Walker, Andrew Ballas, Chet Muckenhirn, Jeffrey Portal, Jeff Roig

MEETING WAS HELD BY ZOOM

PUBLIC COMMENT

Christian Brown from HNTB Corporation gave an update on the Walk Bridge Program. He discussed the Project and Regulatory Approval Process, CTDEEP Permit Overview, Application Contents, gave an overview of the Construction Activities and Environmental Protection Measures and Mitigation.

Shellfish and Harbor Commission Questions:

Does baseline turbidity monitoring data exist for the months when dredging will be permitted?

Response:

Yes, The data was forwarded to Shellfish Commission by Chris Samorajczyk on August 26, 2020

Please tell us how you propose to respond to turbidity exceedances during construction.

Response:

It is important to note that the action level of five (5) NTUs/35% at background of 15 NTUs is a Placeholder. The final action levels are still being evaluated and will be as defined in the Project permits. These specifications are consistent with the proposed response actions Outlined in the Department's previous presentations to the Commission.

How will turbidity monitoring data be collected and made available to stakeholders during Construction?

Response:

Consistent with previous presentations, the data will be made available on a monthly basis including readings and corrective actions undertaken. There would be instantaneous notice to the Commission of any fish kills.

The NHMC and NSC have been working with an environmental scientist to analyze turbidity data From your instruments. Has DOT done its own analysis? If so, are these data available?

Response:

Analysis is on-going. Findings are primarily that there were numerous increases in turbidity (150 instances at the Walk bridge alone from mid-April to late June), most of which cannot Be correlated to a bridge opening or in-water project activities. Approximately half of the Increases are between 5-10 NTUs.

Have you conducted a turbidity grain size analysis for your proposed dredging areas?

Response:

PAGE 2 OF 6

Grain size information on sediment was previously transmitted by Chris Samorajczyk on November 20, 2019. No grain size analysis of turbid water or elutriate sampling has been conducted.

Please describe your current vessel relocation plans, including the results of your risk assessment.

Response:

The below narrative from the permit submission is the worst-case permit impact. While the Walk Bridge Team continues to coordinate with stakeholders to determine the final vessel relocation plan, the permit submission includes a worst-case scenario where both locations were used by the vessels. The risk assessment study is on-going and it is anticipated that a draft will be available by the end of September.

Site 4 (Vessel Dock Relocation):

The existing docks of the Sheffield Island Lighthouse Ferry and Maritime Aquarium's research vessel, Spirit of the Sound, will remain in their general current location (waterward of Parcel 2/19/1) during project construction. To minimize the project's effect on vessel operations, the passenger loading and unloading location will not change, but the existing docks will be realigned and a new dock will be added to the existing configuration (between the realigned docks) to provide operational flexibility as needed. When not in use, the vessels will be stored at a temporary location elsewhere in Norwalk Harbor, requiring new temporary docks. New temporary docks are proposed at Site 5, presented in CA-04 and described in Section 5.1. Following bridge construction, the temporary storage docks will be removed and all operations of the Sheffield Island Ferry and the Maritime Aquarium vessels will resume waterward of Parcel 2/19/1.

Site 5 (MSY):

Site 5 is proposed as a location for the temporary storage of the Maritime Aquarium and Sheffield Island Lighthouse Ferry vessels when not in use for passenger pickup and drop-off at Site 4. Following the dredging and installation of the bulkhead (Section 5.1), temporary pipe piles, dock and two gangways will be installed. At the completion of the project, the temporary facilities will be removed within a turbidity curtain and the site will be restored. A staging and storage yard will be developed at 68, 70, and 90 Water Street to provide a project staging location close to the existing bridge for storage of materials and equipment.

Please describe your planned use of the S. Water St proposed marine staging yard as described in your most recent application.

Response:

The properties at South Water Street will be used by the contractor for material storage and laydown. Construction materials such as formwork, rebar, precast concrete drainage structures will be delivered/stored here until required on site.

Please inform us of the current status of the Eversource project.

Response:

Eversource should be contacted directly to provide details regarding their relocation. The Department believes Eversource will relocate their facilities to meet the date needed for the Walk Program.

What is the regulatory significance of this date? [Comments accepted by DOT until July 3.] Under what authority is it established?

Response: No regulatory authority or significance of the July 3, 2020 date. Application was sent to DEEP on June 26, 2020

Have all of the necessary funds now been secured to implement this project?

Response: Funds are currently programmed and funds will be in place on a yearly basis.

Previously, project duration was described as 4-5 years. What has changed to now suggest a 5-6-year duration?

Response: Evaluating as more details come in to play, modifications like cut and cover to micro tunneling

PAGE 3 OF 6

Why is it necessary or practical to build a 240-ft vertical lift span when the city's vision for upstream development is encouraging multi-family residential development on the waterfront with public amenities and it is generally recognized by land-use planners and developers that there is no reasonable anticipation of new marine commercial development that would require such a substantial lift bridge? Are you still making an argument that the new bridge will encourage new marine commercial development?

Response: Working with City to retain access, importance of upstream development, Federal Navigation Channel

How will the proposed use of Manresa Island affect the previously planned use of these parcels?

Response: Large project, a lot of materials, property will allow lay down space for construction activities. Portion to be acquired by DOT, another by easement

Why is the major part of the circled S. Water St. site shown here (in green) identified as to be acquired by DOT and a smaller part (in yellow) shown to be under an easement? What will this site be used for if the assembly site is to be moved to Manresa Is.? Why is it necessary for DOT to build the proposed new bulkhead on this site if the assembly site goes to Manresa Is.?

Response: Means of calculating impacts.

Please explain the reasons why you are now proposing to significantly revise your previously submitted plans and to now propose to utilize Manresa Island. If Manresa Is. is used as now proposed, how will that affect the other sites previously proposed to be used for this project?

Response: Getting project out of Federal Navigation Channel, still evaluating options, current infrastructure is there, concerns include traffic, environmental and noise.

Please describe the cranes and other heavy equipment that will be operating on the site. For example, how many cranes, how big, how will they be stabilized, and what will their scenic impact be (how visible)? Balloon visibility study?

Response: Reviewed previous visibility study and there was no visibility of the cranes. Cranes are no higher than the buildings present on site.

What approvals from DEEP's Remediation Division are needed to operate on or near the identified hazardous waste/remediation sites?

Response: No materials will be touched on site so no coordination needed.

Will components from demolition be brought to the site by truck or barge, or both?

Response: Vast majority of materials will be trucked off site. 85% trucked off site and 15% by water. Dredged materials will be unloaded at coastal site. No contingencies yet in place if vessels sink.

Where will construction fuel be stored?

Response: Fuel is stored in double wall fuel cells, some at Manresa site in fuel cells. Will be stored close to work site.

Are any municipal land use reviews and/or approvals required? Does the Norwalk Planning Commission, Conservation Commission, and Planning and Zoning Department intend to comment on this proposal? If not, why not?

Response: I don't believe any other approvals required because it is a State action.

PAGE 4 OF 6

What does this [NEPA re-evaluation consultation] re-evaluation consist of? Is there a provision for public review and comment? What sort of re-evaluation is required pursuant to the CEPA (CT Environmental Policy Act) and the CEPA-required Environmental Impact Evaluation?

Response: There will be a re-evaluation because of the change to possibly using Manresa Island. Draft will be completed by the end of September.

What and where are the dewatering and discharge operations for which this general permit [for discharge of stormwater and de-watering wastewaters] will apply?

Response: Dewatering activities and discharge will be at the barge and at the operation of sediment removal and not at the Manresa site.

What is the overall scheduling of Regulatory Approvals, Public Notice?

Response: Public Notice required, 40 day public comment period, schedule will permit.

What analysis has been done to analyze turbidity data from the instruments?

Response: Data has been sent to Commissions, analysis not complete. Turbidity increases when bridge is open. Exceedances process has not changed, will report to Shellfish Commission.

Report will explain actions taken and adjustments. Turbidity instruments will be comparable to the baseline study located both upstream and downstream of activities.

What would trigger the response of the need to build the bulkhead?

Response: It is a placeholder until the need arises.

MINUTES OF LAST MEETING

July Minutes approved with no corrections by Comm. Madaffari, 2nd by Comm. Mattera. Unanimous Vote.

TREASURER

Commissioner Mattera reports:

	NAME	DATE	AMOUNT	REASON
BALANCE		6/3/20	\$18,864.18	
DEPOSIT	Fisherman's World		\$ 4,569.00	
INTEREST			\$ 3.00	
EXPENSES	Frontier		\$ 327.00	
BALANCE		9/2/20		\$23,109.18
	Last Year	9/2/19		\$19,390.99
	Two Years Ago	9/2/18		\$24,700.24

SECRETARY

No Report

COMMITTEES

HEALTH DEPT

Mr. Closter reports:

PAGE 5 OF 6

3.58 inches of rain in July, 3.68 in August. Average since 1987 is 3.60 inches of rain for July and 4.28 in August. There were 1,201 calls in July, 797 in August. There were three closures for Cooke's Ground for over 0.5 inch on July 1, 10 & 31, 2020 and three more on August 4, 17 & 19, 2020. There was one closure in the CAA (1-1.49 inches) on July 1, 2020 and no closures in the CAA1DN (over 1.5 inches) for July and August. There were no reports of a bypass for July and August.

WASTEWATER

No Report.

WATER QUALITY

Chairman Schnierlein discussed an inquiry to him by a Silvermine resident regarding a sewage spill in the harbor. He checked the CTDEEP's Bypass and CSO Events Public Viewer Website and found no issues. Anthony Carr, Chief of Operations and Public Works, stated in an email that there are small isolated spots of an unknown sheen which contained bubbles, leaves, etc. These materials are not characteristic of a sewage spill. This discharge may be attributed from the collection of inland organics entering the waterway, especially after prolonged dry periods, or another possible non sewage substance. WPCA and DPW have not observed any active sewage leaks.

Chairman Schnierlein said he and John Romano have received emails from Rick Reardon regarding concerns that 21,000 gallons of leachate per day are generated and may be leaking into the Norwalk River from Oyster Shell Park. Chairman Schnierlein contacted Kristin Derosia-Banick from the Department of Agriculture, Bureau of Aquaculture and she stated the shellfish and water are tested and monitored and there is no indication of any issues.

Chairman Schnierlein said Louise Washer gave an update on the plans to raise the Grupes Reservoir Dam in New Canaan. There will be an Online Public Hearing on September 29, 2020 @ 3:00pm regarding the First Taxing District dam safety permit. The dam was built in 1871 and is in need of repair. The plan includes removing over 400 native trees and shrubs along 1500 feet of riverbank in order to build a series of walls and berms along the eastern riverbank. There are concerns that the potential negative environmental effects of removing the vegetation from the riverbank and disconnecting the wetlands of Browne Sanctuary from the Silvermine River have not been included for review.

PERMITS

Commissioner Mattera reports permits are ahead of last year. Supplied three packs of maps. Revenue should be ahead of last year. He needs to look at the tally of product from five harvesters and do an assessment of the fee schedule for commercial permits.

POLICE

Sgt. LaPak absent, reports one (1) person clamming at C.P. Beach Clark's Pier for the month of August. He was in compliance. No Commercial or off-shore violations or concerns. It appears that the newly adopted LAZ parking at the Beach has had a definite negative impact on the number of non-resident people clamming. The fee is \$40/day to park. We have not seen many residents for that matter, either. The Marine Unit now has an "Aluratek" Computer camera for Zoom meetings in the future.

PAGE 6 OF 6

ADVISORY

Water reported at 72 degrees in the Harbor.

HARBOR MANAGEMENT

A letter was sent to Mr. Ian Cole of Eversource Energy from John Romano, Chair of the Harbor Management Commission, and Pete Johnson, Chair of the Shellfish Commission, for an update of the status of plans by Eversource Energy concerning the proposed Norwalk Harbor crossing to relocate two existing 115-kV overhead electric transmission lines. The relocation project is a critical element of the Walk Bridge Project and discussions are essential so both Commissions may complete the required comments and recommendations for DEEP. The Commissions have invited Mr. Cole and Eversource to the next Norwalk Harbor Management Commission meeting on September 23, 2020.

Motion from Commissioner Bartush, second from Commissioner Madafari to put letter to Eversource in the record. Unanimous Vote.

Motion to accept committee reports by Commissioner Madafari, second by Commissioner Sacchinelli. Vote Unanimous.

OLD BUSINESS

Commissioner Bartush said the 20.5 Shorefront Park dock application requires an inspection.

NEW BUSINESS

Commissioner Bartush said that the Shellfish Commission is out of recreational maps. He would like to print new ones with rules on the opposite side and also have it available in Spanish.

Motion by Commissioner Mattera, second by Commissioner Madaffari to redo Shellfish Recreational Maps. All in Favor – Commissioner Bartush abstained.

Motion by Commissioner Bartush, second by Commissioner Madaffari to pay Professor Hart up to an additional \$2,000 for dredging analysis and final report. Unanimous Vote.

NEXT MEETING: Thursday, October 1, 2020 @7:15pm (Zoom)

ADJOURNMENT: 9:30 PM Motion by Steve Bartush, second by Commissioner Sacchinelli, Unanimous Vote.

Minutes by Thomas Closter