

**CITY OF NORWALK
HARBOR MANAGEMENT/APPLICATION REVIEW
ZOOM MEETING
JUNE 23, 2021**

ATTENDANCE: John Romano, Chairman NHMC, John Pinto, Chairman Application Review; Jeffrey Mangels; Christopher MacDonnell; Alan Kibbe; Dennis Santella; John Crespo; Laurie Jones

STAFF: Michelle Andrzejewski

OTHER: Joseph Schnierlein, Water Quality Chair; Geoffrey Steadman;

CALL TO ORDER

Mr. Romano called the meeting to order at 6:00 P.M. and turned the meeting over to John Pinto who began the Application Review meeting. There was a quorum present.

PLEDGE OF ALLEGIANCE

Mr. Alan Kibble led the Commission in reciting the Pledge.

1.1

MANRESA ISLAND AVENUE, SOUTH NORWALK, CT. COP. NORWALK POWER LLC (APPLICANT) ON-GOING WETLAND SEDIMENT REMEDIATION. AS A RESULT OF HISTORIC OPERATIONS, THE SITE AROUND THE NORWALK HARBOR GENERATING STATION IS BEING REMEDIATED AS PART OF A STATE CORRECTIVE ACTION PROGRAM UNDER LICENSED ENVIRONMENTAL PROFESSIONAL (LEP) OVERSIGHT IN COORDINATION WITH THE CTDEEP REMEDIATION DIVISION. THE AREA OF CONCERN (AOC) IS A VEGETATED AREA (~55-ACRES) FORMERLY USED FOR COAL ASH AND OIL ASH DISPOSAL. ANALYSES OF THE AREA INDICATE THE PRESENCE OF SEDIMENT IMPACTED BY METALS ASSOCIATED WITH COAL ASH IN FOUR WETLANDS OF AOC. THE FOUR WETLANDS CONSIST OF TWO FRESHWATER (W-3 AND W-4) AND TWO SALTWATER (TIDAL; W-5 AND W-6) WETLANDS. THE TIDAL WETLANDS (W5 AND W-6) ARE THE SUBJECT OF THIS CURRENT PERMIT APPLICATION PER CTDEEP AND USACE REGULATIONS. HOWEVER, PROPOSED WORK ACTIVITIES IN THE TWO FRESHWATER WETLANDS WILL BE THE SAME AS AND WILL OCCUR CONCURRENTLY WITH THOSE DESCRIBED HEREIN FOR THE TWO TIDAL WETLANDS. THE PROPOSED SEDIMENT REMEDIATION WILL OCCUR IN WETLAND W-5 (3.25 ACRES) AND WETLAND W-6 (5.03 ACRES) WHICH CONSIST OF A MIX OF PALUSTRINE AND ESTUARINE INTERTIDAL WETLANDS. BOTH WETLAND AREAS (W-5 AND W-6) ARE CONNECTED TO TIDAL MARSH ESTUARIES BY A CULVERT OR CULVERT WITH WEIR. [NOTE: PALUSTRINE WETLANDS ARE CHARACTERIZED BY THE PRESENCE OF TREES, SHRUBS, AND EMERGENT VEGETATION (PLANTS ROOTED BELOW WATER BUT GROW ABOVE THE SURFACE). THEY RANGE FROM PERMANENTLY SATURATED OR FLOODED LAND (AS IN MARSHES, SWAMPS, AND LAKE SHORES) TO LAND THAT IS WET ONLY SEASONALLY]. THE PROPOSED ACTIVITIES WILL REMEDIATE SHALLOW SEDIMENT COMPOSED OF SELECT METALS IN THE TWO TIDAL WETLANDS AND INCLUDE THE FOLLOWING COMPONENTS: SEDIMENT REMOVAL: SITE PREPARATION EXCAVATION OF VEGETATION AND 1' SEDIMENT IN W-5; DREDGING OF SUBMERGED SEDIMENT TO 1' IN OPEN WATER AREA OF W-6; SEDIMENT DEWATERING; CHARACTERIZATION, TRANSPORT, AND

OFF-SITE DISPOSAL OF SEDIMENT. WETLAND RESTORATION: RESTORATION OF EXCAVATED AREAS TO PRE-EXISTING ELEVATIONS WITH CLEAN SAND BACKFILL; PLANTING THE RESTORED AREAS TO ESTABLISH NATIVE WETLAND VEGETATION. WETLAND MONITORING: MONITORING OF THE RESTORED AREAS TO ENSURE THAT THE NATIVE WETLAND VEGETATION BECOMES ESTABLISHED.

The site is being remediated as part of the State Corrective Action Program under the Licensed Environmental Professional Oversight in Co-Ordination with the Connecticut D.E.E.P. The Area of Concern is a vegetated area appx 55 acres formally used for coal-ash and oil-ash disposal. There are two fresh-water and two salt-water tidal wetlands in the Area of Concern. Only the salt-water tidal wetlands are part of the application. The proposed sediment remediation will take place in Wetlands 5 (appx. 3.25 acres) and Wetlands 6 (appx. 5.03 acres). The remediation will remediate a shallow sediment of selected metals in the two tidal wetlands. Chairman Pinto recited the components that would be present for the Commission. There will be sediment dewatering and characterization transport and off-site disposal of the sediment. Clean sand backfill will be installed and there will be planting of restored areas with established native wetland vegetation. He provided images of the wetlands for the Commission to view.

Commissioner MacDonnell provided video footage of the site and indicated a location in W6 which he felt needed a splash guard and to be backfilled to protect a culvert he had filmed from erosion. He suggested that the damage to the culvert may have been recent. He noted that the water was not flowing in and out correctly due to the damaged culvert which was affecting the assumptions about high/low water levels.

Mr. Steadman recalled a prior proposal where they had been planning to place wetland vegetation as an alternative to excavation.

Chairman Pinto said that was a pilot project. They had boxed off an area and planned to do plantings of various types of plants to determine remediation. He had not seen further applications or data regarding that project.

Mr. Schnierlein noted that the area, especially along the sandy beach, was prime area for Diamondback turtle to lay their eggs. He noted that the area was also a habitat for *Squilla empusa* which is a species of mantis shrimp found in waters of Long Island Sound. Chairman Pinto noted that the application had made mention of the flora and fauna in the area. It was clarified that this was not total remediation of the entire property and, instead, just the designated areas in the application. Discussion followed on the de-watering process and its impact on the site. Mr. Steadman said they should ask for an update on that project. Chairman Pinto said he'll request that the applicant review the project at the July meeting. The question arose whether a timeline for the project had been provided. Chairman Pinto said one had been submitted with September 2021 being the planned start of the project with a length of 10 months to complete the project.

Chairman Pinto suggested that they make a recommendation that they find the application consistent with the harbor management plan with a comment that the Commission request that the applicant should check to ensure that the culverts are functioning properly. The Commission should also request that a representative of the N.R.G. come to the next meeting to address further questions.

Mr. Steadman suggested that they refer this item to the Shellfish Commission as well.

2. 26

SHOREFRONT PARK, PRE-APPLICATION, SOUTH NORWALK, CT. MR. ANDREW VIGNEAULT (APPLICANT) PROPOSES TO DREDGE A 5,826 SQ FT AREA TO -8 FT BELOW MEAN LOW WATER WITH 0.5 FT OF ALLOWABLE OVERDREDGING. A PORTION OF THE PROPOSED DREDGE AREA HAS BEEN DREDGED UNDER COP-2003-024-SJ. NO DOCUMENTATION EXISTS THAT DEMONSTRATES THAT THE REST OF THE PROPOSED DREDGE AREA WAS EVER DREDGED ALTHOUGH IT HAS BEEN USED FOR PRIVATE DOCKAGE FOR SEVERAL DECADES. DREDGING WILL BE CONDUCTED BY CLAMSHELL METHOD USING A CRANE ON A WORK BARGE TO REMOVE APPROXIMATELY 1,173 CY OF SEDIMENT. DREDGED MATERIAL WILL REQUIRE TESTING TO DETERMINE SUITABILITY FOR DISPOSAL IN LONG ISLAND SOUND. THE APPLICANT HAD A COASTAL RESOURCE ANALYST (PETER PELLEGRINO) CONDUCT A MACROBENTHIC COMMUNITY STRUCTURE OF THE HABITAT AROUND 26 SHOREFRONT PARK. THIS STUDY CHARACTERIZED THE EXISTING BENTHIC COMMUNITY AS A STAGE II STRUCTURE, WHICH ACCORDING TO PUBLISHED CRITERIA IS CONDUCIVE TO RAPID BENTHIC RECOLONIZATION AFTER DREDGING. STUDY RESULTS CONCLUDED THAT THE PROPOSED DREDGED AREA SHOULD RECOLONIZE TO THE SAME CURRENT LEVEL WITHIN 12-18 MONTHS FOLLOWING DREDGING.

This item was removed from the discussion table at the request of the agent.

Chairman Pinto noted that a letter had gone out for 5 Decker and 13 River Road and they were waiting for activity. There have been citizen complaints and complaints from Marvin Beach Association regarding the ongoing activity at these sites. Chairman Pinto said that the further remarks that were ongoing were to have the owner or agent indicate what the distance would be from where the dock currently is to the new dock location. Complaints have been made about the dock interfering with views.

A separate issue was raised with the relocation of large rock boulders 7-9 Nylked Terrace. Chairman Pinto said the Commission needs to bring up the issue with the D.E.E.P. before progress could be made on the matter. The Army Corps was supposed to issue a permit but no permit was issued. As a result, the rocks in the area are waiting to be replaced/repositioned and they are creating a hazard to navigation. Chairman Pinto suggested that they send letters to the Army Corps and D.E.E.P. to ask what actions are being taken to address this issue. Further discussion on the rocks followed. There was no objection and unanimous agreement to the notion of sending a letter to the D.E.E.P. regarding the status of relocation or removal of the rocks at 7-9 Nylked Terrace.

STANDING ACTION ITEMS:

OPEN DISCUSSION OF FUTURE WALK BRIDGE PROPOSALS REGARDING PLACEMENT OF TRANSMISSION CABLES BY EVERSOURCE AND DOT, DOT'S PLANS FOR STATIONING WORK BARGES IN NORWALK HARBOR; DOT'S PLANS TO MONITOR WATER QUALITY, AND BULKHEAD CONSTRUCTION AT PROPOSED SOUTH WATER STREET STAGING PROPERTIES.

No action was taken on this item.

CHAIRMAN'S REPORT

City of Norwalk
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June 23, 2021

The question of when in-person meetings would resume was raised. Ms. Andrzejewski said that the next step was that, following the June meetings, a plan for the City was to be released in regards to in-person meetings. She said she would follow-up with more information via e-mail if there were any changes.

Questions were raised about the fee proposal that the Commission had submitted. Mr. Steadman said that there was an allocation of funds from the Department of Agriculture (DOA) available for enhancement of shellfish resources. Members of the DOA were visiting various locations to identify opportunity areas for shellfish enhancement. Prior to the meeting Mr. Steadman provided a brief report regarding the mud flats south of Veteran's Park which is a significant inter-tidal resource. He believes they can present a good argument as to why this location should be one of the candidate sites for funding through this federal program. Further discussion on this followed.

FINANCE

Commissioner Kibbe said he had nothing to report at this time. He has not received his monthly statement from the City as of yet.

NEWSLETTER

Commissioner Kibbe said there was nothing to report with the newsletter.

PLANS AND RECOMMENDATIONS

Commissioner Mangels said he had nothing to report other than the update on fees which was already covered.

MOORING COMMITTEE

Commissioner Santella said they were continuing to review the renewal applications and continues to address any issues or concerns that come up. There are 52 approved applications and 53 applications under review. Emails have been sent to the managed fields requesting that the final mooring field inventory and the final payment be made. In regards to Harbor Safety the Committee is not aware of any issues or concerns regarding Harbor Safety at this time.

HARBOR MASTER REPORT

Commissioner Santella said he wished there was better communication between himself and the Harbor Master.

WATER QUALITY

Mr. Schnierlein said he had attended a meeting with the Shellfish Commission. He said they had noted shellfish beds with a predominance of clams and oysters but mussels starting to come back. Especially in Five-Mile River. They had also looked at their mission statement and found fragments of their old mission statement and they are working on developing a complete mission statement to be shared at a

later date. They are also putting together multiple issues that they have looked at over the past year and where they believe that the City needs to get involved.

Mr. Steadman said they also wanted to look at the old minutes of the Harbor Commission. He feels it would be a valuable project to look at the old minutes and scan them all to digitize them. Further discussion followed on the benefits of digitizing the old minutes.

PUBLIC COMMENT

No one wished to speak at this time.

APPROVAL OF THE MINUTES

MAY 26, 2021

- ** COMMISSIONER PINTO MOTIONED TO ACCEPT THE MINUTES OF MAY 26, 2021 AS AMENDED.**
- ** COMMISSIONER MANGELS SECONDED THE MOTION.**
- ** THE MOTION PASSED UNANIMOUSLY.**

ADJOURNMENT

- ** COMMISSIONER MANGELS MOTIONED TO ADJOURN.**
- ** THE MOTION PASSED UNANIMOUSLY.**

The meeting adjourned at 7:08 P.M.

Respectfully Submitted;
Ian A. Soltes
Telesco Secretarial Services