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A Newsletter from the Connecticut Department of Energy and Environmental Protection Exploring Long Island Sound - Issues and Opportunities

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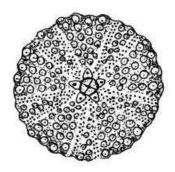
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#### SPOTLIGHTED COASTAL RESOURCE: The Coastal Property Owner's Guide Protects Coastal Resources By Preventing Future Violations

In an effort to protect coastal resources statewide and prevent potential violations of state coastal permitting programs, the Land and Water Resources Division (LWRD) of DEEP has developed the <u>Coastal Property Owner's Guide</u>.

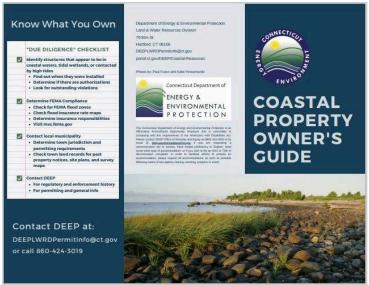
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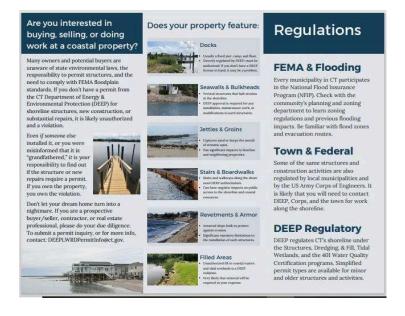




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Owners and potential buyers of waterfront property can be unaware of state environmental laws and the need to make sure the coastal structures on the property (i.e., seawalls or docks) have federal, state, and local permits and comply with Federal Emergency Management Agency (FEMA) floodplain standards. The Coastal Property Owner's Guide contains information about federal, state, and local regulatory programs that have jurisdiction over specific coastal activities that are also highlighted in the guide.

The goal of the guide is to educate property owners that federal, state, and local permits are required before coastal structures are built, which will protect property owners from future enforcement actions and orders to restore impacted coastal resources. Educating property owners will also protect coastal resources from adverse impacts associated with unauthorized activities like fill or seawalls improperly placed in tidal wetlands or coastal waters, which would likely have to be removed. The brochure also dispels some long-held myths about violations that were built or installed by previous property owners, contains a "Due Diligence" checklist, and provides important DEEP contact information, <a href="mailto:DEEPLWRDPermitInfo@ct.gov">DEEPLWRDPermitInfo@ct.gov</a>, for property owners to use for a permit inquiry or to request more information.

Editor's Note: The Coastal Property Owner's Guide was designed and co-developed by Brian Golembiewski, the Supervising Environmental Analyst of LWRD's Enforcement Unit, and Katie Perzanowski, an LWRD

Environmental Analyst. To learn more about Katie, please see the "First Impressions" column in this issue of *Sound Outlook*.

# SPOTLIGHTED PUBLIC ACCESS: Connecticut Supreme Court Supports DEEP, Rules Against Stamford Property Owner Who Blocked Public Access

Regular readers of *Sound Outlook* may recall the enforcement saga described in the <u>February/March 2018 Issue</u>, concerning efforts by Bernard Nussbaum of Sea Beach Drive in Stamford to obstruct public access along a rocky shore.

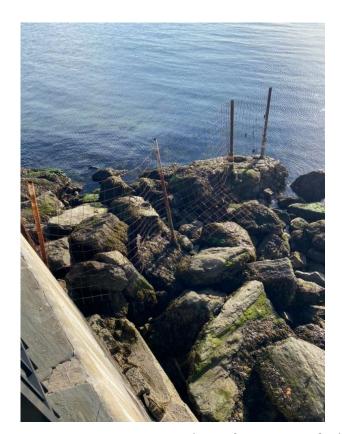
When that article was written, Mr. Nussbaum was in the process of appealing two 2018 Final Decisions by the Department which <u>denied his permit application</u> to maintain two illegally constructed fences admittedly intended to block public access to the shoreline in front of his property and <u>ordered removal of the fences</u>.

On appeal, Mr. Nussbaum reiterated his claims that the fences were necessary to protect his property rights and to prevent members of the public from injuring themselves on the rocks. On November 14, 2019, the <u>Superior Court rejected this contention</u> and upheld DEEP's decisions, stating that "it would be quite an unusual circumstance for one person's private property rights to extend as far as placing a fence on someone else's property for the very purpose of deterring access by the other owner to their own property."

Unhappy with this result, Mr. Nussbaum appealed again, to the <u>Appellate Court, which in a brief</u> <u>per curiam opinion upheld the Superior Court decision</u>. Next, the <u>Connecticut Supreme Court turned down Mr. Nussbaum's final attempt for review</u> on November 2, 2021.

Deprived of his last legal hope, Mr. Nussbaum ultimately had the fences removed on Thanksgiving Day, November 25, 2021. For the benefit of all those who would or should learn from this extended saga, the case can be cited as *Nussbaum v. DEEP, 206 Conn. App. 734 (2021); cert. denied, 339 Conn. 915 (2021).* 

While two short fences may not seem like a big deal, public access to the shores of Long Island Sound is one of the cornerstones of the State's Coastal Management Program, and the **Connecticut Coastal Access Guide** is one of the most popular pages on the DEEP website. As a result, DEEP staff and their lawyers from the Attorney General's Office have devoted almost ten years of effort since the initial Notice of Violation was issued to Mr. Nussbaum in July of 2012 to ensuring that the public's legal rights to its own public trust property are protected and maintained.





Nussbaum fence in Stamford before and during removal Photo Credit: John Casey



Nussbaum site in Stamford after fence removal Photo Credit: John Casey

## **CLIMATE CHANGE UPDATE: New Tools To Better Understand the Effects of Climate Change**

Earlier this year, the National Oceanic and Atmospheric Administration (NOAA) released materials that shed new light on how climate change, and sea level rise in particular, may impact the United States. These attempts to provide recent data and projections are available in both easy-to-understand charts and graphics, and detailed analyses and maps. Nutmeggers may be interested in exploring these new resources, highlighted below.

<u>CT State Climate Summary</u> https://statesummaries.ncics.org/chapter/ct/: Created and distributed by NOAA's National Centers for Environmental Information, the State Climate

Summaries were originally produced in response to a growing demand for state-level information in the context of the Third National Climate Assessment (NCA) and subsequent sustained activities. This 2022 version represents a new-and-improved summary for each state that provides more up-to-date information on observed changes in climate, including both long-term trends and extreme weather events relevant to that state. The summaries consist of observed and projected climate change information and focus on aspects that are part of NOAA's mission (mainly, characteristics of the physical climate and coastal issues). Key messages for Connecticut include:

- Temperatures have risen ~ 3.5 degrees F since the beginning of the 20<sup>th</sup> century and under a higher emissions pathway, historically unprecedented warming is projected, with increases in heat wave intensity and decreases in cold wave intensity;
- Annual precipitation has been highly variable, with the highest number of extreme events occurring from 2005-2014. Increases in the frequency and intensity of extreme precipitation events are projected, as are increases in winter and spring precipitation; and
- Sea level has risen at a rate of 10-12 inches per century in Connecticut, exceeding the global rate. Both are rates expected to rise during this century, with the local rate containing to exceed the global rate.

NOAA Digital Coast – Coastal County Snapshots: These snapshots incorporate the most up-to-date sea level rise projections as published in the sea level rise technical report (see below) and allows the user to explore the projections from the previous report. This Digital Coast tool provides simple graphics that describe complex, county-specific coastal data looking at risks to populations, facilities, homes, and businesses. Communities can use this information to ascertain vulnerability and to plan accordingly. Data are currently provided for 7 of the state's 8 counties (apologies to Windham county).

For those interested in a deeper dive, there are links from the snapshots to the Coastal Flood Exposure Mapper, which is based on the Roadmap for Adapting to Coastal Risk approach to assessing coastal hazard risks and vulnerabilities. The Roadmap for Adapting to Coastal Risk was developed by NOAA as an approach to help communities assess coastal hazard risks and vulnerabilities. With this approach, communities looked at how hazards were impacting their people, places, and natural resources and identified planning, policies, and actions to help reduce these impacts. The mapper enables users to explore maps that show people, places, and natural resources exposed to coastal flood hazards and create a collection of maps to share and communicate about flood exposure.

NOAA 2022 Sea Level Rise Technical Report: This multi-agency effort, representing the first update since 2017, offers projections out to the year 2150 and information to help communities assess potential changes in average tide heights and height-specific threshold frequencies as they strive to adapt to sea level rise. Twenty-three co-authors contributed to the development of the report, representing senior scientists and experts from academic institutions and the following agencies: NOAA, National Aeronautics and Space Agency, Environmental Protection Agency, U.S. Geological Survey, Federal Emergency Management Agency, and the Army Corps of Engineers. Additional support was provided by the Department of Defense Strategic Environmental Research and Development Program. The report identified 4 key takeaways:

Sea level along the U.S. coastline is projected to rise, on average, 10 - 12 inches (0.25 - 0.30 meters) in the next 30 years (2020 - 2050), which will be as much as the rise

- measured over the last 100 years (1920 2020). Sea level rise will vary regionally along U.S. coasts because of changes in both land and ocean height.
- Sea level rise will create a profound shift in coastal flooding over the next 30 years by causing tide and storm surge heights to increase and reach further inland. By 2050, "moderate" (typically damaging) flooding is expected to occur, on average, more than 10 times as often as it does today, and can be intensified by local factors.
- Current and future emissions matter. About 2 feet (0.6 meters) of sea level rise along the U.S. coastline is increasingly likely between 2020 and 2100 because of emissions to date. Failing to curb future emissions could cause an additional 1.5 5 feet (0.5 1.5 meters) of rise for a total of 3.5 7 feet (1.1 2.1 meters) by the end of this century.
- Continuously tracking how and why sea level is changing is an important part of
  informing plans for adaptation. Our ability to monitor and understand the individual
  factors that contribute to sea level rise allows us to track sea level changes in a way
  that has never before been possible (e.g., using satellites to track global ocean levels
  and ice sheet thickness). Ongoing and expanded monitoring will be critical as sea
  levels continue to rise.

#### First Impressions: Katie Perzanowski

This column features the "First Impression" that set someone on their path to environmentalism. We hope *Sound Outlook* readers will relate to these "First Impressions" and recall their own experiences that led them to appreciate and care about Long Island Sound.



In this issue, we highlight the First Impression of Katie Perzanowski, an environmental analyst in the DEEP's Land and Water Resources Division (LWRD):

It all started with *Free Willy*. Katie Perzanowski remembers seeing the movie at the age of two or three, and from there she developed a deep love for—some would say obsession with—whales. She even dreamed of a career that involved researching and training whales:

My mom said I would have to move to Florida to work at Sea World, and I didn't want to leave home. I also got seasick on a deep-sea fishing trip with my dad, which meant I couldn't work on boats. So I kissed that dream goodbye. Plus, it turns out I wasn't very good at biology.

Nonetheless, this **First Impression** would linger, and as she grew up, Katie developed a broader appreciation for nature:

I loved being outside. I loved it when my dad would take me to his cousin's farm and we'd walk in the woods, and when we'd visit the brook in our backyard. I learned about crabbing and fishing and we'd kayak during summer vacations at Cornfield Point. My dad even bought me my first pink fishing reel.

Katie also developed skills through her middle school years that would qualify her as a Renaissance Woman, or a Pioneer Woman at the very least:

I was practical; I sewed, I gardened. I loved to help my dad pick tomatoes. I did some woodworking. Then I got into high school and lost those cool skills.

High school opened a lot of doors for Katie, and her interests expanded and replaced her practical pursuits:

In high school I got busy with my studies, and I found improv comedy and marching band. I realized I was creative and liked designing and creating things, so I thought about becoming an architect.

Unfortunately, some misinformation about careers in architecture from a friend of a friend dissuaded Katie from pursuing that line of work. She also contemplated becoming a chef, but ultimately, she decided on a career in media:

I attended Sacred Heart University where I majored in media studies so I could design and produce commercials. My professors noticed that I was good in calculus and said I could easily pursue a second major in math.

Somehow through a series of unfortunate circumstances and unsuccessful internships beyond Katie's control, her primary major switched from media studies to math:

Looking back, it all turned out OK, because the 12 of us in the math program became very close. We studied together, and the math department was very supportive. It was incredibly hard, and I wanted to quit multiple times, but I'm glad I stuck with it. I think my math background is what enabled me to get the jobs I've gotten so far!

After graduation, Katie's "college bestie" encouraged her to follow him into a career teaching math, and Katie enrolled in two graduate classes toward her teaching certification. But it just wasn't for her. She was still trying to figure out her path.

With a little more time on her hands, Katie started to do more hiking with her dog and was reacquainted with her love of the outdoors. That led to her checking out the DEEP's website where she found a seasonal position in the Bureau of Energy and Technology Policy to do website-related work:

I always loved being outside with my dog, so I thought, "Why not try to do something with that?" The seasonal jobs were perfect for me, being able to incorporate my media studies background into environmental issues. I did two seasonal stints, one with the Office of Energy Demand where I created the Energize CT renewable energy and energy efficiency resources pages, and the other with the Office of Climate Change where I contributed content to their Facebook page and took meeting minutes for the first iteration of the Governor's Council on Climate Change. The best part was, I was able to take scientific content and break it down for the general public to understand.

Katie also pursued a path back to a childhood passion:

When I graduated from college, I participated in a beluga whale encounter at Mystic Aquarium. I put on waders and went into the pool with a whale named Juno, gave him a tongue rub, high-fived his fin, and got a kiss from him. It was a childhood dream come true!

Katie had already ruled-out becoming a whale trainer as a career, but during the beluga whale encounter she asked if there was any chance she could get more involved at the aquarium. She was encouraged to volunteer, which would be Katie's **First Step** toward environmentalism:

I accepted a volunteer position as a docent, where I spoke to the public on microphone at the various exhibits. I had to learn about the different animals at the aquarium, and I learned about Charlotte, the sea turtle with bubble butt.

Charlotte had been struck by a boat, which partially paralyzed her lower digestive tract and hind flippers. As a result, air accumulated in her hindquarters which caused her to float with her rearend up, hence the term "bubble butt." Charlotte came to Mystic from the <u>Georgia Sea Turtle</u> <u>Center</u>.

The Arctic Coast and Penguin teams at Mystic had also created a Whale and Penguin Enrichment Team, which would provide another opportunity for Katie to participate in her childhood dream:

As part of the enrichment team program, I arrived early in the morning while the trainers prepared for their day. I got to hang out with the whales, play hide-and-seek, dance, and sing funny songs to engage them and change-up their environment. I played peek-a-boo with Juno, and one time I played my ukulele for him, and he bobbed along and danced. I loved that!

Katie's volunteer experience, and her introduction to Charlotte, opened even more doors. Her intuition told her to look into the Georgia Sea Turtle Center, and she learned that they had an <a href="Maintenance-AmeriCorps"><u>AmeriCorps</u></a> program, an experience she had been toying with but hadn't quite convinced herself to fully pursue:

An AmeriCorps position had opened-up at the Georgia Sea Turtle Center doing sea turtle husbandry, and I decided to apply. I submitted a letter of recommendation I received from the whale enrichment team at Mystic, and I was selected as a finalist for the position.

At the same time, Katie was offered a full-time position with DEEP's Public Utilities Regulatory Authority (PURA) as an assistant rate analyst, a job she had applied for months earlier. Katie was torn between pursuing a dream working to save sea turtles or accepting steady employment with a good salary and benefits. Katie's practicality came flooding back, and she contacted the Georgia Sea Turtle Center to determine her status for the AmeriCorps opportunity. Turns out, they were going to offer the position to someone else, so she accepted the job with PURA. And Katie can thank working for PURA for her **Behavior Change**:

When I accepted the job, I thought I would work on redesigning the website and other web-related projects, but instead I reviewed dockets about natural gas pipelines. It was important work, but it wasn't a good fit for me. I wasn't very happy with the kind of work I was doing, and even my co-workers could tell.

In fact, one colleague's sage career advice for Katie was that she never become a poker player—or an assassin—because she wore her feelings on her sleeve, but they complimented her on being extremely polite and doing a good job in a position where she clearly wasn't happy. And, as she did with her double math major, she stuck with it even though it was tough going. Two months later, karma rewarded her:

The lead candidate for the Georgia Sea Turtle Center AmeriCorps position had to withdraw, so they offered the position to me! But I thought, "How can I give up a steady, secure, full-time job and move away from my family and friends to do something I've never done before?" Ultimately,

I decided to do it, so I wrapped-up my projects at PURA over the following month, packed-up my truck, and moved to Georgia by myself. It was the biggest thing anyone in my family had ever done; we're all from Connecticut and have all stayed here, so it was a big deal.

Katie settled into her new work doing sea turtle husbandry and helping sick and injured sea turtles as well as other reptiles and birds:

Working with sea turtles was awesome. I loved the hands-on work, I loved being connected with nature, I loved making a difference. Everything about it was fantastic. We rescued a loggerhead sea turtle that suffered a predator attack and half of its front right flipper was missing. The vet had to amputate it, and I did the anesthesia for the sea turtle and monitored its breathing for the two-hour surgery. I essentially breathed for that turtle, and it was so rewarding to know I helped keep an endangered animal alive. That was my big trigger—I love this.





Katie helping sea turtles at the Georgia Sea Turtle Center

From there, Katie was about to take her **Big Environmental Step** and actively pursue a career in the environmental field, and she learned a few more Pioneer Woman skills along the way:

When I finished with the position in Georgia, I returned to Connecticut and was hired in another seasonal resource assistant job, this time as a hunter safety resource assistant at Sessions Woods. I loved it. I answered phone calls for the Wildlife Division, processed certifications, and travelled around the western part of the state helping with hunter safety classes. I earned my firearms, bow hunting, and trapping certifications. I especially liked the work because it was part office-based and part field-based. On special occasions, I was fortunate to be able to accompany colleagues on bear and bobcat collar changes, pheasant stocking, and Canada goose banding.



As her second seasonal position with Wildlife came to an end, Katie applied for over 60 jobs all along the east coast and found herself losing out to other candidates with degrees that were more advanced or more environmentally focused than hers. She was about to accept yet another durational seasonal position in DEEP's Forestry Division when, in July 2018, she landed a job as one of the three environmental interns in DEEP's Environmental Quality branch hired to rotate through the Bureaus of Materials Management and Compliance Assurance, Air Management, and Water Protection and Land Reuse (WPLR). After her rotation through each of these bureaus, she realized that WPLR, and LWRD in particular, was the best fit for her:

The position includes office work and some field work, and the connection with water is really important to me. Maybe it's partly because my dad works for a municipal water department and he instilled an appreciation for water—and he installed rain barrels on our house gutters for watering our garden. But I feel like I'm making a difference, it feels like I'm helping by keeping tidal wetlands protected. It also goes back to my love for whales and the sea turtles, I feel like I'm saving their habitat in Long Island Sound. The job meets everything I was looking for. It felt like I found my place.

Katie still volunteers at the Mystic Aquarium with their animal rescue program, and being a weekend volunteer has its perks:

Because of the number of hours I've volunteered at the aquarium, I've had some fun opportunities like being able to feed the penguins. I've been able to participate in training sessions with the whales and have helped with beluga observations. I also got to work in the marine theater with the sea lions for a bit. Once I started working full-time I had to give-up that Tuesday shift, but I got kissed by a sea lion before I left.

Working in the marine theater wasn't the only opportunity that Katie has had to perform. She is an accomplished improvisational comic who, as a freshman in 2009, founded Sacred Heart University's Improv Program which is still going strong. For one semester in college she co-hosted a radio show with a friend, calling themselves Otis, where they played music and did comedy bits between songs. And she wrote and performed a poem on a megaphone when Seuss the Seal was released back to the wild after surgery in Mystic to remove the rocks he had eaten.



Katie's desire to be part of a creative atmosphere thrives to this day, and she's still able to combine her talents and passions in several creative ways:

Every year I attend <u>Improv Camp in Stroudsburg, Pennsylvania</u>, and the past few years I've done a dolphin-training skit with other improvisors. We all jump off the lake dock at the same time and then they pretend to be dolphins. I train them using some of the commands I learned. Everyone loved it and they were so supportive, letting me live-out my dream. I plan to surprise everyone at camp this year and give out Swedish fish for positive reinforcement.

Katie also combines her passions in developing outreach materials for LWRD, like the <u>Coastal Property Owner's Guide</u> highlighted in this issue of *Sound Outlook*:

I really enjoy developing materials like the Coastal Property Owner's brochure. Again, it lets me combine my creativity with my desire to protect the environment. My work with LWRD hasn't been limited to strictly one discipline; I've helped with enforcement, I've done coastal permitting and coastal land use reviews, and I've done website work. I especially like the graphics and outreach work. I feel like I'm making a difference, I'm teaching others and preventing problems in the future.

Katie Perzanowski set-out to be creative and do something meaningful and fulfilling with her life. Between her volunteer work and her career with the Connecticut DEEP, it looks like she has finally found her path. We can only hope that Saturday Night Live or The Second City doesn't steal her away.



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