

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

Appendix E: Walk Bridge Replacement Project EA/EIE Review Comments

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**Appendix E Walk Bridge Replacement Project EA/EIE
Review Comments**

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- F-1 David Simmons, Assistant Supervisor, Endangered Species Program, New England Fish and Wildlife Office, U.S. Fish and Wildlife Service
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- F-4 Amishi Castelli, Ph.D., Environmental Protection Specialist, U.S. Department of Transportation, Federal Railroad Administration, Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)
- F-5 David Fogel, AICP, Director, NEC Business Development (Capital Planning and Development), Amtrak, *Corporate Planning*, Planning, Technology and Public Affairs Department

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- S-1 Eric McPhee, Supervising Environmental Analyst, CT Dept. of Public Health
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- C-4 Lisa Burns, PE, Principal Engineer, Norwalk Department of Public Works
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- C-6 Timothy T Sheehan, Executive Director, Norwalk Redevelopment Agency
- C-7 Bruce J. Chimento, PE, Director of Public Works, Norwalk Public Works
- C-8 Steve Kleppin, Planning and Zoning Director, Norwalk Planning Commission
- C-9 Dick Brescia, Chairman, Norwalk Parking Authority
- C-10 Alexis Cherichetti, Sr. Environmental Officer, City of Norwalk Conservation Office
- C-11 Elizabeth Stocker, AICP, Director of Economic Development, City of Norwalk
- C-12 Paul Sotnick, Senior Civil Engineer, Norwalk Department of Public Works, Engineering Division
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- B-1 Linda Kornmeyer
- B-2 Jeffrey Price, Artists' Market Inc.
- B-3 Shenton J. King, Director of Marketing, Commercial Development, King Industries, Inc.
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- B-5 Karen Tomko, Vice President, United Marine Boatyard
- B-6 Matthew Condon, Jonathan Brown, Managing Members, Coastwise Boatworks
- B-7 Kim Morque, Spinnaker Real Estate Partners, LLC
- B-8 Clayton H. Fowler, Chairman & CEO, Spinnaker Real Estate Partners LLC
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- B-10 Douglas A. Bora, Jr., Spinnaker Real Estate Partners, LLC
- B-11 Matt Edvardsen, Spinnaker Real Estate Partners LLC
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Harry Rilling, Mayor, City of Norwalk (Refer to E-3)

T-1 Mario Coppola, City of Norwalk Corporation Counsel (Refer to C-1)

Steve Kleppin, Norwalk Director of Planning and Zoning (Refer to C-8)

Elizabeth Stocker, City of Norwalk Director of Economic Development (Refer to C-11)

T-2 Gail Lavielle, State Representative, 143rd District (Refer to E-1)

T-3 Fred Wilms, State Representative, 142nd District

Tom Devine, President, Devine Brothers (Refer to B-4)

Lori Torrano, Vice Chair, City of Norwalk Redevelopment Agency (Refer to C-6)

Jim Carter, Norwalk Representative, Norwalk River Valley Trail Steering Committee (Refer to O-3)

T-4 Michael Widland, Co-Chairman, Maritime Aquarium Board of Trustees (Refer to I-27)

Nancy Rosett, Chair, Mayor's Bike/Walk Task Force (Refer to C-13)

T-5 Brian Davis, President and CEO, The Maritime Aquarium at Norwalk (Refer to O-12)

Bill Burnham, Trustee, Maritime Aquarium (Refer to I-26)

Dick Brescia, Chairman, Norwalk Parking Authority (Refer to C-9)

T-6 Michael McGuire

T-7 Fran DiMeglio, Chair, Norwalk Planning Commission

Mike Tomko, Owner, United Marine Boatyard (Refer to B-5)

T-8 Mike Griffin, State of Connecticut Harbor Master for Norwalk, CT

Bill Nightingale, City of Norwalk Conservation Commission (Refer to C-10)

T-9 Robin Penna, Norwalk Harbor Keeper

T-10 Tony D'Andrea

T-11 Fred Krupp, Norwalk Harbor Keeper

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T-12 Tony Mobilia, Chair, Norwalk Harbor Management Commission (Refer to C-3)

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John Igneri, Chairman, Public Works Committee, Norwalk Common Council (Refer to E-6)

T-13 Joe Schmierlein (Refer to I-5)

Bruce Chimento, Director of Public Works, City of Norwalk (Refer to C-7)

Paul Sotnick, Senior Civil Engineer, Norwalk Department of Public Works (Refer to C-12)

Danny Grundmann (Refer to I-17)

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Bruce Kimmel, President, Norwalk Common Council (Refer to E-5)

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T-15 Tod Bryant, President, Norwalk Preservation Trust (Refer to O-9)

T-16 Robert Hard (Refer to I-25)

T-17 Edward J. Musante, Jr., President, Greater Norwalk Chamber of Commerce

Debora Goldstein, Commissioner, Third Taxing District Commission (Refer to E-4)

T-18 Bob Wagman

Shenton King, King Industries (Refer to B-3)

T-19 Debora Goldstein

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State of Connecticut

HOUSE OF REPRESENTATIVES STATE CAPITOL

REPRESENTATIVE GAIL LAVIELLE
ONE HUNDRED FORTY-THIRD ASSEMBLY DISTRICT

LEGISLATIVE OFFICE BUILDING, ROOM 4200
300 CAPITOL AVENUE
HARTFORD, CT 06106-1591

CAPITOL: (860) 240-8700
TOLL FREE: (800) 842-1423
Gail.Lavielle@housegop.ct.gov

RANKING MEMBER
EDUCATION COMMITTEE

MEMBER
APPROPRIATIONS COMMITTEE
TRANSPORTATION COMMITTEE

August 17, 2016

Commissioner James P. Redeker
2800 Berlin Turnpike
Newington, CT 06111

Dear Commissioner Redeker,

I am writing to request several documents related to the Walk Bridge project underway in Norwalk.

Specifically, I would be very grateful if you would send to me:

- All study/analytical documents regarding the various fixed-bridge alternatives so far considered in determining the appropriate design for the bridge. These would presumably include, among other things, various height alternatives, pros and cons in terms of structure, impact of the various choices on surrounding areas and the community both during and after construction, rail schedule disruption, and estimated cost in each case. E-1.1
- All documents related to the question of maintaining or discontinuing the status of the waterway as navigable, including, but not limited to, impact on and opinions of the businesses that use the waterway, economic and environmental impacts of maintaining or discontinuing the status, administrative actions necessary for a change in status and their feasibility, and any conclusions reached regarding the matter. E-1.2
- All documents related to consideration of Norwalk sites for staging during construction. E-1.3

Thank you in advance for your always prompt and thorough response to inquiries.

Sincerely,

Gail Lavielle
State Representative, 143rd District

CC: Pamela Sucato, DOT



State of Connecticut

SENATOR TONI BOUCHER
TWENTY-SIXTH SENATE DISTRICT

LEGISLATIVE OFFICE BUILDING
300 CAPITOL AVENUE, SUITE 3701
HARTFORD, CONNECTICUT 06106-1591
CAPITOL: (860) 240-0465
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SENATE

CHIEF DEPUTY MINORITY LEADER

RANKING MEMBER
EDUCATION COMMITTEE
TRANSPORTATION COMMITTEE

MEMBER
FINANCE, REVENUE & BONDING COMMITTEE
JUDICIARY COMMITTEE

Testimony on the Walk Bridge Environmental Impact Report

By Senator Toni Boucher

11/17/2016

Thank you for the opportunity to discuss the replacement of the Walk Bridge in Norwalk. The replacement of this 120 year old bridge is a necessary and overdue investment in our transportation infrastructure. Repeated malfunctions have caused the bridge to periodically become stuck in the open position, causing frustrating delays to Metro-North passengers and prompting worrying questions about the its safety and longevity.

E-2.1

The DOT's EA/EIE report is therefore a welcome sign of progress. However as the plans to replace the bridge move forward, it is important to bear in mind their immediate impact on travel in an already congested region and any long term impact on the health of the community and the local business environment.

I hope that the DOT will pursue a course of action that will minimize the impact on commuters. Construction will undoubtedly add to the daily commuting time, and travelers who elect to drive instead of taking the train will add themselves to our already congested highways. Since the replacement of the bridge would coincide with repairs and other projects on I-95, replacing the Walk Bridge may also create a more difficult commuting environment for drivers as well as rail passengers.

E-2.2

In the long-term the construction of the bridge would present difficulties for nearby businesses, whose property the DOT would have to acquire either permanently or temporarily in order to build the bridge. This includes the Norwalk Aquarium, which is directly adjacent to the existing Walk Bridge and whose popular IMAX theater would have to be taken over for the duration of the project. Should this prove necessary, I would hope that the DOT would provide assistance to the aquarium to have the theater relocated. It is vitally important that the DOT pursue a construction option that minimizes the damage to the nearby business environment.

I urge the department will carefully consider the long term impact of this project on the surrounding area, and pursue the build option with the least potential for disruption. Thank you for your time and attention.

E-2.3

MAYOR RILLING REMARKS AT CT DOT PUBLIC HEARING RE – WALK BRIDGE –
NOVEMBER 17, 2016

Good evening. I am the Mayor Rilling , the Mayor of Norwalk.

I want to welcome you all to the City of Norwalk.

And, I want to thank the public for coming out to this public hearing tonight and I specifically want to thank our boards, commissions and departments for all they do for the City. Many of the speakers tonight are volunteers, who work long and hard for the City, and who have various areas of expertise. They have immersed themselves in the details of the Environmental Assessment and the Environmental Impact Evaluation. They are bringing to you the City's perspective, based upon their unique knowledge of the City's past, its present and its future.

We understand that the Walk Bridge needs to be replaced. It has stood as an iconic symbol of our City since 1896. It carries our residents and residents of our neighboring towns over four tracks of the New Haven line. It is in need of substantial repair and/or total replacement. We understand why we are here and we support the why. It is long overdue for our City, the region, and the travelling public.

E-3.1

What we need to discuss and evaluate is how the walk bridge is going to be replaced. What is going to be put in its place? What is the effect on the City? Our residents, Our businesses?

E-3.2

What is the project going to be? How long is it going to last? What business and residents will be displaced? What will happen to them? What will happen to our parks, the aquarium, the sky line, and our public areas? What will the disruption be? How long will it last? What mitigation measures will be implemented? What are the long term direct and indirect effects?

The city administration has spent significant time and effort to review all of the documentation and information that has been provided by CT DOT so far. While substantial work has been done, there is more to do. While my administration is working directly with CT DOT, we have taken steps to independently assess the potential impacts of this project on City residents, businesses, properties and other important City resources.

The evolution of the Walk Bridge and the other projects that will occur concurrently are an extremely important undertaking for the City, vital to the social, cultural, and economic growth of the City. Its impacts to economic development, land use patterns, cultural and historic resources, and social behavior (including our use of parks now and

E-3.3

in the future) all require study. These impacts require thoughtful and careful consideration. The effects on our residents and businesses now, during construction, and thereafter should be carefully studied and considered by the agencies and not in any rushed way. Meaningful, thoughtful evaluation will lead to a successful project, and one that our current and our future residents deserve.

I look forward to working with you and will certainly make myself and my staff available to you at any time. We are a resource, we are the affected community and we are a partner. We are committed to moving forward, but we also must do what is right for the residents of Norwalk.

I hope you not only hear, but you listen closely to the hard work and analysis presented by my City officials and staff tonight and when we submit our written comments. The City of Norwalk looks forward to work together with CT DOT to make this project a great success.

,

Third Taxing District

2 Second Street
East Norwalk, CT 06855

Tel: (203) 866-9271
Fax: (203) 866-9856



Statement of Position of the Third Taxing District Walk Bridge Public Hearing – November 17th 2016

The Connecticut Department of Transportation (CDOT), over the course of the past two years has developed a plan to replace the Walk Bridge, which included multiple meetings with “stake-holders”. In the Environmental Assessment/Section 4(f) Evaluation/Environmental Impact Evaluation dated August 2016, the report lists 14 benefits of the preferred bridge design, 26 environmental impacts and 24 mitigations and commitments.

It should be noted that the residents and businesses of the Third Taxing District of the City of Norwalk, which comprise the neighborhood of East Norwalk were not collectively considered as stake-holders, though the TTD was consulted as a utility that must coordinate on construction. E-4.1

As a result of this, impacts on the abutting properties impacted by property takings and easements have received a lot of attention, which is only part of the story impacting the East Norwalk community.

Taking the elements listed in CDOT, here are things it should have considered:

Rail Traffic: Rail traffic for the Northeast corridor is extremely important, and all mitigation and improvement discussions revolve around this need; however, there has been scant attention paid to improving frequency of service specific to East and South Norwalk stations after the project is done—communities that will be suffering long term changes and all of the pain and disruption of this project. E-4.2

Marine Traffic: Straightening the channel and increasing horizontal and vertical clearances will have the effect of improving marine traffic as it exists today. There has been no discussion of what future marine traffic needs might be as a result of these changes, which a two-span redundancy would not resolve with a failure to open one of the spans. E-4.3

Traffic, Transit and Parking: These are discussed only in terms of impacts and mitigation for this project. The report wholly fails to address any benefits of the bridge, such as reducing highway congestion due to increased ridership as a result of improved service to our community. E-4.4

Socioeconomics: Benefits are discussed solely in terms of temporary construction jobs in connection with the project, and benefits to the Northeast corridor from improved rail service. Impacts are discussed only in the context of the abutting property owners, needs for easements, and the loss of property taxes to the City of Norwalk. Mitigation is limited only to assisting abutting property owners subject to easements. This utterly fails to address the impacts of losing a historical structure, the long-term maintenance costs of proposed infrastructure changes (such as placing electric feeds underground, demolishing the Maritime IMAX theatre, the loss of long-time residents and businesses in a primary commercial downtown area). The \$91,000 property tax losses from this project will be spread over 85,000 residents and all of the commercial properties in Norwalk. The TTD municipal district will be forced to absorb losses of almost \$60,000 per year in revenue from customers displaced by this project (not counting the three properties already demolished for East Avenue) and those losses will have to be spread over roughly 3,800 meters, even as businesses and residents are suffering the impacts from traffic/transit disruptions to the area. E-4.5

District Commissioners

David L. Brown
Charles L. Yost
Debora Goldstein

203-866-8099
203-853-0837
203-252-7214

Chairman
Commissioner
Commissioner

James Smith
Ron Scofield
Michael Intrieri

203-866-9271
203-866-9271
203-866-3001

General Manager
Assistant General Manager
Treasurer

(Over)

Historic and Cultural Resources: Though the project calls for the replacement of the bridge, which is listed on the National Register of Historic Places, this is not listed as a significant impact in the report. Similarly, the destruction and rebuilding of the Maritime IMAX theatre is also not discussed as a significant impact in the report. Mitigation for historical and archaeological impacts is limited working with historical "stakeholders" to develop mitigation plans. It may be inappropriate to demolish the Walk Bridge as a historic structure, especially if restoration could accomplish the goals and needs of the project at a lesser cost. Taxpayers, who have already paid for the construction of the theater, should not be asked to pay for it twice more—once to purchase the structure, and again to build it a second time.

E-4.6

E-4.7

E-4.6

(cont.)

Public Utilities and Service: The report lists no impacts to public utilities. Both SNEW and TTD will be experiencing impacts, as electrical infrastructure decisions with permanent impacts to the maintenance and revenue needs of the districts are being made with little or no consultation with the districts. This includes moving the feeds from one side of the bridge to the other, burying electric feeds underground and/or placements of mono-poles within the district to accommodate overhead feeds. There has been no discussion of mitigating the losses of either utility. The TTD municipal district will be forced to absorb losses of almost \$60,000 per year in revenue from customers displaced by this project (not counting the three properties already demolished for East Avenue) and may not operate outside of the district to replace lost revenue. In addition, it is expected to be difficult to lure new businesses to the district for the duration of this and other CDOT construction projects, due to the disruption to traffic in the area.

E-4.8

E-4.9

Coastal Management Considerations: Though the report makes multiple non-specific references to mitigation for items like impacts to wetlands and water quality, the increased water speed from straightening the channel may have unforeseen impacts on the shellfish industry, the water quality and any attempts to mitigate increased erosion.

E-4.10

The TTD urges CDOT to go back and reconsider options that were discarded in 2014 and to fully vet them against the objectives for this project. For example:

E-4.11

- New fixed bridge with truss work above the rails instead of underneath
- Mini-tugs for Devine and O&G
- Let tall-mast pleasure boats moor in the outer harbor
- Restoration in place of the existing bridge

Submitted on behalf of the Third Taxing District – City of Norwalk

David Brown, Chairman
Charlie Yost, Commissioner
Debora Goldstein, Commissioner
Michael Intrieri, Treasurer

To: the Connecticut Department of Transportation
From: Bruce Kimmel, President of the Norwalk Common Council
Date: Nov. 30, 2016
Re: Impacts of Walk Bridge Project

EXHIBIT 11

Dear DOT officials,

I believe it is extremely important that your department view the Walk Bridge Project and its various impacts on the city of Norwalk in a broad and comprehensive context that includes the other major projects that are now being implemented, or will begin shortly, in the vicinity of the Walk Bridge. To do otherwise would be a disservice to the residents of the city.

E-5.1

Liberty Square, which is set to become a major staging area for the Walk Bridge Project, is across the street from Veterans Park, which is about to experience a major disruption as the city begins to implement a master plan for the park that includes the construction of new docks and boat ramps.

Across the Stroffolino Bridge into SONO, a few blocks past the railroad tracks, is the site of the SONO Collection – a \$300 million construction project that is scheduled to begin this spring and will undoubtedly cause a variety of traffic problems.

Across the Stroffolino Bridge, a few blocks to the left up Water Street, is the site of the Washington Village reconstruction, as well as the construction of Maritime Village; these two housing projects require extensive infrastructure work and, together, will cost roughly \$140 million. This, too, will cause a fair amount of disruption.

The city is also beginning to implement what we call the Webster Street Master Plan, also several blocks from the Walk Bridge, which may require changes in traffic patterns, as a new parking facility and possibly an office building replace a large street-level parking lot.

In sum, I do not believe it would be fair to the city and its residents to view the various impacts of the Walk Bridge Project apart from the above-mentioned projects. Please be mindful of the simple fact that the Walk Bridge spans the heart of the city, and that there are major changes underway in that critical area. Careful, comprehensive due diligence is absolutely necessary to minimize the impacts of the Walk Bridge Project on the people and the economy of the city.

Sincerely,
Bruce Kimmel
President, Norwalk Common Council

To: The Connecticut Department of Transportation
From: John Igneri Chairmen of the Department of Public Works Committee
Date: November 30, 2016
Subject: My Presentation at the Nov 17th Meeting--Walk Bridge

For the record, my name is John Igneri. I am a City of Norwalk Common Council member and the Chairman of the Public Works Committee. I have been kept abreast of this project by Department of Public Works staff over the past year. I would like to see replacement of the aged and iconic Walk Bridge with a new important, resilient structure that can serve both the Norwalk community and the entire Northeast rail corridor. I appreciate the challenges with building this new bridge and commend the Governor for moving the replacement up the State's priority list through the Emergency Declaration. I have advised DPW staff to work with you to the best of their ability to make sure your project is a success as well.

E-6.1

I am writing specifically about the EA / EIE document prepared by HNTB to meet NEPA and CEPA and other regulatory requirements. It is my understanding that the purpose of the document is to identify broad-ranging impacts on the affected constituents, user groups, and community both during construction and post-build. After the impacts, if any, are identified, mitigation measures are to be developed. We have been told by the Connecticut Department of Transportation that they are working toward a FONSI, or Finding of No Significant Impact, by April of 2017 and that mitigation measures not included in the EA / EIE can be part of that FONSI document. I would like to point out that this document's purpose is to assess the human environmental impacts resulting from the project rather than justifying decisions already made.

The August 2016 EA / EIE does not adequately assess nor wholly identify community impacts and thus, without fully assessing or understanding impacts, it is impossible to develop mitigation plans and measures. After reading the document, I came away wondering if the preparers had any first-hand knowledge of Norwalk or if they reached out to the community in any way to determine impacts. The document certainly checks the required boxes, but failed Norwalk.

E-6.2

On a high-level, the entire Walk Bridge program encompasses several more projects not included in this EA / EIE – the City of Norwalk's position is that this is being done to make the DOT's project move more quickly. By slicing and dicing this large-scale project up and excluding the Danbury Dockyard project, CP243, East Avenue, Osborne Avenue and high tower relocation portions of the project from this process does a disservice to the community and fails to recognize the total stress on the human environment. Several of these projects have been identified by the DOT as high priority and need to be completed before construction of the bridge can commence, so they should be included in the environmental assessment. The document also does not acknowledge the incredible number of other public and private construction projects going on simultaneously to the Walk program - the City of Norwalk has another unbelievably 20(!) DOT projects going on in addition to the Walk program as well as a number of large-scale developments in the immediate area of the project.

E-6.3

The EA / EIE has not fully-vetted impacts in several areas including: traffic and parking; pedestrian and bicycle facilities; land use; property impacts; water quality; socioeconomic impacts; and secondary and cumulative impacts. I could go on, but I would like to emphasize the last two: socioeconomic and secondary and cumulative impacts. I've already gone over my concerns with excluding major portions of the project in relation to cumulative impacts. The socioeconomic section is contains a bare understanding at best. As Chairman of the Public Works Committee, I can directly speak on behalf of my

E-6.4

department and say that the economic impacts on the Department of Public Works alone will top millions of dollars throughout the course of this project.

E-6.4 (cont.)

A FONSI is not the appropriate foregone conclusion of this process as too many impacts have not been identified or fully vetted. I respectfully request that an Environmental Assessment be revised and expanded upon to address the concerns I mentioned, with community outreach and input, for the entire Walk Bridge program.

E-6.5

Sincerely;

John E Igneri

Chairman of the Department of Public Works Committee

City of Norwalk Common Council

Norwalk Common Council
125 East Avenue
Norwalk, Ct 06854
December 1, 2016

Mr. Mark W. Alexander
Transportation Assistant Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, Ct 06111

Re: Written comments regarding the state project, "Walk Bridge," EA/EIE

Dear DOT officials,

We, the members of the Norwalk Common Council, are deeply disturbed by the absence of context in the EA/EIE documents. These documents examine various impacts of the Walk Bridge project in isolation; these documents pay little attention to the other large-scale projects that are already being implemented, or are set to soon begin, in the vicinity of the Walk Bridge.

E-7.1

We, therefore, strongly urge the state DOT to not conclude that a Finding of No Significant Impact (FONSI) is appropriate. Instead, we believe the state must further examine the economic and human impacts of the Walk Bridge Project in a broad and comprehensive context that includes the projects described below. The cumulative effects of all of these projects, including the Walk Bridge, will have a severe and possibly long term impact on the very heart of the city. To focus exclusively on the impacts of the Walk Bridge would be a disservice to the residents of Norwalk.

E-7.2

Liberty Square, which is set to become a major staging area for the Walk Bridge Project, is across the street from Veterans Park, which is about to experience a major disruption as the city begins to implement a master plan for the park that includes the construction of new docks and boat ramps. The city is currently experiencing a variety of parking and traffic problems in that area due to the recent opening of the SONO Ice Rink – which is directly across the street from Liberty Square.

E-7.1
(cont.)

Construction of the \$300 million SONO Collection mall is set to begin this spring. This massive undertaking, a few blocks from the Walk Bridge, will undoubtedly cause a variety of traffic and other quality of life problems. It behooves the DOT to carefully consider the impacts on traffic these projects, together, will have on South Norwalk and the rest of the city.

The reconstruction of Washington Village and the construction of Maritime Village, with a combined cost of roughly \$140 million, are in their early stages of development. These projects, which will require extensive infrastructure work, and are within easy walking distance of the Walk Bridge, will soon have a serious impact on traffic in South Norwalk. Again: We urge the

DOT to examine these impacts together in order to minimize the hardships experienced by residents and business owners.

E-7.1
(cont.)

The city is also in the early stages of implanting the Webster Street Master Plan, also several blocks from the Walk Bridge. This, too, will prove disruptive, alter traffic patterns, and impact businesses in the heart of South Norwalk, as a new parking facility and possibly an office building replace a large street-level parking lot.

SONO, especially Washington Street and sections of Main, currently has a variety of excellent restaurants, storefronts, housing -- even a new hotel is in the works. The city has worked especially hard in recent years to enhance the attractiveness of this area, which is sandwiched between several major construction projects, including the Walk Bridge. The city projects mentioned above were designed to make this rather small area a destination not only for Norwalk residents, but a destination for residents throughout Fairfield County.

With the Walk Bridge Project added to the SONO mix, we urge the state DOT to tread carefully, to ensure that all the progress made in SONO is not destroyed. Five years of gridlock, caused by the cumulative impact of a variety of projects, but most of all by the huge, costly, and complex Walk Bridge Project, would definitely lead to vacant storefronts and empty apartments in SONO. We believe the state should reimburse all business owners, and possibly residents, who suffer financially because of the long-period of construction that the Walk Bridge Project will require.

E-7.3

We should note that the city of Norwalk has worked diligently in recent years to expand its tax base and thereby lower the property tax burden on residents. We believe the state should seriously address whatever fiscal hardships the city experiences as a direct result of the Walk Bridge Project and that the city should be reimbursed accordingly. At the very least, everything possible should be done to minimize the fiscal toll on the city and our residents.

E-7.4

Norwalk's Board of Education is in the early stages of implementing a five-year school facilities plan. Two of the schools slated for either new construction or "as new" renovations are located in South Norwalk; one within rather easy walking distance from the Walk Bridge. These two important projects will add to the complexity of the Walk Bridge endeavor, and cover roughly the same time period. We emphasize the need for the state DOT to consider the overall impact that the Walk Bridge Project will have on the residents of South Norwalk, who are already dealing with the prospects of new schools, the BOE's need to devise "swing space" during construction, and a variety of other projects that may indeed make travel around the city less than easy.

E-7.1
(cont.)

Norwalk's vibrant Bike-Walk Task Force, working with our Department of Public Works, our Planning and Zoning Department, as well as local businesses, has produced a city-wide plan aimed at making Norwalk a bike and pedestrian friendly place to live and to work. This includes the introduction of special lanes in many of our streets, including those in South Norwalk, so that walking and bike riding not only increase, but become safer. We strongly urge the DOT to

E-7.5

take the time to ensure that the Walk Bridge Project does not adversely impact decisions made by the task force.

In sum, we do not believe it would be fair to our city, our residents, and our local businesses to view the various impacts of the Walk Bridge Project apart from the above-mentioned projects. Please be mindful of the simple fact that the Walk Bridge spans the heart of the city, and that there are major changes underway in that critical area. Careful, comprehensive due diligence is absolutely necessary to minimize the impacts of the Walk Bridge Project on the people and the economy of the city.

We believe a Finding of No Significant Impact (FONSI) on Norwalk will do serious damage to our residents, businesses and overall quality of life.

E-7.1
(cont.)

E-7.2
(cont.)

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

2. *Comments from Public Agencies*

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

2.1. Federal Agency Comments

- F-1 David Simmons, Assistant Supervisor, Endangered Species Program, New England Fish and Wildlife Office, U.S. Fish and Wildlife Service**
- F-2 C.J. Bisignano, Supervisory Bridge Management Specialist, U.S. Coast Guard**
- F-3 Andrew L. Raddant, Regional Environmental Officer, U.S. Dept. of the Interior, Office of the Secretary**
- F-4 Amishi Castelli, Ph.D., Environmental Protection Specialist, U.S. Department of Transportation, Federal Railroad Administration, Office of Program Delivery, Environment and Corridor Planning Division (RPD-13)**
- F-5 David Fogel, AICP, Director, NEC Business Development (Capital Planning and Development), Amtrak, Corporate Planning, Planning, Technology and Public Affairs Department**

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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Sarah Walker

From: David Simmons <David_Simmons@fws.gov>
Sent: Tuesday, September 13, 2016 10:28 AM
To: Sarah Walker
Cc: Jeannine Dube
Subject: Walk Bridge Replacement Project (Project No. 0301-0176) - request for review

Dear Ms. Walker,

We are in receipt of your email with attachments requesting our review of the EA/EIE for the subject project. Unfortunately, the workload generated by the collective number of correspondences we receive exceeds our ability to address all requests. Therefore, we are unable to review the subject project and documents and provide comments. We recommend that your firm and/or the Connecticut Department of Transportation determine if listed species or critical habitat under the jurisdiction of the U.S. Fish and Wildlife Service (Service) may be present in the project area by visiting the Service's Information for Planning and Conservation website (<https://ecos.fws.gov/ipac/>). This interactive website database will provide a list of species and critical habitats that may be present in the project area. You can use the list to determine if the subject activities may affect any listed species or critical habitat. Please contact our office for further coordination if any listed species or critical habitat may be affected by the proposed activities. Additionally, please contact me if you have any questions about this email. Regards,

David

David Simmons
Assistant Supervisor, Endangered Species Program
New England Fish and Wildlife Office
U.S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 03301
603.227.6425

F-1.1



16591
Norwalk River/CT

September 29, 2016

Mr. Mark W. Alexander
Transportation Assistant Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131

Re: Walk Bridge across the Norwalk River – EA comments

Dear Mr. Alexander:

We have completed review of the Environmental Assessment/Section 4(f) Evaluation – Environmental Impact Evaluation for the proposed replacement of the Walk RR Bridge across the Norwalk River in Norwalk, Connecticut.

The document adequately addresses our bridge permit concerns regarding navigation. This office will provide a preliminary navigation determination to Connecticut Department of Transportation at a later date in accordance with the U.S. Coast Guard's "Bridge Permit Application Guide" (July 2016). We do have one comment regarding coordination relative to the project.

F-2.1

On page 2-21, it is noted that "state and federal permits from CTDEEP, OLISP, USCG and ACOE will be required for dredging activities in the federal navigation channel." The Coast Guard does not permit dredging activities; therefore we request that "USCG" be struck from that particular sentence.

F-2.2

Thank you for including our agency in the environmental review process and we look forward to working with your team on this project. If you have any questions or desire to discuss this matter further, please contact Jim Moore, Project Manager, at (212) 514-4332 or by e-mail at: james.m.moore2@uscg.mil.

Sincerely,

A handwritten signature in blue ink that appears to read "C. J. Bisignano".

C. J. BISIGNANO
Supervisory Bridge Management Specialist
By direction

E-Copy: info@walkbridgect.com
Sector LIS, Chief of Prevention



United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
15 State Street – Suite 400
Boston, Massachusetts 02109-3572

November 17, 2016

9043.1
ER 16/0517

Mark W. Alexander
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131

Subject: Draft Section 4(f) Evaluation – Walk Bridge Replacement, Norwalk, Connecticut.

Dear Mr. Alexander:

The U.S. Department of the Interior (Department) has reviewed the Section 4(f) Evaluation for the proposed replacement of the Walk Bridge, which carries Amtrak and New Haven Line railroad traffic over the Norwalk River in Norwalk, CT. This project includes replacement of the swing bridge, catenary towers, and electric towers, along with related infrastructure, with a vertical lift bridge. The following comments on this project are offered for your consideration.

Section 4(f) Evaluation Comments

The Department concurs that there is no prudent and feasible alternative to the proposed use of 4(f) lands, which consist of the existing bridge, high electric towers, catenary support structures, stone retaining walls, Fort Point Street Railroad Bridge, and the Industrial Buildings historic district, all eligible for or listed on the National Register of Historic Places (NRHP). The measures to minimize harm must be explicitly consistent with the Memorandum of Agreement under development in consultation by the Federal Transit Administration, the Connecticut State Historic Preservation Office, and the Connecticut Department of Transportation.

F-3.1

F-3.2

Thank you for the opportunity to review and comment on this project. If you have questions regarding these comments, please contact Cheryl Sams at (215) 597-5822 or Cheryl_Sams@nps.gov. Please contact me at (617) 223-8565 if I can be of further assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrew L. Raddant".

Andrew L. Raddant
Regional Environmental Officer

CC: SHPO-CT (Kristina.newmanscott@ct.gov)

FTA WALK BRIDGE REPLACEMENT PROJECT - ENVIRONMENTAL ASSESSMENT

FRA comments on Draft submitted for cooperating agency review in Sept 2016

Section	Page (in PDF file)	Comment	
General	n/a	Most of the drawings and figures do not show the existing bridge. It is hard to visualize how the new bridge is going to be built while keeping the existing bridge operational. I am sure either USACE or USCG will ask for more information showing the construction phases or at least some schematic diagrams.	F-4.1
General	n/a	Overhead Contact Systems (OCS) are not shown for the new bridge. Do not see on the figures.	F-4.2
General	n/a	Typically for FRA funded projects, a bridge load rating is done for all existing bridges that are proposed to be replaced. I see some kind of a reference to 2005 Fatigue Study but do not see any reference to any bridge load rating. The inspection and load rating report usually provide an in-depth look at the condition of existing bridge, load capacity, what members are in the worst condition, and most importantly what the repair cost will be to bring the bridge to the present day standards. Both superstructure and substructure inspection and load rating report should be prepared for this bridge. That will also make it a justifiable case in front of the taxpayers and the general public for the replacement option.	F-4.3
Fig 2.4	2-10	Bascule bridge in open position does not seem like is fully open. The counterweights should go below the girders in the fully open position and in fact that is why more spacing needed between the internal tracks. Please clarify.	F-4.4
Fig 2.4	2-10	Could the control housing be located near the banks so that the operator could just park and walk?	F-4.5
Fig. 2-8	2-14	Curved building on the southwest corner is very close to the west tower footing. Not sure how the building is supported.	F-4.6
3.1	general	The Walk Bridge part of the NEC as well as the NHL (as currently written, it seems to imply it is not part of the NEC where it is part of the NHL, when in fact that portion is part of BOTH the NEC and NHL)? An explanation <u>in the introduction</u> of its role in the context of NEC operations, including Amtrak operations, also needs to be provided as well as impacts on Amtrak operations. If coordination is not already being conducted with Amtrak, it should be (for example, on page 3-9, I believe there are other lines besides just the NE Regional and Acela - Amtrak can clarify). They should review the EA for assertions re: impacts of [no build, preferred, and alts evaluated but dismissed] alternatives on rail operations.	F-4.7
3.1.2	3-2	In the 3rd paragraph, last line, could the speed reduction happen because of at-grade crossing? Or there are none in this segment?	F-4.9
3.1.2	3-2	Reference can be made to NHML instead of NHL since Class 7 tracks are only on the mainline?	F-4.10
3.1.2	3-2	In the last paragraph on this page, freight capacity seems to be one of the main reasons for replacing the Walk Bridge but on Page 10 , under Freight Rail Service, it is not clear whether there is more demand now or in the future. In the second paragraph on page 10, it is not clear what the physical, operational, and institutional issues are in the region.	F-4.11
3.1.3	3-11	3rd paragraph on this page, provide 'E-' before '80'	F-4.13

Section	Page (in PDF file)	Comment	
3.1.3	3-11	In the same paragraph, the statement saying that "Per Cooper 80 Loading there is no limit to the maximum allowable car load" is incorrect. No bridge can be designed for unlimited loading. A valid statement could be "unrestricted for free-running freight traffic."	F-4.14
3.7	general	<p>Missing in this evaluation is consistency with Federal planning initiatives- specifically FRA's NEC FUTURE program. You may review the program goals and objectives at necfuture.com, but in summary, the FRA-led effort is a long-term planning study to plan and prioritize passenger rail investments on the NEC. On December 16th, FRA released the Tier 1 Final EIS that identifies a Preferred Alternative. At this time, I've offered some text (see adjacent text box) for you to consider incorporating into this section - it gives background about NEC FUTURE, and also explains that the Walk Bridge Build Alt is consistent with the NEC FUTURE Preferred Alternative. Please contact me if you'd like to discuss further. (**note that FTA is also a Cooperating Agency in the NEC FUTURE effort).</p>	F-4.15
3.24	3-166	<p>The Federal Railroad Administration (FRA) is working with Northeast Corridor stakeholders to develop a long-range, integrated investment plan for the Northeast Corridor (NEC) between Washington, D.C., and Boston, Massachusetts. This planning effort, called NEC FUTURE, was initiated in early 2012 and is expected to be concluded in 2017. The purpose of the NEC FUTURE program is to upgrade aging infrastructure and to improve the reliability, capacity, connectivity, performance, and resiliency of passenger rail service on the NEC for both intercity and regional trips, while promoting environmental sustainability and economic growth.</p> <p>NEC FUTURE includes the identification and analysis of a broad program of service and infrastructure improvements that will be documented in a Tier 1 Environmental Impact Statement (Tier 1 EIS) and a Service Development Plan (SDP). For the NEC FUTURE program, FRA released a Tier 1 Final EIS that recommended a Preferred Alternative to represent FRA's vision for passenger rail in the Northeast. While FRA is using 2040 as the analysis year, the improvements are likely to meet the needs of the NEC beyond 2040. FRA is advancing the NEC FUTURE program concurrent with FTA's Walk Bridge Replacement project and as such, the future capacity requirements identified as part of NEC FUTURE should not be precluded in the alternatives considered for the replacement of the Walk Bridge. Upon review of the Preferred Alternative being considered by the FRA, FTA has found that all involve replacing the Walk Bridge in kind with four tracks. Within the 2040 timeframe or beyond, increased capacity in this area may be achieved with new segments. As such, the Build Alternative is consistent with the transportation and infrastructure goals of NEC FUTURE.</p>	F-4.16
3.24	3-166	<p>Second paragraph, recommended addition – after "FRA is responsible,..." add, passenger and freight railroad equipment safety, passenger train emergency preparedness under 49 CFR Part 239, and passenger railroad System Safety Program Plan compliance in accordance with 49 CFR Part 270.</p>	F-4.16
3.24.2	3-166	<p>Regarding CTDOT System Safety Program Plan (SSPP), it is recommended that it be confirmed and noted that CTDOT is ensuring that their SSPP will meet the requirements of 49 CFR Part 270, which became effective on 10/10/2016, and, includes Federal requirements for establishing, implementing, and maintaining an effective SSPP.</p>	F-4.17

Section	Page (in PDF file)	Comment	
3.24.2		Confirm and note that CTDOT in cooperation with MNCW is in compliance with 49 CFR Part 239.101 (a) (4) (ii), for special circumstances (Other) , including any required emergency notification(s) and emergency communications, between the two agencies.	F-4.18
	3-166		
4.2	4-2	Not sure what is the difference between 'damaging wind' (High Risk) vs 'severe wind' (Medium Risk)	F-4.19
		Check the statement in the First Paragraph of Page 9. The long span vertical lift bridge (Option 11C) has been shown as tower driven in Chapter 2 (Alternatives). The short span shown as span driven as well (at least in the figures shown)	F-4.20
4.2	4-9	Given the design recommendation is adding 3 feet on top of 500 year floodplain data, FRA is passing along, for consideration, both the NEC FUTURE climate change methodology and analysis and data set (note the latter is DRAFT FOR DISCUSSION ONLY, NOT YET PUBLICLY DISTRIBUTED). We suggest the design team review the analysis and the methodology (especially the Appendix) to see if it suggests modifying these elevations for the counties affected in the Walk Bridge project - if consistent with NEC FUTURE analysis, may be worth noting.	F-4.21
T 4-5	4-9		



TIER 1 FINAL ENVIRONMENTAL IMPACT STATEMENT
VOLUME 1 (PREFERRED ALTERNATIVE)

7.15 Climate Change and Adaptation

7.15 CLIMATE CHANGE AND ADAPTATION

7.15.1 Introduction

This chapter focuses on the effects of climate change on rail infrastructure associated with the Preferred Alternative.

The climate change analysis uses the same effects-assessment methodology and relies on the information presented in the Tier 1 Draft Environmental Impact Statement (Tier 1 Draft EIS) (see Volume 2, Chapter 7.15 and Appendix E.15). As described in Volume 2, Chapter 7.15, the Federal Railroad Administration (FRA) conducted analysis that identifies areas of the existing and proposed rail infrastructure that may be vulnerable to the effects of climate change, since it is important to recognize potential risk at this stage in order to design and implement appropriate adaptation and resiliency measures to address and reduce vulnerability. These analyses include sea level rise and storm surge, increased storm frequency and severity, and more-frequent and severe extreme heat and cold events. The FRA considered two future climate scenarios:

- ▶ Near-term (mid-century) scenario equivalent to a 30- to 50-year horizon (e.g., 2040–2060), using a sea level rise projection of 1 foot (12 inches)
- ▶ Long-term (end-of-century) scenario equivalent to a 50- to 100-year horizon (e.g., 2075–2100+), using a sea level rise projection of 6 feet (72 inches)

The FRA used this multi-scenario approach to analyze different levels of climate change-related effects that encompass the range of sea level rise projections and forecast timeframes used by researchers and regulatory agencies in the Northeast.

This chapter also considers the mitigating effects of the Preferred Alternative on energy usage (presented in Chapter 7.14, Energy) and on greenhouse gases (GHG) emissions (presented in Chapter 7.13, Air Quality). GHG emissions are a key contributor to the changing global climate, which influences the frequency and intensity of storms, rising sea levels, heat waves, and cold snaps. GHG emissions are expected to decrease due to predicted shifts in mode choice from personal vehicle, bus, and aircraft to passenger rail and greater renewable energy usage.

The FRA reviewed and incorporated themes of climate change policies from various government agencies along the Northeast Corridor (NEC) and from the U.S. Department of Transportation's (U.S. DOT) 2014 Climate Adaptation Plan. Following the U.S. Environmental Protection Agency's climate change description, this analysis considered the impacts of sea level rise flooding, storm surge flooding, riverine flooding and extreme heat and cold events on rail assets associated with the Existing NEC + Hartford/Springfield Line and the Preferred Alternative. (Refer to Volume 2, Chapter 7.15, for further details on the NEC FUTURE climate change analysis.)

Climate Change and Adaptation

- Identifies areas at highest risk from inundation from sea level rise, storm surge flooding, and riverine flooding within counties with existing and proposed infrastructure.
- Discusses resiliency benefits of new segments proposed by the Preferred Alternative.

Limitations

The assessment of climate change effects aims to identify potential risks from climate change on the Preferred Alternative, based on the use of existing and readily available data and information that are consistent across the Study Area. This assessment estimated the change in flood hazard areas, but did not undertake flood modeling to develop new inundation maps for future climate scenarios for all counties within the Study Area.

When assessing risks associated with climate change, the FRA limited its assessment as follows:

- ▶ Site-specific modeling of inundation and flood risks was not conducted.
- ▶ Two sea level rise scenarios (1 foot and 6 feet) were applied consistently across the Study Area. This approach does not account for potential regional variation of projected sea level rise or land subsidence.
- ▶ There is potential overlap in the results of the coastal storm surge assessment and the riverine flooding assessment, since the riverine flooding assessment was based on the data used in the floodplain analysis, which includes both riverine and coastal floodplains.
- ▶ The projected changes in riverine flooding are based on the FIMA and FEMA 2013 Study.¹ This study considered changes in climate conditions and estimated percentage changes in flood hazard areas across the United States. The FRA applied the percentage increases in riverine flood hazard area for only the Affected Environment. A limitation to the approach used in this assessment is that if a county has zero acres at risk of inundation from riverine flooding under current climate conditions, it was estimated that they will also have zero acres at risk under mid- and end-of-century climate conditions. (For example, a 20 percent increase on zero acres equals zero acres).
- ▶ To avoid making false assumptions, the assessment of flood risk for mid-century and end-of-century scenarios assumes that no adaptation actions would be taken at a regional level. Adaptation actions may alter the flood risk or lessen the impacts of climate change on infrastructure along the Preferred Alternative. This assessment also did not consider vulnerability-reducing adaptation measures and design considerations that would be a part of the Preferred Alternative. As such, the risk of flooding to the Preferred Alternative is potentially lower than what is presented in this report. It is expected that as planning for the Preferred Alternative progresses, adaptation measures and design considerations will address areas of vulnerability identified through this analyses.
- ▶ For each climate impact category associated with flooding, the assessment focuses on identifying the spatial extent of inundation; the analysis does not consider the elevation of existing and future assets, but rather assumes there is potential for those assets within a flood hazard area to be inundated. In reality, if a rail asset were built at or above elevation or with

¹ Federal Insurance and Mitigation Administration (FIMA) & Federal Emergency Management Agency (FEMA). (2013). *The Impact of Climate Change and Population Growth on the National Flood Insurance Program through 2100*.

http://www.nfrmp.us/frmpw/2013webinarweek/docs/E3%20Coastal%20Climate%20Change/E3_FEMA_MarkCrowell_climate_change3.pdf

other engineering features that would “harden” it to flooding, the asset may not be inundated during a flood event.

- ▶ The FRA conducted the assessment of GHG emissions as part of the Air Quality effects assessment. Chapter 7.13, Air Quality, discusses the process, findings, and limitations of the analysis of GHG emissions.

Refer to Volume 2, Appendix E.15, for further discussion regarding the limitations of the climate change analysis.

7.15.2 Resource Overview

Increases in GHG emissions contribute to changes in the global climate and weather events, which can lead to flooding, storm surges, and extreme heat and cold. As the climate continues to change, more-intense and more-frequent storms, rising sea levels, heat waves, and cold snaps² will worsen existing weather-related rail problems and create new hazards for rail asset owners and operators. Volume 2, Chapter 7.15, contains further details on types of hazards and their effects on rail assets. This analysis shows that some of the rail assets associated with the Existing NEC and those affiliated with the Preferred Alternative are in areas currently vulnerable to climate change effects, and that the risks increase over the mid-century and end-of-century.

The following are key findings of this analysis:

▶ Benefits:

- Under the Preferred Alternative, analysis indicates there would be a net total decrease in GHG emissions in the year 2040. This decrease is due to predicted shifts in mode choice from personal vehicle, bus, and aircraft to passenger rail and predicted changes in greater renewable energy usage. Rail represents a mode choice that has lower GHG emissions when compared to auto or air. Mode shift is a result of improved services provided by the Preferred Alternative.
- The Preferred Alternative would afford an opportunity to build and design new or modified rail assets in such a way that adaptation measures would be included to reduce inundation effects. Resiliency would also improve along the NEC with the implementation of adaptation measures as well as updates to a state of good repair.
- Resiliency of passenger rail travel is increased most in areas where the Preferred Alternative proposes new or improved rail infrastructure inland, farther away from the Atlantic coastline, resulting in fewer acres at risk of inundation from sea level rise flooding and storm surge flooding.
- The Preferred Alternative is forward thinking. Looking at the change in overall percentage of at-risk acreage between current and mid-century climate conditions, the risk of storm surge

² Climate Change Impacts in the United States. Retrieved August 15, 2014, from <http://www.globalchange.gov/browse/reports/global-climate-change-impacts-united-states>; and Transportation Research Board. (2008). Special Report 290: Potential Impacts of Climate Change on U.S. Transportation. National Research Council. Committee on Climate Change and U.S. Transportation. Washington, D.C.: Transportation Research Board. Retrieved 2014 from <http://onlinepubs.trb.org/onlinepubs/sr/sr290.pdf>

and sea level rise flooding within the Affected Environment of the Preferred Alternative would increase at a slower rate than for the Existing NEC. Similarly, from mid-century to end-of-century climate conditions, the risk of storm surge flooding within the Affected Environment of the Preferred Alternative would increase at a slower rate than for the Existing NEC. This slower rate is likely due to the following features of the Preferred Alternative:

- Incorporation of more construction types that are less vulnerable (aerial, embankment, major bridge and tunnel) than the construction types on the existing NEC
- Adoption of new segments, thereby increasing redundancy
- Incorporation of adaptation measures

► **Impacts:**

- Along the NEC, counties within Connecticut and New Jersey are at the greatest risk of inundation.
- Under the No Action Alternative, flooding risks, damage to assets, and disruption to services will continue to be a problem.
- The Preferred Alternative proposes new or improved rail infrastructure in areas at risk of inundation under the current climate conditions; analysis shows that such areas currently at risk have an increased risk over future climate conditions.
- The following counties have or are proposed to have rail assets proposed under the Preferred Alternative within areas that have the largest number of acres at risk of inundation by flooding type under current climate conditions:
 - Sea level rise: New London, CT; Harford, MD; Hudson, NJ; Philadelphia, PA; New Castle, DE; and Delaware, PA.
 - Storm surge flooding: New London, CT; New Haven, CT; New Castle, DE; Philadelphia, PA; and Hudson, NJ.
 - Riverine flooding: New London, CT; Harford, MD; New Haven, CT; Hartford, CT; and New Castle, DE.

7.15.3 Greenhouse Gas Emissions

GHG emissions are a key contributor to the changing global climate. Continued increases in global GHG emissions are projected to lead to more significant changes in extreme weather events and their associated risks to rail assets and operations. The analysis presented in Chapter 7.13, Air Quality; Chapter 7.14, Energy; and Chapter 5, Transportation, indicates that under the Preferred Alternative, there would be a net total decrease in GHG emissions in the year 2040 due to predicted shifts in mode choice as a result of implementing the Preferred Alternative and predicted changes in greater renewable energy usage.

7.15.4 Inundation Risks to Rail Infrastructure

The analysis presented in this section shows that portions of the NEC and the Preferred Alternative have some risk of inundation under current climate conditions, not taking into account elevation of asset, as discussed above. The extent of that risk increases under both the mid-century and end-of-

century scenarios. The following subsections discuss the current, mid-century, and end-of-century inundation risks (sea level rise and coastal storm surge) for the Existing NEC + Hartford/Springfield Line and the Preferred Alternative. While the FRA assessed the mid-century and end-of-century riverine flood risk for the Affected Environment, because of limitations in readily available information, the FRA applied only the current climate conditions to the analysis of the Representative Route for riverine flooding (see Section 7.15.1.3).

7.15.4.1 Existing NEC + Hartford/Springfield Line

Much of the Existing NEC is along the eastern shoreline of the United States and either crosses or is adjacent to numerous streams, rivers, wetlands, and floodplains, rendering it susceptible to inundation from various sources (see Chapter 7.5, Hydrologic/Water Resources). Under current climate conditions, of the total area within the Affected Environment, 3 percent is at risk for flooding associated with sea level rise; 10 percent is at risk for flooding associated with storm surge flooding; and 20 percent is at risk for flooding associated with riverine flooding. Under the mid-century and end-of-century scenarios, the inundation risks from these sources increase. Under the end-of-century scenario, risks associated with sea level rise increase to 8 percent; increase to almost 17 percent with storm surge flooding; and increase to 33 percent with riverine flooding.

For each flooding hazard, Connecticut (Fairfield, New Haven, Middlesex, and New London Counties) contains the highest percentages of lands within the Affected Environment susceptible to each flooding hazard.

When focusing on the land encompassed by the right-of-way of the NEC—and not the broader Affected Environment—the percentage of land area within that right-of-way at risk is 1 percent (sea level rise), 8 percent (storm surge flooding), and 14 percent (riverine flooding). Under the end-of-century scenario, those flooding risks for the route of the NEC increase to approximately 6 percent (sea level rise) and 20 percent (storm surge flooding). (The FRA conducted the assessment of riverine flooding risk only for the current climate conditions.)

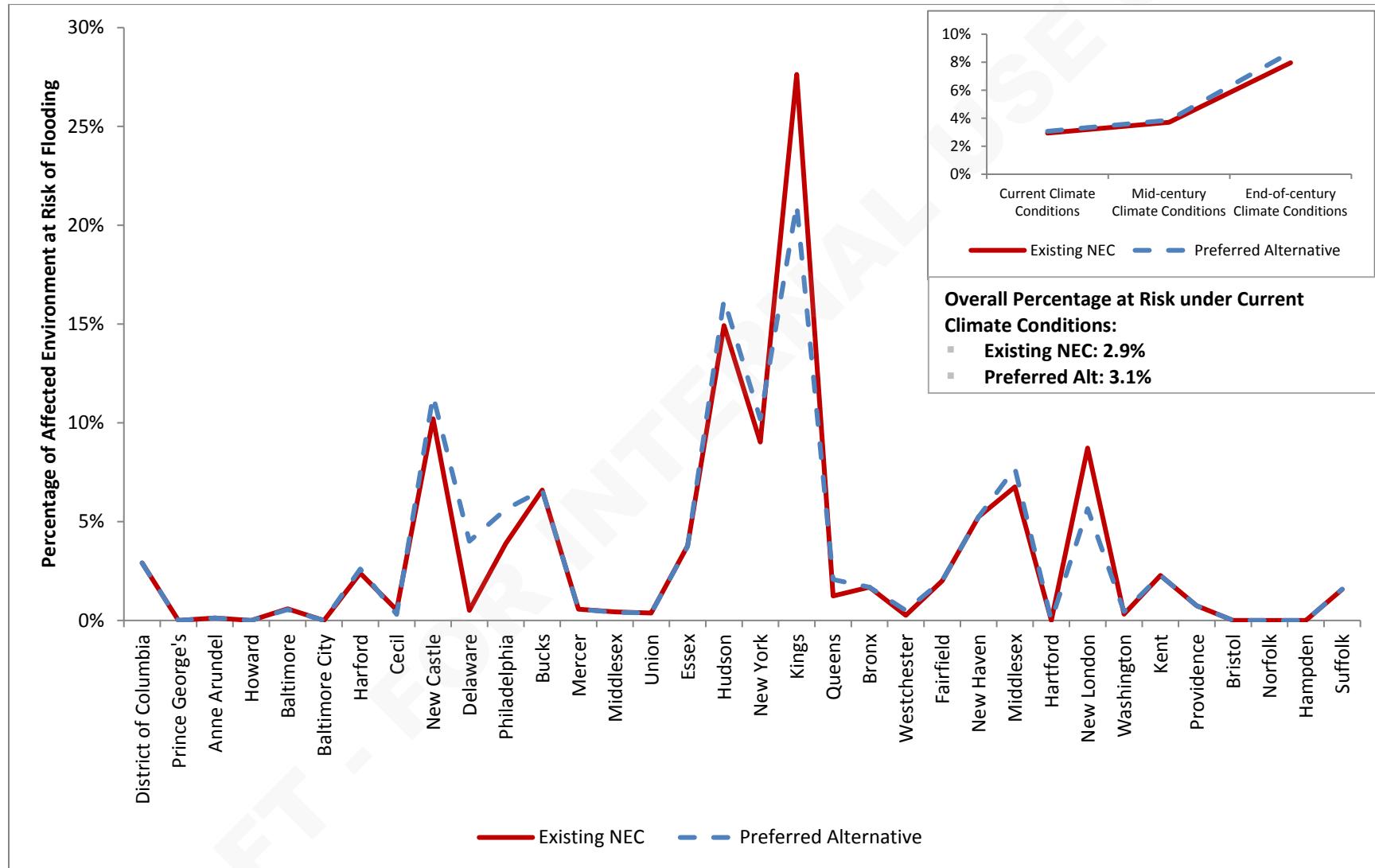
The greatest risk to the Existing Hartford/Springfield Line is from riverine flooding (25 percent) with much less risk from storm surge flooding (5 percent) and sea level rise flooding (less than 1 percent).

Figure 7.15-1 through Figure 7.15-3 show the risk profiles of each flooding hazard for each county in the Affected Environment for the current climate conditions for both the Preferred Alternative and the Existing NEC.

7.15.4.2 No Action Alternative

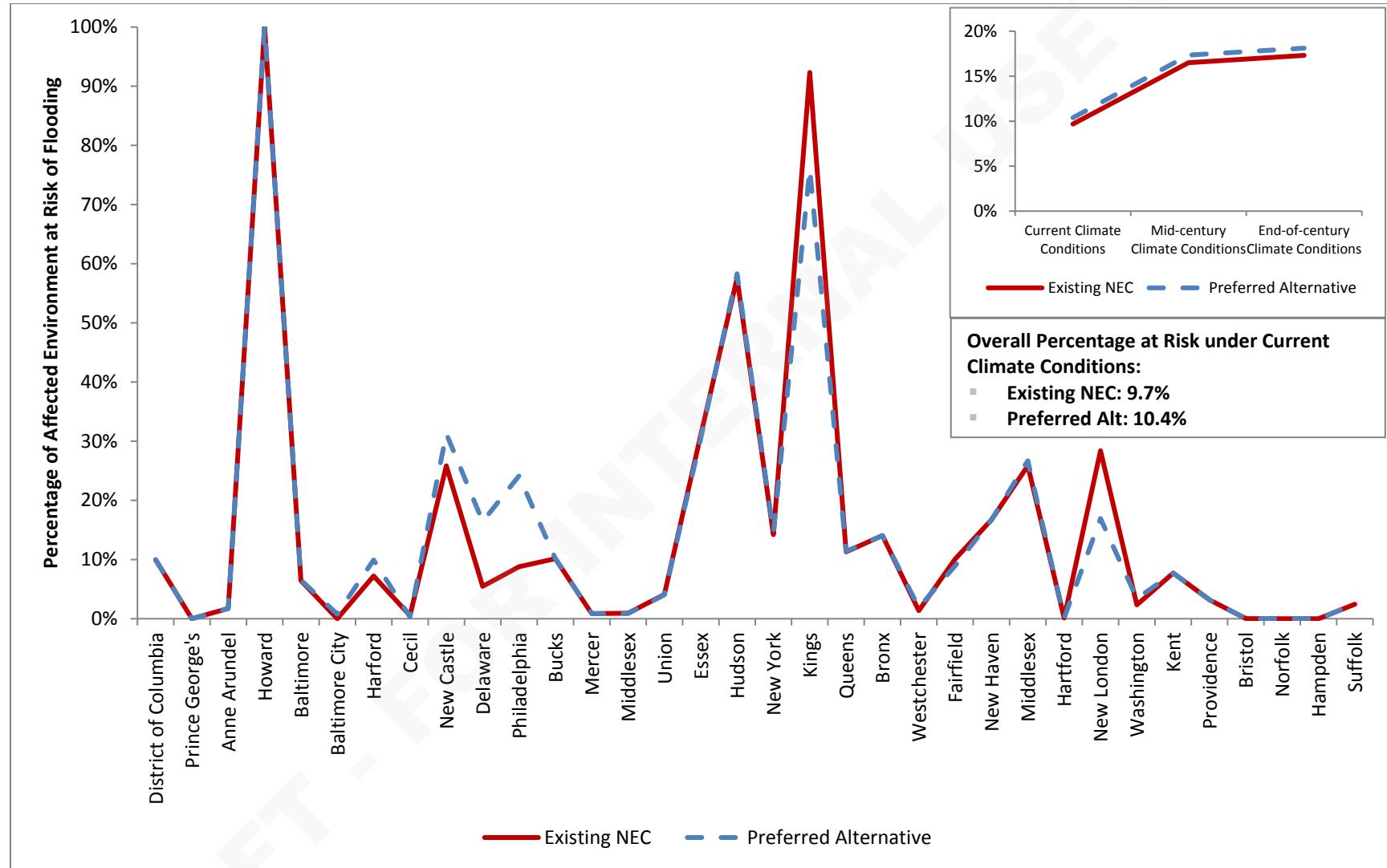
The No Action Alternative includes improvements that exist primarily along the Existing NEC + Hartford/Springfield Line. As such, the analysis presented for the Existing NEC + Hartford/Springfield Line provides a good proxy for identifying inundation risks associated with the No Action Alternative. As the climate changes, the risks associated with flooding are likely to increase, hastening the degradation of these rail assets. Without investment to provide more resilient infrastructure, repair and maintenance costs as well as disruptions to services are projected to increase under the No Action Alternative as a result of the effects of climate change.

Figure 7.15-1: Current Climate Conditions, Sea Level Rise Flooding: Affected Environment – Percentage of Total County Acreage at Risk (Existing NEC + Hartford/Springfield Line and Preferred Alternative)



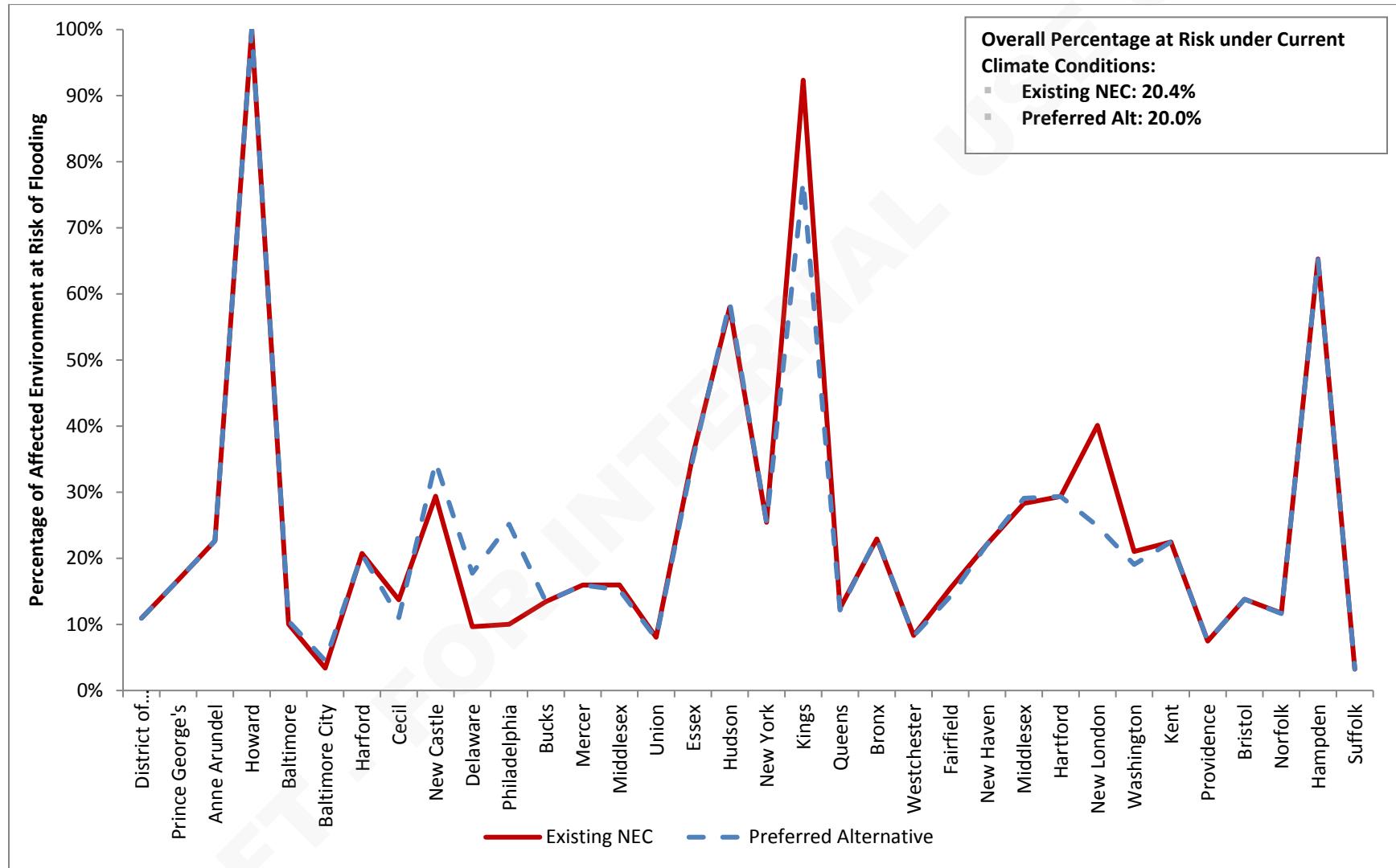
Source: NEC FUTURE team, 2016

Figure 7.15-2: Current Climate Conditions, Storm Surge Flooding: Affected Environment – Percentage of Total County Acreage at Risk (Existing NEC + Hartford/Springfield Line and Preferred Alternative)



Source: NEC FUTURE team, 2016

Figure 7.15-3: Current Climate Conditions, Riverine Flooding: Affected Environment – Percentage of Total County Acreage at Risk (Existing NEC + Hartford/Springfield Line and Preferred Alternative)



Source: NEC FUTURE team, 2016

7.15.4.3 Preferred Alternative

This analysis presents areas of inundation risks, by county, from sea level rise flooding, storm surge flooding, riverine flooding, and extreme heat and cold events for the broader Affected Environment of the Preferred Alternative and for the narrower Representative Route of the Preferred Alternative.

Affected Environment

Similar to the No Action Alternative, the rail assets included in the Preferred Alternative would be at risk from all flooding hazards under current climate conditions. Figure 7.15-1 through Figure 7.15-3 compare the percentage of the total acreage by county in the Affected Environment at risk for each flood hazard for the Existing NEC + Hartford/Springfield Line and Preferred Alternative. While the total percentage of Affected Environment at risk from flooding varies depending on the flood hazard, the Existing NEC + Hartford/Springfield Line has the highest overall percentage of acreage in the Affected Environment at risk for riverine flooding.

The percentage of the total acreage at risk in the Affected Environment of the Preferred Alternative is projected to increase for all flood hazards under the mid-century and end-of-century climate scenarios. (Refer to the graph inserts in Figure 7.15-1 through Figure 7.15-3.) For sea level rise flooding, the greatest increase in the number of acres at risk is likely to occur between mid-century and end-of-century climate conditions. For storm surge flooding, the greatest increase is likely to occur between current climate conditions and mid-century. For riverine flooding, the increase in number of acres at risk is likely to be relatively consistent between each time period; however, projection data was not available. Each flooding hazard is discussed in more detail below. Discussion of the Existing NEC is included to show relative changes in flooding hazards.

Representative Route

The percentage of the Representative Route at risk from flooding risks related to climate change is slightly higher or similar for the Preferred Alternative compared with the Existing NEC, especially under current climate conditions. While at the surface, this finding implies that the Preferred Alternative is slightly more vulnerable to flood risks considering climate change scenarios, the result is potentially misleading because the assumptions used to analyze the Preferred Alternative did not account for the adaptation measures and design considerations that would be incorporated to reduce flood vulnerability. The Preferred Alternative may still provide an advantage in improving resiliency to the impacts of climate change not only as a result of the rail asset upgrades and resilient infrastructure design considerations incorporated, but also because the Preferred Alternative improves redundancy by including new segments. By understanding these areas of vulnerability at this planning stage, the design and build stages of the Preferred Alternative can incorporate targeted resilience and adaptation measures.

Sea Level Rise Flooding

The percentage of the Representative Route at risk from sea level rise flooding in current conditions for the Existing NEC + Hartford/Springfield Line and the Preferred Alternative is 1.0 and 1.5 percent of the total acreage, respectively (Figure 7.15-4).

The total percentage of the Preferred Alternative's Representative Route at risk of sea level rise flooding is likely to increase to 1.9 percent under mid-century climate conditions and 6.8 percent under end-of-century climate conditions. The percentage of the Existing NEC + Hartford/Springfield Line at risk of sea level rise flooding would increase to 1.3 percent under mid-century climate conditions and 5.7 percent under end-of-century conditions. The Existing NEC + Hartford/Springfield Line has the lower percentage of the Representative Route at risk from sea level flooding under the current, mid-century, and end-of-century climate conditions (see insert in Figure 7.15-4).

Coastal Storm Surge Flooding

Under current climate conditions, the percentage of the Representative Route at risk from coastal storm surge flooding for the Existing NEC + Hartford/Springfield Line and the Preferred Alternative is 7.8 and 8.7 percent, respectively (Figure 7.15-5).

The total percentage of the Preferred Alternative's Representative Route at risk of coastal storm surge flooding is likely to increase to 18.7 percent under mid-century climate conditions and 19.8 percent under end-of-century climate conditions. Meanwhile, the total percentage of the Existing NEC + Hartford/Springfield Line at risk of coastal storm surge flooding would increase to 18.3 percent under mid-century climate conditions and 19.6 percent under end-of-century climate conditions.

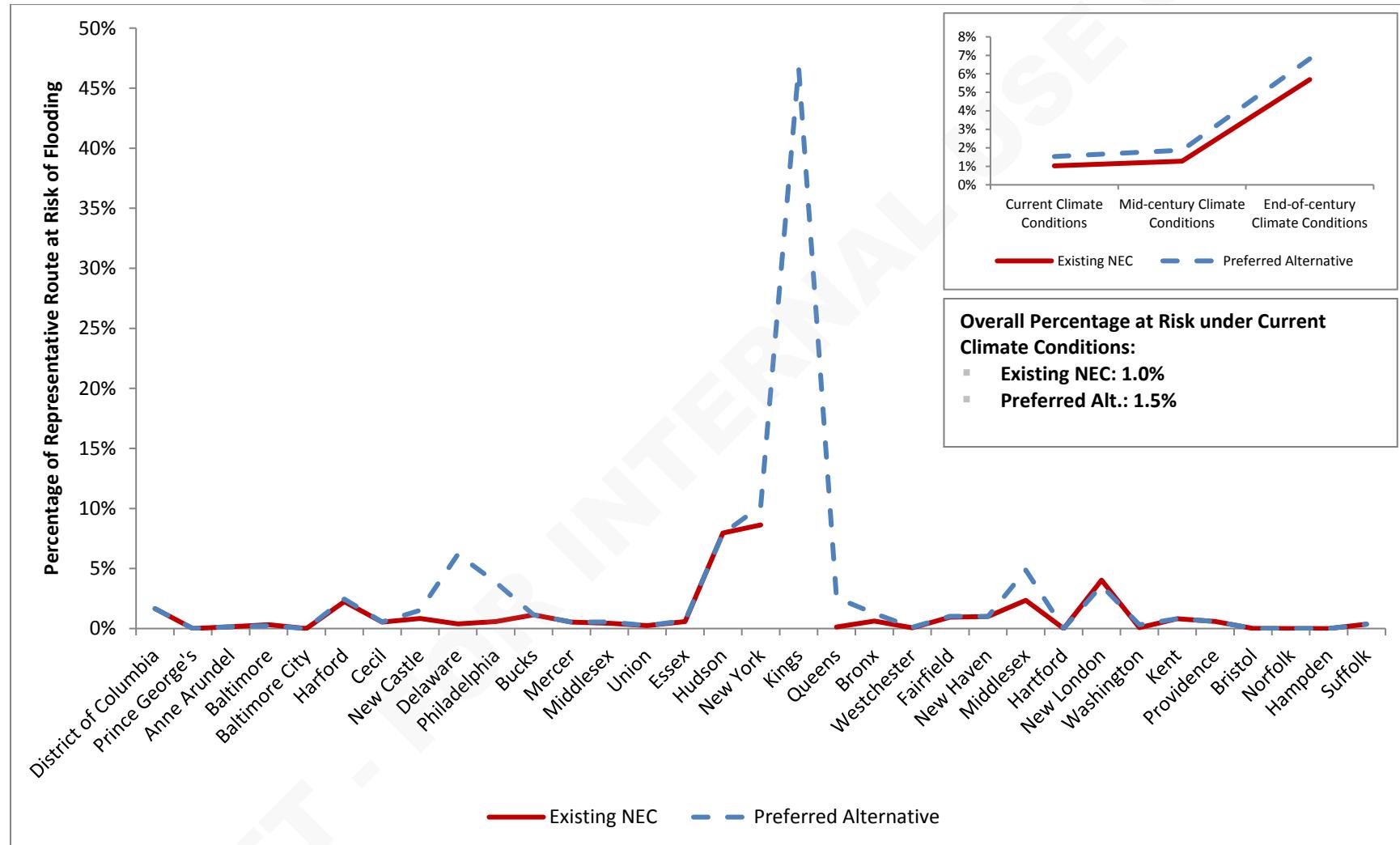
Note that in Figure 7.15-4 through Figure 7.15-6 no data is present for King's County, NY, for the Existing NEC + Hartford/Springfield Line. The reason for this absence of data is that within the Representative Route, the Existing NEC does not have any acreage or acreage at risk within Kings County, while the Preferred Alternative does have such acreage at risk for both sea level rise and storm surge flooding. Another point of note—the large percentage of acreage at risk in King's County along the Preferred Alternative is because most, if not all, of the small number of acres (4) located in the county are at risk of flooding.

Riverine Flooding

Under current climate conditions the percentage of the Representative Route at risk of riverine flooding for the Existing NEC + Hartford/Springfield Line and the Preferred Alternative is 14.2 and 13.8 percent, respectively (Figure 7.15-6).

As noted in Section 7.15.4, the FRA conducted an assessment of riverine flooding risk on the Representative Route only for the current climate conditions; however, it is likely that the total percentage of the Representative Route at risk of riverine flooding will also increase under mid-century and end-of-century climate conditions.

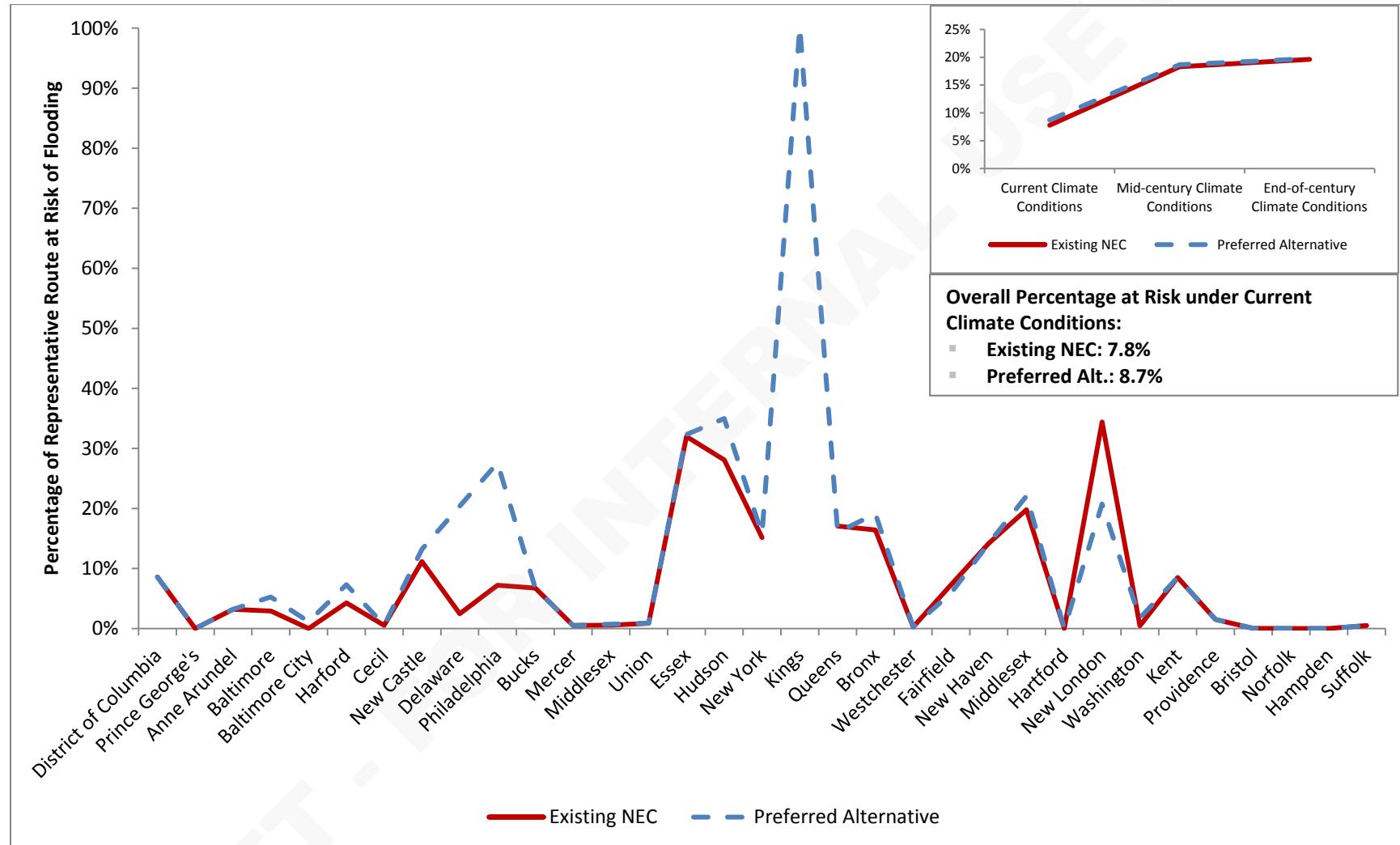
Figure 7.15-4: Current Climate Conditions, Sea Level Rise Flooding: Representative Route – Percentage of Total County Acreage at Risk (Existing NEC + Hartford/Springfield Line and Preferred Alternative)



Source: NEC FUTURE team, 2016

Note: The Existing NEC does not pass through Kings County, NY. For this reason, there is a gap in the Existing NEC line on the graph above. The Preferred Alternative does have 4 acres located in Kings County, NY, and in current climate conditions 2 of those 4 acres are at risk for sea level rise inundation, accounting for the spike seen in the graph above.

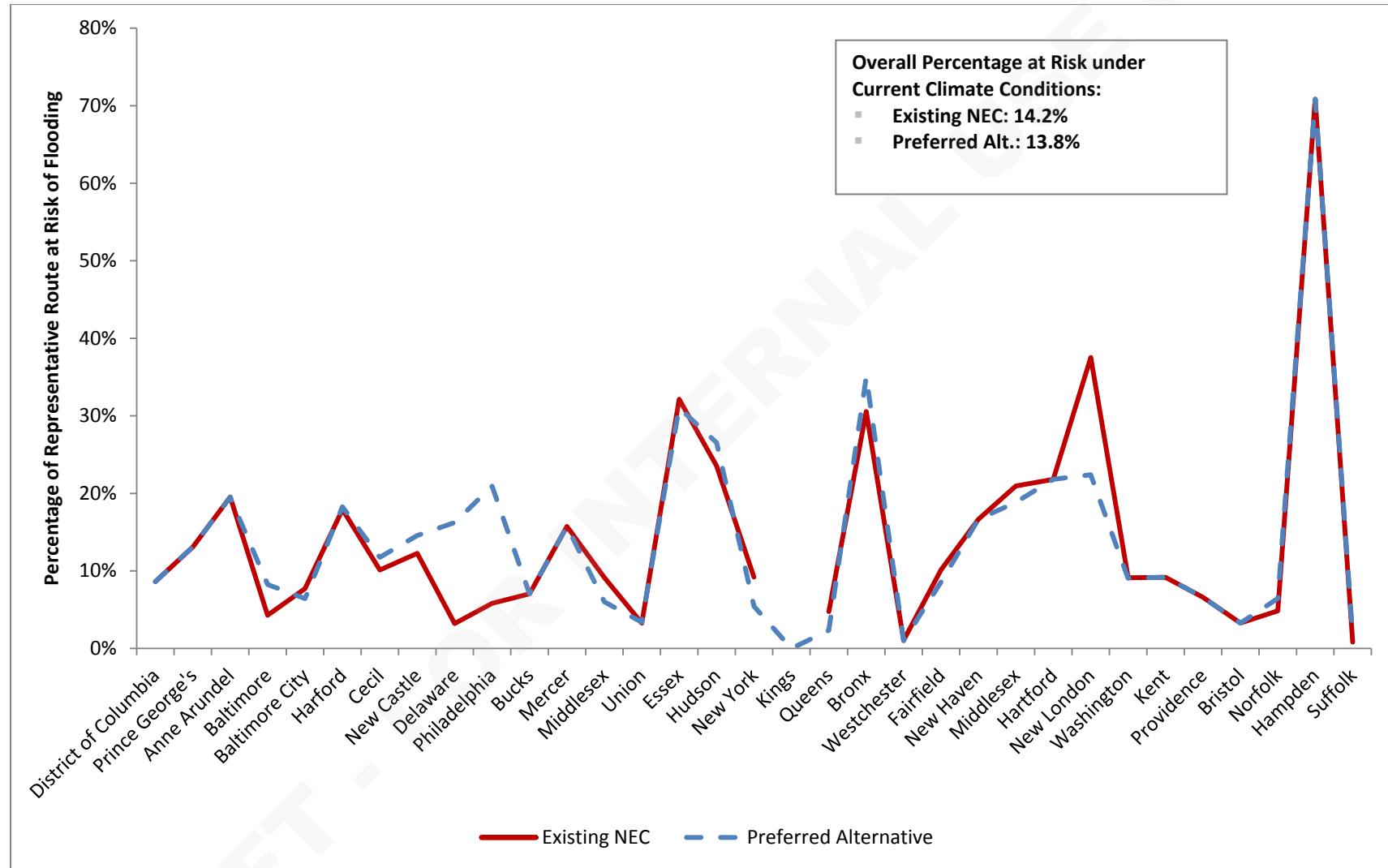
Figure 7.15-5: Current Climate Conditions, Storm Surge Flooding: Representative Route – Percentage of Total County Acreage at Risk (Existing NEC + Hartford/Springfield Line and Preferred Alternative)



Source: NEC FUTURE team, 2016

Note: The Existing NEC does not pass through Kings County, NY. For this reason, there is a gap in the Existing NEC line on the graph above. The Preferred Alternative does have 4 acres located in Kings County, NY, and in current climate conditions all 4 acres are at risk for storm surge inundation; accounting for the spike seen in the graph above.

Figure 7.15-6: Current Climate Conditions, Riverine Flooding: Representative Route – Percentage of Total County Acreage at Risk (Existing NEC + Hartford/Springfield Line and Preferred Alternative)



Source: NEC FUTURE team, 2016

Note: The riverine flooding data looks only at non-tunnel acreage; therefore, Kings County, NY, is not included in either the Existing NEC or the Preferred Alternative.

7.15.4.4 Assessment of Inundation Risk to Off-Corridor Segments of the Preferred Alternative

In Section 7.15.4.3, the analysis of inundation risk included the Existing NEC in the Preferred Alternative for the purposes of calculating the percentage of the Representative Route at risk from each flooding hazard. As a result, it was not obvious how the off-corridor segments of the Preferred Alternative would provide resilience and redundancy benefits by providing an alternate route that could assist in maintaining services if coastal or riverine inundation issues (or other hazards) affect assets along the Connecticut and Rhode Island coasts. The analysis presented in this section concentrates on the areas where off-corridor routing is proposed, including some areas that follow along the Existing NEC, some areas that are significant in length and extent, operating outside of the Existing NEC, and one area that is a change made as a result of public and stakeholder comment.

This section focuses on the acreage in the Representative Route at risk from all flooding hazards under current climate conditions along each off-corridor segment of the Preferred Alternative. The analyses highlight areas of vulnerability so adaptation measures can be taken into account in the design phase of the Preferred Alternative. As indicated in Section 7.15.4.3, the risks from each flooding hazard identified in this section are likely to increase under mid-century and end-of-century climate conditions.

Within the Representative Route, additional analysis focuses on at-grade and trench construction types since they are more sensitive to flood risk than other construction types (e.g., tunnel, aerial, embankment, and major bridge). Since these construction types are more sensitive, resilience measures would be taken into account during the design and build of these areas. While at-grade and trench construction types are the focus of the assessment, flooding impacts may still affect tunnels, embankments, and bridge construction types (for example, via scour or erosion).

Elements South of New York City

- ▶ **Maryland/Delaware – Bayview to Newport (new segment)** – This off-corridor segment of the Preferred Alternative includes the Bayview to Newport new segment between Baltimore City, MD, near Johns Hopkins University, and New Castle County, DE, near Banning Park, which primarily runs adjacent and northwest of the Existing NEC. Since this segment runs both adjacent and farther inland, it offers redundancy of service and a lower inundation risk than the Existing NEC. This new segment has only 1 percent of its Representative Route acreage at risk of sea level rise flooding, 5 percent at risk for coastal storm surge flooding, and 14 percent at risk of riverine flooding.

The Bayview to Newport segment has a small percentage of at-risk construction types vulnerable to inundation. Less than 0.5 percent is at-grade or trench construction type and at risk of storm surge, while only 1.7 percent is at-grade or trench and at risk for riverine flooding.

- ▶ **Delaware – Wilmington Segment (bypasses Wilmington Station)** – This off-corridor segment of the Preferred Alternative includes the Wilmington new segment, which begins where the Bayview to Newport new segment ends near Banning Park and runs entirely in New Castle County, DE. The segment runs south of the Existing NEC along Interstate 495 and the Delaware River until it rejoins in Edgemore, DE. The percentage of the Representative Route at risk of

inundation by sea level rise, storm surge, and riverine risks are 7 percent, 44 percent, and 44 percent respectively.

Of the acreage at risk for storm surge flooding and riverine flooding in the Representative Route of the new segment, 20 percent is at-grade or trench construction type.

- ▶ **Pennsylvania – Philadelphia Segments (new segments)** – In Pennsylvania, new segments are proposed between Baldwin and Bridesburg. These segments of the Preferred Alternative include the Philadelphia Airport new segment between Delaware County and Philadelphia County, PA, and runs south of the Existing NEC closer to the Delaware River along Pennsylvania Route 291. The percentage of the total acreage in the Representative Route along the new segment at risk from sea level rise flooding, coastal storm surge flooding, and riverine flooding are 10 percent, 79 percent, and 79 percent, respectively.

Considering the construction types that are most vulnerable to inundation from flooding, 32 percent of the acreage at risk is at-grade or trench. Further emphasizing the segment's resilience benefits, the new segment has less at-risk construction type acreage than the Existing NEC for both flooding types.

- ▶ **New Jersey – New Brunswick to Secaucus (new segment)** – This off-corridor segment of the Preferred Alternative includes the New Brunswick to Secaucus new segment between Middlesex County and Hudson County, NJ, and runs adjacent to the Existing NEC through Union and Essex Counties, rejoining by the Passaic River. Since this segment provides adjacent service through two counties, the redundancy of this area is greatly improved. This segment provides an alternate route for passengers, should the Existing NEC be affected by inundation or experience other disruption. The new segment has approximately 1 percent of the total acreage in this segment at risk to sea level rise flooding, 7 percent at risk for coastal storm surge flooding, and 8 percent at risk for riverine flooding.

Considering the construction types that are most vulnerable to inundation from flooding, those at-risk of storm surge flooding account for 4.1 percent of the new segment and 5.3 percent when considering riverine flooding.

- ▶ **New Jersey – Secaucus/Bergen loop (new segment)** – This off-corridor segment of the Preferred Alternative includes the new 3-mile Secaucus/Bergen loop within Hudson County, NJ, and perpendicular to the Existing NEC at Secaucus Station, loops southeast, then northwest, before bearing northeast and running parallel to the Existing NEC for about 1.5 miles, ending just west of Secaucus Road. This segment provides redundancy in Secaucus, which, with its proximity to New York City, is a highly travelled area. The new segment has approximately 1 percent of its total acreage at risk for sea level rise flooding and 60 percent at risk for both coastal storm surge and riverine flooding. The at-risk riverine and storm surge flooding acreage reflects the new segment's close proximity to the Hackensack River.

Of the acreage at risk of storm surge flooding and riverine flooding in the Representative Route of the Bergen Loop, 33 percent relate to at-grade or trench construction type.

Elements North of New York City

- ▶ **New York/Connecticut – New Rochelle to Greens Farms (new segment)** – This off-corridor segment of the Preferred Alternative includes the New Rochelle-Greens Farms new segment

between Westchester County, NY, and Fairfield County, CT, and runs southwest to the Existing NEC and adjacent to I-95. The segment diverges from the Existing NEC to stay with I-95 in Stamford, CT, crossing both Norwalk and Saugatuck Rivers ending west of the Greens Farms Station. The New Rochelle-Greens Farms new segment's Representative Route has approximately 1 percent of the total acreage in this segment at risk for sea level rise flooding, 2 percent for coastal storm surge flooding, and 4 percent at risk for riverine flooding.

Considering the construction types that are most vulnerable to inundation from flooding, the new segment contains less than 0.5 percent at-grade or trench construction types at risk of storm surge flooding and 0.6 percent at risk for riverine flooding. As such, the majority of this new segment would have less at-risk construction types with adaptation and resiliency measures built in at places of vulnerability.

- ▶ **Connecticut/Rhode Island – Old Saybrook-Kenyon (new segment)** – This off-corridor segment of the Preferred Alternative includes the Old Saybrook-Kenyon new segment between Middlesex County, CT, and Washington County, RI. This segment is farther inland and generally parallel to the Existing NEC, offering both resiliency and redundancy to this portion of rail. The new segment has approximately 3 percent of the total acreage in this segment at risk for sea level rise flooding, 6 percent at risk for coastal storm surge flooding, and 9 percent at risk for riverine flooding. Considering the construction types that are most vulnerable to inundation from flooding, the Old-Saybrook-Kenyon segment has 0.7 percent at-grade and trench construction acreage at risk for storm surge flooding and 15.6 percent at risk for riverine flooding.
- ▶ **Connecticut/Massachusetts – Hartford/Springfield Line (upgraded track/electrification)** – This off-corridor segment of the Preferred Alternative includes the Existing Hartford/Springfield Line upgraded track between New Haven County, CT, and Hampden County, MA, which is off the Existing NEC. It follows I-91 through New Haven to Hartford County by Silver Lake, parallels the Connecticut River and eventually crosses it, then terminates in Springfield, MA. Riverine flooding is the largest risk along this corridor at 25 percent, since this corridor is not as close to the coast as many others. Also accounting for acres of at-grade and trench construction types, 4.3 percent are at risk for storm surge flooding and 24.5 percent are at risk for riverine flooding.

7.15.5 Stations at Risk

Table 7.15-1 summarizes the total number of stations along the Preferred Alternative at risk of inundation under each timeframe. Appendix EE.15, contains a detailed county-level listing of the stations at risk of inundation along the Preferred Alternative; while Volume 2, Appendix E.15, contains this information for each Action Alternative.

Riverine flooding accounts for the majority of the total number of stations at risk of inundation. Under current climate conditions along the Preferred Alternative, 38 stations would be at risk from sea level rise flooding and coastal storm surge flooding, while an additional 30 stations would be at risk of inundation when riverine flooding is considered. While the total number of stations at risk would increase under mid-century and end-of-century climate conditions, the risk profile from each flooding hazard is similar to that of the current climate conditions with riverine flooding accounting for a significant portion of the total number of stations at risk.

Table 7.15-1: Affected Environment (Current, Mid-Century, and End-of-Century Climate Conditions): Stations at Risk of Inundation from One or More Flood Hazards for Preferred Alternative

	Current	Mid-Century	End-of-Century
Total New Stations At Risk of Inundation	13	15	15
Total Existing Stations At Risk of Inundation	53	61	63
Total Modified Stations At Risk of Inundation	2	2	2
Total Number of Stations At Risk of Inundation	68	78	80

Source: NEC FUTURE team, 2016

Note: The numbers in this table represent the total number of stations at risk from one or more flood hazard.

7.15.6 Context Area

7.15.6.1 Sea Level Rise Flooding and Coastal Storm Surge Flooding

Considerable portions of the Affected Environment associated with the Existing NEC and the Preferred Alternative are already close to the coast and are at risk from sea level rise flooding and coastal storm surge flooding. Within the Context Area, any shift in the route closer to the coast would likely increase the risk of inundation from these flooding mechanisms. Conversely, shifting away from the coastline could reduce the area at risk.

7.15.6.2 Riverine Flooding

Considerable portions of the Affected Environment associated with the Existing NEC + Hartford/Springfield Line and the Preferred Alternative are already at risk from riverine flooding under current climate conditions. As the climate changes, the size of these flood hazard areas within the Context Area would likely increase.

A review of the flood hazard areas under current climate conditions identified that when compared to the Existing NEC + Hartford/Springfield Line, the Preferred Alternative route within the Context Area could lead to greater increases in flood risk in the following counties:

- ▶ Baltimore, Baltimore City, Harford, and Cecil, MD
- ▶ New Castle, DE
- ▶ Philadelphia, PA
- ▶ Middlesex, Somerset, Union, Essex, and Hudson, NJ
- ▶ New York, Kings, Queens, and Bronx, NY
- ▶ Fairfield, Middlesex, and New London, CT
- ▶ Washington, RI

The counties listed above are nearly identical with those identified as having increased riverine flooding risk in the Affected Environment of the Preferred Alternative, aside from the addition of Somerset, NJ; New York, Kings, and Queens, NY; and Suffolk, MA; and the elimination of Westchester, NY, and Norfolk, MA.

These findings are applicable to all three time periods (i.e., current climate, mid-century, and end-of-century). The number of acres at risk within the Context Area would increase as the hazard

extents increase under each future scenario (e.g., with sea level rise and increases in the frequency and intensity of extreme rainfall events at mid-century and end-of-century).

7.15.7 Extreme Temperature Effects on Rail Infrastructure

The effects of climate change also extend to extreme changes in temperatures. Temperatures that are abnormally high or low can also result in effects to rail infrastructure. Exposing rail to prolonged periods of heat or cold temperatures can cause rail to crack, buckle, pull apart, or separate, resulting in service disruption and delays. The extreme temperature-related impacts to rail assets and operations include the following:

- ▶ Extreme Heat, which causes rail line buckling (also known as sun kinks or heat kinks) refers to an event when rails expand and can no longer be constrained by the materials that support the track (e.g., rail ties, and ballast; see Figure 7.15-7), overheated electrical equipment, overheated vehicles, failed air conditioning systems and threats to customer and worker health and safety.
- ▶ Extreme Cold, which causes rail line pull-aparts (refers to instances where rail lines contract, breaking or separating as a result), heavy snowfall blocking lines, ice reducing functionality of, or damaging, equipment and threats to customer and worker health and safety.

Figure 7.15-7: Example of Rail Buckle from Extreme Heat



Source: U.S. DOT Volpe Center in Federal Transit Administration. (2011). *Flooded Bus Barns and Buckled Rails: Public Transportation and Climate Change Adaptation*. Retrieved 2015, from https://www.transit.dot.gov/sites/fta.dot.gov/files/FTA_0001_-Flooded_Bus_Barns_and_Buckled_Rails.pdf.

Factors that influence the occurrence of pull-aparts or buckling include the temperature of the track at the time it is installed (i.e., the rail neutral temperature), the age of the track, maintenance of the track (e.g., if there has been adjustments in a prior season to accommodate heat or cold), the use of the track, solar radiation, wind, and the ambient air temperature.

Buckling is a catastrophic event that significantly increases the likelihood of derailment. However, pull-aparts are seen as a lower consequence risk event since they typically are detected through the

signaling system or by train engineers, and small breaks can be driven over without causing a derailment.

7.15.7.1 Extreme Heat

Information provided by the FRA's Office of Research and Development indicates that there tend to be more buckles in the early summer, often as a result of unreported fixes of winter breaks where more track is added, which lowers the neutral temperature of the track. Slow orders (i.e., requests to operate the trains at a slower speed) are a key response to managing the impacts of extreme heat events. Slow orders minimize the likelihood of track buckling or derailment during an extreme heat event. A slow order may be for the whole day, or may be increased as the day continues.³

Each railroad has its own policy regarding slow orders and the relevant thresholds that trigger them:

- ▶ Union Pacific uses an empirical approach by adding an offset (e.g., 30°F) to the predicted ambient temperature and issues a slow order if the total exceeds a threshold. For example, blanket heat speed restriction Level 1 is issued at ambient temperatures of 80°F to 110°F and Level 2 at ambient temperatures of 90°F to 120°F, depending on the location.
- ▶ Amtrak uses sensors to measure the actual rail temperature to inform stages of speed reduction. Amtrak thresholds⁴ are:
 - If measured rail temperature exceeds 130°F, then slow order to 100 mph.
 - If measured rail temperature exceeds 140°F, then slow order to 80 mph.

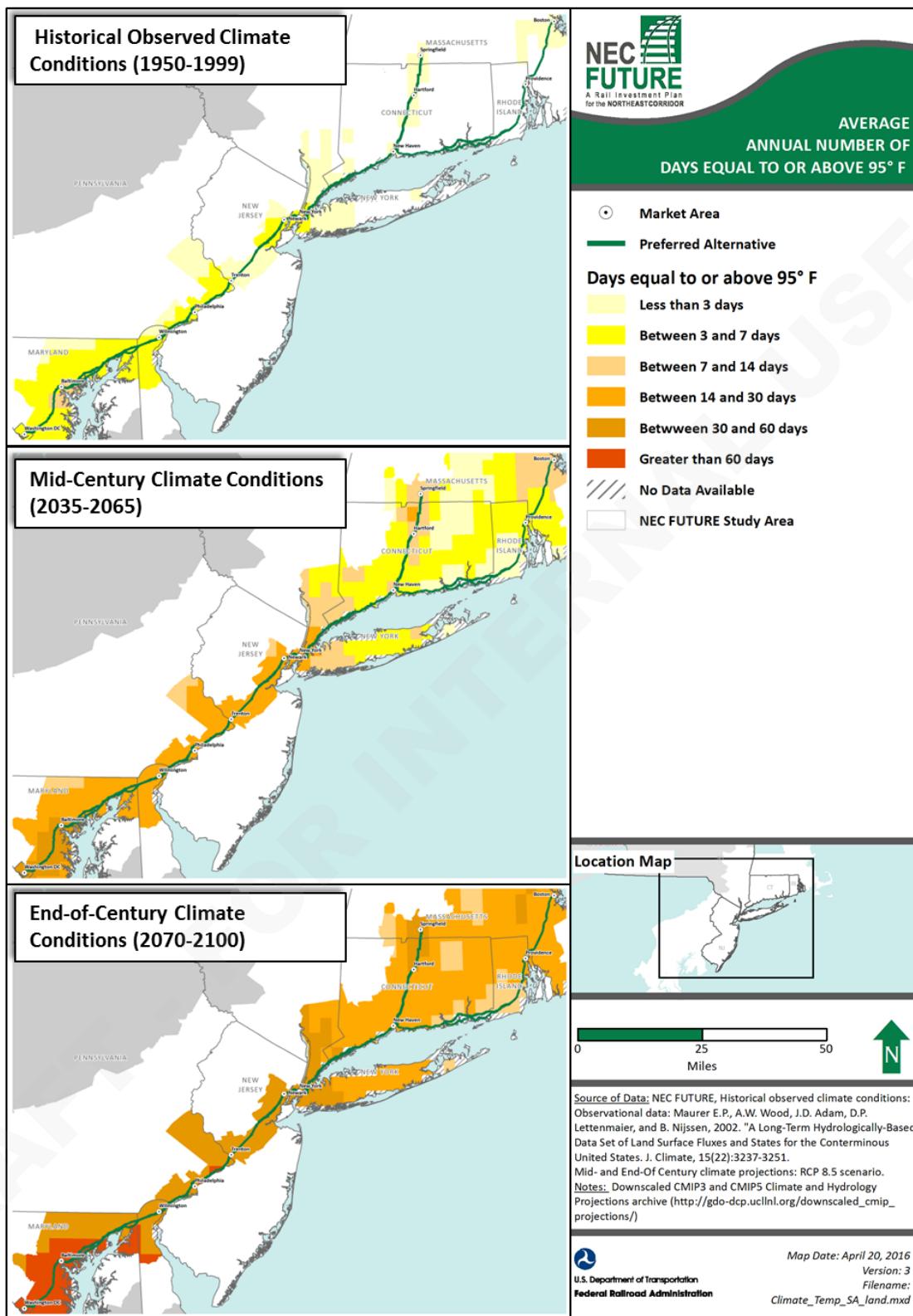
Recognizing there is a range of temperatures of interest, the FRA evaluated three temperature projections for the average number of days where the maximum temperatures exceed 80°F, 95°F, and 110°F (Figure 7.15-8) under historical average (1959–1999), mid-century, and end-of-century scenarios. State-based projections provide an average of the climate data available for grid references closest to the Preferred Alternative route, rather than an average for the entire state.

All states and Washington, D.C., on average, historically experienced more than 50 days a year where the maximum temperature exceeds 80°F, with Washington, D.C., and Maryland recording more than 100 days per year. The number of days per year above 80°F is projected to increase by 36–46 days at mid-century and 58–74 days at end-of-century. While the increase in the total number of days per year above 80°F is similar across all states, the projected percentage of days per year above 80°F increases for mid-century and end-of-century are highest for New York (65 percent and 105 percent, respectively), Connecticut (79 percent and 126 percent, respectively), Rhode Island (94 percent and 151 percent, respectively), and Massachusetts (82 percent and 131 percent, respectively).

³ Al-Nazer, L. F. (2014a, August 15). Heat Event Thresholds for Rail Performance – NEC Future EIS : Phone discussion. (N. F. Team, Interviewer)

⁴ Email from Leith Al-Nezar (2014b, August 15). Washington, D.C., USA. U.S. DOT

Figure 7.15-8: Average Annual Number of Days Equal to or Above 95°F, by Climate Scenario



Source: NEC FUTURE team, 2016

The projected increase in the number of days per year above 95°F is most dramatic for the southern-most states (Maryland, Washington, D.C., Delaware, Pennsylvania, and New Jersey). These states historically experienced 3–6 days annually above 95°F and are projected to experience a total of 18–35 days at mid-century, and 47–73 days at the end-of century. Figure 7.15-8 illustrates the projected change in days over 95°F in each state by the mid-century.

Historically (1950–1999), on average, the temperature threshold of 110°F has not been exceeded along the Preferred Alternative route. For all states, this is not projected to change at mid-century, with minimal (i.e., <0.5 day) projected at the end-of-century.

7.15.7.2 Extreme Cold

In North America, climate change is projected to result in increases in hot days and extended warm spells (i.e., heat waves), reductions in cold days, cold nights and frosts, and more rapid increases in minimum temperature extremes than maximum temperature extremes.⁵ However, the frequency and duration of extreme cold events in the Northeast may be affected by potential increases in “blocking” events, described by the National Climate Assessment (NCA) as large-scale weather patterns with little or no movement.⁶ The NCA acknowledges that further research is required since conclusions about trends in “blocking” depend on the method of analysis. Because of the uncertainty of the climate change-related influence on this hazard, the FRA has made no quantitative projections. Table 7.15-2 in Volume 2, Chapter 7.15, provides a qualitative listing of the potential effects of extreme cold events (including effects of snow and ice) on rail assets.

7.15.8 Comparison to the Action Alternatives

In nearly every flooding scenario in current climate conditions, the Preferred Alternative has a slightly higher percentage of acreage at risk of inundation than the Tier 1 Draft EIS Action Alternatives. The only case where this differs is that the Preferred Alternative and Alternative 1 have the same percentage at risk of sea level rise flooding.

Table 7.15-2 summarizes the three counties located along the Representative Routes of the Existing NEC +Hartford/Springfield Line, the Preferred Alternative, and the Action Alternatives that have, or are proposed to have, rail assets located where the highest total acreage at risk from each flood hazard occur under current climate conditions. Also included in the table is the percentage of the total acreage within the Representative Routes at risk of flooding accounted for by these three counties. It is notable that New London, CT, consistently represents one of the counties at highest risk of all types of flooding under the Existing NEC + Hartford/Springfield Line, the Preferred Alternative, and the Action Alternatives (with the exception of storm surge flooding under the Preferred Alternative and sea level rise flooding under Alternative 3).

⁵ Intergovernmental Panel on Climate Change (IPCC). (2013). *Summary for Policymakers. In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change*. New York: Cambridge University Press.

⁶ U.S. Global Change Research Program. (2014). *2014 National Climate Assessment*. Retrieved from <http://nca2014.globalchange.gov/>

Table 7.15-2: Current Climate Conditions: Counties with Largest Number of Acres at Risk of Inundation along the Representative Routes of the Existing NEC + Hartford/Springfield Line, Preferred Alternative, and Action Alternatives

Flooding Hazard	Existing NEC + H/S Line ¹	Preferred Alternative	Alt. 1	Alt. 2	Alt. 3
Sea level rise flooding	<ul style="list-style-type: none"> ■ New London, CT ■ Hudson, NJ ■ New Haven, CT <p>50% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ Harford, MD ■ Hudson, NJ <p>42% of total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ Hudson, NJ ■ New York, NY <p>56% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ Hudson, NJ ■ Philadelphia, PA <p>38% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ Hudson, NJ ■ New Castle, DE ■ New York, NY <p>42-44% of the total number of acres at risk</p>
Storm surge flooding	<ul style="list-style-type: none"> ■ New London, CT ■ New Haven, CT ■ New Castle, DE <p>55% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New Haven, CT ■ New York, NY ■ New Castle, DE <p>42% of total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ New Haven, CT ■ Hudson, NJ <p>47% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ Philadelphia, PA ■ New Haven, CT <p>44% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ Hudson, NJ ■ New Castle, DE <p>40-42% of the total number of acres at risk</p>
Riverine flooding	<ul style="list-style-type: none"> ■ New London, CT ■ New Haven, CT ■ Hartford, CT <p>40% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ Harford, MD ■ New Haven, CT <p>31% of total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ New Haven, CT ■ Fairfield, CT <p>37% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ New Haven, CT ■ Philadelphia, PA <p>32% of the total number of acres at risk</p>	<ul style="list-style-type: none"> ■ New London, CT ■ New Castle, DE ■ Hudson, NJ <p>21-24% of the total number of acres at risk</p>

Source: NEC FUTURE team, 2016

¹ H/S Line = Hartford/Springfield Line

7.15.9 Conclusions

Under the Preferred Alternative, analysis indicates there would be a net total decrease in GHG emissions in the year 2040, when compared to the No Action Alternative.

Flood and extreme temperature-related impacts affect the Existing NEC + Hartford/Springfield Line (as a proxy for the No Action Alternative) and will also affect the Preferred Alternative. The risks and associated impacts are likely to increase under mid-century and end-of-century climate conditions. While a significant portion of the Existing NEC is along the coast, the Preferred Alternative provides a mix of inland and coastal routes, particularly in the northern half of the Study Area. Analyses showed that rail assets and infrastructure associated with inland routes are at much lower risk of coastal flooding than coastal routes. Rail assets located in counties along inland routes, however, are still subject to riverine flooding, as is the Existing NEC. The geographic area of those risks is likely to increase as a result of climate change. It is also important to note that this assessment did not consider vulnerability-reducing adaptation measures and design considerations that would be a

part of the Preferred Alternative. As such, the risk of flooding to the Preferred Alternative is potentially lower than what is presented in this report.

The Preferred Alternative requires investment to improve the resiliency of the Existing NEC + Hartford/Springfield Line infrastructure. The resiliency and redundancy provided by the Preferred Alternative both north and south of New York City provide a benefit compared to the No Action Alternative. Investment in new infrastructure associated with the off-corridor sections of the Preferred Alternative provides an opportunity to locate and design the infrastructure in a way that minimizes its risk to flood and extreme heat related impacts. In some areas, upgrading the Existing NEC + Hartford/Springfield Line to be more resilient may not be enough and providing redundant track outside of the areas of risk supplies alternative routing when some segments are closed because of flooding. This redundancy allows some level-of-service to be maintained. The following section presents potential mitigation and adaptation strategies.

7.15.10 Potential Mitigation Strategies

Understanding that the effects of climate change will continue to worsen, it is important to consider ways in which to make improvements to the existing and new rail infrastructure that can better withstand the potential effects on inundation and extreme weather events. This section provides an overview of potential mitigation and adaptation strategies that could be considered during future stages of project development. Chapter 7.13, Air Quality, provides potential mitigation to reduce GHG emissions.

The earlier that adaptation approaches are considered in the infrastructure planning and design process, the lower the relative cost and potential disruption associated with implementing the changes. For example, the marginal cost of building an embankment to a higher elevation when it is first built is significantly cheaper, and less disruptive, than increasing the height of an existing embankment and the assets it supports.

Multiple approaches can be used to adapt rail service and infrastructure to future climate and therefore minimize the risk of flood or extreme temperature-related impacts. Typical categories of response include the following:

- ▶ **Investigations** – Specialist assessments and explorations of individual assets, specific issues, and solutions (e.g., flood modeling of specific locations to determine likely future risk related to riverine flooding).
- ▶ **Policy** – Changes to policies, standards and guidelines (e.g., design and maintenance specifications or adjust standards relating to rail neutral temperatures to ensure projected increases in temperature are considered over time).
- ▶ **Behavioral** – Adjustments to existing processes, operational systems and procedures (e.g., emergency management plans or refining the process for determining go-slow orders (e.g., the revised Amtrak approach to improved predictions).
- ▶ **Physical** – Physically engineered solutions (e.g., ensuring the design of assets consider the identified risks, particular flood risk – location, elevation, or protective barriers, use of concrete ballast and continuous tension catenary wires, or relocation of the tracks).

The FRA reviewed climate change-related policies and initiatives that have been published by various government agencies in Washington, D.C., and the eight states along the NEC. From these sources, the FRA identified the following common themes:

- ▶ Supporting coordination and cooperation of planning agencies and infrastructure owners and operators
- ▶ Increasing the understanding of the climate science and how hazards may alter over time (e.g., downscaled climate projections and higher-resolution inundation and coastal hazard modeling)
- ▶ Assessing the vulnerability of infrastructure assets and systems
- ▶ Integrating consideration of climate change and adaptation into existing decision-making processes including planning, emergency management, design and maintenance of assets

The FRA has taken action related to each of these themes by integrating consideration of climate change into the Tier 1 EIS process. The climate change analysis has engaged with planning agencies, considered climate change projections, and assessed the vulnerability of rail assets.

Table 7.15-3 provides a listing of potential adaptation actions relevant to each asset class and the risks they face from flood and extreme temperatures. The existence of an inland route may assist in reducing service disruptions should a coastal flooding event affect assets along the coast.

In developing adaptation options specific to the NEC, consideration should be given to regional or state-based adaptation actions to reduce the risk profile of the Preferred Alternative.

Table 7.15-3: Summary of Potential Climate Change Adaptation Actions for the NEC

Asset	Risk	Adaptation Actions
BUILT ASSETS		
Rail tracks (at-grade, embankment, trench, and tunnel construction)	<ul style="list-style-type: none"> ■ Inundation leading to restriction of service and damage to assets from destabilization (Scour) (Extreme rainfall) ■ Buckling of tracks (Extreme heat) ■ Damage from fire (Wildfire) ■ Increase maintenance requirements and access issues (Snow storm) 	<ul style="list-style-type: none"> ■ Flood mapping to identify current and projected 1 percent (100 year) and 0.2 percent (500 year) flood levels across planned route. ■ Design to minimize flood risk. ■ Include consideration of increased degradation of materials in asset management plans and inspection regimes (e.g., over time – more-frequent inspection periods or ensuring inspection following extreme events such as wind, heat, rain, and freezing). ■ Emergency management plan to minimize risk to staff, passengers and assets (rolling stock) during flood and heat events. ■ Emergency backup for pumping of flood waters. ■ Review drainage plans to minimize likely flooding of tracks (e.g., overcapacity of drainage, or water flowing into cuttings/stations). ■ Alternate commuter route (e.g., bus replacement). ■ Optimizing go-slow order process. ■ Adjusting rail neutral temperatures in line with climate projections.
Station platforms	<ul style="list-style-type: none"> ■ Inundation leading to restriction of service and damage to assets from destabilization (scour) (extreme rainfall) ■ Increase maintenance requirements and access issues (Snow storm) 	<ul style="list-style-type: none"> ■ Ensure station level emergency management planning. ■ Design to minimize flood risk. ■ Maintenance asset inspection regime.
Station buildings	<ul style="list-style-type: none"> ■ Inundation leading to restriction of service and damage to assets stored in the facility and from destabilization (scour) (extreme rainfall) ■ Increased cooling requirements (Extreme heat) ■ Increase degradation of materials (Extreme heat) ■ Damage from wind-blown debris (Extreme wind) 	<ul style="list-style-type: none"> ■ Ensure station level emergency management planning. ■ Design to minimize flood risk – both risk of flood waters entering building and damage if it does (e.g., appropriate positioning of electrical supply equipment and other utilities). ■ Maintenance asset inspection regime. ■ Internal storage of goods in a manner that minimizes damage if facility is flooded. ■ Green design – energy efficiency and passive cooling. ■ Incorporating renewable energy and storage to operate during power outages.

Table 7.15-3: Summary of Potential Climate Change Adaptation Actions for the NEC (continued)

Asset	Risk	Adaptation Actions
BUILT ASSETS (cont'd)		
Storage facilities for rail vehicles	<ul style="list-style-type: none"> ■ Inundation leading to restriction of access / service, damage to assets stored in the facility, potential for environmental impacts from mobilization of contaminants (Extreme rainfall) ■ Increase maintenance requirements and access issues (Snow storm) 	<ul style="list-style-type: none"> ■ Emergency management planning to relocate vehicles (sensitive equipment). ■ Design to minimize flood risk – both risk of flood waters entering building and damage if it does (e.g., positioning of electricals, water sensitive urban design). ■ Storage of goods in a manner that minimizes damage if facility is flooded. ■ Green design – energy efficiency and passive cooling / shading of vehicles. ■ Incorporating renewable energy and storage to operate during power outages.
Storage facilities for maintenance equipment	<ul style="list-style-type: none"> ■ Inundation leading to restriction of access / service, damage to assets stored in the facility, potential for environmental impacts from mobilization of contaminants (Extreme rainfall) ■ Increase maintenance requirements and access issues (Snow storm) 	<ul style="list-style-type: none"> ■ Emergency management planning to relocate vehicles (sensitive equipment). ■ Design to minimize flood risk – both risk of flood waters entering building and damage if it does (e.g., positioning of electrics). ■ Maintenance asset inspection regime. ■ Internal storage of goods in a manner that minimizes damage if facility is flooded. Consideration of environmental hazard if damage occurs (e.g., Storage and containment of hazardous goods and waste materials). ■ Green design – energy efficiency and passive cooling. ■ Incorporating renewable energy and storage to operate during power outages.
Electrical equipment (substations, overhead power / catenary wires), signaling, communications, security lighting, supporting retail / activity centers and emergency equipment (e.g., backup generators, firefighting / water pumps for flood treatment)	<ul style="list-style-type: none"> ■ Inundation leading to damage to and failure of electrical equipment including substations, destabilization of supporting structures (e.g., poles) (Extreme rainfall) ■ Degradation of materials (Extreme heat and Extreme cold / ice) ■ Failure of overhead lines (e.g., sagging) (Extreme wind and heat) ■ Increased potential for loose electric currents resulting from increased salinity in the air and ground 	<ul style="list-style-type: none"> ■ Flood mapping to identify current and projected 1 percent (100 year) and 0.2 percent (500 year) flood levels across planned route. ■ Emergency management plan / back up power, communications and signaling. ■ Redundancy for power, signaling and communication. ■ Include consideration of increased degradation of materials in asset management plans and inspection regimes (e.g., over time – more-frequent inspection periods or ensuring inspection following extreme events such as wind, heat, rain, and freezing). ■ Expanded range of grounding around electrified tracks. ■ Incorporating renewable energy and storage to operate during power outages.

Table 7.15-3: Summary of Potential Climate Change Adaptation Actions for the NEC (continued)

Asset	Risk	Adaptation Actions
BUILT ASSETS (cont'd)		
Bridge structures (aerial and major bridge construction)	<ul style="list-style-type: none"> ■ Inundation or ground movement leading to destabilization of bridge structures (Extreme rainfall, drought) ■ Degradation of materials including expansion of concrete joins, protective cladding, coatings and sealants) (Extreme heat) 	<ul style="list-style-type: none"> ■ Flood mapping to identify current and projected 1 percent (100 year) and 0.2 percent (500 year) flood levels across planned route. ■ Consider flows in design. ■ Include consideration of increased degradation of materials in asset management plans and inspection regimes (e.g., over time – more-frequent inspection periods or ensuring inspection following extreme events such as wind, heat, rain, and freezing).
Retaining walls (embankment and tunnel construction)	<ul style="list-style-type: none"> ■ Inundation leading to destabilization (scour) (Extreme rainfall) ■ Damage from fire (Wildfire) ■ Degradation of materials including expansion of concrete joins, protective cladding, coatings and sealants) (Extreme heat) 	<ul style="list-style-type: none"> ■ Include consideration of increased degradation of materials in asset management plans and inspection regimes (e.g., over time – more-frequent inspection periods or ensuring inspection following extreme events such as wind, heat, rain, and freezing).
Vehicles	<ul style="list-style-type: none"> ■ Inundation leading to degradation from exposure to water, damage to internal components (electrical and non-electrical) ■ Damage from fire (Wildfire) ■ Failure of air conditioning restricting use (Extreme heat) ■ Increased operational costs (Extreme heat) 	<ul style="list-style-type: none"> ■ Emergency management plan for where to put vehicles in time of storm. ■ Regenerative breaking to minimize power costs. ■ Ensure air conditioning installed in vehicles to operate up to specific extreme heat levels.
Noise walls	<ul style="list-style-type: none"> ■ Inundation leading to destabilization (scour) (Extreme rainfall) ■ Damage from fire (Wildfire) ■ Degradation of materials including expansion of concrete joins, protective cladding, coatings and sealants) (Extreme heat) 	<ul style="list-style-type: none"> ■ Include consideration of increased degradation of materials in asset management plans and inspection regimes (e.g., over time – more-frequent inspection periods or ensuring inspection following extreme events such as wind, heat, rain, and freezing). ■ Use of solar panels to generate electricity. .

Table 7.15-3: Summary of Potential Climate Change Adaptation Actions for the NEC (continued)

Asset	Risk	Adaptation Actions
HUMAN ASSETS (access to / from, health and safety during use / operation)		
Operational staff	<ul style="list-style-type: none"> ■ Restricted access (Extreme rainfall) ■ Potential injury while undertaking work from flood waters, heat stress, exposure to cold / ice and wind-blown debris (Extreme rainfall, Extreme heat, extreme wind) 	<ul style="list-style-type: none"> ■ Emergency management plan to minimize exposure to risk ■ Standard operating procedures to ensure safe operation during extreme heat, cold, storms, wind, etc.
Passengers / commuters	<ul style="list-style-type: none"> ■ Restricted access (Extreme rainfall) ■ Potential injury while using service from flood waters, heat stress, exposure to cold / ice and wind-blown debris (Extreme rainfall, Extreme heat, extreme wind) 	<ul style="list-style-type: none"> ■ Design (operation and maintenance) of facilities to ensure safe environment during extreme events ■ Emergency management plan to minimize exposure to risk ■ Communication program to educate commuters of the shared responsibility for safety and suggested ways they can reduce their exposure to risks ■ Backup/alternative transport during extreme events and method of communicating with commuters during these times
SUPPORTING SERVICES		
Electricity supply	<ul style="list-style-type: none"> ■ Inundation leading to damage to and failure of electrical equipment including substations, destabilization of supporting structures (e.g., poles) (Extreme rainfall) 	<ul style="list-style-type: none"> ■ Redundancy of supply / back up facilities ■ Emergency management planning to consider loss of power ■ Self-sufficiency, generate electricity on site ■ Energy efficiency to reduce demand
Emergency response	<ul style="list-style-type: none"> ■ Inundation disrupting access by emergency services vehicles (Extreme rainfall) 	<ul style="list-style-type: none"> ■ Emergency management planning including participation of emergency services and tenants and community

Source: NEC FUTURE team, 2015

7.15.11 Subsequent Tier 2 Analysis

Volume 2, Appendix E.15, provides the limitations of this assessment. Key actions that could be undertaken as part of Tier 2 project analysis and design should include the following:

- ▶ Review the latest climate science trends for any applicable updates to the projections and/or trends.
- ▶ Undertake targeted, site-specific riverine and coastal flood modeling.
- ▶ Undertake joint probability riverine and coastal flood analysis.
- ▶ Consider additional interim sea level rise scenarios (e.g., between 1 foot and 6 feet) to better quantify the timing of the risk and prioritization of improvements.
- ▶ Consider increasing coastal storm surge intensity (as the science progresses), or larger coastal storm surge events (e.g., 500-year event).
- ▶ Incorporate adaptation considerations into design to minimize risk exposure and increase ability to recover from extreme events (e.g. track elevation strategies).⁷
- ▶ Incorporate consideration of adaptation costs (i.e., more resilient infrastructure) as well as increased maintenance costs and service disruptions associated with likely increased flooding and extreme heat impacts.

The above analysis may be guided by the Federal Highway Administration's Virtual Framework for Vulnerability Assessment.

Table 7.15-4 provides an overview of the modules contained in the framework and how they may be applied to Tier 2 analysis. In addition, consideration should be given to the *Revised Guidelines for Implementing Executive Order 11988, Floodplain Management*.⁸

Furthermore, on August 1, 2016, the Council on Environmental Quality issued final guidance on consideration of GHG emissions and the effects of climate change in National Environmental Policy Act documents.⁹ This guidance states that “when addressing climate change agencies should consider: (1) The potential effects of a proposed action on climate change as indicated by assessing GHG emissions (e.g., to include, where applicable, carbon sequestration); and, (2) The effects of climate change on a proposed action and its environmental impacts.” The FRA developed a methodology for the NEC FUTURE Tier 1 EIS, in coordination with federal and state agencies, which considered GHG emissions and the vulnerability of rail assets. This Tier 1 Final EIS identifies areas at

⁷ National Climate Assessment. (Revised 2014). *Ch. 26: Decision Support*.
<http://nca2014.globalchange.gov/report/response-strategies/decision-support>

⁸ Federal Emergency Management. (Revised 2015). *Agency Guidelines for Implementing Executive Order 11988, Floodplain Management*. Retrieved from <http://www.fema.gov/media-library-data/1422653213069-9af488f43e1cf4a0a76ae870b2dcede9/DRAFT-FFRMS-Implementating-Guidelines-1-29-2015r2.pdf>

⁹ Council on Environmental Quality, “Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews,” 81 Fed. Reg. 51866 (August 5, 2016). Access at
http://energy.gov/sites/prod/files/2016/08/f33/nepa_final_ghg_guidance_FR.pdf

risk that should be further evaluated during subsequent Tier 2 project studies. More in-depth analysis of GHG emissions may also be needed for Tier 2 project studies.

Table 7.15-4: Overview of the Federal Highway Administration's Virtual Framework for Vulnerability Assessment's Modules and Their Application to Tier 2 Analysis

Framework Module	Relevance to Tier 2 Analysis
Module 1: Articulate Objectives Includes: <ul style="list-style-type: none"> ■ Defining the project scope, area of study, and level of detail required ■ Identifying stakeholders and engaging them in the planning process ■ Defining the vulnerability assessment objectives 	Guidance related to this module could assist in setting the scope of Tier 2 analysis. The NEC FUTURE Tier 1 analysis can inform the articulation of objectives.
Module 2: Identify Key Climate Stressors Includes selecting climate stressors to analyze, based on the sensitivity of transportation assets	The Tier 1 assessment has selected climate stressors relating to flooding and extreme temperature as the focus. Tier 2 analyses may consider a broader set of climate stressors (refer to U.S. DOT's Sensitivity Matrix developed as a part of the U.S. DOT Gulf Coast study).
Module 3: Select and Characterize Relevant Assets Includes determining the following: <ul style="list-style-type: none"> ■ Which assets to evaluate, including the criticality of assets ■ The temporal scope of assets ■ Data availability 	Guidance related to this module could be of use in developing the scope for Tier 2 analysis (refer to Guide to Assessing Criticality in Transportation Adaptation Planning developed as a part of the U.S. DOT Gulf Coast Study).
Module 4: Assess Vulnerabilities Includes assessing sensitivity, exposure and adaptive capacity of assets and the associated risks	Guidance related to this module could be of use in developing the scope for Tier 2 analysis (refer to the U.S. DOT Vulnerability Assessment Scoring Tool).
Module 5: Integrate Vulnerabilities into Decision-Making Includes identifying, analyzing, and prioritizing adaptation options	The work undertaken in the Tier 1 EIS is a demonstration of how vulnerabilities are being considered in the decision-making process. Guidance related to adaptation planning may be of benefit in Tier 2 analysis.
Module 6: Monitor and Revisit Includes developing and implementing a monitoring and evaluation plan, engaging stakeholders, evaluating outcomes, revisiting inputs into the assessment (e.g., climate data, information on assets or operations)	These elements should be considered in the development of adaptation options and ongoing planning for the NEC FUTURE.

Sources:

1. NEC FUTURE team, 2016
2. U.S. Department of Transportation – Federal Highway Administration. (2015, February 2). *Gulf Coast Study, Phase 2 Task 4*. Retrieved February 23, 2015, from Federal Highway Administration:
http://www.fhwa.dot.gov/environment/climate_change/adaptation/ongoing_and_current_research/gulf_coast_study/phase2_task4/index.cfm
3. U.S. Department of Transportation – Federal Highway Administration. (2015, February 2). *Virtual Framework for Vulnerability Assessment*. Retrieved February 23, 2015, from Federal Highway Administration:
http://www.fhwa.dot.gov/environment/climate_change/adaptation/adaptation_framework/

Appendix EE.15 – Climate Change

Sea Level Rise Flooding: Number of Acres in the Affected Environment at Risk

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	32	32	35	35	64	64
Prince George's	0	0	0	0	0	0
Anne Arundel	4	4	5	5	7	7
Howard	0	0	1	1	1	1
Baltimore	22	36	41	68	126	292
Baltimore City	0	0	0	1	0	6
Harford	109	189	120	233	214	445
Cecil	23	24	23	24	23	24
New Castle	571	779	621	904	1,183	1,882
Delaware	15	107	17	132	67	470
Philadelphia	186	313	189	323	221	940
Bucks County	262	262	268	268	317	316
Burlington	0	0	0	0	0	0
Mercer	16	16	16	16	17	17
Middlesex	27	28	28	30	40	42
Somerset	0	0	0	0	0	0
Union	7	8	11	12	42	43
Essex	39	40	39	41	230	238
Hudson	306	390	376	520	1,177	1,426
Bergen	0	0	0	0	0	0
New York	94	120	95	121	153	195
Kings	3	17	4	18	10	52
Queens	16	42	17	44	99	166
Bronx	37	37	44	44	190	190
Westchester	7	15	8	16	18	31
Fairfield	167	219	199	255	677	786
New Haven	680	680	969	969	1,890	1,890
Middlesex	196	227	381	414	685	723
Hartford	0	0	0	0	0	0
New London	725	854	989	1,125	1,977	2,226
Washington	23	41	29	48	45	69
Kent	49	49	57	57	98	98
Providence	22	22	23	23	35	35
Bristol	0	0	0	0	0	0
Norfolk	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Hampden	0	0	0	0	0	0
Suffolk	39	39	40	40	359	359

Storm Surge Rise Flooding: Number of Acres in the Affected Environment at Risk

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	110	110	141	141	141	141
Prince George's	0	0	0	0	0	0
Anne Arundel	57	57	59	59	59	59
Howard	7	7	7	7	7	7
Baltimore	240	426	717	1,081	742	1,129
Baltimore City	0	21	4	54	4	65
Harford	330	722	583	1,294	593	1,317
Cecil	23	24	23	24	23	24
New Castle	1,445	2,142	2,317	3,293	2,367	3,344
Delaware	165	439	291	907	329	954
Philadelphia	418	1,342	654	1,707	716	1,796
Bucks County	404	404	769	768	782	782
Burlington	0	0	0	0	0	0
Mercer	24	24	40	40	42	42
Middlesex	58	61	94	99	100	105
Somerset	0	0	0	0	0	0
Union	81	83	224	234	236	245
Essex	318	328	485	505	485	505
Hudson	1,179	1,401	1,581	1,876	1,594	1,890
Bergen	0	0	0	0	0	0
New York	148	171	285	326	286	328
Kings	11	62	12	80	12	80
Queens	146	231	248	360	264	377
Bronx	305	305	627	630	645	647
Westchester	38	57	67	110	76	126
Fairfield	840	970	1,984	2,308	2,153	2,498
New Haven	2,169	2,169	3,523	3,523	3,688	3,688
Middlesex	749	788	1,461	1,513	1,503	1,554
Hartford	11	11	6	6	6	6
New London	2,357	2,556	3,463	3,837	3,715	4,106
Washington	165	306	205	387	228	419
Kent	168	168	346	346	372	372
Providence	92	92	251	251	273	273
Bristol	1	1	6	6	6	6
Norfolk	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Hampden	0	0	0	0	0	0
Suffolk	61	61	185	185	227	227

Riverine Flooding: Number of Acres in the Affected Environment at Risk

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	121	121	161	161	189	189
Prince George's	547	547	722	722	832	832
Anne Arundel	745	744	983	983	1,132	1,132
Howard	7	7	9	9	10	10
Baltimore	374	687	493	907	568	1,045
Baltimore City	83	121	110	160	126	184
Harford	948	1,498	1,251	1,977	1,441	2,276
Cecil	606	862	799	1,138	920	1,310
New Castle	1,643	2,366	2,153	3,099	2,481	3,572
Delaware	291	474	437	711	528	857
Philadelphia	478	1,398	717	2,097	865	2,531
Bucks County	535	534	802	802	968	967
Burlington	0	0	0	0	0	0
Mercer	440	440	638	638	766	766
Middlesex	994	1,037	1,441	1,503	1,730	1,804
Somerset	0	0	0	0	0	0
Union	158	161	229	233	275	280
Essex	366	377	530	547	636	657
Hudson	1,188	1,411	1,723	2,045	2,067	2,454
Bergen	0	0	0	0	0	0
New York	264	299	383	434	457	518
Kings	11	63	16	91	20	109
Queens	161	247	233	358	278	427
Bronx	497	502	721	728	860	868
Westchester	232	252	336	365	401	435
Fairfield	1,288	1,549	1,765	2,122	2,074	2,493
New Haven	2,872	2,872	3,935	3,935	4,624	4,624
Middlesex	820	859	1,123	1,177	1,320	1,383
Hartford	2,444	2,444	3,348	3,348	3,934	3,934
New London	3,332	3,754	4,565	5,143	5,364	6,044
Washington	1,479	1,712	2,042	2,363	2,382	2,757
Kent	488	488	674	674	786	786
Providence	217	217	299	299	349	349
Bristol	464	464	668	668	788	788
Norfolk	393	393	566	566	669	669
Middlesex	0	0	0	0	0	0
Hampden	1,019	1,019	1,467	1,467	1,732	1,732
Suffolk	80	80	115	115	136	136

Sea Level Rise Flooding: Number of Acres at Risk - Environmental Consequences

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	1	1	1	1	2	2
Prince George's	0	0	0	0	0	0
Anne Arundel	0	0	0	0	0	0
Howard	0	0	0	0	0	0
Baltimore	1	2	1	2	2	10
Baltimore City	0	0	0	0	0	1
Hartford	8	24	8	27	9	45
Cecil	2	5	2	5	2	5
New Castle	4	14	5	21	48	120
Delaware	1	14	1	18	1	52
Philadelphia	2	17	2	20	3	86
Bucks County	3	3	4	4	4	4
Burlington	0	0	0	0	0	0
Mercer	1	1	1	1	1	1
Middlesex	2	4	2	4	2	5
Somerset	0	0	0	0	0	0
Union	0	1	1	1	1	1
Essex	0	1	0	1	18	37
Hudson	13	23	14	30	48	107
Bergen	0	0	0	0	0	0
New York	7	13	7	13	10	21
Kings	0	2	0	2	0	4
Queens	0	5	0	5	10	23
Bronx	1	2	1	2	7	8
Westchester	0	0	0	0	0	1
Fairfield	6	10	7	11	22	29
New Haven	10	10	15	15	116	116
Middlesex	5	12	9	17	40	52
Hartford	0	0	0	0	0	0
New London	25	41	34	50	155	177
Washington	0	2	1	3	1	3
Kent	1	1	2	2	4	4
Providence	1	1	1	1	2	2
Bristol	0	0	0	0	0	0
Norfolk	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Hampden	0	0	0	0	0	0
Suffolk	1	1	1	1	26	26

Storm Surge Flooding: Number of Acres at Risk - Environmental Consequences

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	7	7	11	11	11	11
Prince George's	0	0	0	0	0	0
Anne Arundel	8	8	8	8	8	8
Howard	0	0	0	0	0	0
Baltimore	8	35	59	126	60	130
Baltimore City	0	3	0	5	0	7
Hartford	15	72	52	176	54	180
Cecil	2	5	2	5	2	5
New Castle	47	122	199	373	205	387
Delaware	6	46	10	84	16	90
Philadelphia	26	119	47	152	53	160
Bucks County	20	20	70	70	71	71
Burlington	0	0	0	0	0	0
Mercer	1	1	3	3	3	3
Middlesex	3	5	5	10	5	11
Somerset	0	0	0	0	0	0
Union	1	3	11	22	12	23
Essex	23	47	36	73	36	73
Hudson	44	101	132	234	132	235
Bergen	0	0	0	0	0	0
New York	12	21	20	33	20	33
Kings	0	4	0	4	0	4
Queens	17	32	22	40	23	41
Bronx	27	31	62	62	62	63
Westchester	1	1	3	4	4	6
Fairfield	46	58	150	197	176	230
New Haven	140	140	277	277	297	297
Middlesex	43	56	122	142	124	144
Hartford	0	0	0	0	0	0
New London	215	239	335	373	365	404
Washington	2	13	6	21	8	24
Kent	14	14	53	53	62	62
Providence	3	3	14	14	16	16
Bristol	0	0	0	0	0	0
Norfolk	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Hampden	0	0	0	0	0	0
Suffolk	1	1	11	11	18	18

Riverine Flooding: Number of Acres at Risk - Environmental Consequences

County	Current Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	7	7
Prince George's	32	32
Anne Arundel	49	49
Howard	0	0
Baltimore	12	55
Baltimore City	14	16
Harford	61	179
Cecil	34	108
New Castle	51	135
Delaware	7	36
Philadelphia	21	91
Bucks County	21	21
Burlington	0	0
Mercer	33	33
Middlesex	43	45
Somerset	0	0
Union	5	10
Essex	23	45
Hudson	37	76
Bergen	0	0
New York	7	7
Kings	0	0
Queens	5	5
Bronx	50	57
Westchester	2	4
Fairfield	63	84
New Haven	165	165
Middlesex	46	48
Hartford	136	136
New London	235	258
Washington	48	69
Kent	15	15
Providence	14	14
Bristol	9	9
Norfolk	12	20
Middlesex	0	0
Hampden	81	81
Suffolk	2	3

Sea Level Rise Flooding: At Grade and Trench Construction Type - Number of Acres at Risk - Environmental Consequences

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	0	0	0	0	0	0
Prince George's	0	0	0	0	0	0
Anne Arundel	0	0	0	0	0	0
Howard	0	0	0	0	0	0
Baltimore	0	0	0	0	0	1
Baltimore City	0	0	0	0	0	0
Harford	0	0	0	0	0	0
Cecil	0	0	0	0	0	0
New Castle	1	3	3	7	33	58
Delaware	0	8	0	10	0	17
Philadelphia	0	0	0	0	0	39
Bucks County	0	0	0	0	0	0
Burlington	0	0	0	0	0	0
Mercer	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Union	0	0	0	0	0	0
Essex	0	0	0	0	13	31
Hudson	0	0	0	6	1	19
Bergen	0	0	0	0	0	0
New York	0	0	0	0	0	0
Kings	0	0	0	0	0	0
Queens	0	0	0	0	3	3
Bronx	0	0	1	0	4	2
Westchester	0	0	0	0	0	0
Fairfield	1	2	1	3	11	13
New Haven	3	3	4	4	64	64
Middlesex	0	0	0	0	2	3
Hartford	0	0	0	0	0	0
New London	5	6	9	9	90	90
Washington	0	0	0	0	0	0
Kent	0	0	0	0	0	0
Providence	0	0	0	0	0	0
Bristol	0	0	0	0	0	0
Norfolk	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Hampden	0	0	0	0	0	0
Suffolk	1	1	1	1	19	19

Storm Surge Flooding: At Grade and Trench Construction Type - Number of Acres at Risk - Environmental Consequences

County	Current Climate Conditions		Mid-Century Climate Conditions		End-Century Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	0	0	0	0	0	0
Prince George's	0	0	0	0	0	0
Anne Arundel	7	7	8	8	8	8
Howard	0	0	0	0	0	0
Baltimore	3	6	32	49	33	52
Baltimore City	0	0	0	0	0	0
Harford	0	0	8	8	10	10
Cecil	0	0	0	0	0	0
New Castle	35	61	153	221	159	232
Delaware	0	15	1	30	2	30
Philadelphia	14	55	23	70	27	74
Bucks County	16	16	57	57	58	58
Burlington	0	0	0	0	0	0
Mercer	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Somerset	0	0	0	0	0	0
Union	0	0	0	0	0	0
Essex	17	39	22	51	22	51
Hudson	1	19	19	39	19	39
Bergen	0	0	0	0	0	0
New York	0	0	0	0	0	0
Kings	0	0	0	0	0	0
Queens	4	4	6	6	6	6
Bronx	15	10	45	28	45	28
Westchester	0	0	0	0	0	1
Fairfield	22	24	64	79	75	92
New Haven	72	72	122	122	127	127
Middlesex	2	4	26	33	26	33
Hartford	0	0	0	0	0	0
New London	124	127	177	181	191	197
Washington	0	1	0	1	0	2
Kent	0	0	12	12	12	12
Providence	0	0	5	5	7	7
Bristol	0	0	0	0	0	0
Norfolk	0	0	0	0	0	0
Middlesex	0	0	0	0	0	0
Hampden	0	0	0	0	0	0
Suffolk	1	1	11	11	17	17

Riverine Flooding: At Grade and Trench Construction Type - Number of Acres at Risk - Environmental Consequences

County	Current Climate Conditions	
	Existing NEC including Hartford/Springfield Line	Preferred Alternative
District of Columbia	0	0
Prince George's	25	25
Anne Arundel	32	32
Howard	0	0
Baltimore	6	13
Baltimore City	13	11
Harford	12	31
Cecil	0	2
New Castle	38	71
Delaware	1	15
Philadelphia	14	59
Bucks County	16	16
Burlington	0	0
Mercer	29	29
Middlesex	38	40
Somerset	0	0
Union	3	8
Essex	17	39
Hudson	1	19
Bergen	0	0
New York	0	0
Kings	0	0
Queens	4	4
Bronx	35	32
Westchester	1	2
Fairfield	31	33
New Haven	95	95
Middlesex	5	7
Hartford	129	129
New London	134	138
Washington	7	7
Kent	0	0
Providence	11	11
Bristol	5	5
Norfolk	10	13
Middlesex	0	0
Hampden	81	81
Suffolk	1	1

Stations at Risk of Inundation along the Preferred Alternative under Current, Mid-Century, and End-of-Century Climate Conditions

State	County	ID	Name	Type	Current	Mid-Century	End-of-Century
MD	Prince George's	2	New Carrollton	Existing	RF	RF	RF
	Anne Arundel	6	BWI Airport	Existing	RF	RF	RF
	Baltimore County	7	Halethorpe	Existing	RF	RF	RF
	Baltimore City	10	Baltimore Penn Station	Existing	RF	RF	RF
	Baltimore City	13	Bayview	New	RF	RF	RF
DE	New Castle	26	Newport	New	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	New Castle	27	Wilmington Station	Existing	SS, RF	SS, RF	SLR, SS, RF
	New Castle	28	Edgemoor	New		SS	SS
	New Castle	29	Claymont	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
PA	Delaware	32	Chester	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Delaware	34	Baldwin	New	SS, RF	SS, RF	SLR, SS, RF
	Delaware	33	Eddystone	Existing	SS, RF	SS, RF	SLR, SS, RF
	Delaware	35	Crum Lynne	Existing	RF	RF	RF
	Delaware	41	Sharon Hill	Existing	RF	RF	RF
	Delaware	42	Curtis Park	Existing		SS	SS
	Delaware	43	Darby	Existing	SS, RF	SS, RF	SS, RF
	Delaware	44	Philadelphia Airport	New	SS, RF	SS, RF	SLR, SS, RF
	Philadelphia	45	Philadelphia 30th St	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Philadelphia	51	Holmesburg-Junction	Existing		SS	SS
	Philadelphia	52	Torresdale	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Bucks	55	Croyton	Existing	RF	RF	RF
NJ	Mercer	58	Trenton	Existing	RF	RF	RF
	Middlesex	63	Jersey Avenue	Existing	RF	RF	RF
	Middlesex	67	Metropark	Existing	RF	RF	RF
	Middlesex	68	Metropark H.S.	New	RF	RF	RF
	Union	69	Rahway	Existing	SS, RF	SS, RF	SLR, SS, RF
	Union	70	Linden	Existing	RF	RF	SLR, RF
	Union	71	Elizabeth	Existing		SS	SS
	Essex	73	Newark Airport	Existing	SS, RF	SS, RF	SLR, SS, RF
	Essex	74	Newark Penn Station	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Hudson	76	Secaucus	Modified	SS, RF	SLR, SS, RF	SLR, SS, RF
NY	Bronx	78	Hunts Point	New	RF	RF	RF
	Bronx	80	Morris Park	New	RF	RF	RF
	Bronx	81	Co-op City	New	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Westchester	84	Mamaroneck	Existing	SS, RF	SS, RF	SS, RF
	Westchester	85	Harrison	Existing	RF	RF	RF
	Westchester	86	Rye	Existing	RF	RF	RF
	Westchester	87	Cross-Westchester	New	RF	RF	RF
	Westchester	88	Port Chester	Existing	SS, RF	SS, RF	SLR, SS, RF

Stations at Risk of Inundation along the Preferred Alternative under Current, Mid-Century, and End-of-Century Climate Conditions

State	County	ID	Name	Type	Current	Mid-Century	End-of-Century
CT	Fairfield	89	Greenwich	Existing	SS, RF	SS, RF	SS, RF
	Fairfield	90	Cos Cob	Existing	SS, RF	SS, RF	SLR, SS, RF
	Fairfield	92	Old Greenwich	Existing	SS, RF	SS, RF	SS, RF
	Fairfield	93	Stamford	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Fairfield	94	Stamford H.S.	New		SS	SLR, SS
	Fairfield	97	Rowayton	Existing	SS, RF	SS, RF	SS, RF
	Fairfield	98	South Norwalk	Existing		SS	SS
	Fairfield	100	Westport	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Fairfield	101	Greens Farms	Modified	SS, RF	SS, RF	SLR, SS, RF
	Fairfield	102	Southport	Existing	SS, RF	SS, RF	SLR, SS, RF
	Fairfield	103	Fairfield	Existing		SS	SS
	Fairfield	104	Fairfield Metro	Existing		SS	SS
	Fairfield	105	Bridgeport	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Fairfield	108	Stratford	Existing	RF	RF	RF
	New Haven	109	Milford	Existing	SS, RF	SS, RF	SS, RF
	New Haven	110	West Haven	Existing	RF	RF	RF
	New Haven	111	New Haven Station	Existing	SS, RF	SS, RF	SLR, SS, RF
	New Haven	113	New Haven State Street	Existing	SS, RF	SS, RF	SLR, SS, RF
	New Haven	114	Branford	Existing	SS, RF	SS, RF	SS, RF
	New Haven	115	Guilford	Existing	SS, RF	SLR, SS, RF	SLR, SS, RF
	Middlesex	117	Clinton	Existing		SS	SS
	Middlesex	118	Westbrook	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	New London	121	New London	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	New London	122	Mystic	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	New Haven	157	North Haven	New	SS, RF	SS, RF	SS, RF
	New Haven	185	Meriden	New	RF	RF	RF
	Hartford	161	Newington	New	RF	RF	RF
	Hartford	168	Windsor	Existing	RF	RF	RF
	Hartford	169	Windsor Locks	Existing	RF	RF	RF
	Hartford	187	Enfield	New	RF	RF	RF
RI	Washington	123	Westerly	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
	Washington	126	Wickford Junction	Existing	RF	RF	RF
	Providence	128	Providence Station	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
MA	Bristol	132	Attleboro	Existing	RF	RF	RF
	Bristol	133	Mansfield	Existing	RF	RF	RF
	Norfolk	134	Sharon	Existing	RF	RF	RF
	Norfolk	136	Rte 128	Existing	RF	RF	RF
	Suffolk	138	Hyde Park	Existing		SS	SS
	Suffolk	140	Ruggles Street	Existing			SLR
	Suffolk	141	Back Bay	Existing			SLR
	Suffolk	143	Boston South Station	Existing	SLR, SS, RF	SLR, SS, RF	SLR, SS, RF
Total Stations at Risk of Inundation				68	78	80	
Total New Stations at Risk of Inundation				13	15	15	
Total Existing Stations at Risk of Inundation				53	61	63	
Total Modified Stations at Risk of Inundation				2	2	2	
Total Stations at Risk of Inundation from SLR Flooding				16	18	34	

Note: Stations are considered at risk if the acreage at risk of flooding at the station is greater than 0.0001.



Climate Change Effects Assessment Methodology

November 11, 2014
Revised Final Version

Submitted by:

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1. Climate Change Effects Assessment Methodology

1.1 INTRODUCTION

Early in the development of the NEC FUTURE program, a strategy was developed to consider greenhouse gas emissions and climate change (*Methodology for Assessing Greenhouse Gas Emissions and Climate Change Effects in the NEC FUTURE Tier 1 EIS, May 8, 2013*). The strategy provided a general approach to addressing these topics based upon recent policy developments for analysis of these topics in the context of NEPA documentation. In implementing the strategy, two separate impact assessment methodologies have been developed; one to address greenhouse gas emissions and the other to address the effects of climate change. However, within the Tier 1 EIS, a single section on climate change will be presented that includes the findings of both assessments.

This methodology document focuses specifically on identifying those elements of rail service and infrastructure associated with each of the Tier 1 EIS Alternatives potentially vulnerable to climate change and its effects, including sea-level rise and storm surge, increased storm frequency and severity, and more frequent and severe extreme heat and cold events. As stated above, the Tier 1 EIS will also address the related issue of potential effects of the NEC FUTURE program's greenhouse gas (GHG) emissions on climate change; the approach to quantifying and assessing GHG emissions is described in the separate *Air Quality Effects Assessment Methodology*¹.

This climate change methodology presents the regulatory framework, involved government agencies, expected regulatory and other outcomes of the Tier 1 EIS process, and the relevance to Tier 2, project-level assessments. It also identifies data sources, metrics, and methods to be used to document existing conditions and analyze environmental consequences. New tools or techniques are currently being developed to assist in the identification of and assessment of climate change vulnerabilities, notably those findings or tools developed through the Federal Highway Administration's (FHWA) "Climate Change & Extreme Weather Vulnerability Assessment Framework".² As work advances on the NEC FUTURE program, FRA will evaluate opportunities to incorporate these and other findings and tools. Similar updates to relevant topographic or climate data (as shown in Table 5) will be assessed to determine the relevance to the NEC FUTURE analyses. In light of these updates in the approach and data to support climate change assessments, this methodology may be revised as new information is available.

1.2 DEFINITIONS

Topic areas covered in this methodology include:

- ▶ **Climate Change:** As described by the United States Environmental Protection Agency (EPA), climate change is any significant change in the measures of climate lasting for an extended

¹NEC Future Tier 1 EIS Air Quality Effects Assessment Methodology,

²https://www.fhwa.dot.gov/environment/climate_change/adaptation/publications_and_tools/vulnerability_assessment_framework/

period of time. It includes major changes in temperature, precipitation, or wind patterns, among other effects, that occur over a period of several decades or longer.³

- ▶ **Global Warming:** The EPA describes global warming as the measured increases in average temperatures worldwide in recent decades and the continued increases projected to occur throughout this century.⁴ The climate change effects associated with this gradual warming trend include rises in sea levels (due to the melting of glaciers and ice caps, and the thermal expansion of ocean water), projected changes in the location, level and frequency of precipitation and the frequency and/or severity of storm events and changes in temperature ranges (e.g., frequency and intensity of maximum and minimum temperature extremes).
- ▶ **Vulnerability:** For purposes of this Tier 1 EIS, vulnerability is defined as the extent to which elements of existing or proposed rail service and infrastructure would be susceptible to the effects of climate change, such as sea level rise, riverine or coastal flood hazards, or other threats to the transportation network, such as extreme heat and cold effects on tracks.

1.3 RELATED RESOURCES

The existing conditions and effects assessments from floodplains evaluated as part of the Tier 1 EIS will contribute to the assessment of the effects of climate change as identified in Table 1. Note that the effects assessments for floodplains will be based on coordination with the Federal Emergency Management Agency (FEMA) and review of readily available information (existing Flood Insurance Rate Maps [FIRM] and Advisory Base Flood Elevations [ABFE]), and documented within the floodplains subsection of the Tier 1 EIS.

Table 1: Related Resource Inputs to Climate Change

Resource	Input to Climate Change Assessment
Floodplains	<ul style="list-style-type: none"> ▪ Effective and Preliminary Flood Insurance Rate Maps and Advisory Base Flood Elevations, where available, that provide a baseline measure of flood risk for use in climate change assessment. The use of FIRM data will be consistent with the floodplain analysis, as documented in a separate methodology, for the Tier 1 EIS. *
Water Resources	<ul style="list-style-type: none"> ▪ Effects of water resources that overlap with floodplains and thus aggravate flooding conditions/risks
Coastal Zones & Saltwater Wetlands	<ul style="list-style-type: none"> ▪ Effects of coastal zones & saltwater wetlands that overlap with floodplains and thus aggravate flooding conditions/risks

Source: NEC FUTURE JV TEAM, 2014

* FIRM and ABFE data will be reviewed case-by-case to obtain the best available data and to maintain overall consistency across the Study Area.

³ Available from <http://www.epa.gov/climatechange/basics/> (September 2013)

⁴ Available from <http://www.epa.gov/climatechange/basics/> (September 2013)

1.4 AGENCY AND REGULATORY FRAMEWORK

Multiple federal agencies are responsible for climate change-related guidance and regulations. The study team will consider the legislation, policies and regulations listed in Table 2 that are consistent with a NEC FUTURE Tier 1 level evaluation of climate change impacts.

TABLE 2: CLIMATE CHANGE GUIDANCE

Federal Agency	Regulatory Oversight	Description of Regulation	Regulated/ <u>Applicable</u> Resource(s)
United States Environmental Protection Agency (EPA)	<ul style="list-style-type: none"> ■ §1508.7 of Council on Environmental Quality (CEQ) regulations for implementing National Environmental Policy Act (NEPA) 	<ul style="list-style-type: none"> ■ Required assessment of “cumulative impacts [that] can result from individually minor but collectively significant actions taking place over a period of time.” ■ The EPA oversees programs to reduce GHGs and regulate air quality standards and goals; they are also actively involved in establishing climate adaptation guidance. 	<ul style="list-style-type: none"> ■ Environmental impacts of federal actions ■ Greenhouse gas (GHG) emissions ■ <u>Climate adaptation</u>
	<ul style="list-style-type: none"> ■ <i>CEQ, Draft NEPA Guidance on Consideration of the Effects of Climate Change and Greenhouse Gas Emissions.</i> (February 2010) 	<ul style="list-style-type: none"> ■ Recommends the NEPA “rule of reason” when determining how extensively to consider a project’s potential vulnerability to climate change. 	<ul style="list-style-type: none"> ■ GHG emissions
U.S. Federal Highway Administration (FHWA)	<ul style="list-style-type: none"> ■ <i>Climate Change – Model Language in Transportation Plans</i> (Nov. 2010) 	<ul style="list-style-type: none"> ■ Procedures and programs for climate change adaptation for transportation infrastructure, including an extensive ongoing pilot program supporting climate change vulnerability assessment programs with state departments of transportation, metropolitan planning organizations, and other agencies. 	<ul style="list-style-type: none"> ■ Vulnerability to climate change
U.S. Department of Transportation (U.S. DOT)	<ul style="list-style-type: none"> ■ <i>Climate Adaptation Plan: Ensuring Transportation Infrastructure and System Resilience</i> (2012) 	<ul style="list-style-type: none"> ■ Ongoing and planned actions by U.S. DOT and its modal administrations to identify climate change challenges and the policies and technologies to adapt to them. 	<ul style="list-style-type: none"> ■ Vulnerability and adaptation climate change

Source: NEC FUTURE JV Team, 2014

Additionally, Table 3 includes recent Executive Orders that pertain to climate change and adaptation:

TABLE 3: EXECUTIVE ORDERS RELATED TO CLIMATE CHANGE AND ADAPTATION

Federal Agency	Regulatory Oversight	Description of Regulation	Regulated Resource
U.S. Executive Office	<ul style="list-style-type: none"> ■ Executive Order 13514, <i>Federal Leadership in Environmental, Energy and Economic Performance.</i> (October 2009) ■ Council on Environmental Quality, <i>Instructions for Implementing Climate Change Adaptation Planning in Accordance with Executive Order 13514.</i> (March 2011). 	<ul style="list-style-type: none"> ■ Establishes an integrated strategy for sustainability, including an interagency climate change adaptation task force 	<ul style="list-style-type: none"> ■ Climate change adaptation plans ■ Mitigating vulnerability to climate change
U.S. Executive Office	<ul style="list-style-type: none"> ■ Executive Order 13653, <i>Preparing the United States for the Impacts of Climate Change</i> (November 2013) ■ <i>The President's Climate Action Plan</i>, Executive Office of the President, June 2013 	<ul style="list-style-type: none"> ■ Seven-point Executive Order focused on making federal activities more efficient and to strengthening consideration of climate change in federal investments, and programs and helping state and local governments prepare for climate change impacts; Includes review of federal funding programs to improve their efficiency in this area, work with the Climate Preparedness and Resilience Task Force, review/improve land and water programs and policies in light of climate change, create and exchange available, usable and timely data, web-based portals, etc. 	<ul style="list-style-type: none"> ■ Vulnerability and adaptation to effects of climate change

Source: NEC FUTURE JV Team, 2014

The states within the NEC FUTURE Study Area (Study Area) have implemented a wide variety of legislative mandates and regulatory and policy actions to support public and private sector actions to incorporate climate change and adaptation considerations in their policies, programs and investment decisions. Table 4 includes examples of some of the state-level climate change-related regulatory and programmatic actions within the Study Area. An updated list containing further details of the state-level climate change-related actions in each state within the Study Area will be included in the Tier 1 EIS discussion of existing conditions, along with the relevance of these state-level actions to the proposed NEC FUTURE climate change assessments.

TABLE 4: STATE-LEVEL CLIMATE CHANGE INITIATIVES

State	Regulatory / Programmatic Action	Description
Delaware	■ Chesapeake Sea Level Rise and Storm Surge: Public Awareness and Response, Interactive Map of Climate Change in the Chesapeake Bay (2013)	■ An interactive online map of the Chesapeake Bay including the impacts of sea level rise and storm surge predictions as a result of future climate change.
	■ Delaware Department of Natural Resources and Environmental Control, Sea Level Rise Inundation Maps (2013)	■ Aid in planning land use planning and controls, emergency management plans, impacts to the economy, future infrastructure plans and planning for coastal community resiliency by determining hazards and vulnerabilities.
	■ The Delaware Sea Level Rise Advisory Committee, Preparing for Tomorrow's High Tide: Recommendations for Adapting to Sea Level Rise in Delaware (2013)	■ Describes Delaware's vulnerability to sea level rise, and provides 55 recommendations for adapting to the effects of sea level rise.
	■ Wilmington Area Planning Council, <i>Sea-Level Rise, A Transportation Vulnerability Assessment of the Wilmington, Delaware Region</i> (2011)	■ Provides assessment of transportation infrastructure at risk from sea level rise and provides policy recommendations for adaptation planning.
Maryland	■ <i>Executive Order 01.01.2012.29: Climate Change and Coast Smart Construction</i> (December 2012)	■ Directs that all new and reconstructed state structures, as well as other infrastructure improvements, be planned and constructed to avoid or minimize future flood damage.
	■ <i>2011 Maryland State Hazard Mitigation Plan Update</i> (August 2011)	■ Prepared by the Maryland Emergency Management Agency, which has incorporated climate change and climate adaptation into the statewide risk assessment and mitigation strategy.
	■ <i>Coastal Shorelines Atlas</i>	■ A mapping tool, which allows users to access state coastal hazard data including coastal inundation from storms, areas at risk to sea level rise, and shoreline erosion data.
	■ <i>CoastSmart Communities Program, Inc, including Climate Change and Coast Smart Construction Infrastructure Siting and Design Guidelines</i> (January 2014)	■ An online resource center for financial and technical assistance to address vulnerability to the impacts of sea level rise and climate change.
Pennsylvania	■ Penn State University, <i>Pennsylvania Climate Impact Assessment Report</i> (June 2009)	■ Assesses impacts of global climate change for Pennsylvania, including the economy, wildlife, fisheries recreation, agriculture and tourism.
	■ Department of Environmental Protection, <i>Pennsylvania Climate Adaptation Planning Report: Risks and Practical Recommendations</i> (January 2011)	■ Recommendations for climate change adaptation in areas of Infrastructure, Public Health and Safety, Natural Resources, and Tourism and Outdoor Recreation.
New Jersey	■ Federal Emergency Management Agency, <i>Advisory Base Flood Elevation Map</i>	■ An online mapping tool that shows the ABFEs released by FEMA Region II in 2013 covering areas of New Jersey affected by Hurricane Sandy.
	■ New Jersey Department of Environmental Protection, <i>Getting to Resilience: A Coastal Community Resilience Evaluation Tool</i>	■ A process to help guide the evaluation of local climate change resiliency plans, particularly in coastal areas.

State	Regulatory / Programmatic Action	Description
	<ul style="list-style-type: none"> ■ <i>FHWA Climate Change Vulnerability Assessment Pilot Project – North Jersey Transportation Planning Authority (NJTPA)</i> 	<ul style="list-style-type: none"> ■ NJTPA participated in a pilot project to test the FHWA climate change vulnerability assessment model. This conceptual model guided transportation agencies through the process of collecting and integrating climate and asset data in order to identify critical vulnerabilities.

TABLE 4: STATE-LEVEL CLIMATE CHANGE INITIATIVES (CONTINUED)

State	Regulatory / Programmatic Action	Description
New York	<ul style="list-style-type: none"> ■ The New York State Emergency Management Office, <i>New York State Coastal Counties Hurricane Storm Surge Zones</i> (September 2005) 	<ul style="list-style-type: none"> ■ Shows hurricane storm surge zones based on National Oceanic and Atmospheric Administration (NOAA) sea rise models.
	<ul style="list-style-type: none"> ■ Federal Emergency Management Agency (FEMA), <i>Advisory Base Flood Elevations Map</i> 	<ul style="list-style-type: none"> ■ As noted under New Jersey above, an online mapping tool showing ABFEs released by FEMA Region II in 2013 covering areas of New York affected by Hurricane Sandy.
	<ul style="list-style-type: none"> ■ New York State Energy Research and Development Authority, <i>Responding to Climate Change in New York State: The ClimAID Integrated Assessment for Effective Climate Change Adaptation Strategies in New York State</i> 	<ul style="list-style-type: none"> ■ Provides information on the state's vulnerability to climate change and on development of adaptation strategies.
	<ul style="list-style-type: none"> ■ New York City Panel on Climate Change, <i>Climate Risk Information 2013 Observations, Climate Change Projections, and Maps</i> and the 2014 web based update of projections⁵ 	<ul style="list-style-type: none"> ■ Provides climate projections for NYC.
Connecticut	<ul style="list-style-type: none"> ■ Connecticut Department of Energy and Environmental Protection (DEEP), <i>Coastal Hazards Mapping Tool</i>, including Sea Level Rise Visualization Data 	<ul style="list-style-type: none"> ■ Depicts estimates of inundation due to sea level rise across all Connecticut towns with direct frontage on Long Island Sound (and Fisher's Island Sound), for use by coastal communities to test inundation scenarios and ways to prepare for them.
	<ul style="list-style-type: none"> ■ CT DEEP, <i>Facing Our Future</i> fact sheet series 	<ul style="list-style-type: none"> ■ Details current observations and provides high-level recommendations for alternative adaptation approaches at the local and regional level. Areas addressed include adaptation related to biodiversity and habitat, fisheries, forestry, infrastructure, natural coastal shoreline environment, outdoor recreation, water resources, and wildlife.
Rhode Island	<ul style="list-style-type: none"> ■ Rhode Island Climate Risk Reduction Act of 2010 	<ul style="list-style-type: none"> ■ Requires comprehensive community plans to include adaptation provisions for sea level rise and climate change, as well as the creation of a Rhode Island Climate Change Commission.

⁵ <http://www.nyc.gov/html/sirr/html/about/future.shtml>

State	Regulatory / Programmatic Action	Description
	<ul style="list-style-type: none"> ▪ RI Sea Grant, Sea Level Rise in Rhode Island: Trends and Impacts (January 2013) 	<ul style="list-style-type: none"> ▪ Provides an overview of the current science from peer-reviewed information as well as impacts and actions compiled by the University of Rhode Island Climate Change Collaborative, scientists, and managers in Rhode Island, and RI Sea Grant, Sea Level Rise Mapping & Data Tools, a statewide digital elevation and bathymetry data tool, Sea Level Affecting Marshes Model, and other sea level rise resources.
Massachusetts	<ul style="list-style-type: none"> ▪ Massachusetts General Law Part I, Title III, Chapter 30, Section 61 	<ul style="list-style-type: none"> ▪ Requires respective agencies, departments, boards, commissions, and authorities to consider reasonably foreseeable climate change impacts, including predicted sea level rise, when considering and issuing permits, licenses, and other administrative approvals and decisions.
	<ul style="list-style-type: none"> ▪ Massachusetts Regulation 310 CMR 9.37(2)(b)(2) 	<ul style="list-style-type: none"> ▪ Requires new buildings designs intended for human occupancy within a flood zone to incorporate projected sea-level rise during the buildings' design life consistent with projected sea-level rise. Such projections must be based on historical rates of sea level increase in New England coastal areas.

Source: NEC FUTURE JV Team, 2014

1.4.1 Regulatory Compliance

The FRA will not request any formal agency approvals for the Tier 1 EIS; however, the FRA will engage in dialogue with the EPA on methodologies, assumptions, and findings of the Tier 1 EIS analysis of climate change. The Tier 1 EIS will describe the requirements for subsequent Tier 2 evaluations, including compliance with federal and state regulations. During the Tier 1 EIS, the FRA will identify potential opportunities to streamline subsequent Tier 2 environmental reviews (see Section 1.7). Coordination with the EPA will be consistent with the NEC FUTURE Agency Coordination Plan and support the Statement of Principles (SOP) established between the FRA and federal regulatory agencies as part of the Council on Environmental Quality (CEQ) Pilot program.

1.5 METHODOLOGY TO ASSESS EFFECTS

This effects assessment methodology identifies the following:

- ▶ The approach and assumptions to be used in the Tier 1 EIS for describing existing and projected future conditions of specific climate hazards most likely to impact transportation infrastructure and services (e.g. sea level rise, increased storm intensity and storm-related flooding, and *maximum and minimum temperature extremes*⁶).
- ▶ The consequences of those potential effects of projected climate change on the Tier 1 EIS Alternatives.

⁶ http://www.fta.dot.gov/documents/FTA_0001 - Flooded_Bus_Barns_and_Buckled_Rails.pdf and Transportation Research Board (2008) Special Report 290 Potential Impacts of Climate Change on U.S. Transportation

The methodology identifies data sources, defines the Affected Environment and Context Area considered for climate change, and the approach for evaluating the effects of climate change on service and infrastructure associated with the Tier 1 EIS Alternatives. Effects associated with climate change include exposure of infrastructure to extreme weather events potentially resulting in more significant flooding in areas already prone to flooding and / or extreme heat or cold events that result in problems with train equipment and infrastructure (e.g., warped rail tracks, cracks in tracks, heat kinks)⁷. Effects of such events on transportation facilities and operations result in extensive indirect costs of delays, detours, trip cancellation and disruption of business activity which can be significant.⁸

1.5.1 Existing Conditions

The data sources listed in Table 5 will be used to establish the baseline conditions along the NEC, where infrastructure and services are currently most vulnerable to the impacts of climate change (e.g., sea level rise, increased storm intensity and flooding, and heat events). Actions being taken by states or railroads within the Study Area to address climate change will also be considered and documented to further establish the baseline conditions and to be used as inputs to the climate change effects assessment.

Table 5: Data Sources for the Evaluation of Climate Change Impacts

Resource:	Data Source	Data Application/Input to Analysis
Topographic data	<ul style="list-style-type: none"> ■ U.S. Geological Survey (USGS), National Geospatial Program (NGP) 5' contour topographic map data, available from the U.S. Department of the Interior.* ■ NOAA Coastal Services Center topographic database developed in 2013 for recent sea level rise work for the Northeast coast. 	<ul style="list-style-type: none"> ■ Topographic data sets will be used to understand the potential range of flood inundation
Existing Flooding	<ul style="list-style-type: none"> ■ Digital Flood Insurance Rate Maps (FIRM), and Preliminary FIRMs ■ Flood Insurance Studies (FIS) ■ Advisory Base Flood Elevation (ABFE) maps ■ Preliminary Work Maps ■ Preliminary FIRMs <p>Data available from and updated by U.S. Department of Homeland Security, Federal Emergency Management Administration (FEMA).</p>	<ul style="list-style-type: none"> ■ GIS-based maps used to establish a baseline for assessments of potential increases in flooding due to climate change. FEMA map projects consider both existing riverine and coastal flooding. The use of FEMA maps will be consistent with the use established in the floodplain section of the Tier 1 EIS. ■ This data informs the analysis by providing information regarding current flooding conditions and areas of vulnerability along the existing NEC as well as the representative routes of the proposed Tier 1 EIS Alternatives.

⁷ http://www.fta.dot.gov/documents/FTA_0001 - Flooded_Bus_Barns_and_Buckled_Rails.pdf

⁸ For the discussion of the direct vs. indirect effects of climate change, see http://ipcc-wg2.gov/AR5/images/uploads/WGIAR5-Chap8_FGDall.pdf

Resource:	Data Source	Data Application/Input to Analysis
Existing Extreme Heat Events	<ul style="list-style-type: none"> ■ NOAA, National Climatic Data Center, Global Historical Climatology Network-Daily data set. ■ Information from Amtrak and other NEC Study Area rail operators regarding extreme heat events and ways of responding to those events. 	<ul style="list-style-type: none"> ■ Provide a consistent historical and current (baseline) data set regarding the frequency and duration of extreme heat events within the Study Area. ■ Use the railroads' understanding of the present frequency and severity of such events to better define how to use the NOAA data going forward as a measure of potential future heat-related, as well as obtain data on the impacts on railroad operations and their capital and operating costs.
Sea Level Rise Projections	<ul style="list-style-type: none"> ■ IPCC 2013 Climate Change 2013: The Physical Science Basis, Fifth Assessment Report. ■ Relevant regional and state-level sea level rise projections from sources noted in Table 4. 	<ul style="list-style-type: none"> ■ Select consistent sea level rise scenarios appropriate for the northeast for near-term (e.g., 2050) and long-term (e.g., 2100) planning horizons to be used in the NEC FUTURE analysis.
Sea Level Rise Inundation Maps	<ul style="list-style-type: none"> ■ NOAA Coastal Services Center Sea Level Rise and Coastal Flooding Impacts Viewer/Data Sets. ■ Inundation maps (available in 1-foot increments from 1 foot to 6 feet). <p data-bbox="518 925 980 977">Data available from NOAA for the entire Study Area.</p>	<ul style="list-style-type: none"> ■ Data used to identify coastal areas that would be flooded under various levels of sea rise to be established in consultation with NOAA. ■ Data will support developing near-term and long-term scenarios for sea level rise and storm surge inundation. ■ This data will be used to further identify areas of vulnerability.
Future Extreme Events (Precipitation and Heat Events)	<ul style="list-style-type: none"> ■ IPCC 2013 Climate Change 2013: The Physical Science Basis, Fifth Assessment Report. ■ Coupled Model Intercomparison Project IPCC Fifth Assessment Report (CMIP5) data. ■ Relevant regional and state-level temperature projections from sources noted in Table 4. ■ FIMA and FEMA 2013 study: The Impact of Climate Change and Population Growth on the National Flood Insurance Program through 2100. 	<ul style="list-style-type: none"> ■ Available CMIP5 data and downscaled data will be reviewed to develop reasonable projections for increased precipitation and temperatures with respect to future frequency and duration of extreme events. ■ CMIP5 processing tools, such as the FHWA USDOT CMIP5 Tool will be leveraged and expanded upon to achieve full coverage of the study area. ■ Projected changes in Flood Hazard Areas ■ This data will be used to further identify areas of vulnerability.

Resource:	Data Source	Data Application/Input to Analysis
Adaptation Strategies	<ul style="list-style-type: none"> ▪ U.S. Army Corps of Engineers (USACE), <i>Climate Change Adaptation Plan and Report</i> (September 2011) ▪ U.S. DOT, <i>US DOT Policy Statement On Climate Change Adaptation</i> (June 2011) ▪ U.S. DOT, <i>Climate Adaptation, Ensuring Transportation Infrastructure and System Resilience</i> (2012) ▪ U.S. DOT, FHWA, <i>FHWA Climate Change & Extreme Weather Vulnerability Assessment Framework</i> (December, 2012). ▪ Relevant regional and state-level adaptation plans and strategies noted in Table 4 	<ul style="list-style-type: none"> ▪ Reviewed to support developing structural and other measures to improve the resilience of rail infrastructure potentially impacted by climate change. ▪ Data used to develop potential adaptation strategies for proposed infrastructure associated with NEC FUTURE.

Source: NEC FUTURE JV Team, 2014

* Although Lidar-based topographic data is available for some states or jurisdictions within the Study Area, it is not available corridor-wide. Therefore, development of full Lidar-based topographic database was not recommended. However, NOAA sea level rise database (see Table 5) includes the best available topographic data for the Study Area and will be used in the proposed climate change effects assessment.

The Tier 1 EIS will document existing and future conditions in order to characterize the potential climate change impacts for an established Affected Environment and Context Area.

- ▶ For the assessment of flood hazards, the Affected Environment is a 2,000-foot swath⁹ centered on the Representative Route¹⁰ for each of the Tier 1 EIS Alternatives. This 2,000-foot swath is consistent with the Affected Environment defined for Floodplains and is sufficiently wide to:
 - Encompass and account for the improvements associated with a Representative Route including infrastructure improvements (such as embankments, aerial structures, track improvements), ancillary facilities (such as stations, yards and parking structures), or service changes.
 - Account for contiguous flood risk conditions that may extend beyond the Representative Route.
- ▶ For existing flood hazards, acres of 100-year floodplains will be estimated within each state. The total area of the Affected Environment located within these floodplains will be presented in tables and these areas of susceptibility will also be mapped using GIS.
- ▶ For purposes of flood hazard analysis, 5-foot contours (based on topographic databases from NOAA and USGS) will be used in the Tier 1 EIS for the Affected Environment. While finer-scale

⁹ This 2,000-foot swath is subject to revision based on consultation with resource agencies

¹⁰ Representative Route refers to a proposed route or potential alignment for a Tier 1 EIS Alternative. The Representative Route includes the physical footprint of the improvements associated with the Tier 1 EIS Alternatives. The horizontal and vertical dimensions of the footprint of the Representative Route are based on prototypical cross-sections for these improvements. The Representative Route is used as a proxy for estimating the potential effects of a route whose location could shift during subsequent project-level reviews.

data are available for some portions of the Study Area, only the NOAA and USGS databases provide consistent data for the entire Study Area.

- ▶ For the assessment of extreme heat and cold events, the Affected Environment includes the entire Study Area with a focus on the various existing rail lines, which will be characterized utilizing available CMIP5 data and downscaled datasets, as identified in Table 5.

The Context Area is 5 miles wide, centered on the Representative Route for each Tier 1 EIS Alternative. Within the Context Area, (1) existing 100-year floodplains will be mapped, and (2) general characteristics of, and relative size and location of the 100-year floodplain zones will be presented in order to qualitatively characterize areas of current flood risk should the Representative Route shift. This information will be used to supplement the quantitative assessment of effects within the Affected Environment. The assessment of extreme heat and cold events will be conducted at the state level throughout the Study Area, with no separate localized analysis conducted for the Context Area.

1.5.2 Environmental Consequences

Environmental consequences will be evaluated by comparing the existing (baseline) conditions relative to the primary climate change hazards (e.g., sea level rise, increased storm intensity and flooding, and extreme heat and cold events) for projected future conditions to identify areas of vulnerability to climate change (such as projected/future floodplain boundaries). Within the NEC FUTURE Tier 1 EIS, a planning horizon year of 2040 is generally used for alternatives planning and impact assessments. However, climate change studies typically consider longer-term planning horizons (for NEC FUTURE, horizon years such as 2075–2100), because the impacts of climate change are slower to manifest and are expected to worsen over time; sea level rise and related assessments are often done for multiple scenarios that present multiple scales of vulnerability. Thus long-term consideration of climate change impacts is particularly appropriate for the types of large-scale, long-term infrastructure investments being considered under the NEC FUTURE program. Therefore, the FRA will consider two future scenarios in assessing climate change effects:

- ▶ **Near-term (mid-century) scenario:** This scenario is not tied to a specific analysis year, but will be equivalent to an approximately 30–50 year horizon scenario (approximately 2040–2060). This approach allows one projection to be selected, and the uncertainty of that projection occurring is placed in the context of time. This approach is more useful for adaptation planning than fixing the year (e.g., 2050), and selecting a range of projections that could occur at that time (e.g., high-end and low-end projections). For example, a 1-foot (12-inch) rise in static sea levels could occur in the 2040 to 2060 timeframe. Similarly, moderate projections related to storm and temperature frequency/severity will be selected based on a review of the available CMIP5 data.
- ▶ **Long-term (end-of-century) scenario:** This scenario will account for longer-term impacts that are projected to occur near the end of the century (e.g., 2075–2100+), equivalent to an approximately 60–80 year horizon scenario. For example, a 6-foot (72-inch) rise in static sea levels could occur in this timeframe. Similarly, more extreme storm and temperature projections will also be considered.

The two-scenario approach will be used to analyze different levels of climate change-related effects (e.g., a sea level rise of 12 inches versus 72 inches) that encompass the range of projections and forecast timeframes used by researchers and regulatory agencies in the northeast. The approximate range of years considered within each scenario will be noted and appropriately vetted with relevant agencies as the uncertainties associated with climate change projections increase with time. Evaluating two scenarios covering two future planning horizons will allow for greater flexibility when considering potential adaptation strategies. More detail on the selection of the sea level rise scenarios is included in the Appendix.

The FRA will not consider the joint probability of extreme weather events and their combined effects (e.g., a 100-year coastal storm surge event occurring simultaneously with a 100-year rainfall event, with a frequency much greater than every 100 years). Such studies are beyond the level of detail warranted for a Tier 1 EIS given the limited level of design. The Tier 1 EIS text will indicate why such low-probability conditions were not analyzed while recommending that such detailed analysis be considered where necessary at the Tier 2 level.

There is greater certainty associated with the near-term (mid-century) scenarios. Therefore, future Tier 2 project reviews could consider the mid-century climate change impacts as part of their detailed design considerations for implementation. The climate change impacts associated with the end-of-century scenario could be considered for future adaptation measures, rather than for immediate implementation, and the adaptation measure could be brought online when a particular climate stressor threshold or trigger is reached.

Together, this two-scenario approach provides a moderate-to-high level estimate of the likely increase in climate change related impacts on the NEC, and the extent to which the Tier 1 EIS alternatives are resilient to those impacts. For each Representative Route, resiliency may be defined as the acreage vulnerable to flood risks and the percentage of each route's total acreage subject to flood risks under each scenario and within each state will be calculated and presented in tabular and map formats.

The following steps will be undertaken to evaluate the environmental consequences of climate change within the Affected Environment for Flood Hazard and Extreme Heat and Cold events.

Climate Change-Related Flood Hazard Impact Assessment

As sea levels rise, the number of areas inundated daily at high tide would increase, and infrastructure improvements within those areas could be subject to increased degradation, erosion, and wear and tear. Evaluating inundation associated with future sea level rise alone (without consideration of storm surge) considers areas that will be subjected to future *permanent* inundation, i.e., areas that are not exposed to regular tidal inundation under existing conditions, but will be subject to regular tidal inundation in the future. Storm surge presents a significant, although *periodic*, flood hazard. Infrastructure improvements that are subjected to periodic inundation by storm surge events could be subject to severe damage—particularly if their original design considerations did not account for potential future inundation. Both the mid-century and end-of-century sea level rise scenarios will be evaluated alone and in combination with 100-year storm conditions (the standard FEMA flood risk metric) so that permanent and period inundation can be evaluated along the NEC Representative Routes and within the Context Area.

The future condition inundation maps for extreme storm conditions will account for changes in precipitation, sea level rise, and potential changes in coastal storm intensity and storm surge conditions. The CMIP5 global climate model data, and available downscaled model data, will be used to estimate climate change-related changes in severe storm-related precipitation, and the extent to which these changes would increase rainfall-runoff driven riverine flooding.

NOAA recently developed an approach, in partnership with FEMA, USACE, the United States Global Change Research Program (USGCRP), and the Council on Environmental Quality (CEQ) to develop a set of map services and related tools to help communities, residents, and other stakeholders consider risks from future sea level rise in planning for reconstruction following Hurricane Sandy.¹¹ Similar to this approach, the Tier 1 climate change assessment will evaluate the future conditions of coastal and inland waterways due to changes in sea level and storm frequency and severity projected to result from climate change using the following steps:

1. Overlay and analyze flood hazard areas using GIS to map the latest available FEMA effective or preliminary FIRMs and/or ABFEs identified in Table 1.
2. Establish the existing flood vulnerability baseline for the Tier 1 EIS Alternatives by calculating the acreage and percentage of each Representative Route that falls within flood hazard areas. Areas within the adjacent Affected Environment where the Representative Route would be close to flood hazard areas would be qualitatively discussed, with references to maps that show this visually.
3. Estimate future flood risk conditions by adding the changes in sea level rise and storm-related conditions under mid-century (near-term) and end-of-century (long-term) scenarios developed in consultation with stakeholders¹² to the FEMA flood insurance rate map baseline.
4. Using the two-scenario approach, identify future effects of climate change on flood vulnerability as follows:
 - a. **Sea Level Rise Flooding:** Overlay and analyze NOAA-based inundation maps (for sea level rise inundation only, not coupled with a storm event) identified in Table 5 to establish the change in the number of acres within the Representative Route that would be newly within inundation zone under the future sea level scenarios.
 - b. **Coastal Storm Surge Flooding:** Add sea level rise to the FEMA effective or preliminary FIRMs and/or ABFEs identified in Table 1. Overlay and analyze the inundation maps (sea level rise coupled with 100-year storm surge) to establish the change in the number of acres within the Representative Route within flood hazard zones relative to FEMA FIRM baseline conditions.
 - c. **Riverine Flooding:** Use the findings of the FIMA/FEMA 2013 report *The Impact Climate Change and Population Growth on the National Flood Insurance Program through 2100* and CMIP5 downscaled model results of projected increases in storm severity and frequency under mid-century and end-of-century scenarios to estimate the change in the number of

¹¹ See <http://www.geoplatform.noaa.gov/home/item.html?id=3097fc32e98f490cbacc5405751938e9>

¹² AMTRAK, Delaware DoE, EPA, FHWA, FRA, NOAA and U.S. DoT Volpe

acres of the Affected Environment within flood hazard zones relative to FEMA FIRM baseline conditions.

5. Based on the results of Step 4, evaluate the sensitivity of infrastructure or service characteristics of each Tier 1 EIS Alternative to future inundation and other climate change effects.
6. Define the nature and extent of such impacts, based on the severity of flooding and the sensitivity of certain infrastructure elements to such events. Describe the potential vulnerability of portions of the Representative Routes to either infrastructure or operations (e.g., tunnel segments, major interlocking, etc.).
7. Identify a range of adaptation strategies that could be used to mitigate the climate change effects.

Climate Change-Related Extreme Heat *and* Cold Events

While impacts associated with increased flood hazards have dominated climate change assessments, the potential for other climate change-related impacts will be assessed for the Study Area. These impacts include increased potential for heat-related damage to rail infrastructure (such as warped rails or “sun kinks” due to higher temperatures and heat event frequencies) and the effects of extreme cold.

Extreme Heat Events

The following steps will be taken to assess the potential effects of extreme heat:

1. Use the NOAA GHCN-D dataset identified in Table 5 to establish an existing baseline for the severity and frequency of heat events within the Study Area.
2. Work with Amtrak and other railroad operators in the corridor to assess their experience with the type and frequency of such heat event impacts under current conditions and the actions taken to adapt to such events (e.g., reduced peak speeds, reduced service) or increase their network's resiliency through changes in infrastructure, equipment, etc.
3. Use CMIP5 and available downscaled model data to identify potential worsening of frequency and severity of extreme heat events on a state-by-state basis for the Study Area. These projections would be made for both the mid-century and end-of-century scenarios. These projected changes would be reviewed with NOAA and other involved agencies.
4. Estimate the likely change in extreme heat-related impacts on railroad operations in the Study Area under each of these two climate change scenarios.
5. Identify a range of adaptation strategies that could be used to mitigate the climate change effects.

Extreme Cold Events

In North America, climate change is projected to result in increases in hot days and extended warm spells (i.e. heat waves), reductions in cold days, cold nights and frosts, and more rapid increases in

minimum temperature extremes than maximum temperature extremes (IPCC, 2013). However, the frequency and duration of extreme cold events in the Northern U.S. may be affected by potential increases in 'blocking' events, described by the National Climate Assessment as a large scale weather pattern with little or no movement (NCA, 2014, p43). The NCA acknowledges that there is further research required as conclusions about trends in 'blocking' are currently dependent on the method of analysis. Due to the uncertainty of the climate change related influence on this hazard, a qualitative assessment of the potential effects of extreme cold events (including effects of snow and ice) will be undertaken.

1.5.3 Mitigation Strategies

A menu of potential programmatic adaptation strategies and mitigation measures will be developed for further consideration in Tier 2. Examples of programmatic adaptation strategies and mitigation measures for climate change could include the following:

- ▶ Policy recommendations (e.g., climate change adaptation or vulnerability as a factor in prioritizing and/or selecting Tier 2 projects),
- ▶ Physical modifications (e.g., raising tracks or adding other structures),
- ▶ Design strategies that allow for temporary inundation while avoiding infrastructure damage leading to long service disruption, or
- ▶ Design modifications that reduce vulnerability without major route relocation or flood protection structures (e.g., constructing on viaduct over flood-prone areas).

Examples of relevant climate change-related actions at the state level within the Study Area will also be included (see Section 1.6).

1.6 TIER 1 EIS OUTCOMES

This Tier 1 EIS climate change assessment will:

- ▶ Provide a comprehensive assessment of the Tier 1 EIS Alternatives' vulnerability to flooding and other effects associated with climate change under near-term/moderate and long-term/severe scenarios.
- ▶ Identify those segments or aspects of service of the Tier 1 EIS Alternatives that are most vulnerable to these future climate change impacts based on the types of infrastructure and operations associated with each alternative.
- ▶ Provide, at a programmatic level, the types of measures that could be taken to adapt the Tier 1 EIS Alternatives to these projected climate change effects, and present these findings in the context of present climate change and adaptation activities by states and rail operator along the corridor.

- ▶ Provide information regarding state-level climate change-related actions in each state within the Study Area as part of the Tier 1 EIS discussion of existing conditions, along with the relevance of these state-level actions to the proposed NEC FUTURE climate change assessments and programmatic adaptation measures.

1.7 APPLICABILITY TO TIER 2 ASSESSMENTS

The Tier 1 analysis will identify aspects of the Tier 1 EIS Alternatives that are most at risk for future near- and longer-term climate change impacts. In future Tier 2 environmental compliance efforts, additional analyses, potentially including a comprehensive climate change vulnerability and risk assessment, will focus on these vulnerable areas to inform the detailed designs of routes in areas identified as vulnerable. Future Tier 2 efforts should also consider updates related to the best available scientific information regarding climate change impacts, including improved global climate models, updated projections, and more advanced modeling methods or tools that may become available.

Additionally, the FRA will identify ways in which agency coordination, during the Tier 1 process could create efficiencies and help streamline subsequent Tier 2 reviews and approvals.



Appendix

Climate Change Assessment Sea Level Rise Scenario Recommendations

October 3, 2014
Version 2.1

DRAFT

Submitted by:



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2. Introduction

This document supports the Climate Change Effects Assessment Methodology that has been developed for the NEC Future Tier 1 EIS. The objective of the climate change affects assessment is to identify those elements of the rail infrastructure within the Tier 1 EIS Alternatives that are most vulnerable to climate change and related factors including flooding related to sea level rise and coastal storm surge. In line with the expectations of a Tier 1 Assessment, and the scale of the study area, this assessment seeks to apply a defensible approach using readily available, existing data. This brief document provides the NEC FUTURE team's recommendation for the appropriate sea level rise scenario(s) to use for the analysis that will be included as part of NEC Future Tier 1 EIS.

3. Summary of the Science

Global sea level has risen approximately 7 inches between 1901 and 2010¹³. However, future sea level rise projections should not be based simply on linear extrapolation of historical sea level rise records. For estimates beyond one or two decades, linear extrapolation of sea level rise based on historical observations is considered inadequate and would likely underestimate the actual sea level rise because of expected nonlinear increases in global temperature and the unpredictability of complex natural system (e.g., how temperature increases will affect ocean warming and ice sheet loss).

There is a large body of research available related to sea level rise, and the processes that contribute to rising sea levels. The Intergovernmental Panel on Climate Change (IPCC, 2013) Fifth Assessment Report (AR5) presents that latest research on sea level rise and reports that global sea level rise rates on the order of 11 to 39 inches are projected by the year 2100, with 11 inches associated with the best-case greenhouse gas concentration scenario (Representative Concentration Pathway (RCP) 2.6)¹⁴ and 39 inches associated with the worst-case greenhouse gas concentration scenario (RCP8.5) (Table 1 and Figure 1). However, it should be noted that these IPCC AR5 global sea level rise estimates do not include contributions from processes that are considered highly uncertain, such as arctic ice sheet melting, and these contributions can result in sea level rise estimates that are much higher. The National Climate Assessment (NCA, 2014) accounts for some of this uncertainty and suggests that 48 inches of sea level rise is plausible by the year 2100, and further states that sea level rise could be as much as 79 inches by the end of the century. The

¹³ IPCC, 2013: Summary for Policymakers. In: Climate Change 2013: The Physical Science Basis. Contribution of Working Group I to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change.

¹⁴ Representative Concentration Pathway (RCPs) are the future greenhouse gas emissions scenarios used by the IPCC for the AR5. The scenarios (RCPs) are identified by their approximate total radiative forcing in year 2100 relative to 1750. For example "...2.6 W m⁻² for RCP2.6, 4.5 W m⁻² for RCP4.5, 6.0 W m⁻² for RCP6.0, and 8.5 W m⁻² for RCP8.5" (IPCC, 2013, p29). Four RCPs have been developed including "...one mitigation scenario leading to a very low forcing level (RCP2.6), two stabilization scenarios (RCP4.5 and RCP6), and one scenario with very high greenhouse gas emissions (RCP8.5)." (IPCC, 2013 p29).

projections referred to in NCA 2014, are based on the 2012 NOAA Technical Memo titled *Global Sea Level Rise Scenarios for the United States National Climate Assessment* (NOAA, December 6, 2012). Relative sea level rise along most of the coastal Northeast is expected to exceed the global average rise due to local land subsidence, with the possibility of even greater regional sea level rise if the Gulf Stream weakens as some models suggest (NCA, 2014). Recognizing this, regional sea level rise projections have been developed for states and cities including New York City (refer to Table 2 for an example).

**TABLE 1: GLOBAL SEA LEVEL RISE BY THE YEAR 2100 AS PROJECTED BY THE FIFTH ASSESSMENT REPORT OF THE
INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE**

Scenario	Near-term (mid-century)	Long-term (end-of-century)	Near-term (mid-century)	Long-term (end-of-century)
	Mean	Likely Range (5 th – 95 th percentile)	Mean	Likely Range (5 th – 95 th percentile)
RCP2.6 (in.)	9.4	6.7-12.6	17.3	11.0-24.0
RCP4.5 (in.)	10.2	7.5-13.0	20.9	14.2-28.0
RCP6.0 (in.)	9.8	7.1-12.6	21.7	15.0-28.7
RCP8.5 (in.)	11.8	8.7-15.0	29.1	20.5-38.6

Source: IPCC, 2013. Values are relative to the mean over 1986-2005. Near-term relates to the IPCC timeframe of 2046-2065. Long-term relates to the IPCC timeframe of 2081-2100.

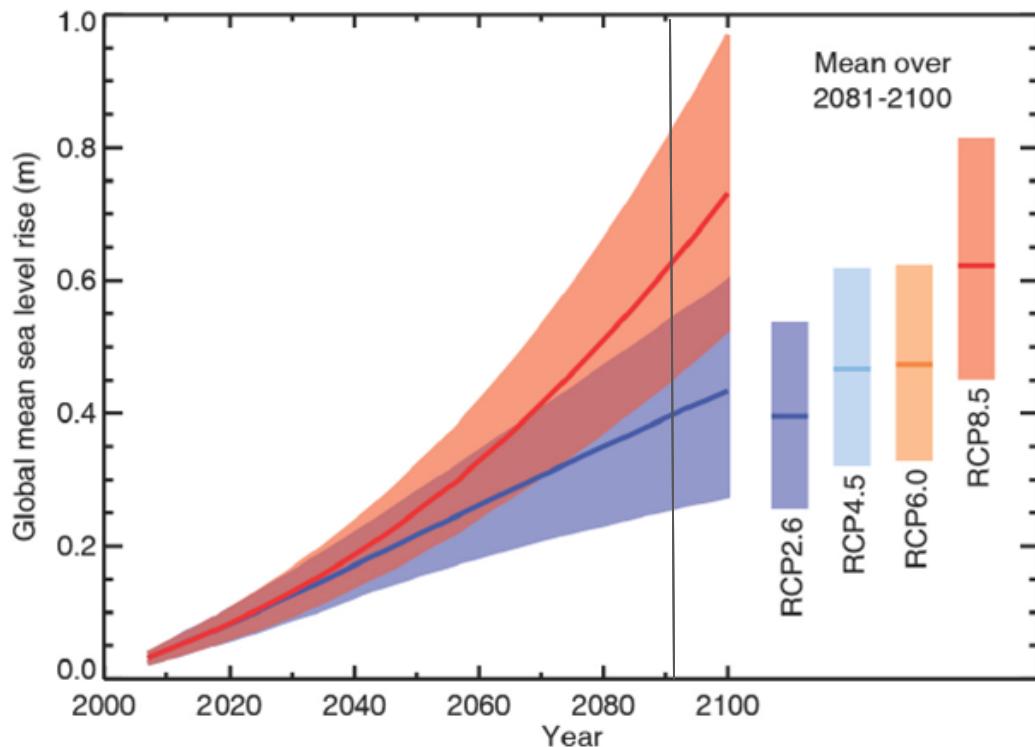
TABLE 2: REGIONAL SEA LEVEL RISE PROJECTIONS FOR NEW YORK CITY

Sea Level Rise	Near-term (mid-century)		Long-term (end-of-century)	
	Middle Range (25 th – 75 th percentile)	High End (90 th percentile)	Middle Range (25 th – 75 th percentile)	High End (90 th percentile)
New York City (in.)	+11 to 21	+30	+22 to 50	+75

Source: NYC 2014 Climate Projections: <http://www.nyc.gov/html/sirr/html/about/future.shtml>

Baseline period for sea level rise projections is 2000-2004. Near-term relates to the 2050s and the Long-term relates to 2100.

Figure 1: Projected Rise in Global Sea Level until the Year 2100 for Each Representative Concentration Pathway (RCP) Greenhouse Gas Concentration Scenario



Source: IPCC, 2013.

4. Proposed Sea Level Rise Scenarios

In the NEC FUTURE climate change effects assessment methodology, two sea level rise scenarios are proposed for analysis in the Tier 1 EIS – a near-term (mid-century) scenario and a long-term (end-of-century) scenario¹⁵. Considering two scenarios will enable the assessment of different levels of climate change-related effects that encompass the range of projections and forecast timeframes used by researchers and regulatory agencies in the northeast. The scenarios will be analyzed both on their own (looking at the areas that could be inundated permanently by sea level rise), and in combination with an extreme storm surge scenario (*currently, the 100-year FEMA coastal hazard zone; however, as planning for the program progresses, additional analysis of the 500-year FEMA coastal hazard zone may be undertaken*). Table 3 lists the sea level rise projections we propose to use for these scenarios, and this section provides the rationale for choosing these

¹⁵ For purposes of the NEC FUTURE program, “mid-century” is defined as approximately 2040-2060 and “end-of-century” is defined as approximately 2075 – 2100+.

projections. Figure 2 illustrates the proposed projections and their relationship to the IPCC, NOAA and state based recommendations.

TABLE 3. PROPOSED SEA LEVEL RISE PROJECTIONS FOR FRA NEC FUTURE TIER 1 EIS

Scenario	Near-term (mid-century)	Long-term (end-of-century)
Sea Level Rise	12 in	72 in

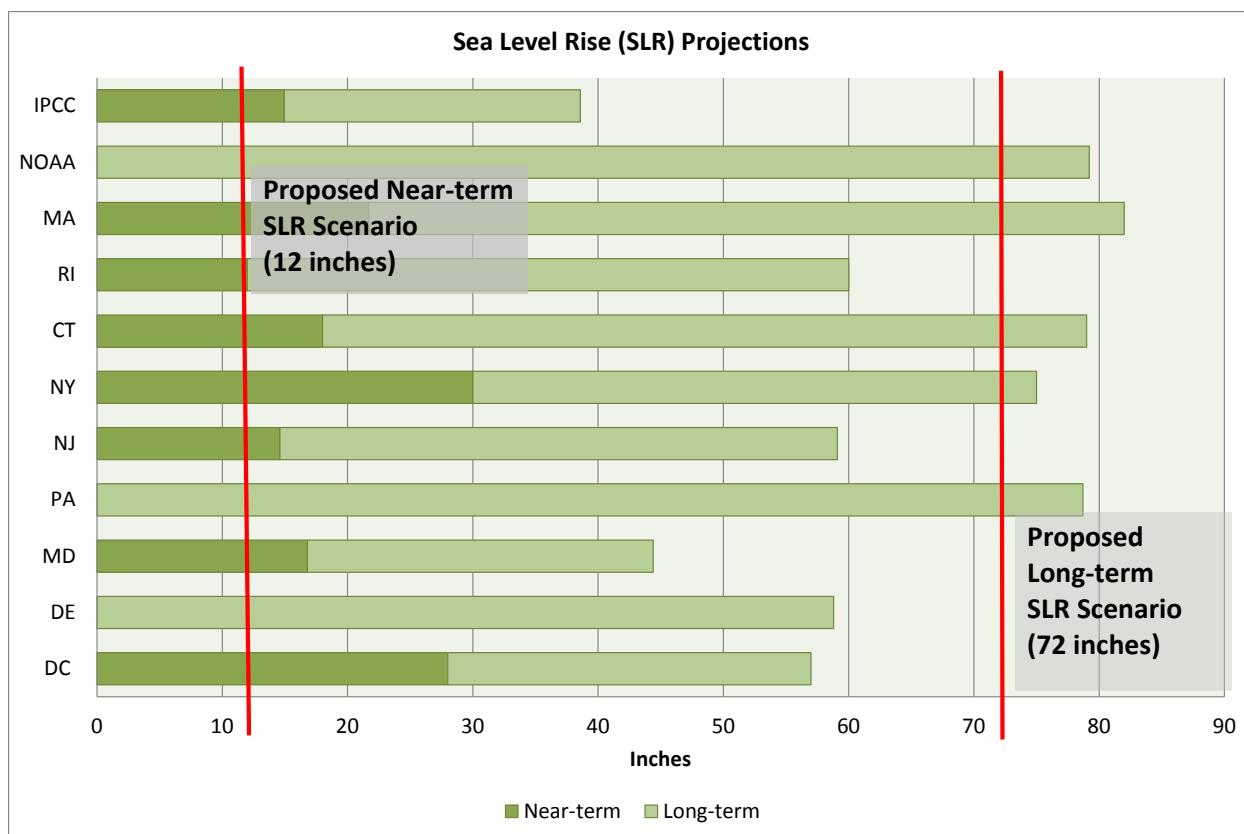


FIGURE 2: STATE BASED SEA LEVEL RISE RECOMMENDATIONS AND THE PROPOSED SEA LEVEL RISE PROJECTIONS FOR FRA NEC FUTURE TIER 1 EIS

- ▶ Recognizing the need to use existing, readily available data, the proposed scenarios are one foot increments, as inundation extents for sea level rise inundation for these increments have already been mapped by NOAA.
- ▶ Twelve inches of global sea level rise mid-century is projected at the upper end of the likely range of the RCP2.6 greenhouse gas concentration scenario, and at approximately the mean of the RCP8.5 greenhouse gas concentration scenario (Figure 1, IPCC, 2013).

- ▶ Twelve inches is consistent with the range of state level recommendations for considering sea level rise in all states (where available) (refer to Figure 2 and Table 4).
- ▶ Seventy-two inches of sea level rise is within the highest scenario outlined in the 2012 NOAA Technical Memo (79.2 inches) and four of the state level recommendations (MA, CT, NY and PA (refer to Figure 2 and Table 4.). While considered a lower probability of occurrence (refer to Table 2), consideration of 72 inches of sea level rise will help to determine the greater extent of area that may be vulnerable to sea level rise and storm surge flooding.

TABLE 4: SUMMARY OF STATE-BASED RECOMMENDED SEA LEVEL RISE PROJECTIONS RELEVANT TO THE FRA NEC FUTURE PROGRAM

State	Source	Near-term (mid-century) (inches)	Long-term (end-of-century) (inches)
DC	Adapting to a Changing Climate: Federal Agencies in the Washington, D.C. Metro Area (referenced to IPCC 2007) (2012)	7–28	13–57
DE	The Delaware Sea Level Rise Advisory Committee, Preparing for Tomorrow's High Tide: Recommendations for Adapting to Sea Level Rise in Delaware (2013)	N/A	19.2–58.8
MD	CoastSmart Communities Program, Inc, including Climate Change and Coast Smart Construction Infrastructure Siting and Design Guidelines (January 2014)	16.8	44.4
PA	Department of Environmental Protection (DEP), Pennsylvania Climate Adaptation Planning Report: Risks and Practical Recommendations (January 2011)	N/A	39.4–78.7
NJ	FHWA Climate Change Vulnerability Assessment Pilot Project – North Jersey Transportation Planning Authority (NJTPA) (November 2011)	6.1–14.6	19.7–59.1
NY	2014 web based update of projections presented in the New York City Panel on Climate Change, Climate Risk Information 2013 Observations, Climate Change Projections, and Maps ¹⁶	11–30	22–75
CT	Connecticut Department of Energy and Environmental Protection (DEEP), Coastal Hazards Mapping Tool, including Sea Level Rise Visualization Data (June 2012)	12–18	24–79
RI	Sea Level Rise Trends in Rhode Island: Trends and Impacts (Rhode Island Sea Grant, January 2013)	12	36–60
MA	Sea Level Rise: Understanding and Applying Trends and Future Scenarios for Analysis and Planning (December 2013)	4.7–21.7	9.7–82

* If multiple sea level rise guidance documents were available for a given state, only the most recent sea level rise guidance recommendations was presented in the table.

¹⁶ <http://www.nyc.gov/html/sirr/html/about/future.shtml>

From: [Hanifin, John D.](#)
To: [Sirmin, Leah \(FTA\)](#) (leah.sirmin@dot.gov); [kristin.wood@dot.gov](#)
Cc: [Fallon, James A](#); ["Julie Georges"](#); [Kevin Slattery](#); [Sarah Walker](#)
Subject: FW: CTDOT's Walk Bridge Replacement Environmental Assessment (EA) - NEC/NHL(CT)
Date: Thursday, May 18, 2017 2:42:47 PM
Attachments: [image003.png](#)
Importance: High

Here are Amtrak comments on the EA, thanks, John

John D. Hanifin
Connecticut Department of Transportation
Project Manager, Facilities and Transit – Walk and Devon Bridge Replacements
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Thank you for this opportunity to review and provide comments on CTDOT's Walk Bridge Replacement Environmental Assessment (EA) and Preferred Alternative.

Preferred Alternative (Option 11C)

General Comment

CTDOT selected the Replacement Alternative – Movable Bridge, Long Span Vertical Lift Bridge (Option 11C), as the Preferred Alternative. The Preferred Alternative appears to be moveable bridge option that is the most constructible and least disruptive to existing New Haven Line service, and therefore acceptable to Amtrak from an operational perspective.

F-5.01

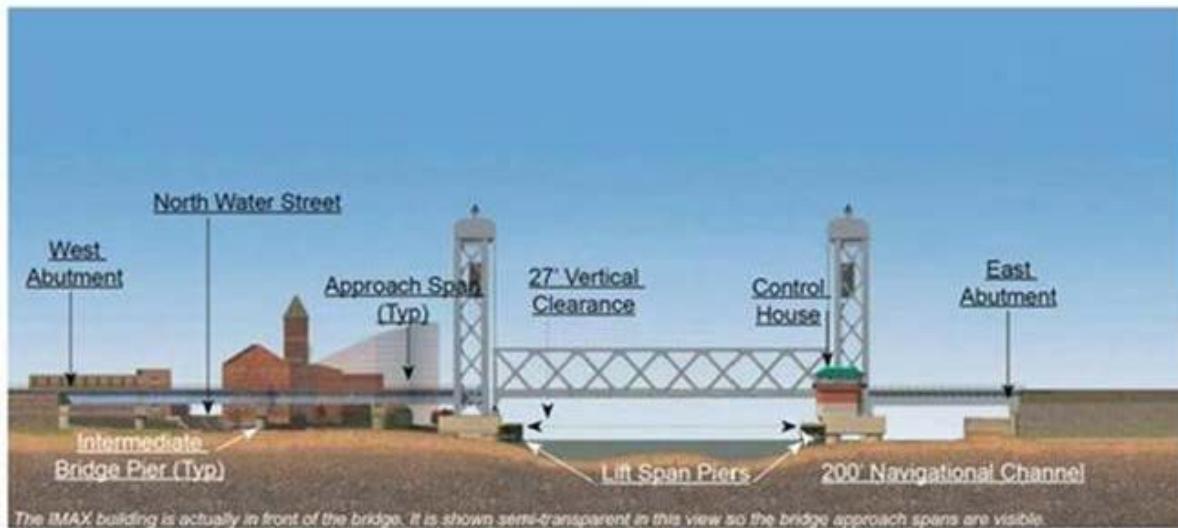


Figure ES-10—Elevation View of the Long Span Vertical Lift Bridge (Option 11C)

Specific Comments

- With regard to constructability, Amtrak would like to review the drawings related to the construction of Option 11C with regards to the horizontal clearances of the swing bridge with the new moveable bridge and temporary run-around structure. F-5.02
- The EA should summarize the potential annual O&M costs for each alternative. It would be useful to also have a breakdown of the Life Cycle Cost Analysis table for the No-Build and for each Build alternative. F-5.03
- While Amtrak understands the environmental justification of a movable bridge option, it also recognizes the apparent operational benefits and reduced annual O&M costs of a fixed bridge option. We would like to review the documentation that was the basis for the elimination of the Mid-Level Fixed Bridge Option in further detail. F-5.04

Benefits of the Fixed Bridge Option

The fixed bridge option should be further documented since it would result in substantially more benefits for Amtrak and Metro-North users of the New Haven Line. A fixed bridge option would offer improved operational flexibility and increased throughput than the movable bridge options. Since the movable bridge options would only benefit a limited number of taller vessels, it appears that the benefits of a fixed bridge that maximizes vertical clearances for maritime traffic and minimizes adjacent land and community impacts would be a candidate for being designated the preferred alternative. Regarding taller vessels that do not fit under the bridge, the EA should estimate use and impact of relocation to a marina that is not impacted by any of the fixed-bridge alternatives. F-5.05

Navigation

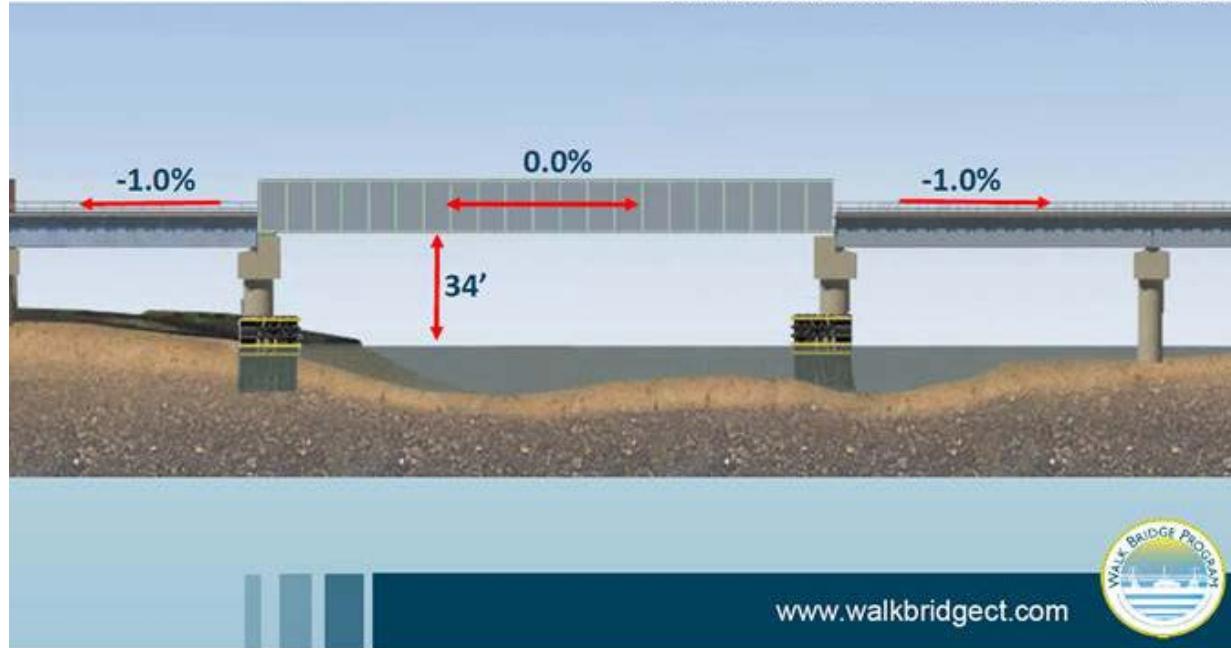
An analysis of current and projected taller vessel openings would be useful to help determine the optimum vertical navigation clearance. For example, how many of the marine traffic openings between 2013 and 2016 were for taller vessels that required a vertical clearance greater than the 34' vertical clearance of the Mid-level Fixed Bridge Alternative. In addition, there is a potential to maximize vertical clearances through the integration of new construction material technologies (e.g., thinner structural members, thinner deck structure, etc.). F-5.06

We understand that the High-level Fixed Bridge Alternative would require a 60' vertical clearance with the resulting adverse community and property impacts. But potentially, a lower fixed bridge in conjunction with a marina or taller vessel relocation with result in significant benefits that may outweigh adverse impacts.

F-5.07

Mid-level Fixed Bridge Alternative

The renderings displayed are conceptual and may not reflect final design aesthetics



NEC Future

The EA should refer to the NEC FUTURE (the NEC Tier I programmatic EIS). Given that it will take several years (at least) to secure funding and several other years to construct the bridge, consideration should be given to determine how the current preferred (Walk Bridge) alternative relates to the NEC FUTURE preferred alternative (i.e., No-Build Alternative).

F-5.08

Operational Benefits for the New CP243 and the Danbury Branch Dockyard Electrification Improvement Project.

Amtrak is supportive of the two related projects that will support train operations during the reduction in track capacity throughout the Norwalk Bridge replacement project. Two tracks will be removed from service under all three preferred options with duration of outages varying from 30 to 37 months.

F-5.09

WALK INTERLOCKING: The ability to cross over at interlockings located on either side of the bridge is paramount to limiting the impact of the track outage for bridge construction.

DANBURY DOCKYARD TURN-TRACK: The extension of catenary over the lower end of the Danbury Branch will provide an off the New Haven Line pocket to turn Norwalk short turn trains, thereby relieving the need to cross the bridge with non-revenue trips and freeing main tracks for through movements.

David Fogel, AICP

Director, NEC Business Development (Capital Planning and Development)

Corporate Planning
Planning, Technology and Public Affairs Department



Amtrak | 30th Street Station, 2955 Market Street, 4th Floor North, Box 21, Room 226 | Philadelphia, PA 19104
Phone: [215-349-3033](tel:215-349-3033) (Office) | [215.913.2273](tel:215-913-2273) (Mobile) | Email: david.fogel@amtrak.com
ATS 728-3033

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

2.2. State of Connecticut Comments

- S-1 Eric McPhee, Supervising Environmental Analyst, CT Dept. of Public Health**
- S-2 David J. Fox, Senior Environmental Analyst, Office of Environmental Review, CT Dept. of Energy and Environmental Protection**
- S-3 Bruce Wittchen, CT Office of Policy and Management**

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.
Commissioner

Dannel P. Malloy
Governor
Nancy Wyman
Lt. Governor

Drinking Water Section

December 9, 2016

Mr. Mark W. Alexander
Transportation Assistant Planning Director
CT Department of Transportation
Bureau of Policy and Planning
2800 Berlin Turnpike
Newington, CT 06131

Re: Notice of Environmental Impact Evaluation for the Norwalk River Railroad Bridge (Walk Bridge)
Replacement

Dear Mr. Alexander:

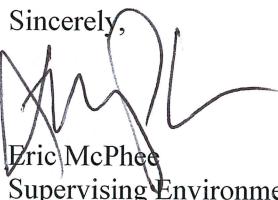
The Drinking Water Section (DWS) of the Department of Public Health has reviewed the above-mentioned project for potential impacts to any sources of public drinking water supply. This project does not appear to be in a public water supply source water area; therefore, the DWS has no source water protection comments at this time.

S-1.1

The EIE correctly notes that the public water service area for South Norwalk Electric and Water (PWSID #CT1030021) is within the project limits of the proposed bridge replacement. Please note that mapping available to the DWS indicates that the public water service area of the Norwalk First Taxing District also falls within the proposed project limits. It is recommended that the Department of Transportation contact the Norwalk First Taxing District (PWSID# CT0130011) to verify the limits of the water service area and coordinate activities to ensure that the public water system is not adversely impacted by the proposed project.

S-1.2

Sincerely,



Eric McPhee
Supervising Environmental Analyst
Drinking Water Section

Cc: Dominick M. Di Gangi, P.E., General Manager, Norwalk First Taxing District
Thomas F. Villa, Director of Operations, South Norwalk Electric and Water



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**CONNECTICUT DEPARTMENT OF
ENERGY & ENVIRONMENTAL PROTECTION
OFFICE OF ENVIRONMENTAL REVIEW
79 ELM STREET, HARTFORD, CT 06106-5127**

To: Mark W. Alexander - Transportation Assistant Planning Director
CTDOT - Office of Environmental Planning, 2800 Berlin Turnpike, Newington

From: David J. Fox - Senior Environmental Analyst **Telephone:** 860-424-4111

Date: December 9, 2016 **E-Mail:** david.fox@ct.gov

Subject: Norwalk River Railroad Bridge

The Department of Energy & Environmental Protection (DEEP) has reviewed the Environmental Assessment/Environmental Impact Evaluation (EA/EIE) prepared for the proposed replacement of the Norwalk River railroad bridge (WALK Bridge). The following comments are submitted for your consideration.

In general, the Land & Water Resource Division (LWRD) has determined that the EA/EIS, as a planning level document, has included sufficient detail with regard to coastal resource impacts. At this stage in project development, it contains conceptual information regarding adverse impacts and required mitigation to tidal wetlands, intertidal flats, subtidal areas, water quality, and other resources due to dredging and filling necessitated by the project. However, additional permit level detail will be required with future Structures, Dredge and Fill, and Tidal Wetlands Permits. LWRD staff will continue to work with and guide CTDOT on required permit information, detail and analysis that will be necessary prior to submittal of a complete application to this office.

S-2.1

Page 63 of the EA/EIE states that “the primary value that the tidal wetlands and river in the project vicinity provide is the opportunity for recreation.” Tidal wetlands are one of the most biologically productive resources and are highly protected. Recreation is a minor value. Please see the attached tidal wetlands fact sheet for more information.

S-2.2

Page 86 of Chapter 3 notes that compensation for intertidal flat impacts will be tidal wetland restoration, which is not consistent with Connecticut Coastal Management Act (CCMA) policy to mitigate one resource impact by restoring the same resource, with larger ratio of replacement.

S-2.3

Page 95 of the document states that it “presents a preliminary assessment of the Build Alternative relative to CCMA goals and policies for federal and state agencies, and CCMA policies on coastal resources, coastal uses, and potentially adverse impacts upon coastal resources” and that “during final design, CTDOT will request formal Coastal Consistency Review as part of its application for a Structures, Dredge and Fill, and Tidal Wetlands Permit from CTDEEP.”

As a result, the EA/EIE, in general, lacks specific detail that will be needed for a full evaluation to completely identify impacts with regard to CCMA coastal consistency, most specifically water-dependent use and navigation impacts and necessary mitigation, both short term and long term. This is understood to be a planning level document, and once a more advanced design phase is complete, the level of missing information regarding these impacts and specific mitigation as well as a Water-dependent Use Action Plan to address impacts will be provided. Pro-active pre-planning; continuing meetings with water-dependent users and others, including the Maritime Center; and additional information on time frames for closure to upstream navigation as well as the exact extent of impacts anticipated to marinas, barge operations, public docks, public walkways, transient dockage, public waterfront parks, and upstream water-dependent uses will be required. While the EA/EIE notes that mitigation for navigation impacts are to be developed, the LWRD will need much more detail on precise mitigation. Some examples follow:

- How will individual upstream water-dependent users be compensated for the project's projected 16 month period of vertical bridge restriction (no opening)?
- Have preliminary negotiations taken place with these property owners and what are the results thus far?
- How will Norwalk's important shellfish industry and relay areas be protected?

The EA/EIE does not acknowledge LWRD's previous understanding, based on discussions with CTDOT, that one third of the Coastwise Marina site would be permanently turned over to CTDOT control and become permanently non-water dependent. (See attached water-dependent use fact sheet for specifically defined adverse impacts). This is a significant permanent water dependent use impact not addressed in the EA/EIE nor depicted on page 39 that will also require significant mitigation. With regard to Coast Wise Marina and the rowing club takings, LWRD will be working with the CTDOT to preserve this site for an active water-dependent use in perpetuity through an appropriate permit condition involving deed restriction, consistent with CCMA policy to protect and preserve existing and future water-dependent uses.

Early and in depth conversations should be conducted with both the Army Corps of Engineers and the U.S. Coast Guard to discuss vertical restriction impacts and how best to anticipate and plan for these effects. Including water-dependent users in the area in these discussions, along with appropriate city officials, would be helpful at an early stage.

Consistent with water-dependent use adverse impact policies, we strongly encourage the CTDOT to further analyze temporary and permanent walkway impacts and to increase the level of public walkway/bikeway development in addition to the east side walkway identified and shown on the EA/EIE maps. This is underscored by the City's comments regarding needs for River Valley Trail and Harbor Loop Trail improvements, such as extending the trails and improving safety by avoiding dead ends and exits onto unsafe roads. Refurbishing of the Wall Street train station would also complement these efforts by providing a walk/bike/intermodal transportation hub. Improving the trail system will help offset construction impacts, enhance waterfront access in Norwalk once construction is complete, and further compensate for unavoidable water-dependent use adverse impacts.

S-2.4

S-2.5

S-2.6

S-2.7

S-2.8

S-2.9

S-2.10

S-2.9

(cont.)

Page 105 of Chapter 3 states that “the project will replace a commercial marina and community rowing facility, a water-dependent use, with another water-dependent use: access to the waterfront for demolition of the existing bridge and construction of the replacement bridge.” Construction access is **not a water dependent use**, which is defined by 22a-93 (16) of the CGS:

S-2.11

“Water-dependent uses” means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to: Marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyards and boat building facilities, water-based recreational uses, navigation aides, basins and channels, industrial uses dependent upon water-borne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site and uses which provide general public access to marine or tidal waters;

There appears a public perception that a fixed bridge would be less impacting overall to the community, but based on discussions with CTDOT we understand that keeping the current bridge as a fixed bridge is not an option, and replacing it with a fixed bridge would require a higher vertical clearance and more extensive approach work, and necessitate comparable cost, construction time and footprint to moveable bridges. The Record of Decision should detail the reasons for rejecting this alternative. Further, the CCMA water-dependent use policy specifically addresses not only the active water-dependent users to the north of the bridge, but state policy protects and promotes future use of waterfront sites for such uses, both of which would be jeopardized by a fixed bridge. In addition, there is a perception that the federal government will never again pay for dredging north of the bridge; this should be researched and addressed.

S-2.12

S-2.13

Plans for the Eversource electric transmission line relocation are not available to be addressed in the EA/EIE. No pre-application or application has been submitted for relocation of lines and we understand a location through Veterans Park area may be the new route. Timing is critical and every effort to coordinate early with Eversource should be attempted in order to minimize the overall duration of water-dependent impact. Specifically, construction plans, timing, permitting, coordination between CTDOT and Eversource will be paramount for success of overall project and to minimize unnecessary construction delays.

S-2.14

The Inland Fisheries Division reports that the document correctly identifies the fisheries resources of the project area and includes general language that anticipates mitigation measures, including seasonal restrictions. Detailed mitigation measures will be identified when more specific plans and construction methods are available.

S-2.15

Page 3-160 discusses contaminants associated with railroad maintenance and operations, but does not include PCBs, which are often associated with rail lines. Page 3-84 states that “CTDOT will conduct a sampling program during final design to characterize the river sediments at the bridge site.” Testing for PCBs should be included in this sampling program in order to avoid cost overruns and delays later, if PCBs were to be found once the project is underway.

S-2.16

Page 5-20 discusses potential mitigation measures to reduce emissions from construction equipment that include, among other strategies, using newer vehicles, retrofitting older vehicles, and reducing idling, all of which were recommended in our scoping comment. The document concludes that “CTDOT will consider including the measures on a voluntary or mandatory basis.” The Department urges that these measures be made a mandatory specification in project construction contracts. Our scoping recommendation are reproduced below:

S-2.17

For large construction projects, the Department typically encourages the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If that newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.

S-2.18

The Department also encourages the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.

S-2.19

Additionally, Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies (RCSA) limits the idling of mobile sources to 3 minutes. This regulation applies to most vehicles such as trucks and other diesel engine-powered vehicles commonly used on construction sites. Adhering to the regulation will reduce unnecessary idling at truck staging zones, delivery or truck dumping areas and further reduce on-road and construction equipment emissions. Use of posted signs indicating the three-minute idling limit is recommended. It should be noted that only DEEP can enforce Section 22a-174-18(b)(3)(C) of the RCSA. Therefore, it is recommended that the project sponsor include language similar to the anti-idling regulations in the contract specifications for construction in order to allow them to enforce idling restrictions at the project site without the involvement of the Department.

S-2.20

Thank you for the opportunity to review this proposal. If you have any questions concerning these comments, please contact me.

cc: Lou Corsino, DEEP/APSD
Robert Hannon, DEEP/OPPD
Marcy Balint, DEEP/OLISP

Micheal Grzywinski, DEEP/OLISP
Mark Johnson, DEEP/IFD
Lori Saliby, DEEP/PCB



Office of Long Island Sound Programs

Fact Sheet

for

TIDAL WETLANDS¹

What are Tidal Wetlands?

Tidal wetlands are those areas which border on or lie beneath tidal waters, such as, but not limited to banks, bogs, salt marshes, swamps, meadows, flats, or other low lands subject to tidal action, including those areas now or formerly connected to tidal waters, and whose surface is at or below an elevation of one foot above local extreme high water; and upon which may grow or be capable of growing some, but not necessarily all, of [a list of specific plant species - see Connecticut General Statutes (CGS) section 22a-29(2) for complete list of species] \cong [CGS section 22a-29, as referenced by CGS section 22a-93(7)(E)]. In general, tidal wetlands form in “low energy” environments protected from direct wave action. They are flooded by tidal waters twice a day and support a diverse ecosystem of vegetation and wildlife.

Why are they valuable?

Tidal wetlands are areas of high nutrient and biological productivity that provide detrital products forming the base of the food web in Long Island Sound. Tidal wetlands provide habitat, nesting, feeding, and refuge areas for shorebirds; serve as a nursery ground for larval and juvenile forms of many of the organisms of Long Island Sound and of many estuarine-dependent oceanic species; and provide significant habitat for shellfish. Tidal wetlands also improve water quality by trapping sediments, reducing turbidity, restricting the passage of toxics and heavy metals, decreasing biological oxygen demand (BOD), trapping nutrients, and buffering storm and wave energy. Tidal wetland vegetation stabilizes shorelines and buffers erosion. Tidal wetlands provide recreational opportunities for fishing, wildlife observation and hunting; are important to commercial and recreational shell- and finfisheries; and are areas of scientific and educational value. Tidal wetlands are a major source of coastal open space.

What are the statutory policies that apply?

It is declared that much of the wetlands of this state have been lost or despoiled by unregulated dredging, dumping, filling and like activities and despoiled by these and other activities, that such loss or despoliation will adversely affect, if not entirely eliminate, the value of such wetlands as sources of nutrients to finfish, crustacea and shellfish of significant economic value; that such loss or despoliation will destroy such wetlands as habitats for plants and animals of significant economic value and will eliminate or substantially reduce marine commerce, recreation and aesthetic enjoyment and that such loss of despoliation will, in most cases, disturb the natural ability of tidal

wetlands to reduce flood damage and adversely affect the public health and welfare; that such loss or despoliation will substantially reduce the capacity of such wetlands to absorb silt and will thus result in the increased silting of channels and harbor areas to the detriment of free navigation. Therefore, it is declared to be the public policy of this state to preserve the wetlands and to prevent the despoliation and destruction thereof [CGS section 22a-28 as referenced by CGS section 22a-92(a)(2)].

To preserve tidal wetlands and to prevent the despoliation and destruction thereof in order to maintain their vital natural functions; to encourage the rehabilitation and restoration of degraded tidal wetlands; and where feasible and environmentally acceptable, to encourage the creation of wetlands for the purpose of shellfish and finfish management, habitat creation and dredge spoil disposal [CGS section 22a-92(b)(2)(E)].

To disallow any filling of tidal wetlands and nearshore, offshore, and intertidal waters for the purpose of creating new land from existing wetlands and coastal waters which would otherwise be undevelopable, unless it is found that the adverse impacts on coastal resources are minimal [CGS section 22a-92(c)(1)(B)].

To disapprove extension of sewer and water services into developed and undeveloped beaches, barrier beaches and tidal wetlands except that, when necessary to abate existing sources of pollution, sewers that will accommodate existing uses with limited excess capacity may be used [excerpt from CGS section 22a-92(b)(1)(B)].

In addition, the Connecticut Coastal Management Act defines as an adverse impact:

Degrading tidal wetlands, beaches and dunes, rocky shorefronts, and bluffs and escarpments through significant alteration of their natural characteristics or functions [CGS section 22a-93(15)(H)]

Degrading or destroying essential wildlife, finfish or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alterations of the natural components of the habitat [CGS section 22a-93(15)(G)].

During the coastal site plan review process, a determination must be made that adverse impacts have been avoided and unavoidable adverse impacts have been minimized in order to lawfully approve the application. See the *Coastal Site Plan Review and Adverse Impacts* fact sheets for additional information.

What can a municipality do to minimize impacts to these sensitive coastal resources?

- ❖ Update the municipal Plan of Conservation and Development, Municipal Coastal Program, if applicable, and zoning and subdivision regulations to better protect tidal wetlands by providing development setbacks and vegetated buffers from the

upland edge of tidal wetlands which are adequate to protect the wetlands from runoff, erosion, construction, and other negative impacts that might result from development on adjacent upland resources. See fact sheets regarding *Vegetated Buffers, Stormwater Management and Water Quality* for more information.

- ❖ Amend zoning regulations to require on-site, upland retention of the runoff associated with the first one-inch of rainfall and to direct additional runoff, after appropriate treatment, away from tidal wetlands. Freshwater inputs such as those associated with stormwater runoff adversely impact the brackish and saline ecosystems that characterize most tidal wetlands in Connecticut. See fact sheets regarding *Water Quality* and *Stormwater Management* for additional information.
- ❖ Review the existing zoning regulations regarding the maximum impervious cover allowed. Reduce this wherever possible, especially adjacent to coastal waters and other sensitive coastal resources.
- ❖ Include in the municipal Plan of Conservation and Development or Municipal Coastal Program, if applicable, an inventory of tidal wetland areas and adjacent upland for possible open space acquisition.
- ❖ Preserve or restore the structure, function, and integrity of the physical and biological components of tidal wetlands by encouraging projects that would: 1) maintain or restore the natural tidal flushing, circulation, and chemical characteristics of tidal wetlands and adjacent estuarine waters; 2) maintain or restore the natural plant and animal species that inhabit tidal wetlands; and, 3) avoid adverse impacts to U.S. and state listed threatened and endangered species.
- ❖ Disallow extensions of water and sewer lines into tidal wetlands except sewers that will accommodate existing uses with limited excess capacity may be used when necessary to abate existing sources of pollution.
- ❖ Employ siting alternatives which will avoid or substantially limit negative impacts, such as the following: 1) siting inconsistent uses out of tidal wetlands on adjacent upland areas, or 2) siting consistent uses in such a manner as to avoid or minimize the tidal wetland area affected. When siting consistent uses, consider requiring construction techniques which will avoid or substantially limit impacts such as: 1) elevation of consistent uses on low impact pile foundations at a height sufficient to prevent or minimize the effects of shading on the wetland vegetation; 2) storage of construction materials and equipment in non-wetland areas; 3) provision of waterborne access to the construction site, or use of temporary elevated construction accessways; 4) schedule construction activities during late fall, winter or early spring months when impacts to wetland systems are generally the least harmful; 5) schedule construction activities so as to avoid shorebird, shellfish and finfish breeding seasons; and 6) restore all disturbed marsh surfaces as nearly as possible to their natural topographic condition following construction activities and re-establishing a natural vegetation cover.



Where applicable, as a component of permitted activities, rehabilitate and restore degraded tidal wetlands through such means as 1) restoration of natural tidal range or circulation patterns 2) restoration of tidal flushing and circulation to wetlands which were formerly connected to tidal waters, and 3) re-establishment of marsh vegetation.

What is tidal wetland restoration?

The Connecticut DEP is a national leader in efforts to restore degraded tidal wetlands to healthy, productive conditions. Historically, many tidal wetlands were diked and drained, filled, or otherwise cut off from tidal waters in an effort to control mosquitoes and create dry land for development. Restoration efforts generally involve the removal of obstacles that prevent tidal waters from reaching the degraded areas. Once tidal flushing is re-established, the natural fish predators of mosquitoes can enter the wetlands and feed on mosquito larvae which helps minimize the need for chemical controls. Connecticut is the first state in the nation to establish a unit dedicated to wetland restoration and mosquito management. Through the efforts of the Wildlife Division's Wetlands Habitat and Mosquito Management (WHAMM) Program of the DEP, many of the state's tidal wetlands will be restored and enhanced for the benefit of waterfowl, shorebirds, and other wetland dependent wildlife.

Does the DEP regulate activities on tidal wetlands?

Yes. The Department of Environmental Protection (DEP) has direct regulatory jurisdiction over activities occurring in tidal wetlands and/or waterward of the high tide line. If any construction activities or structure(s), in part or in whole, or any incidental work proposed in conjunction with the construction of structure(s) is proposed at or waterward of the high tide line, authorization from the DEP's Office of Long Island Sound Programs would be required prior to construction in accordance with the Tidal Wetlands Act (CGS sections 22a-28 through 22a-35) and/or the statutes governing the placement of structures, dredging, and fill in tidal, coastal or navigable waters (CGS sections 22a-359 through 22a-363f, inclusive).

1. This fact sheet is one of 13, which detail coastal resources. Fact sheets are available for the following coastal resources: beaches and dunes, bluffs and escarpments, coastal hazard areas, coastal waters, developed shoreline, estuarine embayments, intertidal flats, islands, rocky shorefronts, shellfish beds, shorelands, submerged aquatic vegetation, and tidal wetlands.



Office of Long Island Sound Programs Fact Sheet for **WATER-DEPENDENT USES**

What are Water-Dependent Uses?

Water-Dependent Uses are specifically defined in the Connecticut Coastal Management Act (CCMA). In general, they are land uses that require direct access to coastal waters in order to function and which therefore must be located at the waterfront rather than on inland sites. Such uses include, but are not limited to marinas, commercial fishing or boating facilities and uses that provide general public access to coastal waters [Connecticut General Statutes (CGS) section 22a-93(16)].

Why is it important to make special provisions for them?

Locating water-dependent uses at waterfront sites is important because:

- waterfront properties are an extremely limited resource with the unique capacity to accommodate water-dependent uses, which, by statutory definition require waterfront sites. However, waterfront properties are also in great demand for many non-water-dependent uses which can be located inland;
- they are a significant part of our cultural heritage;
- they are an important sector of our state's economy; and
- they often depend upon or are enhanced by high quality waters thereby creating a constituency for water quality and coastal resource protection.

What are the statutory policies that apply?

To manage uses in the coastal boundary through existing municipal planning, zoning and other local regulatory authorities, giving highest priority and preference to water-dependent uses and facilities in shorefront areas [CGS section 22a-92(b)(1)(A)].

Municipal boards and commissions reviewing coastal site plans shall determine if the potential adverse impacts to future water-dependent development activities are acceptable and that such impacts have been mitigated using all reasonable mitigation methods [CGS sections 22a-106(a) and (e)].

Evaluating adverse impacts to future water-dependent development opportunities:

When a non-water-dependent use is proposed on a waterfront site, the reviewing board or commission must determine the acceptability of potential adverse impacts to possible future water-dependent development activities associated with the proposed development. While doing this evaluation, the following factors, which define adverse impacts to future water-dependent development activities, must be considered [see CGS section 22a-93(17)]:

- (1) Is site physically suited for a water-dependent use for which there is reasonable demand, or has the site been identified in the plan of development or zoning regulations for water-dependent uses?
- (2) Will a non-water-dependent use replace an existing water-dependent use as part of the proposed development or redevelopment?
- (3) Will a non-water-dependent use inhibit or restrict existing public access*?

If any of the above three conditions apply, the proposed non-water-dependent use may preclude existing or future water-dependent uses and create unacceptable adverse impacts. Upon such a determination, the proposed use should be modified or conditioned if such impacts can be mitigated to a level which is consistent with applicable goals and policies of the Act or, if modification cannot achieve consistency, the project should be denied. Adverse impacts may be mitigated by providing coastal public access (see fact sheet for *General Public Access to Coastal Waters* for additional details).

What can a municipality do to promote water-dependent uses and minimize potential adverse impacts to such uses?

- Amend the Plan of Conservation and Development to: (1) identify areas where active (e.g., port facilities) and passive (e.g., coastal public access) water-dependent uses are appropriate or most needed and (2) require adequate and appropriate relocation of existing water-dependent uses if proposed redevelopment of waterfront sites cannot be configured to retain such uses. Please note that in a situation such as this, the redevelopment plan must provide a comparable level of water-dependent use in order to minimize adverse impacts to future water-dependent development opportunities as required by the CCMA (see above).
- Amend the zoning regulations to provide specific municipal authority to require water-dependent uses including coastal public access through the coastal site plan review process, as already provided in the Coastal Management Act.
- Amend the zoning regulations to establish separate zoning districts for shorefront areas currently used for water-dependent uses, as allowed in CGS section 8-3(k), to

* Existing public access can be either formal access secured by public land ownership or an access easement or informal access resulting from long-term open customary use of the property to access coastal waters.

promote the continuance of such uses without being subject to challenges of “spot zoning.”

- 🏃 Amend zoning regulations in appropriate waterfront zoning districts to ensure that “active” water-dependent uses (e.g., marinas) are allowed as-of-right. If non-water-dependent uses are allowed in such zoning districts, they should only be permitted: (1) on sites where on-site coastal resource constraints preclude the establishment of active water-dependent uses and, in these cases, proposed development should include meaningful general public access as the water-dependent project component; or (2) the non-water-dependent use is clearly ancillary to or supports a water-dependent use and does not diminish it in any way. Alternatively, the municipal zoning regulations could be amended to allow only active water-dependent uses.
- 🏃 Direct waterfront project applicants and town staff to meet prior to formal submission of coastal site plan review applications in order to review the CCMA’s water-dependent use requirements. The purpose of such meeting(s) should be to: 1) evaluate the site’s suitability to support water-dependent uses; 2) assess the level of water-dependency proposed in the development/redevelopment plans; and, 3) explore how any proposed non-water-dependent use of a waterfront site could be modified to incorporate appropriate water-dependent use components. Where other water-dependent uses are not feasible due to site constraints, often a water-dependent use can be incorporated into the site design through the provision of a general public coastal access facility which could render the proposal consistent with the CCMA policies and standards (see fact sheet for *General Public Access to Coastal Waters*).
- 🏃 Require applicants to post performance bonds or escrow accounts to ensure that water-dependent use project components are constructed, as authorized by CGS section 22a-107.



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

DIVISION OF TRANSPORTATION, CONSERVATION, AND DEVELOPMENT POLICY AND PLANNING

December 9, 2016

Mr. Mark W. Alexander
State of Connecticut Department of Transportation
Bureau of Policy and Planning
2800 Berlin Turnpike, Newington, CT 06131

Re: Environmental Impact Evaluation:
Norwalk River Railroad Bridge (Walk Bridge) Replacement - Norwalk, Connecticut

Dear Mr. Alexander:

The Office of Policy and Management (OPM) has reviewed DOT's Environmental Impact Evaluation (EIE) for the Norwalk River Railroad Bridge (Walk Bridge) Replacement and submits the following comments:

- The EIE states the following:

CTDOT and FTA have determined that the project purpose and need is to restore or replace the existing deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of rail service; offer operational flexibility and ease of maintenance; and provide for increased capacity and efficiencies of rail transportation along the New Haven Line/ Northeast Corridor, while maintaining or improving navigational capacity and dependability for marine traffic in the Norwalk River.

However, the Notice of Scoping CTDOT posted in the Environmental Monitor back on February 3, 2015 does not mention marine navigation, saying only:

The purpose of this project is to replace the existing, deteriorated bridge with a resilient bridge structure which will enhance the safety and reliability of commuter and intercity passenger rail service, offer operational flexibility and ease of maintenance, as well as provide for increased capacity and efficiencies of rail transportation along the New Haven Line/ Northeast Corridor.

OPM's response to CTDOT's Notice of Scoping included the following:

People appreciate the state considering how it can maintain and even improve access to Long Island Sound when undertaking coastal area projects and the CEPA process is an opportunity for considering the benefits and costs. Given that it does not appear that maintaining maritime navigation is an essential

element of this project, as it would be if the bridge separated the Thames River from Long Island Sound, for example, perhaps DOT should also evaluate the alternative of securing the existing bridge in closed position, despite the loss of navigability for vessels too large to pass beneath the bridge.

Given the significant cost associated with each of the existing alternatives, the CEPA process seems well-suited to evaluating the environmental (including socio-economic) impacts of a secure-in-position alternative. An EIE would help estimate the extent to which any cost savings from this alternative might be offset by additional costs to mitigate impacts on those who currently depend on the bridge opening. An EIE could also provide a better understanding of future anticipated costs associated with maintenance and repair activities for each alternative and how the timing and frequency of bridge operations might affect the reliability and safety of the passenger rail system.

According to the EIE, CTDOT considered, but then apparently dismissed any option of a low-level or mid-level fixed replacement bridge, saying such options *would not meet purpose and need with regard to dependability and capacity for marine traffic*. Given that the capacity for marine traffic was not originally identified as a purpose of this project, it was expected that the EIE would treat impacts on marine access as one of the potential adverse effects associated with the proposed action. As such, the EIE would have more thoroughly considered such impacts and identified possible mitigation measures.

Please explain why CTDOT decided to modify the project purpose and need after the public scoping period to include the clause about maintaining and improving navigational capacity and dependability for marine traffic in the Norwalk River, instead of proceeding as OPM suggested in its scoping comments. Doing so not only raises procedural concerns; it also seems to inappropriately elevate marine navigation to a status higher than other things that could be impacted by the project. A moveable bridge, furthermore, would likely reduce future rail service reliability, which is contrary to a basic goal of this project.

S-3.1

- OPM is aware of what appears to be a growing local concern about the proposed bridge and interest in a fixed bridge, perhaps even just permanently locking the existing bridge in place and making any needed repairs to the bridge structure. Not only might that be preferred locally, the cost of such approaches could be considerably less than DOT's preferred alternatives, even after compensating those affected by the loss of maritime navigation capacity. OPM recognizes that the state has received \$161 million of federal funding towards the Walk Bridge project but, given the cost of CTDOT's preferred alternative, the state would still pay a majority of the costs.

S-3.2

OPM notes that even CTDOT's chosen alternative requires a significant number of property takings. One of those takings, furthermore, is a marina that apparently would not be affected if the existing bridge were to remain in place. The EIE suggests that the marina would likely become a marina again when CTDOT sells the property following construction, but points out that there would be no restriction at the time it resells the land and that the land use could change.

S-3.3

Although the EIE presents what appears to be a thorough review of movable bridge design options, OPM is of the opinion that it does not sufficiently consider and evaluate other project alternatives that many people appear to consider prudent and feasible.

S-3.4

Thank you for the opportunity to respond to this EIE and please feel free to contact me if you have any questions.

Sincerely:



Bruce Wittchen
Office of Policy & Management
450 Capitol Ave, MS# 54ORG
Hartford, CT 06106
(860) 418-6323
bruce.wittchen@ct.gov

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

2.3. City of Norwalk Comments

- C-1 Mario F. Coppola, Esq., City of Norwalk Corporation Counsel**
- C-2 David G. Westmoreland, Chairman, City of Norwalk Historical Commission**
- C-3 Anthony N. Mobilia, Chairman, Norwalk Harbor Management Commission**
- C-4 Lisa Burns, PE, Principal Engineer, Norwalk Department of Public Works**
- C-5 Lisa Burns, PE, Principal Engineer, Norwalk Department of Public Works**
- C-6 Timothy T Sheehan, Executive Director, Norwalk Redevelopment Agency**
- C-7 Bruce J. Chimento, PE, Director of Public Works, Norwalk Public Works**
- C-8 Steve Kleppin, Planning and Zoning Director, Norwalk Planning Commission**
- C-9 Dick Brescia, Chairman, Norwalk Parking Authority**
- C-10 Alexis Cherichetti, Sr. Environmental Officer, City of Norwalk Conservation Office**
- C-11 Elizabeth Stocker, AICP, Director of Economic Development, City of Norwalk**
- C-12 Paul Sotnick, Senior Civil Engineer, Norwalk Department of Public Works, Engineering Division**
- C-13 Nancy Rosett, Chair, Mayor's Bike/Walk Task Force**

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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In general, comments are not annotated in Section I. Introduction, Section II. The Process, or Section III. Design Issues. These sections provide summaries of individual annotated letters. Individual comments are annotated in Section IV. Significant Impacts.

IMPACT STATEMENT ON BEHALF OF CITY OF NORWALK

TO: Commissioner James Redeker
Connecticut Department of Transportation

CC: Mark Alexander, Transportation Assistant Planning Director
James Fallon, P.E. Manager of Facilities and Transit Bureau
Mayor Harry W. Rilling
State Senator Robert Duff
State Representative Bruce Morris
State Representative Gail Lavielle
State Representative Chris Perone
State Representative Fred Wilms
United States Senator Richard Blumenthal
United States Senator Christopher Murphy
United States Representative Jim Himes

FROM: Mario F. Coppola, Esq.
City of Norwalk Corporation Counsel

RE: City of Norwalk Comments on Environmental Assessment/Section 4(f)
Evaluation/ Environmental Impact Evaluation (“EA/EIE”)

DATE: December 9, 2016

I. INTRODUCTION

The City of Norwalk (“City”) appreciates this opportunity to comment on the EA/EIE and the plans for the Walk Bridge replacement. As you know, the replacement of the Walk Bridge, including the other projects¹, is a substantial undertaking and will have significant, long term effects in the City. The Walk Bridge itself has been in existence since 1896 so any replacement is certainly anticipated to present permanent changes to the City, its residents and businesses, its infrastructure and plans for future development. The beneficial impacts to the

¹ The other repair/replacement projects include the replacement of track, catenary, traction power and other railroad systems, the removal of the existing high towers, the construction of a new fender system and construction at the nearby Fort Point Street Bridge. In addition, to facilitate an orderly transition for commuter and passenger service during construction of the new bridge, two other projects are also proposed – the CP243 interlocking project on the mainline between South Norwalk and Westport and the Danbury Branch Dockyard Electrification Project (which require the rehabilitation of the Osborne Avenue Bridge and the replacement of the East Avenue Bridge in East Norwalk).

City resulting from safety improvements, easing commuter congestion, and the restoration of the various areas will be welcome. However, the City is not only concerned with the potential long term consequences (and benefits) associated with the final design and development, but is equally concerned with the immediate, short term adverse impacts that will occur largely during construction. For example, displacement of the aquarium, our businesses, traffic patterns, recreational opportunities and socioeconomic impacts will result in significant losses to the City and its residents in the near term. While we hope such losses will be temporary and will ultimately be mitigated, at this stage we believe there are some gaps. As well as the issues raised in this memorandum, the City's observations, issues and concerns are more fully expressed in the documents we have attached to this memo. For your convenience, we are providing with this memo the following attached documents (identified as Exhibits):

1. A Chart identifying Gaps in the EA/EIE and Recommendations for Follow-up Actions.
2. A letter dated June 8, 2016, from the City of Norwalk Department of Public Works from Lisa Burns, Principal Engineer providing early written comments to John D. Hanifin, of the Walk Bridge Program Office.
3. Correspondence from the Commissioner of CTDOT dated December 7, 2016, Correspondence from the City Corporation Counsel to Mr. James Fallon dated November 17, 2016 and Mr. James Fallon's response dated December 5, 2016.
4. A letter dated December 1, 2016 from City of Norwalk Department of Public Works from Lisa Burns, Principal Engineer.
5. A letter dated November 30, 2016 from City of Norwalk Public Works from Bruce Chimento, Director.
6. A letter dated November 30, 2016 from the City of Norwalk Public Works Department from John Ingeri, Chairman.
7. A letter dated December 1, 2016 from Steve Kleppin, Director of Norwalk Planning & Zoning.
8. A letter dated November 30, 2016 from David G. Westmoreland, Chairman of City of Norwalk Historical Commission.

9. A letter dated December 2, 2016 from Elizabeth Stocker, Director of City of Norwalk Economic Development.
10. A letter dated November 30, 2016 from Susan Wallerstein, Chair of Norwalk Arts Commission.
11. A letter dated November 30, 2016 from Bruce Kimmel, President of Norwalk Common Council.
12. A letter dated December 2, 2016 from The Maritime Aquarium providing written comments regarding Walk Bridge Project EIE.
13. A letter dated December 1, 2016 from Anthony Mobilia, Chair of Norwalk Harbor Management Commission
14. A letter dated November 30, 2016 from Alexis Cherichetti, Sr., Environmental Officer of the City of Norwalk Conservation Office.
15. A letter dated December 1, 2016 from the Norwalk Common Council.
16. A letter dated December 2, 2016 from Timothy Sheehan, Executive Director of Norwalk Re: Development Agency.

II. THE PROCESS.

The City welcomes the opportunity to participate in the planning for this very important project and to present its comments. The City comments reveal a concern about the process and how the City will be involved. In addition, three common themes have emerged during the City discussions with CTDOT, the public, and the City Departments and is expressed in many, if not all, of the City comments. First, what will the bridge look like? What will replace this iconic, historic bridge that has existed as a focal point of the City for well over one century? While the EA/EIE reviews alternative bridge types with a proposed focus on the long span vertical lift bridge as the replacement alternative, the City believes further analysis and design is warranted. The City understands that when the Q Bridge was replaced, CTDOT teams worked with the City of New Haven to carefully and meticulously develop the appropriate design and the bridge is a stunning accomplishment. The City of Norwalk deserves no less careful collaboration and commitment on developing an appropriate design that fits into the City's history. Second, the

City is concerned over the cumulative impacts associated with all the planned transportation projects combined and as associated with ongoing development in the City. The design alternatives should be fully explored for the Walk Bridge and each of the projects and the cumulative impacts of all projects (proposed and those underway) should be comprehensively analyzed. *See Exhibits 11 & 15.* Third, the socioeconomic impacts require further identification, assessment and analysis. Mitigation measures will need to be developed, particularly those where the City, its businesses and its cultural amenities (*i.e.*, the Aquarium) will suffer real, tangible losses. Such losses must be only temporary in nature and need to be rectified; any such permanent losses obviously would adversely impact the City so the parties need to understand the issues and work together on mitigation to avoid a permanent loss.

We sincerely appreciate your letter to Mayor Rilling dated December 7, 2016 (*See Exhibit 3*) in which you reaffirm that CTDOT “is committed to a comprehensive public participation and engagement effort with the community.” And, that you “anticipate an extensive ongoing dialogue with the City.” The City looks forward to such dialogue and the additional public sessions that you have indicated will be held. We also are gratified by the commitment of your staff, as evidenced in the December 5, 2016 letter from J. Fallon, CTDOT Manager of Facilities and Transit (responding to November 17, 2016 email correspondence from M. Coppola to J. Fallon also attached in *Exhibit 3*) that “the Department is committed to a comprehensive dialogue regarding all of the comments provided by the City and stakeholder groups” and “[t]he Department is fully committed to engaging in a meaningful dialogue with the City during the next several months and throughout the project.” Given these commitments and the fact that CTDOT will be providing written responses as part of the discharge of its regulatory responsibilities, the City would appreciate, in the spirit of continuing to work together, that

C-1.1

CTDOT provide the City with written responses to this submission and that an additional public session be conducted with CTDOT on the City's comments before CTDOT selects a design and renders its Record of Decision ("Record of Decision") to conclude this EA/EIE process.

C-1.1
(cont.)

In addition to the public comments presented by the City representatives during the November 17, 2016 public hearing (written copies of all have been previously submitted to you), the City has assembled comments from the City Department of Public Works, the Norwalk Planning Commission, the City's Historical Commission, the Economic Development Department, the Norwalk Arts Commission, the President and members of the Norwalk Common Council, the Maritime Aquarium, the Harbor Management Commission, the Conservation Office and the Norwalk Redevelopment Agency. These comments are attached hereto as Exhibits, and further detail the City's concerns. You will note that each of the Departments or agencies identified areas that are within their specific jurisdiction and expertise. The attached table identifies each of the various comments and submissions from each of the City departments, or agencies that are being submitted contemporaneously with this letter. The City is prepared and willing to review these comments with CTDOT as the project moves forward. It is only through communication, cooperation and consensus that everyone will understand the options, the issues and reach a solution.

III. DESIGN ISSUES

The City wants to work with CTDOT on the design and development of the projects, and review the mitigation alternatives and measures such that a successful project will be realized, one that everyone will be proud of for many years to come. Working together on this project and the other transportation projects in the City will benefit all projects. And the City certainly looks forward to further review and comment as CTDOT and the FTA move forward with the

design of the project and the mitigation measures. Please know that under no circumstances is the City attempting to create a situation where the City would be able to hold up this project. But collaboration and dialogue is necessary as well due to the fact that the Walk Bridge Project encompasses many projects and those details and impacts have not been delineated at all. Indeed, the EA/EIE is sorely lacking in scope on a variety of impacts because of these omissions. Prior to moving forward with the Walk Bridge replacement itself, these other projects should be designed and their impacts comprehensively analyzed by CTDOT and the FTA. Virtually all the City comments reflect this concern. And, the City should be an opportunity to review and comment and work with CTDOT on all projects.

On or about June 8, 2016, the City Department of Public Works provided early written comments to John D. Hanifin, of the Walk Bridge Program Office (*See Exhibit 2*). This letter expressed concerns relating to the east and west side approach spans, the proposed North Water Street new piers and the vital role of Water Street, structures and finishes of the bridge, the Fort Point Bridge, and connectivity/Transit Oriented Development at the Danbury Dockyard. We reaffirm these comments with this submission.

IV. SIGNIFICANT IMPACTS

The City believes that certain significant impacts and effects will result from the development of the proposed long span vertical lift bridge alone, and certainly in combination with the other projects. However, at this time the City is encouraged by our communication with you and your staff that we will work together in order to develop common sense solutions to address the City's concerns and mitigate the impacts. We understand that many of the City's questions will be answered once the design advances beyond the preliminary phase set forth in the EA/EIE. At this stage, the City does perceive impacts to be significant and substantial;

C-1.2

however, the City and its staff are committed to working through the impacts such that when this EA/EIE process is near completion the CTDOT and the FTA may be in a position to issue a “Finding of No Significant Impact” (FONSI). If the City’s concerns are not adequately addressed, the City does reserve its right to argue and claim that an Environmental Impact Statement (EIS) should be prepared. And, certainly, the City is not waiving any claims or arguments it may later have once the project begins to be permitted by or through any applicable governmental agency having jurisdiction over the project and as set forth in the EA/EIE, Section 7. In addition, the City will be pleased to work together under Section 4(f) in anticipation of reaching an agreement under the Federal Department of Transportation Act of 1966.

C-1.2
(cont.)

Many, if not all, of the comments identify perceived shortcomings in the EA/EIE. Indeed, the City believes that while the EA/EIE describes existing conditions well, the EA/EIE lacks sufficient detail on the impacts and mitigation measures. The City believes that more substantive work is needed prior to making any recommendation on a FONSI.

C-1.3

Each of the attached comments stands on its own and requires analysis and a written response. You will see that many of the comments coalesce around certain themes – the loss of the iconic, historic bridge and the uncertainty regarding the scope and aesthetics of its replacement, the social and cultural impacts, the economic losses, socio-economic and secondary and cumulative impacts, the expected losses to businesses, utility impacts, navigational and water impacts. And, that the impacts of all projects should be considered (*See Exhibits 4, 5, 6, 11, 15 & 16*). But others are more specific. For example, the City’s Department of Public Works and the Harbor Management Commission each clearly takes issue with the conclusion that no public utilities will be impacted by the construction project (*See Exhibits 4 & 13*). Significant questions are raised such as - How will demolition of the high tower with the electric

transmission lines not have an impact? Will they be replaced? Where? By whom? Storm water flows will go to the City storm water pump station. What are the projected increases in flows? Does the pump station have the capacity to handle it? Traffic impacts and rerouting is not discussed given the magnitude of the issue itself.

In brief, we have also separately identified the following direct and indirect impacts associated with the project. And we have prepared a chart (*See Exhibit 1*) identifying impacts identified in the EA/EIE as well as the gaps the City believes exist and recommendations that should be implemented. We have not separately identified every issue we see in the EA/EIE, so please understand that these are illustrative. During our discussions, more issues may appear and be presented. Additionally, the City identifies the following issues:

1. **Marine Traffic.** (Chapters 3 & 5) The potential impacts set forth in the “Build Alternative” provide broad statements regarding improvements to reliability, reduction in bridge openings, benefits to commercial and recreational marine users. And, these benefits may also produce indirect economic benefits to the commercial marine community in Norwalk and that businesses may expand. But, during construction the marine users will be adversely impacted. *What are those impacts? When full closure of the channel occurs, what are the options for marine traffic? How will the users recover? What will the benefits be to the users? Can it be quantified what the losses will be in the short term versus the long term benefits?* Mitigation “will be varied and developed on a case by case basis” (EA/EIE p. 5-7). And examples are given. *These examples need to be more fully developed – how will the work be done, who decides which measure, what is the role of the affected industry especially when commerce may be significantly affected. (See Exhibits 7, 9 & 11).*
2. **Traffic, Transit and Parking.** (EA/EIE Chapters 3 & 5). While redesigned roads and the improved reliability of roads and new bridges with increased vertical are advantages, the temporary adverse impacts to the roadways is quite likely to cause serious disruption to commuter traffic, residential and business traffic patterns. At times North Water Street, Fort Point Street, and Goldstein Place may have partial or full lane closures. *When? How long? Under what conditions? What are the impacts to the businesses projected to be? How will the businesses be aided? Parking lots may also close. Ferry docks will also be*

C-1.4

C-1.5

temporarily closed? When? Under what conditions? Where in Norwalk Harbor will such services be relocated? Pedestrian and bicycle circulation disruption may occur during construction. What are the alternative routes? (See Exhibit 4, also noting a conflict with the socioeconomic impacts; Exhibits 5&13, also requesting funding for City studies; Exhibit 7, also expressing concern over socioeconomic impacts; Exhibit 9; Exhibit 13 comprehensively analyzing harbor impacts; Exhibit 16).

C-1.5
(cont.)

3. Parcel Acquisitions

- CTDOT will require the purchase of nine parcels in the Goldstein Place area for the construction of the new bridge. The purchase of these properties is considered a permanent impact, even though CTDOT anticipates that the businesses on these properties will relocate rather than cease operations. “The potential impacts associated with these displaced businesses and residences, including loss of property tax revenue, are measurable direct economic costs of the project. The total assessed value of the properties to be acquired is approximately \$3.6 million, based on the City’s 2014 property valuations. In 2016, the combined annual property tax revenue from these parcels was approximately \$91,000.” EA/EIE, p. 3-51. *What tax relief will be substituted? Will there be a payment in lieu of taxes? (See Exhibits 9 & 15).*
- Temporary Easements will be required on 12 parcels during construction, and six will require displaced uses. *What will happen to the displaced uses? Will the property owners be compensated for the temporary loss of use? While the Aquarium certainly will be impacted what are the plans for the mitigation for the Aquarium and the other businesses temporarily displaced? (See Exhibits 6, 7, 9, 12 & 15).*
- Certain property will be acquired by CTDOT, but not all will be maintained by the State upon completion of construction. (EA/EIE, Sec. 3.6 & p. 6-3) *What is the process under the Uniform Relocation Assistance Act? What aid is there to residences and the businesses and the City (for its property and the loss of its tax base)? What will the City’s role be in determining the future ownership, used and development of these parcels such that they will be returned to productive, taxable use(s)? What planning will there be to take into account land use restrictions on certain parcels? (See Exhibits 4, 7, 9).*

C-1.6

C-1.7

C-1.8

4. Parks

- According to the EA/EIE the only direct impacts to public parks and recreation areas could be the result of trail/wetland mitigation construction. First, CTDOT

C-1.9

will help to complete the missing link in the NRVT/Harbor Loop Trail system at Walk Bridge (on the east side of the River). Second, “tidal wetland restoration may be located adjacent to or within the boundaries of Oyster Shell Park” (see Figure 3-19). Ultimately, CTDOT predicts that the long-term recreation impacts of the project would be beneficial, by providing accommodations for a north-south pedestrian/bicycle connection with the Harbor Loop Trail on the east side of the Norwalk River. EA/EIE, p. 3-114. *Further detail needs to be provided (e.g., of the impacts to the trails, mitigation, design, alternatives) to substantiate the conclusions set forth in the EA/EIE. (See Exhibits 5, 7, 9, 13 & 14).*

C-1.9
(cont.)

5. Wetlands, Water Quality, Floodplains & Terrestrial Resources

- A small state-regulated wetland will be lost as a result of construction work associated with the eastern bridge abutments (regardless of the design chosen). Approximately 600 square feet (sf) of direct, permanent impact will occur to this resource, the primary function of which is to convey storm water flows to the Norwalk River. (See Figure 3-17). This state-regulated inland wetland/watercourse resource serves as a drainage ditch to the north of the railroad alignment between the Norwalk River and Fort Point Street. (EA/EIE Report, p. 3-69). *Further detail needs to be provided to substantiate the conclusions set forth in the EA/EIE.*
- Temporary impacts are projected to tidal wetlands during construction. Once construction has occurred, the areas are stated as to be restored (EA/EIE, p. 5-13). *No detail is given as to what vegetation will be impacted, what habitats may be lost and what/how it will be restored. More detail on impacts and mitigation and restoration is needed (See Exhibit 14).*
- Floodplains will be affected. *How much? What is the impact on flooding? How will such impacts be mitigated? How will they be restored?*
- The Norwalk River is impaired, but no mitigation measures to prevent further degradation are discussed. Storm water runoff impacts are projected but no downstream impacts are analyzed. *Further detail needs to be provided to substantiate the conclusions set forth in the EA/EIE (See Exhibits 4 & 9).*
- During construction, loss of herbaceous coverage will occur. *The EA/EIE identifies reseeding. Will trees also be planted or other vegetation provided?*
- *See Exhibits 7 & 13 for a discussion of other Water Quality impacts, concerns and recommendations (See Also Exhibit 14).*

C-1.10

C-1.11

C-1.12

C-1.13

C-1.14

6. Aquatic Resources (Chapters 3 and 5)

- The Build Alternative will result in both permanent and temporary impacts to aquatic resources. All three design options have the potential to impact both tidal wetland habitats and their associated species. Some impacts will be temporary and CTDOT hopes to minimize them during construction by using BMPs (see Chapter 5 for more details). Other impacts will be permanent due to the elements of the replacement bridge. According to CTDOT, “[p]ermanent impact areas have been minimized during these initial design stages to reduce the permanent impact to those resources.” Section 3.14.3 of the EA/EIE discusses the impacts in more detail, and they include:
 - Loss of characteristic species of invertebrates and fish (EA/EIE, p. 3-82 – 3-83).
 - Dredging for channel work could impact “both benthic invertebrate communities and [essential fish habitat] by changing the ambient depths and bathymetry. . . . Together, changes to these two habitat attributes may render the impact areas unsuitable to various species of management concern” (EA/EIE, p. 3-83).
 - Removal of the existing fender system will contribute to temporary structural habitat loss. According to CTDOT, “[s]tructural complexity provides smaller species with living space, increased food abundance, and refuge from predators. Certain demersal fish species often prefer one substrate over another for feeding or spawning. Therefore, the loss of substrate complexity may produce a short term effect of discouraging recruitment of benthic invertebrates, which in turn, are the food of many demersal fish” (EA/EIE, p. 3-83).
 - Based on the “current design,” (presumably Option 11C), “the installation of the new bridge abutments and the new pile-supported bridge piers represent a permanent impact to tidal resources. Impacts include expansion of the earthen embankments on the north side of the eastern bridge abutment, installation of a precast modular retaining wall, and creation of a gravel filled contractor work area.” While the work area will be removed upon completion of the project, the impact associated with this fill area includes the loss of benthic invertebrates due to smothering from the gravel fill (EA/EIE, p. 3-83).

Further detail needs to be provided to identify the work proposed, the mitigation to the affected estuarine intertidal and estuarine subtidal habitats and to substantiate the conclusions set forth in the EA/EIE (See Exhibit 14). C-1.15

7. **Endangered, Threatened and Special Concern Species.** These species have been identified to live in the project area. In particular, certain turtles, sturgeon and significantly, the Peregrine Falcon, and certain migratory birds. *Study is certainly needed to further understand the impact to these species, particularly, the Peregrine Falcon, a state endangered species. What could the impacts be? Are the falcons affected by noise, dust, lights? What mitigation measures could be implemented? (See Exhibit 14).* C-1.16

8. **Water Dependent Uses.** Certain marina users will be displaced by the closure of 11 Goldstein Place (Coastwise Boatworks). Some options are presented, including reopening a currently closed upstream marina, but very little detail is provided. *When will those options be more fully developed? If reopening the closed marina is an option, who will do it? Who will run it? Who will obtain the permits, if needed? (See Exhibit 13).* C-1.17

9. **Parklands, Public Recreation and Community Facilities and the Aquarium**
It is without question that public parks, trails and recreation areas and river access will be affected *(See, Exhibit 5). Notably, the Aquarium, discussed further below, will be significantly impacted. Their comments are attached (Exhibit 12). Further details and answers are needed to address the concerns and the losses that will result, which are readily identified in the EA/EIE (EA/EIE, p. 5-18-5-19) (See Also Exhibits 9 & 13).* C-1.18

10. **Visual Resources.** Certainly the view shed will change during construction. But, what will the views be like after construction? Has the CTDOT prepared any post-construction drawings to show what the areas will visually look like – especially with the removal of the Aquarium's tensile building? *(See Exhibit 9).* C-1.19

11. **Air Quality.** During construction, short term increases in dust and equipment related emissions will occur. Will those increases be monitored? What are the strategies CTDOT and FTA are considering and will commit to in order to reduce emissions from the older diesel engines likely to be used during construction? Because some of the materials to be demolished may contain lead-based paint, asbestos and Polychlorinated biphenyls (EA/EIE, p. 5-24), what measures will be taken to prevent exposure to workers and the community? Where will materials (including soils) be stored such that the risk of air pollution (and storm water runoff) with contaminants is mitigated from disturbance? C-1.20

12. **Noise & Vibration.** Noise & vibration impacts obviously will occur and certain mitigation measures are identified (EA/EIE, p. 5-20-5-23). *What measures will CTDOT and FTA commit to in order to reduce noise and vibration levels and effects, particularly in the residential areas and the Aquarium, such that the public during construction is not adversely and continuously affected? See Exhibit 7 for a discussion of potential impacts and concerns.* C-1.21

13. **Economic Losses & Benefits**

- *While economic benefits are projected to occur in the long term, the loss of revenue from property taken off the grand list and the loss of public parking revenue has not been adequately quantified. What (or who) will fill this gap so that the City can maintain its current level of services? (See Exhibits 9 & 15).* C-1.22
- In addition to the direct economic benefits expressed in the EA/EIE that will result from the project, improved navigation conditions of the Build Alternative, including the improved reliability of the bridge and wider navigation channel, also may produce indirect economic benefits to the commercial marine community in Norwalk. Current marine-based businesses may be more likely to expand and new marine-based businesses may be more likely to locate up-river, thus expanding the water dependent land uses. (EA/EIE, p. 3-22; 3-178). *Further detail is required here to understand better the potential for increases in marine based business, especially those upstream.* C-1.23
- *What is the impact to local businesses? What is the “business coordination plan” that is to be developed? (See Exhibit 9). How will local businesses survive and be reimbursed? (See Exhibit 15).* C-1.24

14. **Public Utilities**

- Eversource Energy high voltage transmission lines that cross the Norwalk River on the high towers will require relocation. Relocation of the utility functions on the high towers is not part of the project but CTDOT considers it an indirect effect thereof. EA/EIE, p. 3-171. *Please explain further. (See Exhibit 4).* C-1.25

15. **Wetlands & Aquatic Resources**

- Temporary impacts to tidal and freshwater wetlands are characterized as “indirect” by the EA/EIE.
 - Temporary impacts to tidal and freshwater wetlands will be caused by shading of contractor construction trestles, run-around alignment (if Option 4S is

chosen), and access and staging from the shore. These areas will be restored following construction. (EA/EIE, p. 5-13).

- Temporary loss of tidal wetland habitats will occur as a result of construction of run-around alignment, contractor staging/access, and from temporary contractor construction trestles. (EA/EIE, p. 5-13).
- Temporary indirect impacts will result from construction, as follows: 6,700 sf of intertidal flat and 700 sf of subtidal habitat as a result of contractor staging and access areas; 100 sf of intertidal flats and 400 sf subtidal habitat as a result of contractor trestles; 700 sf of intertidal flat and 4,800 sf of subtidal habitat as a result of using cofferdams for removal of existing piers. (EA/EIE, p. 5-14).
- Certain tidal, freshwater wetlands, floodplains, intertidal flats and subtidal habitats will also be permanently lost. (EA/EIE, Table 6-1). *Further detail needs to be provided to identify the work proposed, the mitigation and to substantiate the temporary impacts and losses identified in the EA/EIE. Mitigation is proposed for the permanent losses, but more specification is required (See Exhibit 14).*

C-1.26

16. Cultural Resources – Historic Buildings / Districts – EA/EIE (Chapters 3&5)

- South Main and Washington Streets Historic District and the Industrial Buildings Historic District: Removal of the historic high towers and removal and replacement of the Walk Bridge, catenary support structures, and stone retaining walls will result in a diminishment of the district's integrity of setting (characterized it as an “indirect visual adverse effect”). The Industrial Buildings Historic District is a potentially eligible historic district (*See Exhibits 7, 8, 9 for a discussion of these impacts*).
- The Former Norwalk Iron Works building and the Former Norwalk Lock Company building: Removal of the high towers and removal and replacement of the Walk Bridge, catenary support structures, and stone retaining walls will have a direct visual impact (CTDOT characterizes it as an “indirect visual adverse effect”.) on both buildings’ settings. *The City Historical Commission disagrees as does the Economic Development Director (See Exhibits 8 & 9).*
- The Maritime Aquarium will be significantly affected (*See Exhibits 9 & 12 for a discussion of these impacts*).
- The pedestrian trail system (including both the Harbor Loop Trail and the Norwalk River Valley Trail) need to be addressed, with restorations and improvements implemented as part of the project (*See Exhibit 5 for a discussion of these impacts*).

Although our boards and commissions have commented on these topics, further detail needs to be provided to identify the design as new design will change the aesthetic of Norwalk for years to come. This is a significant change to the iconic existing bridge and to our City's identity. The Walk Bridge is listed on the National Register of Historic Places for its engineering accomplishment. It will be demolished; therefore, a thorough and detailed analysis of the impacts as well as a full robust analysis of the new design is required. The aquarium is a cultural amenity, significant to tourism and educational opportunities (See Exhibit 9).

C-1.27

17. **Environmental Justice.** The EA/EIE identifies the impacts to the environmental justice populations in Norwalk. These citizens deserve fair treatment and accommodations made so they are not disproportionately affected. There will be visual effects, traffic detours, increases in noise, vibration, air quality – *what are the plans such that our minority and low-income populations do not bear a disproportionate burden or affects while all these projects are being constructed? See Exhibit 9 requesting set asides for minority and women owned enterprises.*

C-1.28

18. **The Maritime Aquarium.** The EA/EIE recognizes and acknowledges several of the issues regarding disturbance to the Aquarium and its operations. *The significance of the Aquarium to the City cannot be overstated. The Walk Bridge Project will seriously affect the Aquarium and the impacts “present a grave risk to the economic viability and survival of the Aquarium” (See Exhibit 12). We appreciate the CTDOT’s efforts to work with the Aquarium and that the State is committed to addressing the concerns. No project should move forward until the issues with the Aquarium are addressed. As the Aquarium states in its comments, they have “already initiated mitigation efforts but needs the information requested in these comments to be timely provided in order to continue those efforts.” Dialogue and timely responses are needed such that proper planning may occur, the animals safely cared for, exhibits relocated and redeveloped and that the losses from its operations, including the IMAX theater, are addressed and compensation or proper redevelopment occurs.*

C-1.18
(cont.)

19. **Land Use & Zoning and Consistency with the City’s Plans and Policies.** *Very little is substantively discussed within the EA/EIE regarding land use patterns, zoning and future development. The City has a Plan of Conservation and Development, which is discussed in the EA/EIE. However it falls short to insure that the character of the City and historic preservation is preserved and is “used as a tool for economic revitalization and to promote tourism” (See Exhibit 7). The City Council has identified projects that are underway to enhance the character and livability of the City in SONO. How will these projects and the character of the area be preserved? (See Exhibits 11 & 15). These concerns are shared by the Norwalk Redevelopment Agency (See Exhibit 16).*

C-1.29

The City has also prepared a chart identifying certain of the impacts, the gaps that exist (and where mitigation measures should still be developed) and recommendations for further work. (*See Exhibit 1*). In addition, some of our City departments, boards and/or commissions have made direct recommendations regarding mitigation opportunities including exhibits, educational programs, salvage and reuse programs, restoration, art and incorporation of public art as part of the project, and a variety of projects to replace and supplant the losses (temporary and permanent) the City will suffer. (*See Exhibits 8, 9, 10 & 13*).

IV. CONCLUSION

We believe that more analysis is warranted and more in depth study is needed during this EA/EIE stage before CTDOT renders its Record of Decision. While the City understands the importance of this project, its significance should not overshadow the magnitude of the temporary and permanent impacts and losses. Given the multi-year construction window and all the projects proposed, the City will bear the burden of the impacts disproportionately. Mitigation measures need to be fully explored and vetted with the City. Such is a necessary step given the impacts to the City and the intensity of those impacts to our residents, businesses and stakeholders. A Finding of No Significant Impact at this time is premature. More work needs to be done and answers provided during this EA/EIE stage before there could reasonably be a basis to render a Finding of No Significant Impact. The City, as the host community that has to live with the future design of the bridge, deserves no less; the State deserves no less. The City is committed to work with the CTDOT and FTA to efficiently and effectively complete this historically important project.

C-1.3
(cont.)

TABLE OF ATTACHED EXHIBITS

	From	Date	To
1.	Chart identifying Gaps in the EA/EIE and Recommendation for Follow-up Actions	December 9, 2016	N/A
2.	Lisa Burns, PE, Principal Engineer Norwalk Department of Public Works	June 8, 2016	John D. Hanifin, Walk Bridge Program Office
3.	Commissioner of CTDOT James Fallon City Corporation Counsel (email)	December 7, 2016 December 5, 2016 November 30, 2016	Mayor Rilling Mario Coppola, Esq. James Fallon
4.	Lisa Burns, PE, Principal Engineer Norwalk Department of Public Works	December 1, 2016	Mark W. Alexander, Connecticut Department of Transportation
5.	Bruce Chimento, Director of Public Works, Norwalk Public Works	November 30, 2016	
6.	John Ingeri, Chairman of the Department of Public Works Committee City of Norwalk	November 30, 2016	The Connecticut Department of Transportation
7.	Steve Kleppin, Planning & Zoning Director Norwalk Planning & Zoning	December 1, 2016	CTDOT Office of Engineering
8.	David G. Westmoreland, Chairman, Historical Commission City of Norwalk	November 30, 2016	Mark W. Alexander, Connecticut Department of Transportation
9.	Elizabeth Stocker, AICP, Director of Economic Development City of Norwalk	December 2, 2016	Mark W. Alexander, Connecticut Department of Transportation
10.	Susan Wallerstein, Chair Norwalk Arts Commission	November 30, 2016	To Whom It May Concern
11.	Bruce Kimmel, President Norwalk Common Council	November 30, 2016	The Connecticut Department of Transportation

12.	The Maritime Aquarium	December 2, 2016	Mark W. Alexander Connecticut Department of Transportation
13.	Anthony N. Mobilia, Chair Norwalk Harbor Management Commission	December 1, 2016	Mary Beth Mello Federal Transit Administration, Region 1 Mark W. Alexander, Connecticut Department of Transportation
14.	Alexis Cherichetti, Sr. Environmental Officer City of Norwalk Conservation Office	November 30, 2016	Mark W. Alexander, Connecticut Department of Transportation
15.	Norwalk Common Council	December 1, 2016	Mark W. Alexander, Connecticut Department of Transportation
16.	Timothy T. Sheehan, Executive Director Norwalk Re: Development Agency	December 2, 2016	Mark W. Alexander, Connecticut Department of Transportation

EA/EIE Report Issues and Recommendations Prepared by City of NorwalkDecember 9, 2016

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
Marine Traffic (Sections 3.2, 5.3.2), Water-Dependent Uses (Sections 3.17, 5.3.12) & Ferry Dock Closures (Sections 3.7 and 5.3.12)	<p>Marine Traffic:</p> <ul style="list-style-type: none"> Short-term impacts include channel closures (sometimes full) and equipment blockages, horizontal restrictions, and vertical restrictions. Approximations as to navigational restrictions depend on “contractor means and methods”, the chosen design alternative, and many other variables. Option 4S: 37-40 months; Option 8A: 34 months; Option 11C: 16 months. No permanent mitigation measures identified because the Build Alternative will “improve overall marine transportation and marine traffic conditions” in the River at Walk Bridge 	<p>Marine Traffic:</p> <ul style="list-style-type: none"> Mitigation of adverse effects to marine users will be developed on a “case-by-case basis.” Seek additional examples. Refer to C-1.4 How can Commission help to notify commercial and recreational boaters, rowers when there are changes in channel navigability 	<p>Marine Traffic: Harbor Management Commission</p> <ul style="list-style-type: none"> Commission should be included in any discussions regarding channel closures and restrictions C-1.30 Determine impact of scheduled and unscheduled closures on up-stream businesses and boaters Determine impact of construction schedule changes and delays on ability to plan / mitigate
	<p>Water-Dependent Uses:</p> <ul style="list-style-type: none"> Numerous water-dependent uses upstream of Walk Bridge (Devine Brothers, O&G Industries, Norwalk Marine Contractors, United Marine Boat Yard) will be impacted by channel closures, horizontal and vertical restrictions. Acquisition of 11 Goldstein Place for use as construction staging and laydown area will result in displacement of marina, dock, and 53 boat slips. Maritime Rowing Club’s use of the dock at 11 Goldstein Place as scull launching facility will be displaced 	<p>Water-Dependent Uses:</p> <ul style="list-style-type: none"> Very few mitigation measures are identified for upstream water-dependent uses that will be impacted during construction. CTDOT will sell the acquisition parcels once construction is completed (after 3-5 years). CTDOT will “encourage” the reversion of 11 Goldstein Place to marina use, but there is no guarantee that it will return to a water-dependent use. Marina users from 11 Goldstein Place could be dispersed to other nearby facilities downstream or upstream. Is there availability at these facilities? Refer to C-1.17 	<p>Water-Dependent Uses: Harbor Management Commission</p> <ul style="list-style-type: none"> Determine the impact that CTDOT’s acquisition of 11 Goldstein Place will have on attainment of goals stated in Norwalk Harbor Management Plan. City should have a role as to the future sale and development of the parcels acquired. Refer to C-1.17 Alternatives available to marina users need to be explored Refer to C-1.17

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>Ferry Dock:</p> <ul style="list-style-type: none"> Aquarium ferry dock where Aquarium runs boat excursions will be temporarily closed and relocated elsewhere in Norwalk Harbor CTDOT has participated in several meetings with water dependent users and will continue to work with those users, including Aquarium to explore mitigation opportunities 	<p>Ferry Dock:</p> <ul style="list-style-type: none"> What are possible sites for relocation? Refer to C-1.15 	<p>Ferry Dock: Harbor Management Commission</p> <ul style="list-style-type: none"> Commission should be included in all discussions regarding relocation C-1.31 Determine the impact that relocation of the Sheffield Island ferry and Aquarium boat excursion will have on attainment of goals stated in Norwalk Harbor Management Plan
Safety & Security Section 3.24	<p>Safety & Security:</p> <ul style="list-style-type: none"> CTDOT's construction specifications require development of a Safety and Health Plan specific to the project. The plan will conform to OSHA regulations and reflect site-specific conditions and protocols to be followed during construction based on contamination detected during subsurface investigations CTDOT will also require the contractor to develop an overall site safety plan addressing worker and site safety, public safety, and emergency conditions. 	<p>Safety & Security:</p> <ul style="list-style-type: none"> Has CTDEEP weighed in on plans for handling any contamination that is found during construction? C-1.32 	<p>Safety & Security: Police Department & Fire Department</p> <ul style="list-style-type: none"> Both the Police and Fire Departments will need to approve all emergency plans associated with the project C-1.33 The Norwalk Building Department or State Building Inspector should also weigh in on the sufficiency of site safety plans C-1.34
Street, Parking Lot (Sections 3.3 and 5.3.3)	<p>Streets:</p> <ul style="list-style-type: none"> Full closure to public access of a portion of Goldstein Place – “roughly from the back of existing buildings on Liberty Square north to the dead end is required”. Partial lane closures and full street closures of North Water Street and Fort Point Street during construction Full closures will generally be of short duration, typically on weekends During periods of partial and full closures, pedestrian and vehicular access and parking will be maintained CTDOT will finalize detour routes during advanced design phases in coordination with the City of Norwalk 	<p>Streets:</p> <ul style="list-style-type: none"> Extent of closures - which portions of North Water Street and Fort Point Street will be closed? How frequently will road closures take place? Amount and type of signage for detours Required police presence in the event of street closures? Amount of advance notice of closures and likelihood of schedule changes <p>Refer to C-1.15</p>	<p>Streets: Department of Public Works (DPW) and Police Department</p> <ul style="list-style-type: none"> The Department of Public Works and Police Department should be included in all discussions involving street closures. C-1.35 Determine impact of scheduled and unscheduled closures on businesses and any residences Determine impact of construction schedule changes and delays on ability to plan / mitigate

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>Parking:</p> <ul style="list-style-type: none"> The Norwalk Parking Authority (NPA) owns 12 parking lots in City and regulates all on-street parking. 4 of the 12 lots are located near the project area. Temporary closure of North Water Street parking lot due to temporary construction easement may be necessary Report notes that “ample replacement parking” is available nearby at NPA’s Haviland Street and Webster Street lots and the Maritime Garage in the event the North Water Street garage closes. Temporary lane or street closures of North Water Street may have an effect on existing routing to Maritime Garage at 11 North Water Street 	<p>Parking:</p> <ul style="list-style-type: none"> Need to understand the plan for access to businesses and residences when there are lane and street closures on North Water Street Need to understand if Aquarium will have enough parking for its visitors, particularly on weekends when closure of North Water Street is more likely Any need for downtown signage to provide notification of closures/alternative parking garages and lots. Amount of advance notice of closures and likelihood of schedule changes <p>Refer to C-1.5</p>	<p>Parking: Norwalk Parking Authority (NPA)/DPW</p> <ul style="list-style-type: none"> NPA and DPW should be included in all discussions involving shifting parking burdens to City lots. C-1.36 Evaluate whether replacement parking (Haviland Street and Webster Street lots) will provide sufficient parking alternatives if North Water Street garage is closed. Determine impact of scheduled and unscheduled closures on businesses and residences Determine impact of construction schedule changes and delays on ability to plan / mitigate
<p>Pedestrian & Bike Facilities</p> <p>Sections 3.4, 5.3.3</p>	<p>Pedestrian & Bike Facilities:</p> <ul style="list-style-type: none"> Disruptions to pedestrian and bicycle circulation may occur during construction, but these impacts are anticipated to be short-term Signage and flagging should be used during construction to minimize impacts to pedestrian and bicycle safety As part of the Walk Bridge project CTDOT will provide improvements that will assist in extending the Norwalk Harbor Loop Trail that runs north to south on the east side of the River. The trail connection will be located atop the existing partially lowered bridge abutment. 	<p>Pedestrian & Bike Facilities:</p> <ul style="list-style-type: none"> Any need for downtown signage to provide notification of sidewalk/lane closures or alternative routes for pedestrians and bicyclists Amount of advance notice of route closures <p>Refer to C-1.5</p>	<p>Pedestrian & Bike Facilities</p> <ul style="list-style-type: none"> Provide information re: the use of bikes by Norwalk residents for commuting purposes, recreation, etc. Describe the downtown area west of Walk Bridge that will be impacted by frequent, changing street and sidewalk closures - overall density, impacted businesses and residences <p>Refer to C-1.5</p>
<p>Public Utilities & Service</p> <p>Sections 3.25, 5.3.19</p>	<p>Public Utilities & Service</p> <ul style="list-style-type: none"> Build Alternative will have no long-term adverse effects on local public utilities, including potable water, sanitary sewer, storm water, local electrical service, telephone, cable, and natural gas. 	<p>Public Utilities & Service</p> <ul style="list-style-type: none"> If utility relocation is required near the project area they will be relocated in accordance with CTDOT construction specifications 	<p>Public Utilities & Service: DPW & Water Pollution Control Authority (WPCA)</p> <ul style="list-style-type: none"> DPW (and WPCA, depending on the utility) should be included in all discussions involving utility relocations. C-1.59 Reference utility and pipeline maps around

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<ul style="list-style-type: none"> In areas where construction may affect utilities or take place on public streets the owning utility will be contacted to locate the utility and care will be taken to avoid disruption to the utility and interruption to service in accordance with CTDOT construction specifications. WWTP discharge into the Norwalk River will not be affected. Existing storm water discharges from North Water Street pump station on west side of the River will not be affected. Eversource Energy high voltage transmission lines that cross the River on the high towers will require relocation. Relocation of the utility functions on the high towers is not part of the project but is considered an indirect effect. Eversource Energy's relocation will undergo a separate environmental evaluation and permitting process which will include opportunities for public review and comment 		<p>the project area to verify that there will be no disruption to local public utilities during construction, as CTDOT contends (or to identify potential areas where there could be disruption).</p>
Temporary and Permanent Easements Displacement, and Relocation Sections 3.6, 3.8, 5.3.4	Temporary Easements: <ul style="list-style-type: none"> Map/Block/Lot # 3/2/3: CTDOT will require a temporary easement on Norwalk WWTP land. The sizes of temporary easements required for construction will be determined and refined as design advances and in cooperation with property owners. CTDOT is evaluating type and extent of displaced uses associated with proposed temporary easements at City's Aquarium property in cooperation with the City and the Aquarium CT DOT will develop an implementation plan to address the details of relocation assistance to be provided to displaced property owners 	Temporary Easements: <ul style="list-style-type: none"> The sizes of temporary easements required for construction will be determined and refined as design advances and in cooperation with property owners. CTDOT is evaluating type and extent of displaced uses associated with proposed temporary easements at City's Aquarium property in cooperation with the City and the Aquarium CT DOT will develop an implementation plan to address the details of relocation assistance to be provided to displaced property owners 	Temporary Easements: Planning Commission & Redevelopment Agency <ul style="list-style-type: none"> Planning Commission: Should be involved to assess impacts to Plan of Conservation and Development as a result of CTDOT's use of temporary easements Redevelopment Agency: Should be involved to assess impacts to the Reed-Putnam Urban Renewal Area and the Wall Street Urban Development Area that will result from CTDOT's use of temporary easements.

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>Permanent Easements:</p> <ul style="list-style-type: none"> Map/Block/Lot # 3/2/3: CTDOT will retain a permanent access and maintenance easement on a portion of the Norwalk WWTP parcel. Since this property is already owned by the City it does not stand to lose property tax income. The sizes of temporary easements required for construction will be determined and refined as design advances and in cooperation with property owners. CTDOT is evaluating type and extent of displaced uses associated with proposed temporary easements at City's Aquarium property in cooperation with the City and the Aquarium 	<p>Permanent Easements:</p> <ul style="list-style-type: none"> The sizes of permanent easements required for construction will be determined and refined as design advances and in cooperation with property owners. CTDOT is evaluating type and extent of displaced uses associated with proposed temporary easements at City's Aquarium property in cooperation with the City and the Aquarium 	<p>Permanent Easements: Planning Commission & Redevelopment Agency</p> <ul style="list-style-type: none"> Planning Commission: Should be involved to assess impacts to Plan of Conservation and Development as a result of CTDOT's use of permanent easements Redevelopment Agency: Should be involved to assess impacts to the Reed-Putnam Urban Renewal Area and the Wall Street Urban Development Area that will result from CTDOT's use of permanent easements.
	<p>Parcel Acquisitions:</p> <ul style="list-style-type: none"> CTDOT anticipates that 4 businesses and up to 6 residences in E. Norwalk will be permanently displaced. Total assessed value of the properties to be acquired is \$3.6 million (based on 2014 valuations) 2016 combined annual property tax revenue from these parcels was \$91,000 CTDOT concludes that the loss of this tax revenue "will not represent a substantial portion of the City's entire tax base." 	<p>Parcel Acquisitions:</p> <ul style="list-style-type: none"> FTA has approved early acquisition of the 9 parcels at Goldstein Place and Liberty Square, on the east side of the Norwalk River, under its Corridor Preservation Exemption – what does this mean? C-1.38 Obtain information re: relocation services offered under the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 Refer to C-1.20 Obtain information re: activities that will take place on these parcels during construction. Will these activities negatively affect prospect of resale? Will they negatively impact surrounding properties during project? C-1.39 	<p>Parcel Acquisitions: Planning Commission, Redevelopment Agency, Economic Development Office</p> <ul style="list-style-type: none"> Planning Commission: Should be involved to assess impacts to Plan of Conservation and Development as a result of CTDOT's acquisition of these properties Redevelopment Agency: Should be involved to assess impacts to the Reed-Putnam Urban Renewal Area and the Wall Street Urban Development Area that will result from CTDOT's use of permanent easements. Economic Development Office: (see "Socioeconomics" below)
Socioeconomics Sections 3.8, 5.3.5	<p>Socioeconomics:</p> <ul style="list-style-type: none"> According to CTDOT, businesses that are displaced on Goldstein Place are anticipated to relocate rather than cease operations Business owners upstream of Walk Bridge have indicated to CTDOT that channel closures of more than 7-10 days could be 	<p>Socioeconomics:</p> <ul style="list-style-type: none"> Obtain information re: available commercial spaces that displaced businesses can relocate to. C-1.40 CTDOT will develop a business coordination plan that will entail providing regular construction updates to the business community, including navigable channel impact updates on the project website. 	<p>Socioeconomics: Economic Development Office Should be Involved to:</p> <ul style="list-style-type: none"> Discuss the importance that upstream businesses have as part of Norwalk's economy and develop plans for such development Discuss the importance of small businesses

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>detrimental to their operations.</p> <ul style="list-style-type: none"> • Pedestrian and vehicular access will be maintained with construction disruptions minimized to the extent possible • CTDOT will develop a business coordination plan that will entail providing regular construction updates to the business community, including navigable channel impact updates on the project website. 		<ul style="list-style-type: none"> • as part of Norwalk's economy and develop plans for such development • Review what impact losing businesses at Goldstein Place would have on neighborhood – what are those businesses, who are the owners, how long have they been there, etc. • Review any current efforts to bring in water-dependent businesses (and highlight any businesses that are interested in upstream properties)
<p>Water Quality</p> <p>Sections 3.9, 5.3.6</p>	<p>Water Quality:</p> <ul style="list-style-type: none"> • Sediments will be disturbed during construction within River. • Land work will also expose soils that have the potential to be eroded or be disbursed by wind and resettle in the River • Water quality controls will be implemented during construction and where necessary to control releases of sediments or minimize turbidity in the River • Option 4S will require removal of approx. 6,800 cy of sediments; Options 11C and 8A will require removal of approx. 7,600 – 8,200 cy of sediments. • Dredging will also take place in order to widen the navigation channel (approx. 4,100 – 4,900 cy of sediment will be dredged depending on the design option). • An additional 4,200 cy of sediment will be excavated for installation of permanent submarine utility cable and bridge controls associated with the CP-243 Interlocking Project • Both dredging and utility cable installation will take place during approved in-water work months (November through January). 	<p>Water Quality:</p> <ul style="list-style-type: none"> • Water quality controls will be implemented during construction and where necessary to control releases of sediments or minimize turbidity in the River • How will the build option affect shell fish and other marine life in the River near Walk Bridge? Refer to C-1.26 • Unclear whether sediments exposed and released into River are contaminated at all, and if they are, what CTDOT's plan is to contain / clean up contamination • Where will excavated and dredged sediments be staged before removal to off-site facility? <p style="color: red;">C-1.41</p>	<p>Water Quality: Inland Wetland Agency/Conservation Commission</p> <ul style="list-style-type: none"> • Should be involved to develop further information about sensitive aquatic species in the area that could be negatively impacted by excavation and dredging activities

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
Wetlands (Sections 3.10, 3.11 3.14); and Aquatic Resources, Species, and Critical Habitats (Sections 3.14, 5.3.10)	Wetlands: <ul style="list-style-type: none"> Temporary impacts to tidal and freshwater wetlands – characterized as “indirect” by CTDOT - will be caused by shading of contractor construction trestles, run-around alignment (if Option 4S is chosen), and access and staging from the shore A total of 2,500 – 2,900 sf of estuarine intertidal emergent wetlands will be indirectly impacted as a result of construction These areas will be restored following construction Temporary loss of tidal wetland habitats will occur as a result of construction of run-around alignment, contractor staging/access, and from temporary contractor construction trestles Impacts to the lone freshwater wetland are permanent 	Wetlands: <ul style="list-style-type: none"> Seek clarification re: “temporary impacts to tidal and freshwater wetlands” v. “temporary loss of tidal wetland habitats”. These conditions are not adequately described or distinguished from one another in the EA/EIE. Refer to C-1.11 Further, mitigation measures appear to be identified for temporary impacts only, but not for the temporary losses. Refer to C-1.11 Seek clarification re: “The impacts to the lone freshwater wetland are permanent” and why there are no mitigation measures identified for this impact <p style="color: red;">Refer to C-1.10</p>	Wetlands: Inland Wetland Agency/Conservation Commission <ul style="list-style-type: none"> Should be involved to review the importance of affected wetlands to the Harbor’s aquatic environment Should be involved to review mitigation options
	Aquatic Resources: <p><u>Construction period impacts:</u></p> <ul style="list-style-type: none"> Temporary indirect impacts will result from construction, as follows: 6,700 sf of intertidal flat and 700 sf of subtidal habitat as a result of contractor staging and access areas; 100 sf of intertidal flats and 400 sf subtidal habitat as a result of contractor trestles; 700 sf of intertidal flat and 4,800 sf of subtidal habitat as a result of using cofferdams for removal of existing piers. According to CTDOT, benthic biota will recolonize once casings and piles are removed Dredging to install the Metro-North submarine conduit will result in 100 sf of impact to intertidal flat and 2,500 sf of impact to subtidal habitat, regardless of the 	Aquatic Resources: <ul style="list-style-type: none"> What portions of intertidal flats and subtidal habitats be impacted (locate on a map – fig. 3-23 in Report is only partial visual) Refer to C-1.15 Maps of where dredging will take place; depth of channel now versus depth of dredging C-1.42 Does CTDOT have data to support its assertions that benthic biota will recolonize? Refer to C-1.15 CTDOT will prepare an EFH Assessment pursuant to the Magnuson-Stevens Fishery Conservation and Management Act as the design is further refined and as the contractor’s means and methods of construction are advanced. Since impact to EFH is not expected to be substantial, EFH mitigation is not anticipated for the project. However, this will be verified through coordination with the regulatory agencies during the permitting phase of the project 	Aquatic Resources: Inland Wetland Agency / Conservation Commission <ul style="list-style-type: none"> Should be involved to review the assessment reports and any affected intertidal flats and subtidal habitats to the Harbor’s aquatic environment and any restoration thereof

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>design option chosen</p> <ul style="list-style-type: none"> These portions of the benthic environment will be restored by the replacement of removed material with clean fill. A total of 7,750 sf of impact to estuarine intertidal habitat and 8,400 sf of impact to subtidal habitat will result if either Option 8A or 11C is chosen <p><u>Potential permanent impacts</u></p> <ul style="list-style-type: none"> Benthic invertebrates <ul style="list-style-type: none"> Impacts to the vegetated tidal wetlands could result in the loss of associated fauna due to burial, including characteristic species like the rough periwinkle, marsh fiddler crab, various amphipods, isopods, and numerous insects. Similarly, dredging and installation of piles could directly impact characteristic fauna of the intertidal flats such as the mud snail, the green crab, and the ribbed mussel. Direct removal of suitable benthic substrate via dredging for channel work could impact both benthic invertebrate communities and Essential Fish Habitats (EFH) by changing the ambient depths and bathymetry. Together, changes to these two habitat attributes may render the impact areas unsuitable to various species of management concern. But area proposed for realignment work is narrow, so impact will be minor Regionally, it is considered to be a small-scale and very limited impact to the system in comparison to the system as a 		

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>whole</p> <ul style="list-style-type: none"> • Fisheries/EFH <ul style="list-style-type: none"> ○ There will be “very minor impacts” to the EFH at the project site consisting of a change in water depth from widening the channel in the subtidal area under the Bridge. ○ CTDOT will prepare an EFH Assessment pursuant to the Magnuson-Stevens Fishery Conservation and Management Act as the design is further refined and as the contractor’s means and methods of construction are advanced. ○ Since impact to EFH is not expected to be substantial, EFH mitigation is not anticipated for the project. However, this will be verified through coordination with the regulatory agencies during the permitting phase of the project • Aquatic Habitats <ul style="list-style-type: none"> ○ Build Alternative will result in the permanent loss of approx. 900 sf of intertidal flat due to various new bridge footprint components and associated activity. ○ Compensation of intertidal habitat impacts will be provided by tidal wetland restoration. ○ Additional permanent impacts include the loss of approx. 1,600 sf of subtidal habitat will be permanently lost as a result of the replacement bridge pier shafts and fenders with the Bascule Bridge Option. Less subtidal habitat would be lost if one of the two Vertical Lift Bridge options were 		

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<p>chosen (Option 11C would result in 1,200 sf of impacts and 8A would result in 1,400 sf of impacts).</p> <ul style="list-style-type: none"> ○ To offset the permanent impact of lost subtidal benthic habitat, the existing west rest-pier, existing east rest-pier, and the existing center-pivot pier will be removed, thereby restoring the footprint of these piers to available benthic habitat. This will result in the reclamation of approximately 3,600 sf of estuarine subtidal unconsolidated channel bottom habitat. ○ Since the area of existing piers is greater than the area of proposed drilled shaft piers, a gain of subtidal habitat is anticipated. 		
Parklands, Public Recreation, and Community Facilities (Sections 3.18, 5.3.13, 9.4.2) and Cultural Resources (Sections 3.22, 9.4, 5.3.17)	<p>Parklands, Public Recreation, and Community Facilities</p> <ul style="list-style-type: none"> • Maritime Aquarium facilities like the tensile structure and outdoor animal exhibits will be impacted. • Construction easements potentially may affect use of the IMAX Theater • Temporary impacts to Switch Tower Museum are not anticipated at this time • Construction easement on WWTP will affect the Harbor Loop Trail where it extends through the WWTP property • Temporary construction activities may result in visual and noise impacts on users of riverfront parks and trails • As final design and construction planning continues, CTDOT will consider the following mitigation measures: <ul style="list-style-type: none"> ○ Install temporary noise barriers between noise-sensitive receptors 	<p>Parklands, Public Recreation, and Community Facilities:</p> <p>Refer to C-1.18</p> <ul style="list-style-type: none"> • What economic impacts will result from removal of Aquarium exhibits and use of the IMAX Theater • Will trails on west side of the River also experience visual and noise impacts? If so, will same mitigation measures be employed? Refer to C-1.9 	<p>Parklands, Public Recreation, and Community Facilities: Parks Department and the Aquarium</p> <ul style="list-style-type: none"> • More information is required re: usage of parks that will be impacted by the project and what restorative efforts will occur • What are the economic impacts from these losses? <p>Refer to C-1.9</p>

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<ul style="list-style-type: none"> ○ and noisy stationary equipment ○ Locate stationary equipment as far from residential areas as possible ○ Design dedicated truck routes to keep construction trucks from residential areas; and ○ Schedule noisy operations to be performed simultaneously, as slightly louder noise levels will be offset by less exposure to the public 		
	<p>Cultural Resources:</p> <ul style="list-style-type: none"> ● A number of historic resources will be removed during the project, including Walk Bridge itself, high towers and catenary support structures, and stone retaining walls. Removal of these structures will result in an adverse effect. ● The South Main and Washington Streets Historic District and the Industrial Buildings Historic District will experience indirect adverse visual affects as a result of the removal of the above-mentioned structures. Removal of the structures will diminish the historic integrity of both settings. ● There is the potential for vibration from construction equipment to exceed FTA levels that would be damage-causing. Many of the historic buildings that abut the project area are well over 100 years old and may not have the same physical resistance to vibration as modern buildings. ● Pre-construction inspection of building elements susceptible to damage, documentation of buildings' pre-existing states, condition assessments by a special engineer, and real-time monitoring of vibration levels (among other things) may 	<p>Cultural Resources:</p> <ul style="list-style-type: none"> ● Ask CTDOT for visual examples of mitigation measures as they have been employed in similar projects in the past (before / after photos) C-1.43 ● Certain historic properties are located near or are part of temporary construction staging/access area. Examples: Interlocking Tower (South Norwalk Switch Tower Museum), Liberty Square Historic District. Provided that no physical damage to these buildings occur as a result of the preparation and use of the temporary construction staging/access areas, these will be no adverse effects. ● It is not possible to assess conclusively the Build Alternative impacts to potential subsurface archaeological resources until the project plans are advanced. ● Additional testing is required to determine presence or absence of archaeological resources in many of the parcels. 	<p>Cultural Resources: Historic Commission Should be Involved to</p> <ul style="list-style-type: none"> ● Assess the impact on downtown area that removal of the various historic structures will have ● Discuss archaeological significance of area and determine whether CTDOT's assessment is adequate

Issue	Impacts/Mitigation Measures Identified in EIE	Gaps: Impacts/Mitigation Measures to Still be Addressed	Recommendations: Action Item
	<ul style="list-style-type: none"> be required during construction. • Adverse effects to above-ground resources will be mitigated through measures agreed-upon during ongoing agency and stakeholder consultation. A MOA will be signed memorializing this process. • Based upon mitigation measures that were developed and approved for similar projects in the past, appropriate mitigation measures for this project could include the following: <ul style="list-style-type: none"> ○ Pre-construction documentation of historic resources that will be lost; ○ Designs for new elements that will be visually compatible with adjacent historic properties; ○ Re-use of stone to face new walls and/or bridge abutments; ○ Interpretive installations for the public and other education programs. • In terms of archaeological resources, the proximity of the project area to the Norwalk River and its associated marshlands and feeder streams suggest that many parcels are highly sensitive for pre-Colonial resources. • Many parcels have the potential to contain historic-period domestic, industrial, and railroad-related sites. • It is not possible to assess conclusively the Build Alternative impacts to potential subsurface archaeological resources until the project plans are advanced. • Additional testing is required to determine presence or absence of archaeological resources in many of the parcels. 		



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION
 2800 BERLIN TURNPIKE, P.O. BOX 317546
 NEWINGTON, CONNECTICUT 06131-7546



Office of the
 Commissioner

An Equal Opportunity Employer

December 7, 2016

The Honorable Mayor Rilling
 City of Norwalk
 125 East Ave
 P.O. Box 5125
 Norwalk, CT 06856-5125

Dear Mayor Rilling:

Subject: Walk Bridge Project

I am writing to confirm our recent discussions regarding the coordination between the City of Norwalk (City) and the Department of Transportation (Department) for the Walk Bridge project and related transportation improvements in the City. As I stated, at the public meeting Monday night, the Department is committed to a comprehensive public participation and engagement effort with the community.

The official comment period for the Environmental Assessment (EA) will close on December 9, 2016 and the EA is scheduled for completion in July 2017. It is the Department's intent to have an ongoing dialogue with the City agencies, boards, commissions and key stakeholders groups throughout this timeframe. The Department will address their concerns and collectively discuss possible mitigation and commitments. I anticipate an extensive ongoing dialogue with the City.

Some of the issues will be specifically addressed in the final EA document, other issues and commitments will be carried forward as the Walk Bridge replacement program matures. The Department will hold additional public sessions, similar to the one on Monday night, as areas of interest are identified.

The responses to the submitted comments and the proposed commitments and mitigation are a primary component of the environmental documents that the Department has the regulatory responsibility to prepare. Throughout the development of these documents, the Department will coordinate with the City to keep you informed.

In addition to the scope covered within the Walk Bridge program and the EA, there are a number of other transportation projects in the City that will require us to work together. The Department appreciates the economic vitality of the City and will ensure that the planned transportation improvements don't affect the significant redevelopment and investment that is occurring in Norwalk.

The completion of the environmental planning process for the Walk Bridge project signifies the completion of one critical phase of this transportation infrastructure program; however, it does not signal the end of opportunity for the community to express its concerns and desires for the initiative. It will be critical for our respective teams to continue to work closely together through the completion of this Program. It is my expectation and commitment to you that our Program team will do so. If you have any questions, please don't hesitate to contact me at (860) 594-3000.

Sincerely,


James Redecker
Commissioner



STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION



2800 BERLIN TURNPIKE, P.O. BOX 317546
NEWINGTON, CONNECTICUT 06131-7546

December 5, 2016

Mario Coppola, Esq.
Corporation Counsel
City of Norwalk
City Hall, Room 237
125 East Avenue
Norwalk, Connecticut 06851-5125

Dear Mr. Coppola:

Subject: Walk Bridge Environmental Process

I am writing in response to your written correspondence, dated November 17, 2016, and subsequent conversations that we have had recently regarding the City of Norwalk's (City) requests pertaining to certain aspects of the Environmental Assessment (EA) / Environmental Impact Evaluation (EIE) process that will be administered by the Department of Transportation (Department) and Federal Transit Administration (FTA). As you know, I am not able to make representations on behalf of the FTA.

In response to your question regarding the process that will occur between the City and the Department for the comments that are submitted I would offer the following:

The Department is committed to a comprehensive dialogue regarding all of the comments provided by the City and stakeholder groups. Although we are still formulating the best approach, the next steps will generally be as follows:

December 9, 2016 – Close of the comment period for the EA/EIE.

December 9, 2016 through mid-January – The Department will continue to meet with the City to address the City's concerns regarding the potential impacts. The Department recognizes that the City is a stakeholder such that further dialogue to address substantive concerns is important to a successful project. Such dialogue will include meeting with representatives of the various City agencies, boards, and commissions and key stakeholders to review and understand their concerns. It is anticipated this process will be an initial step, and may include brainstorming about possible commitments and mitigation.

Mid- January through beginning of March – Additional conversations, meetings, follow-up with the various boards, commissions, and agencies to develop responses to comments and consensus on mitigation measures to address potential impacts. The Department and the City will cooperatively work on developing the mitigations and commitments. The Department envisions this to be an iterative process.

By the middle of March 2017, the Department anticipates being in a position to finalize the responses to comments and commit to mitigation measures as a result of the coordination with the City. The Department will then prepare a document that will make a recommendation to the FTA for their determination as to how to proceed with the National Environmental Policy Act (NEPA) process.

I would emphasize that the dates and timelines outlined above are illustrative at this point in time, since the comment period has not closed and the Department has not had the initial meetings outlined above. The Department is fully committed to engaging in a meaningful dialogue with the City during the next several months and throughout the project. In the end, it is our intent to address the City's concerns and for us to collectively move forward.

In response to your request for keeping the comment period open and for the Department to not issue a Record of Decision prior to April 9, 2017, I offer the following:

The comment period will close on December 9, 2016. As referenced above, by the middle of March 2017 the Department would anticipate concluding the responses to comments and to prepare a document that will make a recommendation to the FTA for their determination as to how to proceed with the NEPA process. The Department agrees to work with the City during this period of time to address its concerns and issues in order to develop appropriate design and mitigation measures. As stated above, the Department intends to have a comprehensive dialogue with the City officials and staff, as well as its boards and commissions.

In response to your request for an additional public session prior to making a recommendation to FTA, providing the City with a draft copy of the record of decision, and for notification to the City as the Department moves forward with the CEPA process I offer the following:

The Department will initiate the dialogue and process as outlined above. As we jointly proceed through this process, the Department will hold additional public sessions as necessary. The Structures Type Alternatives and Selection Process meeting on December 5, 2016 is an example of the Department's willingness to hold these sessions.

As noted above, the City and the Department will work together to address the City and key stakeholder concerns. The City will be very well informed regarding the potential responses to their comments, and the mitigation and commitments being proposed. The Department will not only follow the formal notification and sharing of information as required by the NEPA/CEPA process, but also will engage in additional community outreach that will become better defined as we participate in our upcoming meetings.

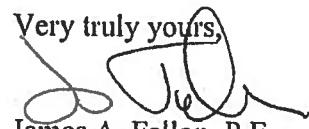
I would also like to take the opportunity to offer some information regarding the environmental planning process and the design development process. The intent of the EA is to provide review of a reasonable range of alternatives, develop sufficient evidence and analysis for determining potential impacts, and to identify measures necessary to mitigate adverse impacts that will be incorporated into the project. This sets the stage for addressing and collectively developing mitigation strategies.

The NEPA/CEPA process is an early planning process that is required to be completed prior to the Federal agency authorizing funds to advance past the preliminary design phase. Many of the site specific actions to mitigate potential impacts cannot be developed until the design of the project advances further.

The Department fully appreciates the concerns expressed by area businesses and property owners, and the community at large. In some cases, the concerns and questions raised in the public forums have been very specific. Examples are contractor staging, pieces of equipment, hours of operation, detailed traffic impacts and road closures, and construction duration. Generally speaking, the answers to these questions will not be known until the NEPA/CEPA process is complete allowing the Department to advance the design beyond the preliminary design stage.

The completion of the environmental planning process is a significant milestone, but it only signifies the beginning of the next stage of the communication and coordination between the Department, the City, and the community.

Please do not hesitate to contact me if I could answer any other questions or provide you with any additional information prior to the close of the public comment period on December 9, 2016. We look forward to receiving the City's written submission.

Very truly yours,

James A. Fallon, P.E.
Manager of Facilities and Transit
Bureau of Engineering and
Construction

cc: The Honorable Harry Rilling
Ms. Liz Stocker
Ms. Laoise King

From: Coppola, Mario
Sent: Thursday, November 17, 2016 12:22 PM
To: 'Fallon, James A'
Cc: Sucato, Pamela P; Alexander, Mark W; Hanifin, John D.; Redeker, James P; Rilling, Harry; King, Laoise
Subject: RE: Walk Bridge Environmental process

James,

First, as we discussed yesterday, I am submitting the following list of speakers from the City:

1. Mayor Harry Rilling
2. Mario Coppola, Corporation Counsel
3. Steve Kleppin, Director of P&Z
4. Elizabeth Stocker, Economic Development Director
5. Lori Torrano, Vice Chair Norwalk Redevelopment Agency
6. Michael Wideland, Attorney for Norwalk Aquarium
7. Dr. Brian Davis, President & CEO of Norwalk Aquarium
8. Fran DeMeglio, Chair of Planning Commission
9. Bill Nightingale, Jr., Chair of Conservation Commission
10. Anthony Mobilia, Chair of Harbor Commission
11. Alexis Cherichetti, Sr. Environmental Officer
12. David Westmoreland, Chair of Historic Commission
13. John Igneri, Chair of Department of Public Works Committee
14. Bruce Chimento, Director of Public Works
15. Paul Sotnik, Senior Engineer, Department of Public Works
16. Travis Simms, Chair of Recreation and Parks Committee
17. Nancy Rosett, Chair of City's Bike/Walk Task Force
18. Shannon O'Toole Giandurco, Common Council Minority Leader
19. John Kydes, Common Council Majority Leader
20. Bruce Kimmel, Common Council President

I would appreciate if you could please allow for our first 7 speakers to speak in consecutive order. I estimate that those speakers will take a total of approximately twenty minutes. I have already received advanced written copy of most of their planned remarks and I have confirmed that they should mostly be between two to three minutes. I understand that you will then go back and forth between the above list and the list of speakers from the general public that sign up tonight.

Second, I appreciate your summary below of the process moving forward after tonight's public hearing. Before our meeting yesterday it was the City's position that we would request an EIS because of the many concerns and questions regarding what has been proposed/submitted so far by CTDOT. However, Commissioner Redeker did convince us that I should encourage our City officials to NOT request an EIS at this stage because the CTDOT is committed to addressing all of the issues and questions that get raised during the public hearing and in the City's written submission before the CTDOT issues its record of decision, which we assume will be for a Finding of No Significant Impact ("FONSI"). In addition to the representations set forth in your email below, can you please confirm the following for the City:

1. I understand that DOT is to provide a response to substantive issues that are raised in reviewing the EIE under the State CEPA review. However, I want to confirm that prior to the expiration of the extended public comment period, will DOT issue to the City a written to any of the issues and questions raised in the City's written submission? I assume that such a response will identify what issues can or cannot be resolved, what the new "design" will be (if any), what mitigation measures are to be implemented, and what issues will remain outstanding.
2. In order for the City and CTDOT to continue to work together to identify and resolve any outstanding issues and questions, will CTDOT agree to keep the public comment period open for an appropriate period of additional time (at the very least for an additional 90 days after we receive written responses from CTDOT the City's written submission)?
3. Will CTDOT commit to holding at least one additional public hearing prior to taking further official action, (i.e., issuing a FONSI)? I understand that CT DOT has committed to holding various meetings with different stakeholders regarding specific issues pertaining to those stakeholders. However, I want to just confirm that CTDOT will hold another public session similar to the meeting that is taking place this evening before it issues its record of decision. I am hopeful that at such a public hearing we will be able to go record to explain to the public how CTDOT has responded to and/or resolved the issues and questions that were raised at tonight's public hearing.
4. Will CTDOT provide the City with a draft record of decision (i.e., FONSI) and provide the City with an opportunity to comment further prior to issuance?
5. Will CTDOT agree to not proceed further under CEPA with an adequacy determination or with OPM until such process set forth above occurs? Also, will CTDOT agree to notify the City as to when it is going to proceed to OPM's review prior to doing so?

I look forward to hearing back from you soon. If you would like to discuss anything with me prior to tonight's public hearing, please feel free to reach me at any time today on my cell at 203-915-6575. Thank you for your continued time, assistance and consideration.

Regards,

Mario F. Coppola
Corporation Counsel
City of Norwalk
P.O. Box 798
125 East Avenue
Norwalk, CT 06856
Tel: 203-854-7750
Email: mcoppola@norwalkct.org

Historical Commission
City of Norwalk
125 East Ave
Norwalk, CT 06854
November 30, 2016

Mr. Mark W. Alexander
Transportation Assistant
Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06111

Re: Written comments regarding EA/EIE dated 9/6/16, State Project No. 0301-0176

As you are aware, the Walk bridge is listed on the National Register of Historic Places for its engineering accomplishment. The State Historic Preservation Office has declared this project to have an “adverse impact” on the bridge because the historic resource will be demolished. We consider the bridge, the high towers, associated bridges, and the Connecticut brownstone abutments and retaining walls to be historic fabric that is integral to the historic character of East and South Norwalk.

To that end, the Section 106 and 4F laws apply to this project. We understand that both laws require preserving the historic resource, if possible, even if it is the highest cost option. After reviewing the EA/EIE, we do not believe that the option to repair the bridge was sufficiently and realistically analyzed and is largely being disqualified because of new, unspecified resiliency requirements that the Connecticut Department of Transportation (DOT) has applied in their analysis. We are aware of numerous other century old bridges across the country that have been repaired and maintained and are expected to last for another century and beyond, such as the Williamsburg Bridge in New York.

We are appreciative of the historical and archaeological reports that were developed and included in this analysis. However, in both reports, we believe that the Area of Project Effect (APE) is significantly understated and only addresses the historic districts that are immediately adjacent to the bridge. The bridge is at a low point in the Norwalk River Valley, which is surrounded by densely developed ridges to the East and West that have many historic structures. The massive proposed lift bridge will become the single defining characteristic for all of Norwalk south of I-95. The APE area should include the other historic districts in the area such as the Golden Hill Historic District that are clearly in the view shed of the proposed massive lift bridge.

Included in Appendix 1 is a proposed MOA for mitigation of historical and archeological resources. We deem this proposal to be entirely inadequate given the total destruction of the resource itself as well as the adverse impact the new bridge will have on the character of the Historic districts south of I-95. It is important to note that we are aware of other substantial mitigation the CT DOT has provided in similar scale projects, such as the construction of a \$32 million boathouse for Yale University related to the Kew Bridge project. We have included below a list of mitigation measures that we believe more adequately mitigates the total loss of the iconic Walk Bridge:

Proposed Historical Mitigation

C-2.1

C-2.2

C-2.2
(cont.)

C-2.3

1. Because of its direct association with the development of the railroad system in Connecticut, we are recommending that the Lockwood Mathews Mansion host exhibits and education programs associated with the Walk Bridge and the development of Connecticut's railroad system. The builder of the mansion, which is listed on the National Register of Historic Places and has "Landmark" status, LeGrand Lockwood developed the Danbury line and was a competitor of Cornelius Vanderbilt, who later gained control of the Lockwood Mathews Mansion by buying his mortgages. In order to accomplish this, we need the DOT to implement: the remaining phases of the State Historic Preservation Office approved Master Plan of Preservation for the Lockwood Mathews Mansion dated September 9, 2008, which includes mechanical upgrades electrical, HVAC, sprinklers, emergency lighting, etc.; to preserve and restore the existing finishes in the first floor rooms including the Billiards room, the Dining room, the grand staircase (first and second floor), the bathroom, the coatroom, all exterior doors; restoration of the gas lights on the first floor and in the servant's quarters; develop exhibits and education programs, including a model curriculum of the development of the railroad system in the state of Connecticut, to be hosted by the Lockwood Mathews Mansion, the SONO Switch Tower Museum, and the City of Norwalk Historical Commission; and provide for documentation and filming of the process of dismantling the old bridge and construction of the new bridge to be included in the exhibit and/or programs. C-2.4
2. Salvage and reuse brownstone from abutments to be demolished in the new bridge construction in place of stamped concrete, even if just used as a veneer. C-2.5
3. Provide for the funding and development of exhibits and education programs, incorporating the archaeological and geological findings from the project with the Norwalk Historical Society and the City of Norwalk Historical Commission. This could include a model curriculum for southwestern Connecticut geology and American Indian habitation to be used by other Historical Societies and educators in Connecticut. C-2.6
4. Restore the original iron fencing, gates, and associated masonry at the original entrance to the Lockwood Mathews Mansion along West Avenue. C-2.7
5. Provide an elevator and ADA accessible bathroom at the Lockwood Mathews Mansion Carriage House. C-2.8
6. Provide exterior ADA access to the Lockwood Mathews Mansion Gate Lodge. C-2.9
7. List Liberty Square on the National Register of Historic Places. C-2.10
8. Provide interpretive signage regarding the Walk Bridge, development of the railroad in Norwalk and Connecticut located along DOT provided pedestrian and bike paths on both the east and west sides of the Norwalk river near the bridge C-2.11

Additionally, it is quite concerning to us that the DOT is seeking a "Finding of No Significant Impact" from the Federal Transportation Administration (FTA), especially given where the DOT is currently in design, as they are unable to provide a substantive EA/EIE, as many impacts will not be able to be determined until a plan is actually completed. Not only is the planned project to result in the total destruction of the historic resource, a project of this magnitude in such a densely developed area, is likely to have prolonged, devastating economic consequences to the City of Norwalk. It is more than reasonable to expect that a thorough and detailed Environmental Impact Statement (EIS) should be developed to identify and mitigate the negative consequences to the City of Norwalk. C-2.12

Equally concerning is that the City of Norwalk has not been able to participate in any of the face-to-face meetings the DOT has had with the FTA, which may lead to concerns and a perception of a potentially biased decision from the FTA. C-2.13

While we are appreciative of DOT's efforts to reach out to the historic community, various city departments and residents of Norwalk, recent projects with the CT DOT in Norwalk have been less than satisfactory, including no resolution to the dead landscaping installed as part of the I-95 widening, ignoring the overwhelming strong public input regarding the widening and lowering of East Avenue under the East Ave train bridge, not honoring DOT's commitment to stripe a wider shoulder on the section of East Avenue just north of Route 1 that DOT recently repaved, and ignoring public input to implement a "Complete Streets" solution at the redesign of the intersection of Route 1 and Strawberry Hill, which has two major schools located nearby. Therefore, it is essential that a full EIS be developed which fully addresses the concerns of the community.

C-2.14

While we recognize the needs of the Northeast coastal region to have dependable train service, this project must be done in such a way that it minimizes the impacts to our many historical resources and does not permanently jeopardize the fragile economic conditions in South and East Norwalk. We hope to continue to work constructively with the DOT to minimize and mitigate impacts to both our historic resources as well as to the entire community of Norwalk while providing dependable train service for the northeast. Thank you for this opportunity to provide our input.

C-2.15

Approved by unanimous vote of the City of Norwalk Historical Commission on the 30th of November, 2016.

Submitted on behalf of the Historical Commission,



David G. Westmoreland
Chairman

cc: Hon. Harry Rilling, M. Coppola, E. Stocker, Sen. B. Duff, Historical Commission, C. Labadia, D. MacKay, J. Hanifan, M. Ranslow



HARBOR MANAGEMENT COMMISSION

125 East Ave. Norwalk, Ct. 06851

VIA EMAIL AND REGULAR MAIL

December 1, 2016

Ms. Mary Beth Mello
Regional Administrator
Federal Transit Administration, Region 1
Kendall Square
55 Broadway, Suite 920
Cambridge, MA 02142-1093

Mr. Mark W. Alexander
Transportation Assistant Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, Connecticut 06110

**Subject: Environmental Assessment/Section 4(f) Evaluation
Environmental Impact Evaluation
Walk Bridge Replacement Project
Bridge No. 04288R Norwalk, Connecticut**

Dear Ms. Mello and Mr. Alexander:

Enclosed, please find the Statement of Findings and Recommendations of the Norwalk Harbor Management Commission (NHMC) concerning the above-referenced Environmental Assessment/Section 4(f) Evaluation Environmental Impact Evaluation (EA/EIE). The NHMC approved this Statement for transmittal to the Federal Transit Administration (FTA) and Connecticut Department of Transportation (DOT) by unanimous vote on November 30, 2016.

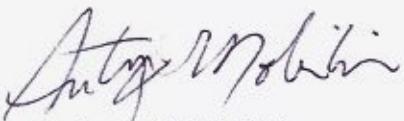
Pursuant to our authority and responsibilities set forth in the Connecticut General Statutes, Norwalk Code of Ordinances, and Norwalk Harbor Management Plan (the Plan), the NHMC has reviewed the EA/EIE with respect to the goals, policies, and other provisions of the Plan.

To summarize, the NHMC finds the EA/EIE lacks sufficient detail and, as a result, we are unable to make a favorable recommendation regarding the EA/EIE's consistency with the Plan. Further, we believe that it is unreasonable and inappropriate for the FTA and DOT to assert, based on the information presented in the EA/EIE, that the proposed project will have no significant impact on the Norwalk Harbor and waterfront.

Accordingly, the NHMC recommends that an Environmental Impact Statement be prepared to more completely identify and address project impacts and mitigation measures and achieve full compliance with the National Environmental Policy Act and Connecticut Environmental Policy Act.

Please contact me at (203) 820-3840 or anmobilia@yahoo.com if you have any questions or require any additional information at this time.

Sincerely,



Anthony N. Mobilia
Chairman, NHMC

ANM//GS

Enclosures

cc:

Mayor Harry Rilling
U.S. Senator Richard Blumenthal
Congressman Jim Himes
U.S. Senator Chris Murphy
State Senator Bob Duff
State Rep. Gail Lavielle
State Rep. Bruce Morris
State Rep. Chris Perone
State Rep. Fred Wilms
State Rep. Terrie Wood
Ms. Marcy Balint, CT DEEP
Mr. Mario Coppola, Norwalk Corporation Counsel
Mr. Garrett Eucalitto, Office of Policy and Management
Mr. David Fox, CT DEEP
Mr. Micheal Grzywinski, CT DEEP
Mr. Evan Matthews CT Port Authority
Mr. Pete Johnson, Chairman, Norwalk Shellfish Commission
Mr. John Romano, Acting Chairman, NHMC Application Review Committee
Mr. Frank Strauch, Norwalk Planning and Zoning Department



HARBOR MANAGEMENT COMMISSION
125 East Ave. Norwalk, Ct. 06851

December 1, 2016

**Statement of Findings and Recommendations
Concerning the Environmental Assessment/Section 4(f) Evaluation
And Environmental Impact Evaluation
For the Walk Bridge Replacement Project**

For Transmittal to the Connecticut Department of Transportation

SUMMARY:

The Norwalk Harbor Management Commission (NHMC) has reviewed the Environmental Assessment/Section 4(f) Evaluation and Environmental Impact Evaluation (EA/EIE) for the Walk Bridge Replacement Project (the Project). The EA/EIE was prepared by the Federal Transit Administration (FTA) and Connecticut Department of Transportation (DOT) pursuant to the requirements of the National Environmental Policy Act (NEPA) and Connecticut Environmental Policy Act (CEPA).

The Project calls for replacement of the 120-year old (1896) railroad bridge (Walk Bridge) over the Norwalk River and Harbor. Owned by the State of Connecticut, the Walk Bridge is a moveable bridge (swing type) that carries four tracks of the New Haven Line of the Metro North Commuter Railroad. The rail line, also owned by the state, is part of the Northeast Corridor rail line used for passenger service by the National Railroad Passenger Corporation (Amtrak) and freight service by the Providence and Worcester Railroad. The Walk Bridge swings open as needed to allow vessels of a certain size to pass up- and down-stream on the Norwalk Harbor federal navigation channel. In 2014, two operational malfunctions disrupted rail traffic and required emergency repairs by the DOT. The DOT then announced its intent to replace the bridge as part of a multi-year State of Connecticut "Transportation Vision" for rebuilding the state's transportation infrastructure.

The purpose of the NHMC's review of the EA/EIE was to consider the consistency of the document with the Norwalk Harbor Management Plan (the Plan) approved by the State of Connecticut and adopted by the Norwalk Common Council.

During a Special Meeting on November 30, 2016, the NHMC concluded that the EA/EIE fails to provide: 1) a sufficiently detailed identification and evaluation of the economic, social, and environmental costs and benefits of the Project as the Project would affect the Norwalk Harbor and waterfront; and 2) a sufficiently detailed identification of measures to mitigate unavoidable Project impacts. In addition, the NHMC is concerned that essential elements of the Project are not addressed in the EA/EIE. The NHMC believes that improper segmentation of these other elements for review purposes precludes thorough evaluation of the Project's cumulative impacts.

As a result, the NHMC finds that the EA/EIE lacks sufficient information to enable a favorable recommendation with respect to the Plan.

Further, the NHMC finds that it is unreasonable for the FTA and DOT to assert at this time, based on information included in the EA/EIE, that the Project will not have a significant impact on the Norwalk Harbor and waterfront. The DOT itself has informed the NHMC that significant Project impacts will not be known until sixty percent of Project design is completed—a milestone not expected until some point in 2017. In addition, the EA/EIE states throughout that the DOT will continue to explore mitigation opportunities for addressing Project impacts with the NHMC and other interested parties, thereby indicating that such measures currently are not fully developed. Therefore, it is the opinion of the NHMC that a Finding of No Significant Impact (FONSI) pursuant to NEPA is unwarranted and illogical at this time.

With consideration of the above concerns, the NHMC recommends preparation of an Environmental Impact Statement (EIS) to more completely identify and address Project impacts and mitigation measures. The NHMC recognizes that preparation of an EIS will delay Project implementation as currently planned by the DOT. However, the NHMC is of the opinion that the DOT's desired Project schedule should not be given more weight than the overall public interest that will be served by achieving full compliance with NEPA and CEPA requirements.

Among other recommendations, including recommendations previously provided to the DOT¹, the NHMC recommends that the DOT should provide a reasonable amount of funds to enable the City of Norwalk (the City) to retain professional services to: 1) conduct an independent evaluation of the DOT's conclusions regarding the potential impacts of the several bridge alternatives described in the EA/EIE; and 2) provide project oversight monitoring throughout the Project.

During a Special Meeting on November 30, 2016, the NHMC approved unanimously a motion to transmit its comments, findings, and recommendations to the DOT, FTA, Connecticut Department of Energy and Environmental Protection (DEEP), and Connecticut Office of Policy and Management (OPM).

In accordance with Sec. 22a-113n (b) of the Connecticut General Statutes (CGS), a recommendation of the NHMC pursuant to the Plan shall be binding on any state official making a regulatory decision or undertaking or sponsoring development affecting Norwalk Harbor, unless that official can show cause why a different course of action should be taken.

BACKGROUND COMMENTS:

1. The NHMC recognizes the vital importance of the Walk Bridge to rail transportation on the Northeast Rail Corridor, and that bridge operating malfunctions have caused locally and regionally significant disruptions of rail service. Following two operational failures in 2014, a Short Term Action Team was convened by the DOT to determine the cause of the failures and recommend repairs to make the operating system more reliable. The team's recommendations for immediate action, short-term repairs, and long-term repairs were presented in an Emergency Repair

¹ See December 2, 2015 "Outline of Preliminary Recommendations Norwalk River Railroad Bridge (WALK Bridge) Project" prepared by the NHMC.

and Reliability Report (July 17, 2014). Subsequently, the DOT announced its plans to replace the entire bridge and the DOT and Metro North have conducted a number of recommended repairs.

2. The NHMC has a significant responsibility in the environmental review and permitting process for the Project. Insofar as the Project would affect Norwalk Harbor, including the area of the harbor known as the Upper Harbor defined by the navigable waters of the Norwalk River upstream of the Walk Bridge, it is subject to review by the NHMC with respect to the Plan. (The EA/EIE incorrectly identifies the Walk Bridge as the northern boundary of Norwalk Harbor.) The NHMC's authority and responsibility to review proposals affecting the harbor are established in the CGS, Norwalk Code of Ordinances, and the Plan. C-3.1

3. The Plan was prepared by the NHMC, approved by the State of Connecticut, and adopted by the Norwalk Common Council. The Plan contains the City's goals, objectives, policies, and recommendations for safe and beneficial use of the harbor and protection of the natural harbor environment. A significant intent of the Plan, its enabling state legislation, and the Norwalk Harbor chapter of the City Code is to strengthen municipal authority and involvement in all matters affecting the harbor.

4. The Plan contains a number of provisions relevant to the Project, including but not limited to, requirements to maintain safe and efficient navigation and the viability of water-dependent uses of the harbor, as well as requirements for maintaining the congressionally authorized Norwalk Harbor Federal Navigation Project including the federal navigation channel passing beneath the existing Walk Bridge and serving water-dependent facilities in the Upper Harbor. The Plan also establishes policies and recommendations to protect environmental quality, including water quality; provide substantial public access to the harbor and along the harbor's shoreline; and protect the quality of life in areas near the harbor.

5. The State of Connecticut is exempt from local planning and zoning and other regulatory requirements. As a result, no City approvals are needed to implement the Project. However, in addition to the EA/EIE, state and federal coastal permits from DEEP and the U.S. Army Corps of Engineers will be needed. The NHMC will evaluate the applications for those permits. As required by DEEP and the Plan, all applicants for DEEP permits, including the DOT, are required to submit their project plans to the NHMC for preliminary review prior to including those plans in a formal permit application to DEEP. At such time as a public notice regarding that application is issued by DEEP or a public hearing is held, the NHMC will make a formal determination of the submitted application's consistency with the Plan. C-3.2

6. In accordance with Sec. 22a-113n (b) of the CGS, a recommendation of the NHMC pursuant to the Plan shall be binding on any state official making a regulatory decision or undertaking or sponsoring development affecting the harbor, unless that official can show cause why a different course of action should be taken. In that context, any decisions by state officials concerning the EA/EIE and subsequent DOT permit applications that are contrary to a recommendation of the NHMC must be supported by specific findings, the soundness of which can be reviewed by the Connecticut courts. C-3.3

7. Recognizing the potentially significant impacts of the Project on the harbor, the NHMC contacted the DOT early in the Project planning process. During a meeting at DOT headquarters on January 6, 2015, representatives of the NHMC informed the DOT of the NHMC's interests and authority. Based on initial discussions with the DOT and DEEP, the NHMC prepared a December 2, 2015 Outline of Preliminary Recommendations regarding the Project and transmitted that outline to the DOT and DEEP. The recommendations concerned property use and acquisition; water-dependent uses; coastal resources; navigation; construction practices; and public access. (A copy of these recommendations is attached hereto.)

8. The NHMC has reviewed the state and federal standards, established in law and regulations, concerning the NEPA and CEPA processes. Sec. 22a-1a-7 of the CGS and Sections 22a-1a-1 through 22a-1a-12 of the Regulations of Connecticut State Agencies set forth the requirements for preparing an EIE in accordance with CEPA. These requirements make clear that such an evaluation, among other things, must include a detailed statement of the cumulative, direct, and indirect effects of a proposed project, along with an analysis of the short term and long term economic, social, and environmental costs and benefits. Further, such an evaluation is to be conducted before the sponsoring agency decides whether to undertake the proposed project, and shall not be used to rationalize or justify decisions already made. Federal regulations establish the requirements of federal agencies, including the FTA, for reviewing the impacts of federally funded projects pursuant to NEPA, including requirements to avoid improper segmentation of project components during the review process.

9. During a public meeting on May 11, 2016, the DOT informed the NHMC, other City agencies, and the general public that certain impacts of the Project will not be known until the Project design has reached sixty percent of completion, a milestone not expected until the second half of 2017. Subsequently, the FTA and DOT issued the EA/EIE on September 6, 2016 for public review, and the DOT informed the NHMC that Project impacts on Norwalk Harbor that will not be known until sixty percent of design completion may be evaluated by the NHMC during the coastal permitting phase of the Project in 2017.

10. NHMC representatives have participated in numerous meetings to discuss the Project, including all public meetings and the November 17, 2016 Public Hearing convened by the DOT to hear public comments on the EA/EIE. During the Public Hearing, the NHMC Chairman provided verbal testimony and informed the DOT that the NHMC has reviewed the EA/EIE and is of the opinion that the document does not present a sufficiently detailed evaluation of the economic, social, and environmental costs and benefits of the Project. In addition, the NHMC Chairman testified that the NHMC recommends that no further action be taken on the EA/EIE until such time as an independent expert can be retained by the City to evaluate the DOT's conclusions regarding the costs and benefits of the bridge alternatives identified in the EA/EIE. The NHMC Chairman also informed the DOT that the NHMC will present a formal statement of findings and recommendations to the DOT on or before the close of the public comment period. (A copy of these verbal remarks are attached hereto.)

11. Following the November 17, 2016 Public Hearing, the NHMC continued to review the EA/EIE with consideration of the public comments and additional information presented during the hearing. During a Special Meeting of the NHMC on November 30, 2016, the NHMC unanimously approved a motion to submit its comments, findings, and recommendations to the DOT, FTA, DEEP, and OPM.

FINDINGS AND RECOMMENDATIONS:

1. The EA/EIE fails to provide sufficient detail on Project impacts and mitigation measures. The NHMC finds that the EA/EIE fails to: 1) provide a sufficiently detailed identification and evaluation of the economic, social, and environmental costs and benefits of the Project as the Project would affect the Norwalk Harbor and waterfront over the anticipated bridge construction period of 40 to 47 months;² and 2) provide a sufficiently detailed identification of measures to mitigate unavoidable Project impacts

C-3.4

For example, with respect to construction impacts, the NHMC is concerned that:

(1) All conceptual construction sequences include a step to “float in” elements of the new bridge structure, yet there is no discussion of any requirements for in-water and/or waterfront staging areas and impacts to accomplish this;

(2) The EA/EIE acknowledges adverse effects to marine users and water-dependent facilities during construction and notes that mitigation will be “varied and developed on a case-by-case basis,” thereby indicating that mitigation strategies are not developed at this time;

(3) The EA/EIE acknowledges that construction impacts will affect the Maritime Aquarium and include relocation and modifications to existing outdoor exhibits, and that the DOT will continue to work with the City and Aquarium to determine the economic effects of the impacts and develop appropriate mitigation measures, thereby indicating that the effects are currently not known and that mitigation strategies are not developed at this time;

(4) The discussion of water quality impacts and mitigation measures does not propose a pre-construction water quality sampling program to establish a baseline of water quality conditions as previously recommended by the NHMC, nor does it propose an on-going program to monitor water quality conditions during construction;

(5) The EA/EIE acknowledges that displacement of existing water-dependent uses will occur, including displacement of an existing marina, the Sheffield Island ferry service, and Maritime Aquarium research vessel, and that the DOT will continue to explore mitigation opportunities, thereby indicating that mitigation strategies for the planned displacement are not developed at this time;

(6) The EA/EIE acknowledges that construction noise and vibration may adversely affect living exhibits in the Maritime Aquarium and fish living/migrating in the Norwalk River and will develop mitigation measures in consultation with the Aquarium, DEEP, and National Marine Fisheries Service as design progresses, thereby indicating that mitigation strategies are not developed at this time;

² The EA/EIE describes an estimated duration of 40 to 47 months—measured from start of Walk Bridge construction to restoration of four-track rail service and full operational capability for marine traffic—for the three design options for the preferred bridge replacement alternative. Previously, the DOT had informed the NHMC that Project duration was estimated to be four to five years.

(7) While the EA/EIE asserts that generally there will be no effect on, or disruption to, local public utilities during construction, the EA/EIE also acknowledges that eight Eversource Energy electric transmission lines must be relocated before bridge construction commences, but the impacts of that relocation, made necessary by the Project, are not addressed (see no. 2 below); and

C-3.4
(cont.)

(8) the EA/EIE acknowledges that as Project design progresses, property impacts will continue to be refined and that the contractor may opt to use other and/or additional parcels for construction staging, access, and/or equipment storage, and as a result the full extent of waterfront impacts are currently not known.

2. The EA/EIE improperly segments elements of the Project. The NHMC is concerned that essential elements of the Project without independent utility have been improperly segmented for review purposes, thereby precluding thorough evaluation of the Project's cumulative impacts.

C-3.5

Described by the DOT, two other DOT projects must be conducted in advance of the Project to facilitate railroad operations and minimize impacts to passenger rail service. These are called the CP243 Interlocking project on the mainline between South Norwalk and Westport and the Danbury Branch Dockyard Electrification project on the lower Danbury Branch Line in Norwalk. In addition to track realignment and other work, the CP243 Interlocking project includes installation of a submarine fiber optic cable crossing of the Norwalk River just upstream of the Walk Bridge. Although these other DOT projects are made necessary by the Project, their potential impacts are not addressed in any detail in the EA/EIE. The DOT is also proceeding with designs for replacement and rehabilitation of the nearby East Avenue and Osborne Avenue bridges to be scheduled concurrently with the Project.

In addition to the above-mentioned DOT projects, the Project will require relocation of the eight existing Eversource Energy electric transmission lines currently carried on two high towers over the bridge and harbor. This relocation is a significant indirect effect of the Project on the harbor but is not addressed in the EA/EIE other than to say that Eversource Energy will be responsible for relocating the lines and for the associated environmental evaluations and permits. In addition to uncertainties regarding Project impacts, the timing of the Eversource and DOT projects is unclear. The EA/EIE indicates that Walk Bridge construction would begin in April 2018. Information provided by Eversource Energy to City agencies and officials indicates that construction to relocate the electric transmission lines, including a submarine cable crossing of Norwalk Harbor, would begin in the second half of 2019.

3. The EA/EIE lacks sufficient information to enable a favorable recommendation with respect to the Plan. Absent additional information on Project impacts, including impacts affecting water-dependent uses, water quality, public access to and along the harbor, and the quality of life in areas near the Walk Bridge, as well as additional discussion of mitigation measures, the NHMC is not able to determine the Project's consistency with the Plan, including the following Plan provisions.

C-3.6

- *Objective 3.1. Maintain and enhance opportunities for recreational boating and boating-related uses of the Harbor; support the continued operation, enhancement, and expansion of public, private, and commercial boating facilities, including marina, boatyard, and boat launching facilities, consistent with public needs and environmental protection objectives.*

Objective 4.1 Encourage and support the development and continued operation of truly water-dependent land uses (including boat service facilities and commercial port facilities), as distinguished from nonwater-dependent and water-enhanced uses.

C-3.6
(cont.)

(The NHMC is concerned about the Project's impact on existing recreational boating and commercial port facilities, including facilities upstream of the Walk Bridge and facilities located on properties acquired or otherwise utilized by the DOT for construction purposes.)

- *Objective 5.5 Achieve and maintain the highest reasonably attainable quality of surface water in the Harbor.* (The NHMC is concerned that the EA/EIE does not propose a pre-construction water quality sampling program to establish a baseline of water quality conditions, nor does it propose an on-going program to monitor water quality conditions during construction.)
- *Objective 7.3 Encourage and support water-based tourism activities and the associated economic, recreational, and other benefits of those activities in Norwalk.* (The NHMC is concerned about the Project's impact on the viability of the Maritime Aquarium, southwest Connecticut's principal tourism attraction and a facility providing substantial opportunities for public access to the harbor. Potential impacts on visitorship and living exhibits are not identified in the EA/EIE. In addition, the EA/EIE does not provide for the necessary relocation of the nearby docking facilities used by the Aquarium's research vessel and the Norwalk Seaport Association's Sheffield Island ferry service.)
- *Objective 10.1 Maintain and where feasible improve existing water access areas, including publicly owned properties and City-owned street ends, for beneficial public use.* (The NHMC recognizes that the EA/EIE identifies Project-related opportunities for improvements to the Norwalk River Bikeway and Linear Park along both banks of the Norwalk River in the vicinity of the Walk Bridge. However, the NHMC is concerned that the potential loss of public access opportunities from the City-owned Maritime Aquarium property is not addressed in the EA/EIE.)
- *Policy 1.7.1. All bridges crossing navigable water in Norwalk Harbor should be operated and maintained to avoid or reduce the potential for any significant adverse impacts on navigation, public safety, environmental quality, or any other beneficial uses and conditions in the Harbor.*

Policy 1.7.2. Any plans for bridge construction, replacement, or maintenance should be designed, reviewed, and implemented in compliance with all applicable State and Federal regulations and in a manner to avoid or minimize adverse impacts on beneficial uses and conditions in Norwalk Harbor.

(The NHMC is concerned that absent a more detailed identification and evaluation of the economic, social, and environmental costs and benefits of the Project, the NHMC cannot be reasonably assured that significant adverse impacts will be avoided or adequately mitigated.)

- *Policy 5.5.1 Activities in Norwalk Harbor and use and development of the waterfront should be carefully planned, reviewed, and regulated to avoid adverse impacts on the quality of life in waterfront neighborhoods.* (The NHMC is concerned about the construction impacts of the Project, not identified in any detail in the EA/EIE, on the South Norwalk Historic District

and other waterfront locations, including impacts on businesses that serve to enhance the vitality and attractiveness of the harbor and waterfront.)

C-3.6
(cont.)

4. An EIS should be prepared to more completely identify and address Project impacts and mitigation measures. The DOT has informed the NHMC and the public that the extent of Project impacts will not be known until the Project design has reached sixty percent of completion, a milestone not expected until some point in 2017. As described throughout the EA/EIE, the DOT will continue to explore mitigation opportunities for addressing Project impacts, thereby indicating that Project mitigation measures currently are not fully developed. The NHMC therefore concludes that it is unreasonable to assert, based on information included in the EA/EIE, that the Project will not have a significant impact on the Norwalk Harbor and waterfront. Accordingly, it is the opinion of the NHMC that a FONSI pursuant to NEPA is unwarranted and illogical at this time.

C-3.7

As a result of the above considerations, the NHMC recommends preparation of an EIS to more completely identify and address Project impacts and mitigation measures. The NHMC believes that the EIS will aid in designing the most cost-effective, least environmentally damaging Project.

Although the NHMC recognizes that preparation of an EIS will delay Project implementation as currently planned by the DOT, the NHMC is of the opinion that the DOT's desired Project schedule should not be given more weight than the overall public interest that will be served by achieving full compliance with NEPA and CEPA requirements.

5. Project funds should be allocated to enable the City to retain professional services to assist with Project review and management. Insofar as the Norwalk Department of Public Works does not have the personnel and expertise to evaluate and monitor all aspects of the proposed Project, the NHMC recommends that an independent expert or experts be retained by the City to: 1) evaluate the DOT's conclusions regarding the potential costs and benefits associated with the several bridge alternatives described in the EA/EIE; and 2) serve as a Project Oversight Monitor during the course of the Project with specific responsibilities for protecting the rights and interests of the City. The cost of these recommended services should be part of the DOT's Project cost.

C-3.8

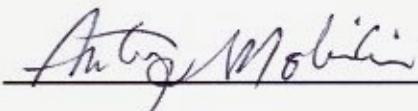
6. The DOT should evaluate use of the Norwalk Visitor's Dock for relocation of displaced research and tourism vessels. To mitigate the adverse impacts to existing water-dependent uses caused by relocation of the Maritime Aquarium's research vessel and the Norwalk Seaport Association's Sheffield Island ferry service, the DOT should give consideration to opportunities for enhancement of the Norwalk Visitors' Dock and other water access facilities at the City's Veteran's Memorial Park. As previously recommended by the NHMC (see below), such enhancements should be considered for the purpose of relocating these vessels during Project construction. The NHMC recommends that the DOT should participate in discussions with the Norwalk Recreation and Parks Department and NHMC to evaluate opportunities for enhancement of the public boating facilities using Project funds and ensure that pursuit of any feasible opportunities are coordinated with ongoing implementation of the Recreation and Parks Department's ongoing implementation of the Veteran's Park Master Plan.

C-3.9

7. The HMC's construction-related recommendations, previously provided, should be re-considered by the DOT. In addition to the above-stated recommendation to consider enhancement of the Visitor's Dock, the DOT should re-consider the other recommendations previously provided by the NHMC to the DOT in the December 2, 2015 "Outline of Preliminary Recommendations Norwalk River Railroad Bridge (WALK Bridge) Project," including, but not limited to, recommendations concerning: a) establishing a pre-construction sampling program to establish a baseline of water quality conditions and inclusion of an ongoing water quality monitoring program during construction; b) conducting a pre-construction survey of the Norwalk Harbor federal navigation channel to establish a baseline of channel conditions to be restored, as necessary, following completion of the Project; and c) completion of the Norwalk River Bikeway and Linear Park along both banks of the Norwalk River in the vicinity of the bridge.

C-3.10

The undersigned, Chair of the Norwalk Harbor Management Commission, does hereby certify that the foregoing statement of findings and recommendations was approved by a vote of the Commission on November 30, 2016



Anthony N. Mobilia, Chair
December 1, 2016



Public Hearing comments are
annotated as part of the Public
Hearing Transcript (T)

HARBOR MANAGEMENT COMMISSION

125 East Ave. Norwalk, Ct. 06851

**FOR PRESENTATION BY THE CHAIRMAN
DURING THE NOVEMBER 17, 2016 PUBLIC HEARING**

1. The Norwalk Harbor Management Commission recognizes the vital importance of the WALK Bridge to rail transportation. We also recognize that the project will have significant impacts on Norwalk Harbor.
2. The Commission has a significant responsibility in the review and permitting process for the Project which must be reviewed with respect to the Norwalk Harbor Management Plan. The Commission's authority and responsibility to review proposals are established in the Connecticut General Statutes, Norwalk Code of Ordinances, and the Plan.
3. The Harbor Management Plan contains a number of provisions relevant to the Project, including requirements to maintain safe and efficient navigation and protect the harbor's water-dependent uses, as well as requirements for maintaining the congressionally authorized federal navigation channel. The Plan also establishes policies and recommendations to protect environmental quality, including water quality; provide substantial public access to the harbor; and protect the quality of life in areas near the harbor.
4. In accordance with the General Statutes, a recommendation of the Harbor Management Commission pursuant to the Harbor Management Plan shall be binding on any state official making a regulatory decision affecting Norwalk Harbor, unless that official can show cause why a different course of action should be taken.
5. The Commission has reviewed the DOT's Environmental Assessment/Environmental Impact Evaluation for the Project and is of the opinion that the document does not present a sufficiently detailed evaluation of the economic, social, and environmental costs and benefits of the project.
5. For example, the Commission is aware that the Project will require relocation of the eight existing Eversource Energy electric transmission lines currently carried on two high towers over the bridge. This relocation is a significant effect of the Project on the harbor but is not addressed in the document.

6. The Commission recommends that the DOT, DEEP, and the Office of Policy and Management take no further action on the Environmental Document until such time as:
 - 1) an independent expert, retained by the city, completes an evaluation of the DOT's conclusions regarding the potential costs and benefits associated with the bridge alternatives described in the document; and
 - 2) the Harbor Management Commission and other city agencies review the expert's evaluation and provide comments accordingly to the DOT, DEEP, and OPM. The cost of this necessary third-party review should be part of the DOT's project cost. If necessary, the public comment period for the document should be extended for a reasonable period of time to accommodate the expert's evaluation and the Commission's subsequent comments.
7. The Commission will present a formal statement of findings and recommendations to the DOT on or before the close of the public comment period.



HARBOR MANAGEMENT COMMISSION

125 East Ave. Norwalk, Ct. 06851

December 2, 2015

OUTLINE OF PRELIMINARY RECOMMENDATIONS NORWALK RIVER RAILROAD BRIDGE (WALK BRIDGE) PROJECT¹

Prepared By:
Norwalk Harbor Management Commission

For Submittal To:
Connecticut Department of Transportation
Connecticut Department of Energy and Environmental Protection

In 2015, the Connecticut Department of Transportation (CT DOT) is preparing plans for replacement of the Norwalk River Railroad Bridge (WALK Bridge) over Norwalk Harbor. This multi-year project is expected to have significant short- and long-term impacts on the use and condition of the harbor and waterfront.

A number of state and federal coastal permits will be required to implement the WALK Bridge Replacement Project (the Project). The Norwalk Harbor Management Commission (NHMC) has a significant role in the permitting process. Based on its authority and responsibilities set forth in the Connecticut General Statutes and Norwalk Code, the NHMC is required to review all proposals affecting the real property on, in or contiguous to Norwalk Harbor and respond in a timely manner with recommendations to the appropriate regulatory agencies. This review is for the purpose of determining a proposal's consistency with *The City of Norwalk Harbor Management Plan* (Harbor Management Plan) duly approved and adopted by the State of Connecticut and the Norwalk Common Council, respectively.

The Harbor Management Plan contains a number of provisions relevant to review of the Project. These include requirements to maintain safe and efficient navigation and the viability of water-dependent facilities, along with the Plan's provisions to protect environmental quality during construction projects that may affect the harbor. As required by the Connecticut Department of Energy and Environmental Protection's Office of Long Island Sound Programs (DEEP OLISP) and the Harbor Management Plan, all applicants for DEEP OLISP permits are required to submit their project plans to the NHMC for preliminary review prior to including those plans in a formal permit application to the DEEP OLISP. At such time as a public notice regarding that application is issued or a public hearing is held, the NHMC will make a formal determination of a proposal's consistency with the Harbor Management Plan.

¹ During its meeting on November 18, 2015, the Norwalk Harbor Management Commission approved a motion to transmit this statement of preliminary recommendations concerning the WALK Bridge replacement project to the Connecticut Department of Transportation and Connecticut Department of Energy and Environmental Protection.

A Bridge Committee of the NHMC has been formed specifically to be the first point of local contact for CT DOT and its contractors on matters concerning the Project's impact on Norwalk Harbor, with the exception of emergency situations requiring immediate response by the Norwalk Police and Fire Departments. Based on initial discussions with CT DOT and the DEEP OLISP, the Bridge Committee has prepared the following statement of preliminary recommendations for transmittal to CT DOT and DEEP OLISP. The recommendations concern: property use and acquisition; water-dependent uses; coastal resources; navigation; construction practices; and public access.

As the planning and coastal permitting process proceeds, the NHMC will provide additional and more formal statements of comments and recommendations with respect to the Project and Harbor Management Plan.

1.0 Property Use and Acquisition

- 1.1 Regarding CT DOT access to the bridge for construction purposes, CT DOT should give additional consideration as to whether to purchase/condemn properties of water dependent and water-enhanced businesses or lease the affected properties from the property owners for the duration of the Project. Under the latter approach, property owners who agree to be temporarily relocated by CT DOT would have the option of returning to their properties upon project completion without having to buy back their properties from CT DOT. C-3.11
- 1.2 As a possible alternative to construction-related use of some of the properties now slated for acquisition by CT DOT on the south side of the railroad line in the Liberty Square area, including properties currently supporting water-dependent and water-enhanced businesses, CT DOT should evaluate opportunities for using City of Norwalk properties on the north side of the bridge in the vicinity of the Norwalk wastewater treatment plant. To the extent feasible, consideration should be given to possible use of the city's yard waste area and other Department of Public Works (DPW) properties. C-3.12
- 1.3 CT DOT should clarify its plans for construction-related use of properties in the Norwalk Marine Commercial District along South Water Street, south of the Route 136 Bridge. C-3.13
- 1.4 Consideration should be given to use of the decommissioned power plant site on Manresa Island as a construction staging and business relocation area, consistent with all applicable municipal land-use requirements. C-3.14

2.0 Water-Dependent Uses

- 2.1 Following completion of the Project, the harbor should be returned to its pre-construction conditions without any loss of water-dependent uses or significant adverse impacts on navigation conditions. C-3.15
- 2.2 CT DOT should investigate the need for relocation of the Seaport Ferry and Maritime Aquarium Research vessels for the duration of the Project and, if relocation is necessary, investigate feasible relocation sites for continuation of the normal operations of these vessels. Consideration should be given to relocating the vessels to the Norwalk Visitors Dock area and other suitable locations. C-3.16

2.3 A feasible plan should be developed and implemented for relocation of the rowing club and marina now operating on the east side of the river between the railroad and Route 136 bridges to ensure no short-term or long-term loss of existing water-dependent uses. With respect to the rowing club, consideration should be given to temporary relocation to other suitable locations. Some possible locations to be investigated should include City parks such as Veteran's Park and Calf Pasture Beach, and the now-closed Ascension Beach Club. C-3.17

2.4 River traffic, including recreational boating and commercial barge traffic to the upper harbor, should be able to continue during construction. CT DOT should consider building a "pass-through" docking facility just upstream of the railroad bridge from which a small tug can operate to push barges upstream that are passed under the bridge when the bridge cannot open. C-3.18

2.5 CT DOT should provide for continuation of the existing boat storage and repair facility on the west side of the upper harbor, including continuation of storage and repair of tall-masted vessels. C-3.19

2.6 An effective plan for maintaining safe rowing activities during the Project should be prepared and implemented with input from the affected rowing clubs. C-3.20

3.0 Coastal Resources

3.1 A feasible plan should be developed and implemented for mitigating adverse impacts caused by the Project on coastal resources, including tidal wetlands, intertidal flats, shellfish resources, and water quality. Regarding water quality, CT DOT should a) undertake a pre-construction sampling program to establish a baseline of water quality conditions, and b) monitor water quality conditions during construction. All appropriate Best Management Practices (BMPs), including but not limited to, silt curtains and containment booms, should be planned by CT DOT and approved by OLISP. C-3.21

3.2 Methods of dredging and dredged material disposal should be evaluated by CT DOT during the Project's design phase, including planning for a possible Confined Aquatic Disposal (CAD) area for disposal of any contaminated dredged material not suitable for open water disposal in Long Island Sound. C-3.22

3.3 To mitigate adverse impacts on intertidal areas, consideration should be given to enhancement of tidal wetlands adjoining Oyster Shell Park C-3.23

4.0 Navigation

4.1 CT DOT should be responsible for a pre-construction survey of the Norwalk Harbor federal navigation channel, including the entrance channel providing access to the bridge for construction equipment. This survey should establish a baseline of channel conditions to be restored, as necessary, following completion of the Project. No work barges should be permitted to sit on the bottom during any tide cycle; any adverse impacts on channel dimensions, including navigable depth, caused by work barges and other waterborne equipment should be corrected by CT DOT. C-3.24

4.2 The Route 136 and WALK bridges should be operated in coordination with each other throughout the Project to accommodate vessel traffic in the most efficient manner. C-3.25

5.0 Construction Practices

5.1 An emergency communications system including the Norwalk Police and Fire departments should be established similar to the system employed during the recent harbor dredging projects. C-3.26

5.2 All construction debris should be removed from the harbor and waterfront in a timely manner during construction and following completion of the Project. C-3.27

5.3 All underwater utilities should be properly identified and all appropriate care taken to avoid utility disturbance. C-3.28

6.0 Public Access

6.1 In coordination with the Project, opportunities for completion of the Norwalk River Bikeway and Linear Park along both banks of the Norwalk River in the vicinity of the bridge should be evaluated, including evaluation of: a) construction of a bikeway/walkway on the west side of the river to link the Maritime Aquarium on the north side of the bridge to the Imax Theater deck on the south side; b) construction of a bikeway/walkway on the east side of the river linking the existing walkway at the wastewater treatment plant to the marina property on the south side of bridge; and c) connection of the bikeway/walkway to Route 136. C-3.29

6.2 In coordination with the Project, consideration should be given to opportunities for improvements to the existing walkway adjoining the river at the wastewater treatment plant. C-3.30

6.3 Interpretive signage with information on the history and environment of the Norwalk River and Harbor, similar to the signage at Veteran's Park and the Heritage Park walkway, should be provided to enhance public use and enjoyment of the Bikeway and Linear Park in the vicinity of the railroad bridge. C-3.31

6.4 Consideration should be given to opportunities for enhancement of the Norwalk Visitor's Dock and other water access facilities at Veteran's Park to temporarily accommodate the Maritime Aquarium and Seaport Association vessels during construction and to mitigate the temporary loss of water-dependent facilities during the Project. C-3.32

End



DEPARTMENT OF PUBLIC WORKS

June 8, 2016

John D. Hanifin
 Transportation Supervising Engineer
 Walk Bridge Program Office
 424 Chapel Street
 New Haven, CT 06511

Re: Walk Bridge Replacement Program (#301-0176)
 Design Review Committee – Preliminary Comments

Dear Mr. Hanifin:

As a follow-up to our May 3, 2016 meeting where representatives of the Connecticut Department of Transportation (CTDOT) and the City of Norwalk met to conduct an overall review of the Walk Bridge Program prior to the Public Information Meetings scheduled the following week. During that meeting, Norwalk indicated it would be formalizing a Design Review Committee (DRC) for the program and subsequently submitting comments for consideration and inclusion in the Walk Bridge replacement projects. The DRC met on May 20, 2016 and has the following comments on the information primarily provided during the Public Information Meeting on May 11th as the current design plans in Norwalk's possession are from March 2016 and are outdated.

From various meetings on the replacement program, although not specifically decided, the 240-foot through truss vertical lift span bridge type appears to be the preferred option by the CTDOT and its designers and construction manager. The DRC concurs with the selection of the main lift span and offers the following remarks on behalf of the Norwalk community:

C-4.1

1. East & West-Side Approach Spans – The west-side approach span over North Water Street is of enormous historical importance to the City of Norwalk. The lacy steel truss work of the railroad bridges and catenary's are iconic elements in the South Norwalk Landscape that speak eloquently of this community's industrial history. The juxtaposition of these rail works and the historic mercantile buildings of the historic district, in combination with the Maritime Aquarium, have branded this neighborhood as a major tourist destination, and historic resource. The DRC strongly objects to the girder style bridge types being proposed for this span. In lieu of the (presumed) deck girder bridge, the committee unanimously suggests a through truss on the west-side as this area is of important historical and architectural significance and a through truss more closely mitigates the environmental impact of this replacement project in this

C-4.2

area. Likewise, for balance, the DRC requests the same through truss on the east-side approach. The conceptual “dressed up” girder options shown at the Public Information meeting are not acceptable substitutes to replace the demolished North Water Street bridge and not in keeping with the historic community’s vision for this area. The DRC also feels that the mass added to the bridge by including a through truss on the east and west approach will help mitigate the overall loss of the iconic high towers being demolished to accommodate the bridge’s construction.

C-4.2
(cont.)

2. North Water Street New Piers – The DRC understands that new piers must be constructed on the east and west sides of North Water Street to facilitate bridge replacement. The DSC does not object to the piers, but will be providing comments in the near future on the aesthetics and programming requirements being evaluated by the City’s Office of Economic Development/Redevelopment Agency. Water Street plays a vital role in connecting The Maritime Aquarium and the Maritime Garage, which is the district’s primary parking resource, on the north side of the bridge, with the historic district on the south side. The potential use of the land to the west side of Water Street as parking for DOT personnel is inappropriate, given the importance of that connection. The large brownstone blocks that support the bridge structure are also a significant part of the historic fabric of the place, and their potential removal would be a loss.
3. If there are any limitations as to how this space can be used, please forward them to my attention as soon as possible and I will distribute to the DRC.
4. Structure & Finishes – The DRC’s initial reaction to the main span design, in particular the vertical lift, is the towers should be “as light as possible” in appearance and mass. There is a desire to expose the mechanics of the bridge’s operation and make the inner workings visible. All bridges and structures, with the possible exception of the East Avenue bridge should be ASTM Grade A709 50WA588 (weathered steel) finish. The committee will be requesting additional finishes related to bridge lighting, the control tower, and possible high tower relocation as the project progresses.
5. Fort Point Bridge – The DRC concurs with Mayor Rilling’s March 26, 2016 letter to Commissioner Redecker that the Fort Point Bridge be replaced in accordance with the 30% design plans dated March 11, 2016 prepared by HNTB which includes a much-needed sight line improvement at the intersection of Fort Point and South Smith Streets.
6. Connectivity/Transit Oriented Development – The DSC has reviewed the 60% Danbury Dockyard plans and would like the CTDOT to evaluate the feasibility of including a train stop platform as part of this project. There is a potential location for a 4-car train platform that could be located just north of Science Drive by the back side of Stepping Stones. This would service developments on both the north and south sides of I-95.

C-4.3

C-4.4

C-4.5

C-4.6

C-4.7

The DRC and City of Norwalk are providing these early comments to the Walk Bridge program team to assist with streamlining the State Office of Historic Preservation's environmental review process by providing the community's desired mitigation measures for this historic project. The DRC requests that the bridge design be great, in that it makes South Norwalk a better place. The Brooklyn Bridge, the Golden Gate Bridge, and the Zakim Bridge (Boston) are examples of infrastructure projects that have positively contributed to their communities. Norwalk deserves no less. The City of Norwalk and its representatives on the review committee look forward to continuing this dialogue throughout the project for the benefit of all involved.

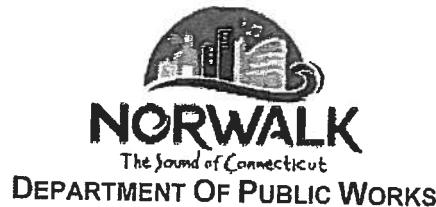
C-4.8

Sincerely,



Lisa Burns, PE
Principal Engineer

c: Mayor Harry Rilling via e-mail
James Fallon, CTDOT via e-mail
Design Review Committee Members (via e-mail):
Elizabeth Stocker, ACIP
Bruce Chimento, PE
Tim Sheehan
Susan Sweitzer
Bruce Beinfield, FAIA
Kim Morque
David Westmoreland, LA
Eric Raines, LA
Mandy Ranslow, Office of Environmental Planning, CTDOT



December 1, 2016

Mr. Mark W. Alexander
 Connecticut Department of Transportation
 Bureau of Policy and Planning
 2800 Berlin Turnpike
 Newington, CT 06111

c/o Mario F. Coppola
 Corporation Counsel
 City of Norwalk
 P.O. Box 798
 125 East Avenue
 Norwalk, CT 06856

Re: Walk Bridge Replacement Project
 Environmental Assessment / Environmental Impact Evaluation Comments

Dear Mr. Alexander:

The City of Norwalk Department of Public Works (DPW) has thoroughly reviews the Environmental Assessment / Environmental Impact Evaluation (EA/EIE) prepared for the Connecticut Department of Transportation (CTDOT) dated August 2016 for replacement of the Walk Bridge.

DPW is commenting on areas specific to our department's oversight only although the department deeply echoes comments made by others at the November 2016 Public Hearing that the EA/EIE does not recognize or acknowledge all of the construction and development activities going on within the City of Norwalk concurrent with the Walk Bridge program construction. The Walk Bridge EA/EIE only analyzes the impacts of the discrete Walk Bridge construction, Fort Point Bridge replacement, and iconic high tower demolition. It does not include impacts from the directly-required high tower line replacement (a \$20 million dollar project), the Osborne Avenue bridge replacement, East Avenue bridge replacement and roadway projects, Ann Street bridge replacement, electrification of the Danbury rail line from Washington Street to Jennings Place Crossing, or the rail improvements taking place from Norden Place to the Westport line. All of these components comprise one total project—the Walk Bridge's construction. The Norwalk DPW notes that this is also by the CTDOT as there is one special "Walk Bridge" team for engineering, program management and construction management for all of the aforementioned projects. The EA / EIE needs to include these projects to correctly determine human environmental impacts, despite the DOT and FTA's determinations that these other projects can be 'Categorically Excluded'. In addition, the EA / EIE document needs to appreciate, or at least mention, the hundreds of millions of dollars of other construction projects going on within the City by means of both private and public development. The EA/EIE is devoid of this information.

C-5.1

Other areas where the EA/EIE did not go far enough or adequately address impacts are:

Water Quality—The EA states that the Norwalk River is an impaired water body. The EA/EIE only provides cursory pre- and post-construction impacts and mitigation measures. No water quality improvements have been proposed for a project with a 100 year design life. Additional flows are proposed to the City of Norwalk stormwater pump station on North Water Street also with no water quality improvements. The City of Norwalk has several water quality guidelines and drainage standards that are imposed at even the homeowner level, that are not included in the EA/EIE or 90% design plans submitted for 2 of the early release projects (Danbury Dockyard and CP243). Further, additional storm flows are being proposed into already overburdened waterways, with no downstream impacts having been analyzed.

C-5.2

Public Utilities & Service—The EA states that no public utilities will be impacted by the Walk Bridge construction project. It is impossible to believe that a project of this magnitude will have no public utility impacts. For example, the high tower demolition with the electric transmission lines will have no impact on public utilities? Additional flows to the stormwater pump station will have no public utility impacts? Temporary property acquisition at the wastewater treatment plant is not a public utility impact?

C-5.3

The utility test pit program in itself currently being performed over the next 7 weeks in Norwalk (with traffic and infrastructure impacts) certainly indicates that there will be public utility impacts.

Traffic—We have had an on-going dialogue with the CTDOT about the City's concerns about traffic. The Traffic, Transit and Parking section of the EA/EIE is about two-thirds of one page for all three topics. It is obvious that the traffic section of the EA/EIE is inadequate and it also conflicts with the socioeconomic section of the document.

C-5.4

Pedestrian & Bicycle Facilities—Existing conditions do not reference Norwalk's plans to continue the Norwalk River Valley Trail (NRVT) or Harbor Loop Trail along the west-side—along the water—of the trail. The City has provided the CTDOT with its plan to route the trail in that location. The CTDOT has stated verbally that "permits would be hard to get" to accomplish this plan. The City of Norwalk subsequently provided documents to CTDOT from the Connecticut Department of Environmental & Energy Protection (DEEP) stating that it would not be an issue to get permits. The EA/EIE does not even mention this route or identify the permit needed to construct, nor does it show on the mitigation plan. This NRVT route seems to be intentionally left out of the document. Even if the CTDOT does not want to construct it as part of the project, it should be included in the EA/EIE as an existing condition.

C-5.5

Property Acquisition—With regard to DPW controlled parcels listed in the property acquisition sections of this document for both temporary and permanent easements—the EA/EIE does not take into account land use restrictions on certain parcels and it states that, in some instances, there are no displaced permanent uses, when in actuality there are.

C-5.6

The Department of Public Works respectfully requests that a Finding of No Significant Impact is not issued until at the very least, the EA/EIE is revised and expanded upon to include these concerns and is prepared with outreach to all constituency groups to accurately understand the community impacts.

C-5.7

Sincerely,



Lisa Burns, PE

Principal Engineer

NORWALK DEVELOPMENT AGENCY

CHAIRMAN
Felix Serrano

COMMISSIONERS
Lori Torrano
Lisa M. Cooper
La Tanya Langley
Thomas Devine

EXECUTIVE DIRECTOR
Timothy T. Sheehan

December 2, 2016

Mark W. Alexander
Transportation Assistant
Planning Director
2800 Berlin Turnpike
Newington, CT 06111

Re: Comments on the Walk Bridge Replacement Project
Environmental Assessment/Environmental Impact Evaluation

Dear Mr. Alexander:

The Norwalk Redevelopment Agency supports the Walk Bridge being replaced. However, the project Environmental Assessment (EA) and Environmental Impact Evaluation (EIE) do not sufficiently quantify the significant impacts associated with this project that either are or could be detrimental to the quality of the human environment immediately surrounding the project. Given that the Redevelopment Agency has worked for over six decades to improve Norwalk's urban context, it is particularly concerned with the socioeconomic impacts that this mammoth public infrastructure project will have on the residents and businesses in the SoNo neighborhood.

C-6.1

SoNo is defined by its strong community of multi-family housing and small businesses. Some of these establishments and housing units have served the neighborhood for generations. The locally owned and operated restaurants, bars, beauty salons, florists, jewelry stores, studios, art galleries and the Norwalk Aquarium give this neighborhood a unique character that is essential to Norwalk's regional sense of place. While SoNo is strong in character, its economic underpinnings are fragile. The negative impacts to livability and business attributable to a development of this magnitude, if not appropriately planned for, will be devastating to SoNo.

These community impacts are foreseeable and can be planned for; yet neither the EA nor EIE has fully considered the totality of such impacts or put forth mitigation plans to address them. This points to a serious deficiency in the project planning process which, if left unaddressed, will exacerbate the extent and effect that the negative project impacts will have on businesses and residents during construction. To prevent this from occurring, an Environmental Impact Statement (EIS) must be undertaken. The EIS will more closely

C-6.2

review and consider all the related project impacts, assess their significance and develop appropriate mitigation strategies. | C-6.2 (cont.)

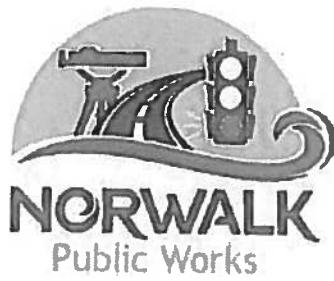
Government developing construction mitigation plans and providing assistance to businesses and residents in the path of large-scale transit projects is not an uncommon occurrence throughout the United States and should not be foreign to the state of Connecticut. | C-6.3

Mitigation plans are usually devised with the input of community members and business owners and put into place before the project starts. To prepare an effective mitigation plan, however, a complete assessment of the project related impacts is required. The documentation developed by CTDOT to date is insufficient in this regard. Given the scale of this project and its potential impact on SoNo, an EIS is required by the City and this project should not be allowed to advance without it. The information obtained through the EIS process will assist the DOT, City and those who will be negatively impacted by this project to better understand alternative approaches, and plan appropriate mitigation measures to ensure that SoNo is not made a State construction site for more than three years and that impacted businesses and residents are not left on their own to deal with the resulting economic isolation. | C-6.2 (cont.)

Sincerely,



Timothy T. Sheehan,
Executive Director



Good evening, I am Bruce Chimento, Director to Public Works. As Director my duties encompass all aspects of Public Works, including engineering, and construction management. The Department reviews all plans, reports, and submittals, both public and private that take place in the City. Currently we are handling 90 plus items in various stages, from concepts, to initial plans, to construction. In the coming years, the DOT will have some 20 projects which we will be involved with (this does not include the Walk Bridge). Add to that 9 large private development projects including GGP the SONO Collection Mall and various other projects, keeps us pretty busy, if not overwhelmed. I have asked and it has been rejected, to get funding for us to have consultants on hand to review the reports (EA/EIE or an EIS), plans and specifications for the Walk Bridge Project. It is inconceivable that a project of this magnitude can't come up with funding for the City to help with the review and construction management. We do not have the staff or the money to handle all of the necessary reviews.

C-7.1

As to the construction impacts to the City, we need to see and review the traffic studies that take into account the traffic routing and road closures in the central business district and various roads leading to and through Norwalk. The business impacted by these road closures could be severe.

C-7.2

It is most important that the end result of the new Walk Bridge be community friendly and be part of the urban landscape that can be used by the public. We have a valuable resource in the river and harbor waterways and the project should encourage public use of this resource. Pathways, park areas and walking and bike paths are necessary to make full use of the beautiful harbor. Continuation of the Norwalk River Valley Trail and the Harbor Loop trail should be an important part of the project. Studies starting in 1970's show the trails along the western side of the river under the Walk Bridge connecting at the Stroffolino Bridge. This segment along the river behind the Maritime Aquarium includes a raised wooden boardwalk which will afford the public wonderful views of the harbor and river and complete the Norwalk River Valley Trail from Danbury. The Eastern segment (Harbor Loop Trail) runs from the WPCA Plant under the new bridge connecting with Constitution Park at the Stroffolino Bridge. Again this would lead to public enjoyment of the waterfront on the eastern side of the river.

C-7.3

The Department of Public Works supports these trail segments under the new Walk Bridge, partially on the river bank and raised boardwalk over the water where necessary on both sides of the river. Completing the regional Norwalk River Valley Trail and the Harbor Loop Trail will surely increase property values on both sides of the river including all of our downtown SONO development including restaurants and residences. It would fulfill many of the specific goals listed in master plans and studies that have been completed in the last several years including the Norwalk Master Plan of Conservation and Development.

C-7.3
(cont.)

Bruce J. Chimento, P. E.
Director of Public Works

Memorandum

December 1, 2016

To: CTDOT Office of Engineering
2800 Berlin Turnpike
Newington, CT 06131

From: Steve Kleppin, Planning & Zoning Director *SK*

Re: Walk Bridge – 11/17/16 Public Hearing

I was asked to review the Environmental Assessment/Section 4(f) Evaluation (EA) and Environmental Impact Evaluation (EIE) for the proposed Walk Bridge replacement being proposed by the Federal Transit Administration (FTA) and the Connecticut Department of Transportation (CTDOT), specifically as it relates to potential Planning impacts and it's consistency with the 2008 Plan of Conservation and Development (POCD). *For submission as part of the memo I have attached a copy of POCD.*

It is not a coincidence that the western portion of the Walk Bridge, with accompanying High Tower, graces the cover of the POCD. The bridge is an iconic feature in Norwalk's downtown landscape and has been so for well over 100 years. While its replacement is needed, settling for a lesser substitute is inconsistent with the Plan and the city's vision for its future.

There are several sections within the EA/EIE, from a planning perspective, where the information provided is insufficient to properly conclude that there will not be significant negative impacts from the proposed bridge replacement.

C-8.1

Section 3.5: Land Use & Zoning

§3.5.2 of the EA/EIE acknowledges that the historic SONO neighborhood has seen recent redevelopment through both private and public funding. This understates the vitality and importance this area plays in the City. The SONO neighborhood currently sits as the southern anchor of a revitalized corridor that stretches northward to Mathews Park and Stepping Stones Museum, north of Interstate 95. The SONO neighborhood not only contains boutique shops and fabulous eateries, it is also the home of the Maritime Aquarium, which is the second largest tourist attraction in the state. As you travel northward from SONO, the recently constructed and ongoing Waypointe developments are adding significantly to the residential population of this area, while also providing public amenities such as footpaths and gathering spaces, as well as several entertainment venues including a boutique movie theater, bowling, shopping and dining options. In addition, the City is connecting people to the waterfront by providing a multi-use pathway, the Norwalk River Valley Trail, which runs from Calf Pasture Beach, through the project site into the Town of Wilton and points north. The recently approved SONO Collection, a one million square foot, high-end shopping destination, will fill in one of the last significant vacant building blocks within this corridor and provide a major draw for the other entertainment venues in the area.

C-8.2

The EA/EIE states that since the Walk Bridge is located within the Connecticut Coastal Area Boundary, so therefore, the project must be conducted in a “context sensitive manner without significantly disrupting either the natural environment or sound economic growth”. It is clear in reading the EA/EIE that further study is needed before a determination as to whether there will be any long term impacts or disruption to the natural environment, but as others are commenting on that issue, I will comment on the design and potential long-term economic impacts. The existing Walk Bridge is an iconic landmark that has stood as a symbol for the city for well over 100 years. The bridge and its High Towers are synonymous with the character and fabric of the historic SONO neighborhood and like other notable infrastructure projects, have become more than a bridge and tower, they have become significant pieces of architecture, which draw people to the area, support local businesses and increase the marketability of the area.

While the bridge designs proposed to date are not unattractive, they fail to capture the prominence of the existing structure, whereas they could be designed to become an attraction as opposed to simply an instrument allowing trains to cross the Norwalk River.

C-8.3

Section 3.7: Consistency with Existing Plans and Policies

Bridge Design

The EA/EIE describes the project’s consistency with the City’s Plan of Conservation and Development. It is true that a new bridge will upgrade the existing rail system, as well as improve marine traffic, which could lead to increased water-dependent business; however, the goal of the project should not simply be to meet the minimum standards. While it is CTDOT’s intent to “incorporate historic design elements within the replacement bridge” and “solicit input from historic stakeholders”, that is far from a guarantee that the design will attain more than a token attempt to honor the existing structure. I do not believe it’s the city’s position that we should have architectural control over the design of the project, but we would like more assurance that the input from local stakeholders will be carefully and seriously considered. This position is supported by §E.4.1.3 of the POCD, which states that bridge replacement design should be sensitive to the community. Further evidence to support this position is found in §F.5.1.1 of the POCD, regarding historic and architecturally significant landmarks and structures, which states “retain the character of the City by emphasizing historic preservation and quality design of all public and private facilities” and in §F.5.1.4 “use historic preservation as a tool for economic revitalization and to promote tourism”.

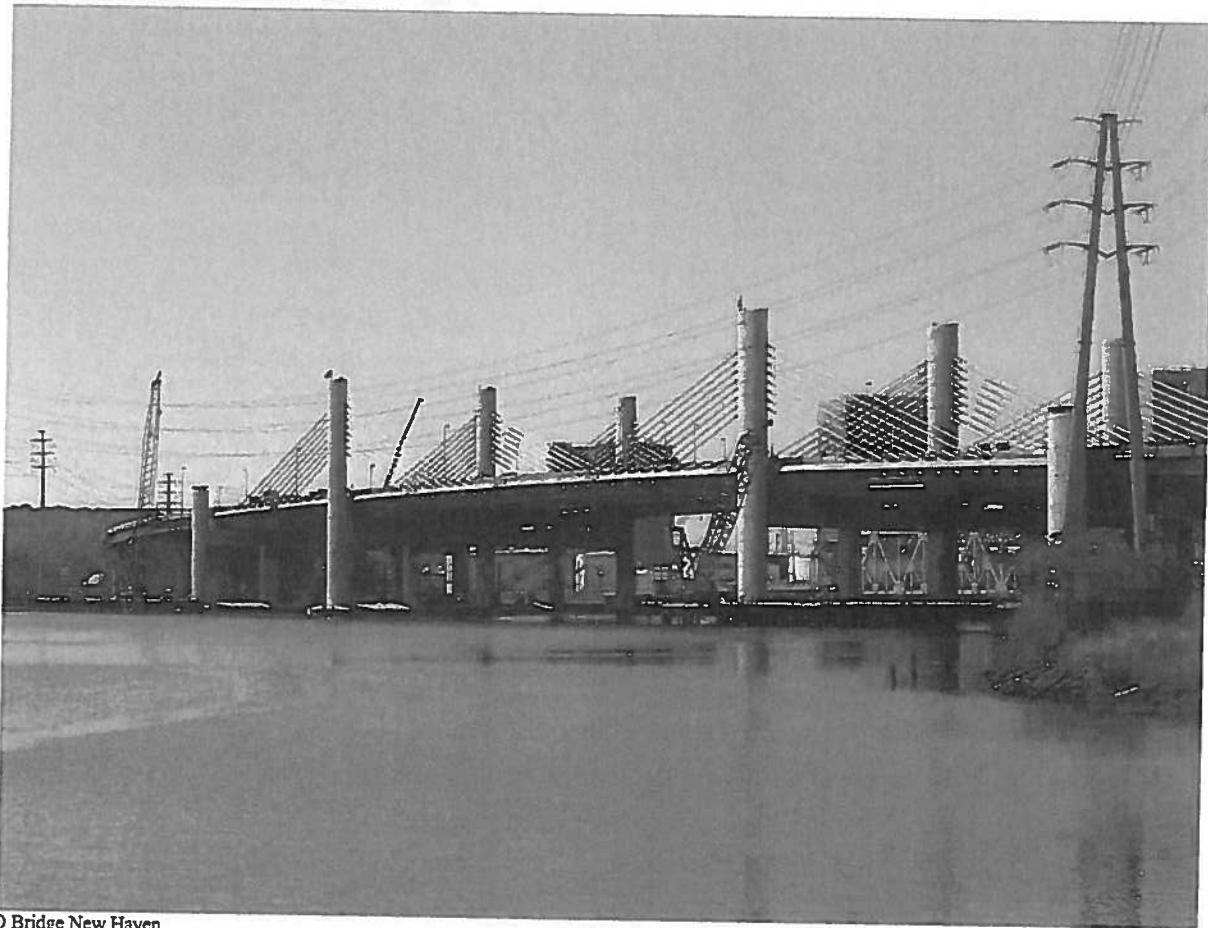
C-8.3
(cont.)

It is clear that there is an emphasis on design within the POCD and more importantly, a specific mention of bridge design within POCD. There are numerous recent examples where the CTDOT has funded bridge projects where the design of the bridge was at the forefront of the consideration process.

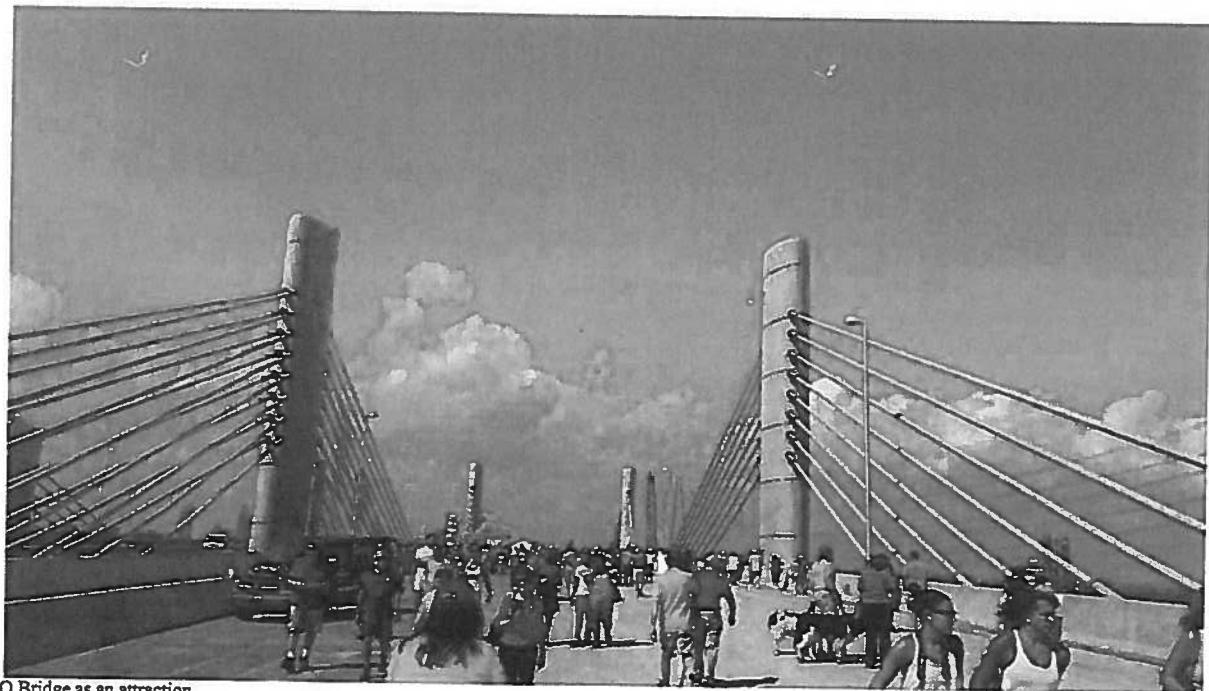
The recently completed Q Bridge in New Haven recently received national recognition under the “large project” category from NASTO. *The award announcement is attached.*

The structure has become more than a bridge it has become a landmark, a point of interest, something that draws attention and notoriety to a location. The new Walk Bridge has the potential to become a new landmark for Norwalk, adding to the skyline and serving as a focal point and economic anchor.

C-8.3
(cont.)

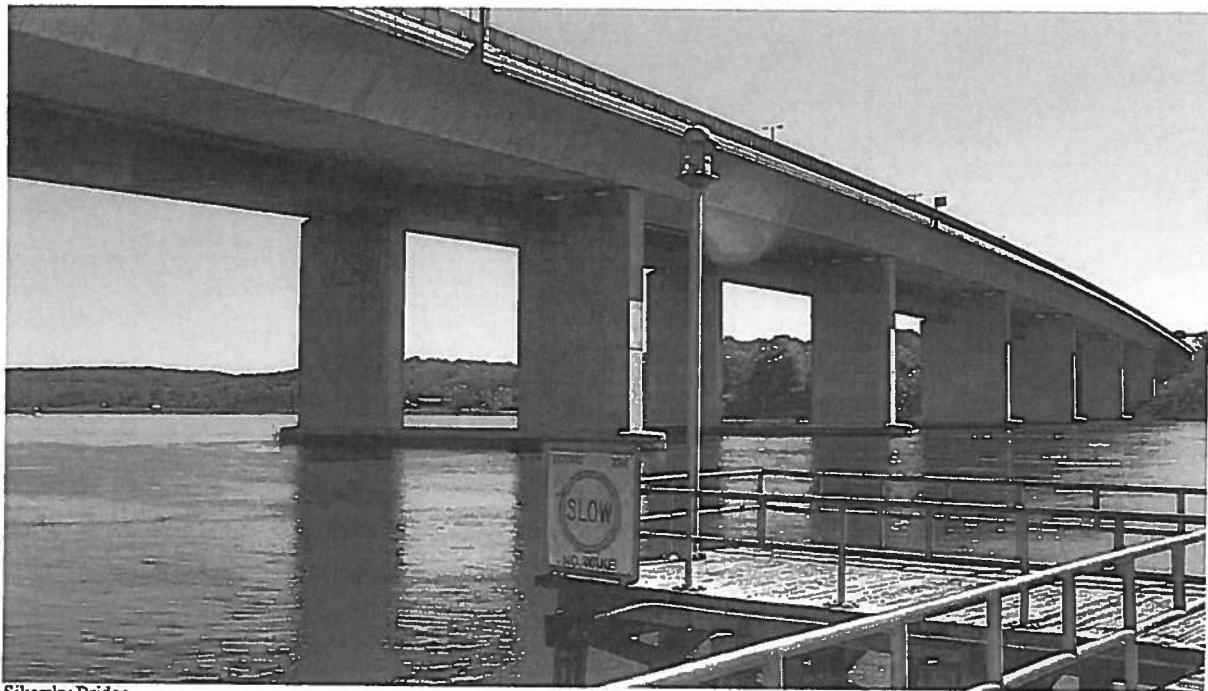


Q Bridge New Haven



Q Bridge as an attraction

The Sikorsky Memorial Bridge completed in 2006, which spans the Housatonic River, connecting Stratford to Milford, on the Merritt Parkway has several architectural elements on the travel portion of the bridge as well as the river side of the bridge that make it attractive for all users. This bridge also allows for pedestrian access, similar to what is requested as part of this project.



Sikorsky Bridge

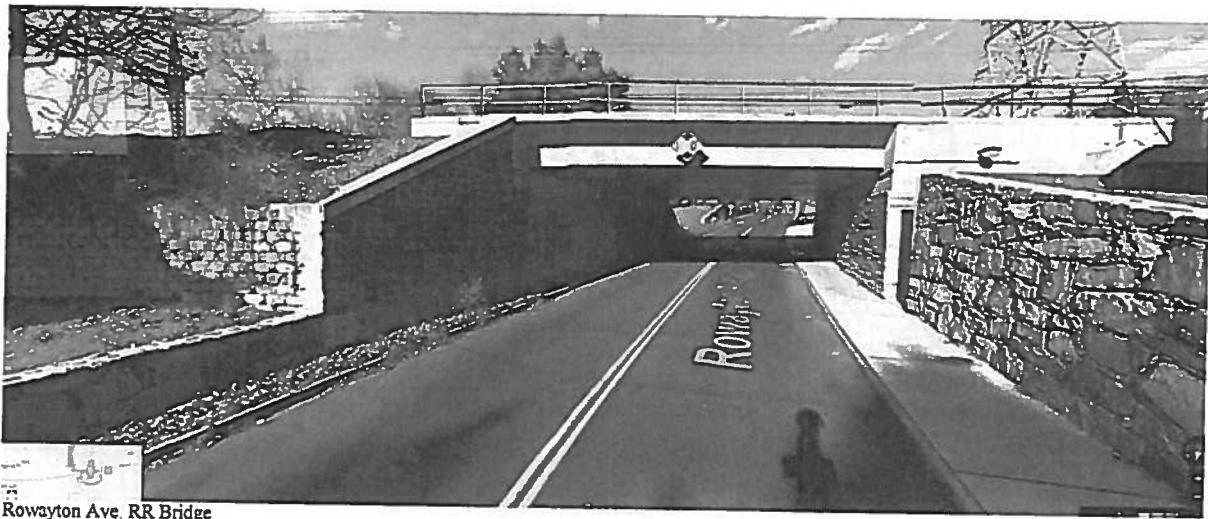
Within Fairfield County, the Merritt Parkway contains numerous bridges that have become a significant part of the beauty of the roadway. The parkway is a National Scenic Byway and is listed on the National Registry of Historic Places. While the subtle signage and tree canopy are part of the parkway's attractiveness, the individual and uniquely styled bridges are what draws your attention and make it more than a road to travel on, which is in sharp contrast to Interstate 95.



James Farm Road Bridge

Morehouse Highway Bridge

On the municipal level, the state and City have incorporated more attractive design elements into the local bridges, which results in a much more aesthetically pleasing environment for drivers and pedestrians, which results in the beautification of the area providing an anchor for surrounding properties.



Public Access

While the proposed extension of the bike/pedestrian path is appreciated, the possibility of providing pedestrian and bike access across the bridge should also be explored. The path is part of a larger trail, the Norwalk River Valley Trail System, which stretches from Calf Pasture Beach into Wilton. This is supported in §5.4.2 of the POCD which recommends incorporating pedestrian convenience and safety at bridges and overpasses.

In addition, there have been numerous other studies conducted by the City over the years which include the 2012 Pedestrian and Bikeway Improvement Plan and the 2012 Connectivity Master Plan that also support additional pedestrian access across and along the Norwalk Harbor.

C-8.4

Section 3.8: Socioeconomics

§3.8 of the EA/EIE indicates that there will be numerous positive economic impacts as a result of the anticipated construction, as well as numerous long-term positive impacts as a result of the build alternatives.

However, further information is needed regarding the long-term viability of the existing businesses that will either be relocated or impacted as a result of the construction. Will the relocated businesses be viable in the future? Will the impacts of the construction, such as noise, dust and road closures impact the viability of existing restaurants and shops in the vicinity of the construction area? In addition, there are numerous water-dependent businesses north of the project site that rely on the Norwalk River for barge transport and must have access through the waterway in order to sustain operations. Furthermore, any loss of barge access will result in increased truck traffic, placing a burden on the existing street network as well as surrounding neighborhoods. §E.4.1.3 of the POCD contains further supportive language, “bridge replacement should minimize impacts on neighborhoods”.

C-8.5

Similarly, §5.3.16 of the EA/EIE does not anticipate any noise or vibration damage during construction. However, the potential exists for maximum decibel levels of 88 to 101 dB. In reviewing comparable decibel levels to what is anticipated, there is reason to warrant further study of this issue. Considering the lack of a detailed construction schedule, including the possibility of day, evening and weekend construction and the close proximity of over 1,000 residences to the western portion of the project area, further analysis is warranted. The EA/EIE also indicates that further study is warranted, which is consistent with the city’s request that more detail be provided. As previously stated, §E.4.1.3 of the POCD indicates that bridge replacement should minimize impacts on neighborhoods.

C-8.6

C-8.7

There are similar concerns related to noise and vibration regarding numerous historic buildings in the area, including, but not limited to, the former Norwalk Lock Company building and the former Norwalk Iron Works building (Maritime Center).

C-8.8

Section 3.9: Water Quality

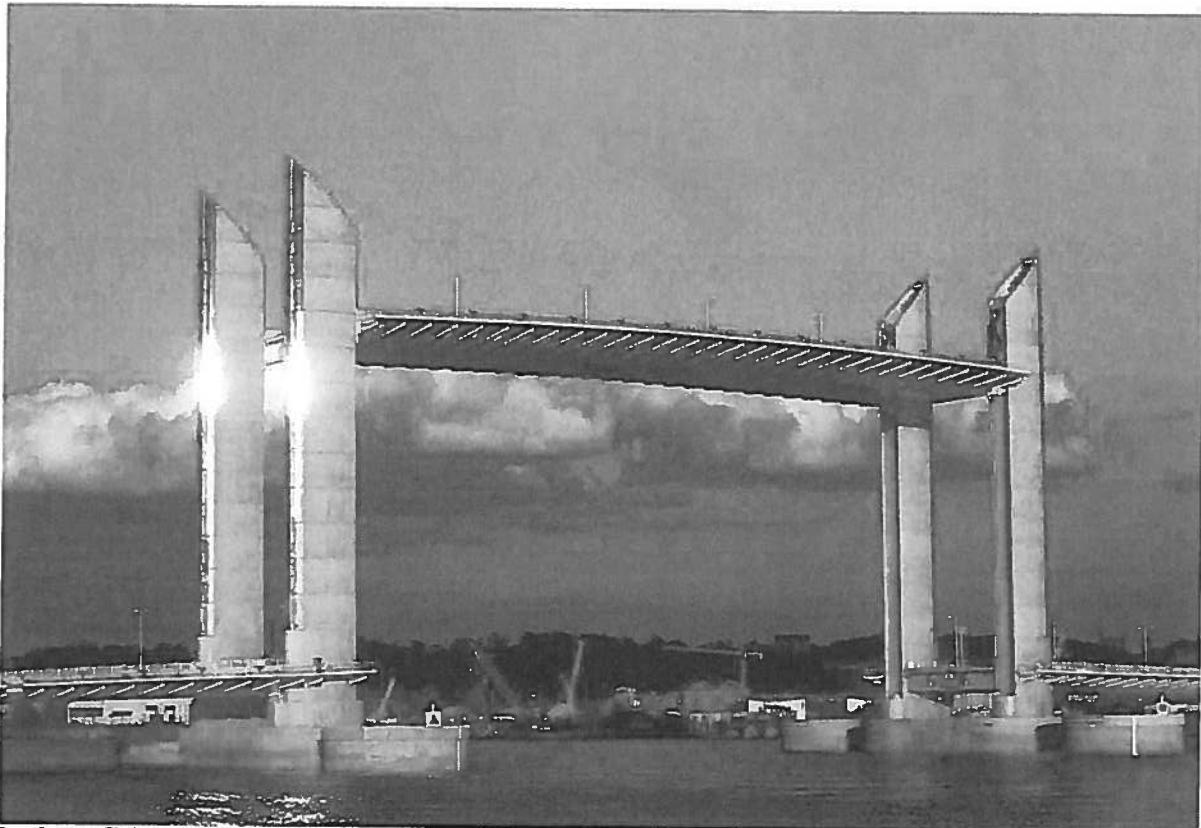
The EA/EIE indicates that the proposed build alternatives will improve storm water quality. However, the CTDOT indicates that they will further explore additional water quality protection measures as the design approaches to improve water quality. §E.4.1.4 of the POCD states that “bridges and waterways over navigable waterways should be maintained, operated, repaired, built to avoid or reduce potential for any significant adverse impact on navigation, safety or environmental quality”. In addition, §E.4.1.5 of the POCD states that work on bridge crossings should be monitored to avoid or reduce any impacts on water quality. Based upon the CTDOT’s acknowledgment that additional mitigation measures will be considered, it would be prudent to have a further understanding of these issues prior to furthering the process. More importantly, the project site is next to the Maritime Aquarium, part of whose mission is to protect water quality in Long Island Sound.

C-8.9

Conclusion

In closing, I truly believe we all want what is best for the City, and in my opinion, the only outcome is not a bridge, but a destination that not only facilitates train crossings of the Norwalk River, but provides an anchor and source of pride for the state and the City. I have attached a February 12, 2016 article from the NY Times regarding infrastructure and urban design, which I feel speaks to the need for design to be given as much consideration as function.

Make no small plans.....



Pont Jacques Chaban-Delmas Bridge, Garonne River, Bordeaux, FR.

END



November 16, 2016

Walk Bridge Replacement Project
Environmental Assessment/Impact

The Norwalk Parking Authority is charged with the efficient managing of the city's public parking assets...garages, lots and "on street". Our responsibility is to provide parking opportunities for local businesses, residents, and consumers who may visit from out of town, or, other parts of Norwalk. We accomplish these goals without imposing a tax impact on the citizens of Norwalk. We are non-profit but we must cover all Operating and Capital costs through parking revenue.

Our working relationship with the Maritime Aquarium has been important for both parties. The NPA provides convenient parking at reasonable costs at both the Maritime Garage and the adjoining North Water Street lot. The Aquarium attracts hundreds of thousand visitors and in doing so, provides important revenue to the NPA.

In trying to estimate the impact which the Walk Bridge project will bring to this area it is obvious that any construction and traffic problems spread over a prolonged period of time could negate the appeal of the Aquarium and reduce their attendance. That will also impact the revenue needed by the NPA to meet budgeted goals. Furthermore, the possible loss of the North Water Street lot will also have negative impact on our ability to serve the public and our revenue potential. Importantly, these negative "ripples" (less attendance, reduced parking options) can have dramatic impact on the entire business and residential communities of SONO.

C-9.1

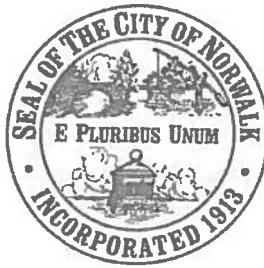
We would be looking to the DOT to provide relief for NPA revenue loss as well as possible additional costs we might incur in serving the public with reduced parking options. An example of these costs would be the need to provide "jitney" or "circulator" service from the Maritime Garage to stores and restaurants in the Washington Street area.

C-9.2

Section 5.3.5., Socioeconomics of the Environmental Assessment does not adequately address the impacts on the Parking Authority. The Norwalk Parking Authority joins in asking for an Environmental Impact Statement to deal with these issues.

C-9.3

Dick Brescia
Chairman
Norwalk Parking Authority



CITY OF NORWALK CONSERVATION OFFICE

P. O. Box 5125, 125 East Avenue, Norwalk, CT 06856-5125
Phone: (203) 854-7744 Fax: (203) 854-7962

November 30, 2016

Mr. Mark W. Alexander
Connecticut Department of Transportation
Bureau of Policy and Planning
2800 Berlin Turnpike
Newington, CT 06111

RE: WALK BRIDGE REPLACEMENT PROJECT, Norwalk, Connecticut

Dear Mr. Alexander:

The City of Norwalk Conservation Commission acknowledges that the replacement of the Walk Bridge will be a massive undertaking with extensive adverse environmental impacts. We encourage ConnDOT to expand the EA/EIE document to include an assessment of all of the significant ancillary projects that are part of the Walk Bridge replacement. The existing EA/EIE document needs to mention and evaluate the full scope of work and impacts on Norwalk's environment.

C-10.1

Regarding the discrete Walk Bridge construction activity, we along with other city departments, have always worked to ensure the Norwalk River and its harbor remain a healthy, vibrant and dynamic resource. The Norwalk River is an attractive community resource that enhances quality of life, education, tourism and recreation. As this project moves forward, we strongly urge ConnDOT to actively avoid any actions likely to impair the natural environment. When such action is unavoidable we must demand robust mitigation and restoration of any impaired natural resources.

C-10.2

Protection of our natural resources goes hand in hand with public access to them. The Conservation Commission strongly encourages ConnDOT to commit to restoring and expanding Norwalk's pedestrian trail system, Norwalk's Maritime Aquarium, water-based recreational opportunities, and public access to the Norwalk River and its environment. Specifically lacking in the EA/EIE was an accurate depiction of the Norwalk River Valley Trail (NRVT) along the western bank of the Norwalk Harbor. Just as the Harbor Loop Trail on the eastern side of the harbor will be disrupted and then restored and improved, the same is strongly encouraged for the NRVT.

C-10.3

Lastly, we remain concerned about the potential long duration of the physical project(s). The longer Norwalk is disrupted by this massive construction, the more negative will be the impact on our environment and quality of life. We strongly recommend an expedited construction process. ConnDOT must give Norwalk strong assurances this project can be completed in a priority time frame.

C-10.4

Sincerely,

Alexis Cherichetti
Sr. Environmental Officer



CITY OF NORWALK
Elizabeth Stocker, AICP
Director of Economic Development
estocker@norwalkct.org
P: 203-854-7849
Norwalk City Hall, Mayor's Office
125 East Avenue, PO BOX 5125
Norwalk, CT 06856-5125

December 2, 2016

Mark W. Alexander
 Transportation Assistant
 Planning Director
 2800 Berlin Turnpike
 Newington, CT 06111

Re: Comments on the Walk Bridge Replacement Project
 Environmental Assessment/Environmental Impact Evaluation

Dear Mr. Alexander:

The EA/EIE report does not adequately explore, identify or quantify the direct, secondary or cumulative socioeconomic impacts that the subject Walk Bridge Replacement Project may have upon the City of Norwalk, its businesses or residents nor does the report explore, identify or provide sufficient mitigation measures that may be necessary to address the identified potential socioeconomic impacts that are likely to occur in the City of Norwalk during the construction period and for a time following the completion of this massive 40 – month (plus) project.

The report does not adequately identify or provide sufficient information for the City of Norwalk to quantify impacts necessary for a Section 4(f) exception for temporary use to trails and improvements to parks (wetland plantings/ trail construction) to various parks within the city.

C-11.1

The report raises Section 106 concerns as it does not adequately address mitigation for the adverse impact of a lost historic asset nor does it factually identify the related historic assets that will be lost as a direct result of the project. Reference is to the high towers and red stone bridge abutments that must be removed in conjunction with the replacement of the Walk Bridge.

C-11.2

There are several areas of concern that have not, in my opinion been adequately identified or addressed nor have clear mitigation measures been provided in the report. The following is a list of concerns for which a response from DOT is requested:

C-11.3

- The area where the project will take place is a densely populated urban community with residents and businesses sharing the limited river crossings. Any disruptions to traffic, utility services, maritime commerce or otherwise must be planned out, communicated and addressed before they occur.

There are a number of transportation related and development projects in the area of the Walk Bridge that are scheduled to be occurring simultaneously when the Walk Bridge project is scheduled. DOT has not adequately addressed these projects in the report in terms of identifying and preparing a means to coordinate the Walk Bridge project with all other state, local and private construction projects in the vicinity of this project. Assurances that local traffic controls and mitigation measures will be identified and put in place prior to any disruption are necessary. Details of who, when and where need to be provided to assure that the project will not disrupt circulation and business operations in the vicinity of the project.

C-11.4

In advance of the start of construction DOT must work directly with City staff to identify and develop a detailed plan for project sequencing so that local motor vehicle, bike, navigation and pedestrian traffic patterns that may be disrupted as a result of the project are identified in real time and adequate mitigation measures are identified and put in place before a disruption occurs. DOT must develop and implement a mitigation plan that will help guide traffic and relay to the public where and when circulation obstructions will take place and detours will be in place. Such mitigation shall include, at a minimum, road signage, traffic controls, digital media and public outreach.

C-11.5

- The report notes that DOT will prepare a business coordination plan. It is acknowledged that a plan of some sort is necessary as businesses in the areas surrounding the project are small businesses and start-ups that are sensitive to disruptive environments. The report does not provide a description of what a business coordination plan would include, how it will be implemented or when. It is recommended and requested that DOT fund the preparation and implementation of a plan, that City staff and a couple of business representatives be invited to work with DOT to help identify the scope for such a plan and that the process begin now in order for it to be completed at least one year before construction begins. The plan must include implementation of mitigation measures that will help area businesses identify and prepare now for potential business disruptions well in advance of such occurrences.

C-11.6

- The City of Norwalk will experience a loss of revenue from privately owned real and personal property that will be and that has been taken off the grand list and from lost public parking revenue as a result of the project. The report does not adequately identify the direct loss in revenues or the secondary loss in revenues. Additionally, any lost revenue will have to be made up in order for the City to maintain the level of services currently provided. It is requested that DOT identify the true value of such lost revenue and then work with the City to develop a plan for in kind or reciprocal improvements that are at least equal in value – dollar for dollar to the actual revenue lost. An example would be the improvement to any public infrastructure (drainage, landscaping, walkways, paving etc.) taken by DOT or that is impacted by the project where public parking areas (Liberty Square, South Norwalk), bike paths, Norwalk River Loop Trails, piers or boardwalks are currently located, be replaced in kind upon completion of the project. Additionally a commitment to reconstruct Goldstein Place after the project completion should be required.

C-11.7

- The Norwalk River is a resource that is highly valued within the community and impacts the socioeconomic viability of East and South Norwalk. Access to the river and water is a source of community pride. Before and during construction of the project visitors and residents will be denied access to the east and west sides of the river where they have enjoyed access to water craft and recreational activities throughout history. The report lacks any detail of mitigation for the loss of access. An alternative public access/education treatment during and following the construction period should be developed.

C-11.8

- The project is expected to impact the Maritime Aquarium and IMAX Theatre as well as access to the vessels owned by the Norwalk Seaport Association and the Aquarium. The study identifies “The Maritime Aquarium/IMAX Theatre as the economic anchor for the area” “The Maritime Aquarium and IMAX Theatre, hosting 500,000 visitors a year is the largest CT attraction within 100 miles of NYC.”

C-11.9

We expect to see a decrease in visitors to the Aquarium the IMAX Theatre and to the Seaport Association vessels as a direct result of the project. Area businesses are dependent upon these visitors who spend money here to enter the attractions, to park, to eat, to shop and to stay over. Some ride the train. These visitors help support local businesses and the local work force which in turn supports our local and State economy. The study completely lacks any quantification of and mitigation for such impacts that may

be direct or secondary. DOT must develop true impacts and mitigation measures before, during and after construction to address the primary and secondary impacts of the project on the local economic viability of businesses and tourism in South Norwalk and East Norwalk and for the direct impacts to these two not for profit entities.

C-11.9
(cont.)

- The historic Walk Bridge and the high towers are true iconic historic assets that are visible from a great distance and from various locations in Norwalk. The Area of Project Effect (APE) identified in the report is significantly understated as it does not take into account the loss of the high towers or the nearby historic rail bridges (Ann Street, Fort Point Street, Osborne & East Avenues) that will be replaced/repaired in conjunction with the replacement of the Walk Bridge. The report does not identify the impact that the loss of the towers or the Walk Bridge may have upon the adjacent historic areas or up river where views from the historic Mill Hill Park or Wall Street area will be impacted. The MOA that is included in the report does not provide adequate mitigation for the "adverse impact" from the loss of these historic assets. I wish to support the mitigation proposal set forth by the Norwalk Historical Commission. We ask that DOT work with together with the City and its representatives to develop a new iconic asset.

C-11.2
(cont.)

- Mayor Harry Rilling formed a Walk Bridge Design Committee comprised of citizens and professionals who will work with DOT and its consultants to address the treatment of certain elements of the final bridge design. Design concerns include, but are not limited to the lift bridge structure, treatment of the bridge over North Water Street, the bridge abutments, programing of space under the bridge adjacent to North Water Street, high towers and control tower design. It is requested that the DOT commit to working with the Mayor's committee to address and concur on the details of the final bridge design.

C-11.10

- The report does not discuss or address any set asides for art, minority or women owned enterprises or how such, if so required, will be addressed.

C-11.11

Thank you for this opportunity to comment. I look forward to your response.

Sincerely,



Elizabeth Stocker, AICP
Director of Economic Development

Good Evening. My name is Paul Sotnik. I am a Senior Civil Engineer in the Department of Public Works.

I am speaking tonight on behalf of the Department of Public Works, Engineering Division and for Lisa

Burns, Principal Engineer for the City of Norwalk.

Our department has thoroughly reviewed the complete EA / EIE document. We, tonight, are

commenting on areas specific to our department's oversight only. We deeply echo comments made by

C-12.1

others here tonight that the August 2016 EA does not recognize or acknowledge all of the construction

and development activities going on within the City of Norwalk concurrent with the Walk Bridge

program construction. This Walk Bridge EA only analyzes the impacts of the discrete Walk Bridge

construction, Fort Point Bridge replacement, and iconic high tower demolition. It does not include

impacts from the directly-required high tower line replacement (a \$20 million dollar project), Osborne

Avenue bridge replacement, East Avenue bridge replacement and roadway projects, Ann Street bridge

replacement, electrification of the Danbury rail line from Washington Street to Jennings Crossing, or the

rail improvements taking place from Norden Place to the Westport line. All of these components

comprise one total project – the Walk Bridge's construction and this is also recognized by the DOT as

there is one special "Walk Bridge" team for engineering, program management and construction

management for all of the aforementioned projects. This the EA / EIE needs to include these projects to

correctly determine human environmental impacts, despite the DOT and FTA's determinations that

C-12.1
(cont.)

these other projects can be 'Categorically Excluded'. In addition, the EA / EIE document needs to

appreciate, or at least mention, the hundreds of millions of dollars of other construction projects going

C-12.2

on within the City by private and public development. The EA is devoid of this information.

Areas where the EA / EIE did not go far enough or adequately address impacts are:

Water Quality – The EA states that the Norwalk River is an impaired water body. The EA / EIE only

C-12.3

provides cursory, almost "check the box," pre- and post-construction impacts and mitigation measures.

No water quality improvements have been proposed for a project with a 100 year design life. Additional

flows are proposed to the City of Norwalk stormwater pump station on North Water Street also with no

water quality improvements. The City of Norwalk has several water quality guidelines and drainage

standards that are imposed at even the homeowner level, that are not included in the EA or 90% design

plans submitted for 2 of the early release projects. Further, additional storm flows are being proposed

into already overburdened waterways, with no downstream impacts analyzed.

Public Utilities & Service – The EA states that no public utilities will be impacted by the Walk Bridge

construction project. It is impossible to believe that a project of this magnitude will have no public

C-12.4

utility impacts. For example, the high tower demolition with the electric transmission lines will have no

impact on public utilities? Additional flows to the stormwater pump station? Temporary property acquisition at the wastewater treatment plant? Roadway construction impacts from crane loadings?

C-12.4
(cont.)

Traffic – We have had an on-going dialogue with the DOT about the City's concerns about traffic. The Traffic, Transit and Parking section of the EA is about two-thirds of one page for all three topics. It is obvious that traffic section of the EA is inadequate and it also conflicts with the socioeconomic section of the document.

C-12.5

Pedestrian & Bicycle Facilities – Existing conditions do not reference plans to continue the NRVT or

C-12.6

Harbor Loop Trail along the west-side – along the water – of the trail. The City, on numerous occasions, has provided the DOT with its plan to route the trail in that location. The DOT has stated verbally that "permits would be hard to get" to accomplish this and the City subsequently provided documents to DOT from DEEP stating that it would not be an issue to get permits. The EA does not even mention this route or identify the permit needed to construct, nor does it show on the mitigation plan. This NRVT route seems to be intentionally left out of the document. Even if the DOT does not want to construct it as part of the project, it should be included in the EA as an existing condition.

Property Acquisition – With regard to DPW controlled parcels listed in the property acquisition sections of this document for both temporary and permanent easements – the EA does not take into account

C-12.7

land use restrictions on certain parcels and it states that, in some instances, there are no displaced permanent uses, when in actuality there are.

C-12.7
(cont.)

Under the time constraint of this public hearing, DPW used this time to give a flavor of our concerns about the completeness of this document.

The Department of Public Works respectfully requests that a Finding of No Significant Impact is not issued for this project and that an EIS is prepared with outreach to all constituency groups to accurately understand community impacts.

C-12.8

Thank you.

written 5/6/16

To: ConnDOT

From: Norwalk Mayor's Bike/Walk Task Force

Re: Statement for Walk Bridge Replacement, Public Hearing, Nov. 17th, 2016.

Statement:

The Mayor's Bike/Walk Task Force, representing the best interests of the public based on federal, state, and local coastal management goals and policies, strongly supports the completion of the long-awaited "missing links" in the waterfront trails on both the east and west sides of the Norwalk River under the new Walk Bridge.

C-13.1

These two missing links, with a length of approximately 900 feet on the western "Aquarium" side and 300 feet on the eastern or "DPW Treatment Plant" side for a combined total of approximately 1,200 feet, must be included as part of the bridge replacement project to improve public safety, enhance the existing state and federal investment in this trail system, and maximize cost efficiency for permitting and construction.

Completion of these two crucial trail segments will improve public safety on existing trail segments that now dead-end at the bridge, by allowing pedestrians and cyclists to avoid dangerous stretches of on-road detours on narrow North Water Street and Fort Point Street that are now needed to get around these crucial missing links.

Completion of these missing links will complete a vision for public access to Norwalk's waterfront in this dense urban location that have been included in 7 different professional planning studies and master plans dating back to 1979, representing a public investment of several million dollars.

Federal and state regulations ensuring public access to the waterfront are listed here:

- A) US Coastal Management Act of 1972, as amended.
- B) CT Coastal Management Act of 1979, as amended. (Section 22a-92)
- C) CT Harbor Management Act of 1984, as amended.

Here are the 7 professional planning studies and master plans based on the federal and state regulations just listed, that recommend these two missing links be completed as part of the 26-mile Norwalk River Valley Trail from Danbury to Norwalk and the 3-Mile Norwalk Harbor Loop Trail that encircles Norwalk Harbor and River:

- 1) 2008 Norwalk Master Plan of Conservation and Development. (Sections A.1.1, C.4.1, D.6.1) <http://www.norwalkct.org/DocumentCenter/View/389>

2) 2009 Norwalk Harbor Management Plan. (Chapter 3, Section 6.1.3., which states "provide public access along both sides of the Norwalk River upstream of the Stroffolino Bridge...") <http://www.norwalkct.org/DocumentCenter/Home/View/911>

3) 2012 Norwalk River Valley Trail Routing Study. (Pages 117,124) http://www.nrvt-trail.com/pdf/NRVT_RS_part2.pdf

4) 2012 Norwalk Pedestrian and Bikeway Plan. (Page 94) <http://ct-norwalk.civicplus.com/DocumentCenter/Home/View/2115>

5) 2012 Norwalk Connectivity Masterplan. (Page ES-12)
<http://www.connectnorwalk.com/wp-content/uploads/ConnectivityMasterplan.pdf>

6) 2004 Mid-Harbor Planning Study. (Page 16) <http://ct-norwalk.civicplus.com/DocumentCenter/Home/View/338>

7) 1979 Norwalk River Master Plan Study. (Page 42)

To summarize, the Mayor's Bike/Walk Task Force representing the City of Norwalk respectfully requests ConnDOT complete these two missing trail links on both sides of the Norwalk River as part of the bridge replacement project to:

C-13.1
(cont.)

- a) improve connectivity for pedestrians and cyclists on an existing and expanding regional trail network for commuting, tourism, and recreational use;
- b) improve public safety;
- c) satisfy the goal of ConnDOT to improve multi-modal transportation options in dense urban areas; and
- d) enhance property values on both sides of the river as well as enhance the previous and ongoing state and federal investment in the waterfront parks, trails, and redevelopment projects nearby including the proposed mall just 2 blocks away.

Thank you,

Nancy Rosett
Chair, Mayor's Bike/Walk Task Force

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

3. *Comments from Non-Governmental Organizations*

- O-1 Robin Penna, Secretary, Norwalk Harbor Keeper**
- O-2 Jackie Lightfield, Norwalk 2.0**
- O-3 Jim Carter, Norwalk Representative, Norwalk River Valley Trail Steering Committee**
- O-4 Susan Wallerstein, Chair, Norwalk Arts Commission**
- O-5 Andrew W. Minikowski, Esq., Legal Fellow, Connecticut Fund for the Environment**
- O-6 Louise Washer, President, Norwalk River Watershed Association**
- O-7 Robert Kunkel, President, Norwalk Harbor Keeper**
- O-8 Sive, Paget & Riesel, P.C., Attorneys for Norwalk Harbor Keeper**
- O-9 Tod Bryant, Norwalk Preservation Trust**
- O-10 David Green, Cultural Alliance of Fairfield County**
- O-11 Laura G. Einstein Bryant, Center for Contemporary Printmaking**
- O-12 Brian L. Davis, Ph.D., President and CEO, The Maritime Aquarium at Norwalk**
- O-13 Diane Jellerette, Norwalk Historical Society**
- O-14 CeCe Saunders, Historical Perspectives, Inc.**
- O-15 Patsy Brescia, Lockwood-Mathews Mansion Museum**

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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Norwalk Harbor Keeper
9 Braybourne Drive
Norwalk, CT 06855
September 19, 2016

VIA Certified Mail

Mr. Mark W. Alexander
Transportation Assistant
Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike,
Newington, CT, 06111
info@walkbridgect.com

Re: Extension of Time for Public Comments on the Environmental Assessment/Environmental Impact Evaluation for the Walk Bridge Replacement Project

Dear Mr. Alexander:

I am writing on behalf of Norwalk Harbor Keeper, a local citizens' group concerned with protecting Norwalk Harbor from environmental threats, to request an extension of the public comment period for the Environmental Assessment/Environmental Impact Evaluation ("EA/EIE") for the Walk Bridge Replacement Project.

O-1.1

Presently, the public comment period is slated to close on October 21, 2016. However, we have found, upon our initial review of the EA/EIE, that the document does not contain data and technical analyses on how the agency reached many of its conclusions, including critical issues such as how the cost estimates for the bridge option alternatives were developed. We have requested this information, but have not yet received it. In light of the complexity of these issues, and the need for time to gather more information than was contained in the EA/EIE itself in order to comment productively upon it, we kindly request an extension of the comment period of 60 additional days.

We note that Norwalk's mayor has apparently been faced with the same difficulties and has expressed a similar desire for an extension of the comment period (please see the attached).

Finally, it would seem appropriate that the Norwalk community be given this modest extension given the year or more that it has taken the DOT to prepare the EA.

Robin Penna
Secretary,
Norwalk Harbor Keeper



Cc: James P. Redeker, Commissioner

Norwalk seeks help on Walk Bridge replacement

By Robert Koch Published 2:59 pm, Sunday, September 18, 2016

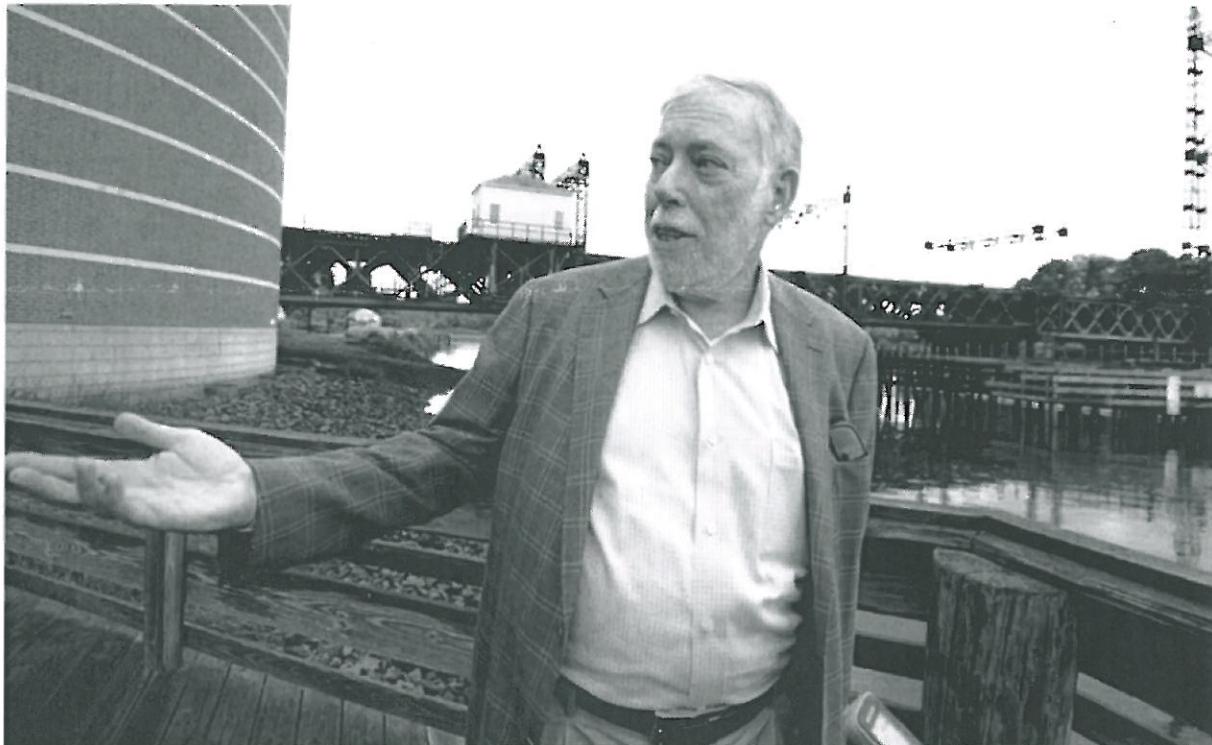


IMAGE 1 OF 2**Buy Photo**

Transportation Consultant Sam Schwartz known as Gridlock Sam stands near the Metro North Walk Bridge and the Maritime Aquarium's IMAX theater during a visit to Norwalk Conn. to talk about his new book *Street Smart: How to Fix Our Broken Transportation System* ... [more](#)

NORWALK — City officials are looking for help and additional time to review a lengthy environmental impact report concerning the state's upcoming replacement of the Walk Bridge.

On Sept. 6, the Connecticut Department of Transportation published its Environmental Assessment/Environmental Impact Evaluation on the project, which it plans to begin in mid-2018.

The release of the lengthy report opened a 45-day comment period for local residents, stakeholders and officials to weigh in on the project.

"It's a very thick document and there seems to be some glaring deficiencies that we want to analyze," **Mayor Harry W. Rilling** said Friday. "The response time is very short for a document of that size. I'd like to get 30 to 60 (additional) days."

In addition, Rilling said the city intends to hire a consultant to review the report, monitor the bridge replacement and protect the city's interests.

"We're going to hire a consultant to work with us going over that study and to work with us throughout the project to make sure the city's interests are being protected," Rilling said. "We're looking at available firms."

Rilling said the city's law department and the **Department of Public Works** have a list of firms that could serve the role.

"We're looking at outside firms to work with the city to review the report," said Norwalk Director of Public Works **Bruce J. Chimento**. "A really good environmental law firm, that's what we really want to do first to review the environmental impact statement."

The plan to hire a consultant and seek additional time to review the DOT report come amid growing concern about the local impacts of the bridge replacement project on Norwalk.

On Sept. 7, nearly 200 people rallied outside A.J. Penna & Son Excavating Contractors at 10 Goldstein Place, urging the DOT to consider other staging areas and smaller designs for the new bridge.

Tony D'Andrea, former **Norwalk Harbor Management Commission** chairman and co-owner of Select Plastics, a Liberty Square business that had been slated for taking to accommodate the bridge replacement, is among those who have asked for a third-party review of the report.

Last Wednesday evening, transportation engineer **Samuel I. Schwartz**, also known as "Gridlock Sam," discussed his new book and shared his initial impressions of the Walk Bridge replacement project during a talk at The **Maritime Aquarium at Norwalk**.

Schwartz, who was invited to Norwalk by **Spinnaker Real Estate Partners** and Beinfield Architecture, PC advised residents and officials to weigh in during the public comment period in order to get a "signature bridge" for Norwalk. Before speaking at the Aquarium, Schwartz met with city officials at City Hall.

Architect **Bruce Beinfield** described the meeting as "introductory in nature."

"I do not know if the city or any of the private parties impacted by the Walk Bridge project will have an interest in retaining Sam's services as a consultant," Beinfield said Thursday.

Former Norwalk Mayor **Bill Collins**, also chairman of the SoNo Comeback Task Force, was among about four-dozen people attending Schwartz' presentation and question-and-answer session at the Aquarium last Wednesday. He welcomed Schwartz' advice that residents engage themselves in the Walk Bridge project and expressed support for hiring a consultant. He doubts, however, that Schwartz will seek the job.

"The city does need a consultant to deal with the state on the issue of the appearance and the design of the Walk Bridge because for that much money and all of the disruption and pain Norwalk is going to go through, we should at least get a landmark, signature type of bridge that will make Norwalk stand out architecturally," Collins said. "I don't think Sam Schwartz would apply for that job because it's a bridge engineer that you would need."

The DOT has scheduled a public hearing on the environmental impact report for Oct. 6 at City Hall. The report and other information about the Walk Bridge replacement project can be found at walkbridgect.com.

rkoch@hearstmediact.com

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H E A R S T

CT Walk Bridge EA Comments - RECORD #89 DETAIL**Status :** Action Pending**Record Date :** 12/9/2016**Submission Date :** 12/9/2016**First Name :** Jackie**Last Name :** Lightfield**Organization/Agency :** Norwalk 2.0**Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06850**Telephone :** [REDACTED]**Mobile :****Email Address :** jackie@norwalk2.org**Comments :**

The Environmental Assessment is neither accurate or thorough, therefor from a legal sense it is defective. | O-2.1

Specifically, the report fails to:

1. Adequately explain how a fixed bridge at the same height is a not feasible. | O-2.2

a. There is no plan from the City of Norwalk that suggests that the future development of the upper harbor is | O-2.3 anything but a residential area and as such, would have no long term needs for an increase in bridge height.

2. The proposed use of Federal "Sandy" money is for shoreline resiliency and no mention of repairing the | O-2.4 erosion of the Norwalk barrier islands is mentioned. It is a false assessment that those Federal funds could be | O-2.5 used for a resiliency project on an inner harbor bridge since;

a. The coastguard was not consulted on what resiliency efforts must be undertaken;

b. The Army Corps of civil engineers was not consulted on what resiliency efforts must be undertaken; | O-2.6

c. The Norwalk Harbor Commission was not consulted on what resiliency efforts must be undertaken. | O-2.7

3. Further, since no attempt was made to adequately consider such resiliency efforts the Environmental | O-2.8 Assessment fails to adequately analyze the full impacts to shellfish (a major agriculture economic contributor to the City of Norwalk), socioeconomic impacts, and housing impacts.

4. Thus, compliance with both NEPA (National Environmental Policy Act) and CEPA (Connecticut | O-2.9 Environmental Policy Act) seems to be lacking. You can't say you meet the standards established by NEPA when you are ignoring things like joint environmental impact statements.

5. You are also privy to economic market assessments about the viability of the boating industry in Connecticut, | O-2.10 which should factor into your assessment of the viability of any commercial boating traffic in the upper harbor.

Add to Mailing List : No**Submission Method :** Website Comment Form**Contact Reason :** Environmental Document Comment**Project Interest :****Distribution List :****Referrer :** Social Media**Referrer Legislator :**



Statement for Walk Bridge Replacement
Public Hearing, Nov. 17th, 2016

Norwalk River Valley Trail

P.O. Box 174
Georgetown, CT 06829
www.NRVT-Trail.com

From : Norwalk Valley River Trail Steering Committee
To: ConnDOT

The Steering Committee of the Norwalk River Valley Trail (NRVT) strongly supports the long-awaited completion of the gap in the NRVT trail on the west bank of the Norwalk River under the new Walk Bridge. The NRVT Steering Committee also strongly supports completion of the companion Harbor Loop Trail on the east bank of the river under the new Walk Bridge.

O-3.1

Completion of these two crucial trail segments under the new Walk Bridge will improve public safety on existing trails that now dead-end at the bridge. Today, pedestrians and cyclists must use dangerous stretches of on-road detours on narrow North Water Street and Fort Point Street when on either the 26-mile Norwalk River Valley Trail from Danbury to Norwalk or the 3-Mile Norwalk Harbor Loop Trail that encircles Norwalk Harbor and River.

Completion of these missing links will complete a vision for public access to Norwalk's waterfront in this dense urban location that have been included in the NRVT Routing Study and multiple other professional planning studies and master plans.

To summarize, the NRVT Steering Committee respectfully requests ConnDOT complete these two missing trail links to:

O-3.1
(cont.)

- a) improve connectivity for pedestrians and cyclists on an existing and expanding regional trail network for commuting, tourism, and recreational use;
- b) improve public safety;
- c) satisfy the goal of ConnDOT to improve multi-modal transportation options in dense urban areas; and
- d) enhance property values on both sides of the river as well as enhance the state and federal investment in the waterfront parks, trails, and redevelopment projects.

Thank you,

Jim Carter

Norwalk Representative, Norwalk River Valley Trail Steering Committee



Connecting the Arts with the Community

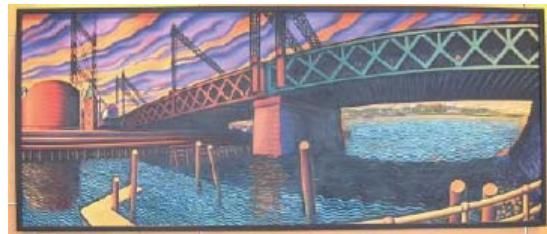
November 30, 2016

To Whom It May Concern: (via email info@walkbridgect.com)

Please consider this written confirmation of remarks I made at the public hearing on November 17th. The Norwalk Arts Commission formally requests the Walk Bridge project include 1% funding for public art. It is our understanding that funding is available for projects such as this and we would like to ensure its availability. The Commission has the infrastructure and a proven track record working with other agencies, organizations and City departments on public art projects such as this. The significance of this iconic landmark is evident in these two valued pieces of contemporary artwork in the City's inventory:

O-4.1

- Painting by Bascove commissioned by the Norwalk Transit District.



- Digital photograph by Aleksander Rotner depicting historic and contemporary scene.



Sincerely,

Susan Wallerstein, Chair
Norwalk Arts Commission
livelovenorwalk@gmail.com

cc: Mayor Harry Rilling, Laoise King, Donna King, David Westmoreland



December 7, 2016

Mr. Mark W. Alexander
Assistant Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06111

**RE: Environmental Assessment/Environmental Impact Evaluation for Walk
Bridge Replacement Project in Norwalk, CT**

Dear Mr. Alexander,

The Connecticut Fund for the Environment (“CFE”) and its bi-state program Save the Sound respectfully submit the following comments on the Environmental Assessment (“EA”) and Environmental Impact Evaluation (“EIE”) for the Walk Bridge replacement project on the Norwalk River in Norwalk, CT. CFE is a state and region-wide nonprofit organization devoted to environmental protection and advocacy that represents approximately 5,000 members in both Connecticut and New York. Since its founding in 1978, CFE has placed particular emphasis on safeguarding the cleanliness of Connecticut’s water resources and working towards restoring the overall ecological health of Long Island Sound. Upon review of the EA/EIE, CFE believes that the Department of Transportation (“DOT”) must take a harder look at the project’s proposed impacts on the Norwalk River and formulate stronger and more specific mitigation measures to ensure that the affected waters are not unduly degraded during the bridge replacement process.

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The Norwalk River is currently a water body on the rebound. Following years of significant pollution during the heyday of the River’s industrial use, groups such as the Norwalk River Watershed Association, Norwalk River Watershed Initiative, and Harbor Watch, alongside efforts of the Connecticut Department of Energy and Environmental Protection (“DEEP”), have endeavored tirelessly to improve water quality throughout the River.¹ Although the Norwalk River is still listed as impaired under section 303(d) of the Federal Water Pollution Control Act (“Clean Water Act”),² portions of the River have been delisted in recent years.³ Accordingly, safeguarding and improving water quality in the Norwalk River is imperative. At the same time, CFE recognizes the strong public interest in increasing the efficiency and resiliency of Connecticut’s rail infrastructure, especially in regard to dated structures such as the current Walk

¹ “Is Water Quality Improving?,” NORWALK RIVER WATERSHED ASSOCIATION available at <http://norwalkriver.org/is-water-quality-improving/> (last visited Dec. 6, 2016).

² “2014 State of Connecticut Integrated Water Quality Report,” CONNECTICUT DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION 240 (Oct. 1, 2014) available at http://www.ct.gov/deep/lib/deep/water/water_quality_management/305b/2014_iwqr_305b_303d_final.pdf (last visited Dec. 7, 2016).

³ *Id.* at 329; *see also supra* note 1.

Bridge, which has been plagued with recurring failures in recent years.⁴ Advancing both of these interests, however, need not be mutually exclusive.

Although DOT's current EA/EIE recognizes the potential for water quality impacts during the Walk Bridge replacement process,⁵ DOT must take a more definite and farsighted look at mitigation measures both during construction and afterwards. For example, the EA/EIE notes that once the replacement project begins, DOT will draft a Stormwater Pollution Prevention Plan and subsequently bolster it with additional mitigation and avoidance measures if necessary.⁶ Rather than develop mitigation strategies at a later date, DOT should begin exploring and developing those strategies now in order to minimize impacts to the greatest extent possible once the project begins in earnest. The EA/EIE observes that under the preferred alternative, more water will flow directly off of the bridge and into the Norwalk River rather than into a conveyance directed away from open water.⁷ Potential contaminants originating from railways include creosote, oil, synthetic lubricants, and various heavy metals,⁸ all of which have historically contributed to water pollution in the Norwalk River.⁹ Given the time frame of the replacement project, DOT should immediately begin formulating runoff mitigation for the construction phase and incorporating conveyances for bridge runoff into the proposed designs for the new Walk Bridge.

Likewise, the channel dredging proposed in the EA/EIE greatly increases the potential for water pollution due to the presence of contaminated industrial sediments located beneath the Norwalk River bottom. Although the EA/EIE currently recognizes the potential for this problem to arise and proposes to conduct dredging during those months in which it will have the smallest effect upon Norwalk's valuable shellfish beds,¹⁰ DOT should take a more substantive look at the potential implications of dredging and explore methods in which to fully contain any dredging activities in a manner that will prevent contamination of surrounding waters. Dredging, particularly the disposal of dredged sediments, in Long Island Sound has proved to be a recent flashpoint for controversy amid the states and other organizations that use the Sound.¹¹ Accordingly, effective prospective planning for the management of dredging activities can both safeguard water quality and avoid future delay.

O-5.2

O-5.3

⁴ “Walk Bridge Failure Causes Railroad Delays,” NBC CONNECTICUT (May 28, 2016) available at <http://www.nbcconnecticut.com/news/local/Metro-North-Railroad-Walk-Bridge-In-Norwalk-Stuck-Open-Causing-Train-Delays-381211731.html> (last visited Dec. 6, 2016).

⁵ Federal Transit Administration and Connecticut Department of Transportation, “Environmental Assessment/Section 4(f) Evaluation Environmental Impact Evaluation Walk Bridge Replacement Project,” 3-44 (Aug. 2016).

⁶ *Id.*

⁷ *Id.* at 3-56.

⁸ *Id.* at 3-55.

⁹ Robert Koch, “I-95 Runoff Concerns Norwalk Harbor Management Commission,” THE HOUR (Aug. 26, 2016) available at <http://www.thehour.com/news/article/I-95-runoff-concerns-Norwalk-Harbor-Management-9185166.php> (last visited Dec. 6, 2016).

¹⁰ Federal Transit Administration and Connecticut Department of Transportation, *supra* note 5, at 3-81.

¹¹ Gregory B. Hladky, “New York to Sue Over L.I. Sound Dredging,” *Hartford Courant* (Dec. 6, 2016), available at <http://www.courant.com/politics/hc-ny-files-sound-dredging-lawsuit-20161206-story.html> (last visited Dec. 7, 2016).

Finally, it is necessary that DOT fully explore the implications of the Walk Bridge replacement project in the context of the numerous other infrastructure projects that are both currently occurring and will be occurring in the vicinity of the Norwalk River over the course of the project's lifespan. In addition to the Walk Bridge replacement, there are nearby projects slated involving the Yankee Doodle Bridge, Stroffolino Bridge, Perry Avenue Bridge, and the Route 7/Route 15 Interchange.¹² All of these projects will include impervious surfaces and have the potential to decrease water quality via increased runoff. The current EA/EIE recognizes that the combined cumulative impacts of these various projects have the potential to pose increased traffic management and congestion problems as well as environmental effects, such as impacts on water quality.¹³ The EA/EIE must, however, do more than just observe that the concentration of DOT projects in the immediate area may result in elevated environmental impacts. Rather, DOT should use the overall level of construction in the area as a lens through which to view the anticipated environmental impacts of the Walk Bridge replacement project itself. Thus, potential impacts to water quality in the Norwalk River should not be evaluated in the context of the Walk Bridge project in isolation, but in conjunction with the anticipated cumulative effects of the other projects occurring around the Norwalk River. Such an approach will more effectively and accurately identify potential water quality issues and provide DOT with ample advance notice to develop effective mitigation strategies.

Respectfully submitted,



Andrew W. Minikowski, Esq.
Legal Fellow
Connecticut Fund for the Environment
900 Chapel Street, Upper Mezzanine
New Haven, CT 06510
203-787-0646 (ex. 108)
aminikowski@ctenvironment.org

¹² Federal Transit Administration and Connecticut Department of Transportation, *supra* note 5, at 3-180.

¹³ *Id.* at 3-179-180.



December 6, 2016

Mr. Mark W. Alexander
Transportation Assistant
Planning Director
2800 Berlin Turnpike
Newington, CT 06111

Dear Mr. Alexander,

I am writing to comment on the plans for the Walk Bridge Replacement Project on behalf of the Norwalk River Watershed Association (NRWA). Our main concern is stormwater runoff and water quality and the opportunity the DOT is missing to help protect water quality by improving the mechanisms for capturing runoff as part of this project and the Yankee Doodle Bridge repair project.

NRWA requests that the CTDOT conduct a new EA/EIE by a third party that includes an assessment of the cumulative effects, including increases in stormwater runoff, of the multiple CTDOT projects planned for the Norwalk River Watershed. This EA/EIE should offer a more detailed assessment of damage to water quality, wetlands, wildlife, wildlife habitat and aquatic life during construction and from stormwater runoff from the Walk Bridge project and other projects including the the Yankee Doodle bridge project. The EA/EIE should also include more specific information regarding plans for mitigation of impact.

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Though the Norwalk River is listed as a class B river, an impaired waterway, and the DOT is using that classification as the starting point for claiming that no impact in water quality will result from this project, organizations like the NRWA, Harbor Watch, Trout Unlimited and Norwalk River Watershed Initiative have been working for the last 20 years to improve water quality in the river. These groups use as a guide the Norwalk River Watershed Action Plan, which was written in 1998 and updated in 2011. Two years ago, these organizations and their volunteers were credited by the EPA with helping to remove two sections of the river from the impaired waterways list. As the EPA report stated, "the watershed approach has improved the river." It credits our work, citing how, "Countless volunteers have participated in efforts to monitor water quality, identify pollution problems on the river, restore streamside buffers, and enhance trails and access points." The goal of our work for the last two decades has been and remains to remove more sections of the river from the Impaired Waterways list and to protect the quality of the water entering Long Island Sound. This year alone, NRWA engaged close to 200 volunteers to help improve the watershed. Harbor Watch and Trout Unlimited are larger organizations with even more employees, interns and volunteers. Harbor

Watch has been testing water quality in the river consistently for almost 20 years, so our community has a wealth of data to use as a guide for our work to protect the river as a resource. Additional challenges to water quality from construction or from added stormwater runoff from this new bridge and the other DOT projects in the watershed will seriously set back our community's efforts to improve water quality in the Norwalk River.

NRWA requests that a third party EA/EIE consider the cumulative impact this project will have on stormwater runoff in conjunction with other projects underway at the same time. The Yankee Doodle Bridge repair project, the Route 7/Rt. 15 Interchange project and the close to 20 other DOT projects, some of which are large in scale, will impact the Norwalk River Watershed by increasing the amount of runoff originating from impervious surfaces. The combined effect of these projects makes stormwater controls for each one all the more imperative. The current Walk Bridge EA/EIE does not go far enough in assessing impact; it simply states no permanent impact on water quality. The added stormwater outlets will result in increased runoff. It is hard to believe there will be no impact. The current EIE states that to manage runoff, "drainage swales may be used and closed deck approach will be used where applicable." NRWA requests more specific plans for capturing runoff. We also request that the DOT add requirements for capturing runoff to its plans for the restoration of the Yankee Doodle Bridge north of Walk Bridge. The repair of the Walk and the Yankee Doodle bridges alone present the CTDOT with a unique opportunity to reduce the amount of contaminated stormwater runoff that enters the Norwalk River, the harbor and the Sound. A concrete commitment to capturing runoff from these two bridges should be the baseline from which the CTDOT is working. Our community is owed these protections to water quality at the very least since it is bearing the brunt of the negative impacts of four years of construction. The new EIE should include consideration of the permanent damage that four years of temporary impact can cause to water quality, wetlands and aquatic life.

We ask the CTDOT to clarify specific mitigation measures and erosion and sedimentation controls for the listed construction activities in and over the water. We would like the DOT to provide information on what best management practices will be employed and who will oversee adherence to those standards, including who will test water quality during construction and how often. NRWA asks CTDOT to consult with both Harbor Watch, which currently conducts regular water quality testing in the river, and the Maritime Aquarium about how best to monitor impact during construction and protect wildlife habitat and water quality as well as the best ways to carry out mitigation efforts during and after construction.

NRWA also questions the need for the dredging of a wider navigation channel. Industrial use of the river is in decline and an appreciation of the beauty and wildlife associated with the river is growing. If channel dredging is conducted, NRWA requests that instead of dredging when containment is not necessary from November to January, that containment be used.

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(cont.)

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If the high towers are removed by CTDOT, the EIE states that Eversource Energy will be responsible for relocating its lines and the associated environmental evaluations and permits. In order to ensure the plans for this project are forward-looking and the environmental impacts are fully explored, NRWA requests Eversource submit its EIE now for the public to consider in conjunction with the CTDOT EA/EIE.

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We also want CTDOT to confirm that a pedestrian and bike pathway connecting the two trails segments, the Harbor Loop and NRVT, will be included in the plans.

0-6.11

Thank you for considering NRWA's concerns.

Sincerely,

Louise Washer
President, Norwalk River Watershed Association

Robert Kunkel
President
Norwalk Harbor Keeper

4 Norman Avenue
Norwalk, CT 06855

December 2, 2016

VIA Email and Fedex

Mr. Mark W. Alexander
Transportation Assistant
Planning Director
Connecticut Department of Transportation
2800 Berlin Turnpike,
Newington, CT, 06111
info@walkbridgect.com

Ms. Mary Beth Mello
Regional Administrator
Federal Transit Administration, Region 1
Kendall Square
55 Broadway, Suite 920
Cambridge, MA 02142

Re: Statement on the Environmental Assessment/Environmental Impact
Evaluation for the Walk Bridge Replacement Project

Dear Mr. Alexander and Ms. Mello:

These public comments are written in my capacity as President of Norwalk Harbor
Keeper, a nonprofit organization that I helped found in response to the concerns of local
residents about growing environmental threats to Norwalk Harbor, a body of water by and on
which many citizens live, work, and recreate.

I have lived in Norwalk for twenty-four years, and am deeply familiar with the Norwalk
River and its shore lines. I have extensive experience relating to maritime affairs generally and

Norwalk Harbor specifically. I am a graduate of the Massachusetts Maritime Academy, with a Bachelor of Science in Marine Engineering and Ocean Engineering, and am a former Lieutenant in the United States Navy. I am President of Alternative Marine Technologies, a ship design and construction firm based in Connecticut, and have many decades of experience in the ship design and shipping industries. In this capacity, I was recently involved in designing and constructing a ship for the Maritime Aquarium in Norwalk for research and study on the Norwalk River. I also served as chairman of the U.S. Short Sea Shipping Cooperative Program, under the U.S. Department of Transportation, from 2003-2008. I have published widely on maritime trade topics.

We thank you for the opportunity to provide these public comments on the Environmental Assessment/Environmental Impact Evaluation ("Environmental Assessment" or "EA/EIE") for the Walk Bridge Replacement Project (the "Project"). We are informed by counsel that federal and state law requires that such a document (1) assist the Connecticut Department of Transportation ("CTDOT") and private citizens in identifying cost-effective options that will eliminate or minimize the environmental impact of needed projects, (2) carefully analyze the full range of reasonable alternatives for a project, and (3) examine in detail the potential impacts of each alternative. Following such a process enables the agency to make an informed and rational decision on selecting a project option.

As detailed below, we believe that the Environmental Assessment is flawed, because it neither considers the full range of reasonable alternatives nor adequately analyzes the potential impacts of project options under consideration. However, there is an even more fundamental problem with this document: the failure to carry out the law's mandate of furnishing the public

O-7.1

with clear and adequate data, as opposed to the CTDOT's conclusions or summary descriptions of what it perceives to be the relevant facts.

O-7.1
(cont.)

I. THERE IS NO REASONABLE BASIS FOR THE ENVIRONMENTAL ASSESSMENT'S FAILURE TO ADEQUATELY ANALYZE A FIXED BRIDGE OPTION

A. A Fixed Bridge Would Be Reasonable In Light of the Rapid and Continuing Decline of Commercial Traffic on the Upper Norwalk River

Although the Norwalk River is considered a navigable waterway under federal law, we are advised by our attorneys that a fixed bridge which imposes reasonable restrictions on navigational access is nevertheless lawful. Converting the Walk Bridge to a fixed bridge, either by repairing it in place or by replacing it with a new fixed bridge at the same height as the current one, would indeed impose some limited restrictions on navigation, as it would place a limit on the vertical clearance afforded to passing boats. Thus the question becomes whether this restriction would be reasonable.

O-7.2

The answer is that such a restriction would plainly be reasonable in light of the current and likely future uses of the river. The section of the Norwalk River north of the Walk Bridge (the "Upper Norwalk River"), when the Walk Bridge was constructed in 1896, was a bustling hub of maritime commerce. The banks of the Upper Norwalk River were lined with busy factories, which made use of the river to ship and receive goods. This constant stream of traffic made it essential that the Walk Bridge, when constructed, be designed such that it could swing open to allow passage for large commercial vessels.

However, a variety of historical trends have combined to cause a significant decline in the level of river traffic in the past several decades. The first major trend is the wave of deindustrialization which hit Norwalk, and the greater Northeast, in the 1970s and 1980s. This

resulted in almost all of the industrial manufacturing activity on the Upper Norwalk River relocating to locations with less regulation and lower labor costs. The second major trend is decreasing land transportation costs. At the time of the construction of the Walk Bridge, maritime shipping was the only practical means of efficiently transporting large quantities of materials. However, in the intervening decades, the expansion and improvement of rail networks and the advent of the automobile and the interstate highway system have resulted in dramatically decreased land transportation costs. Finally, there has in recent years been a trend of gentrification along the waterfront areas of the Upper Norwalk River, as the demand for walkable, riverfront housing has increased, which has led to rapidly rising land values. The demand for residential development, and the lucrative returns available on it, has functioned to "crowd out" waterfront industrial activities, which often have lower profit margins.

As a result of these trends, the number of active commercial uses of the Upper Norwalk River has dwindled to two: a gravel plant, operated by Devine Brothers, which occasionally uses barges to transport materials on the river, and a marina, United Marine, which provides berths and also performs repairs and modification to boats. Critically, the gravel plant does not even really need a movable bridge to be able to move its cargo up and down the river. Although the gravel plant is currently using a boat which has a height that requires the Walk Bridge to swing open for it, there are a variety of lower-profile boat designs, all readily available on the market, which would easily fit under the current height of the Walk Bridge. Under this approach, a low-profile tugboat can ferry a smaller non-mechanical vessel, such as a hopper barge, to carry necessary goods to the gravel plant via the Upper Norwalk River. This can be accomplished without requiring more vertical clearance than the existing Walk Bridge provides when completely closed.

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O-7.4

This type of low-profile boat technology and vessel design were not available when the Walk Bridge was initially built in 1896. But such technology is available now and is used worldwide where a vessel's height affects inner harbor transit. Moreover, it is perhaps relevant to note for context that the majority of the current transportation of materials in and out of the gravel facility is by truck, a pattern which is expected to continue in the future.

O-7.5

The marina is a somewhat different story, as certain models of sailboats in common use at the marina have masts which are simply too tall to fit under a fixed bridge. But this is also a solvable problem, as the marina, as the only up-river commercial use which would be unavoidably impacted by a fixed bridge, could simply be relocated to a suitable location downriver. This would come at a far lower cost to Connecticut taxpayers than paying hundreds of millions of dollars unnecessarily for a moveable bridge to accommodate the marina's current location.

O-7.6

Additionally, based on developments currently being planned or under construction, it appears that the trend towards residential uses of the banks of the Upper Norwalk River will only accelerate. Housing development in South Norwalk ("SONO"), a neighborhood on the western shore of Norwalk River, has nearly tripled. Further planned development of additional condominiums and apartment complexes at Liberty Square, on the eastern side of Norwalk River, will further increase residential density near the waterfront. The addition of the "SoNo Collection," a mall and retail development project just north of SONO with construction planned to commence this year, is reported by its developer to bring one million persons a month to the area. More broadly, Metro-North ridership across the Walk Bridge increases yearly, requiring longer trains and more frequent train passage on Walk Bridge.

Importantly, there is also the matter of the Stroffolino Bridge, a roadway bridge across just downriver from the Walk Bridge. Any commercial enterprise seeking to move goods up or down the Upper Norwalk River will also need to coordinate with the opening and closing schedule of the Stroffolino Bridge. But the projected growth and gentrification of the City of Norwalk and Fairfield County will force the opening of the Walk Bridge and Stroffolino Bridge to occur at a bare minimum in order to avoid added congestion and delays on both rail and roadway.

O-7.7

In my role as an advisor to shipbuilders, I deal with port development around the world on a daily basis. No rational commercial enterprise requiring regular marine transit to their facility would develop industrial space on a river where movement is limited by two movable bridges operating on separate rail and roadway opening schedules. There would be unacceptably high risks of delay and disruption in the delivery of necessary goods and commodities. For that reason alone, commercial marine uses of land on the Upper Norwalk River is a non-starter.

In summary, existing commercial vessel traffic past the Walk Bridge is minimal, and can be easily handled by using low-profile tugboats to ferry smaller non-mechanical vessels, such as hopper barges, which can easily fit under a fixed bridge. The Environmental Assessment furnishes absolutely no rational basis for its determination that continuing to maintain an unlimited vertical clearance for marine traffic by spending hundreds of millions of dollars on a movable bridge is a genuine "need" for the Project.

O-7.2
(cont.)

B. A Fixed Bridge Would Be Likely Be Significantly Less Expensive than Movable Options

An additional reason why it is inappropriate for the Environmental Assessment to refuse to study the fixed bridge option is that a fixed bridge would likely be much less expensive than

O-7.8

the movable options. This is so because the installation of a new moving mechanism would be unnecessary and a fixed bridge would have far lower operations and maintenance costs over the length of its operational life, as there would be no moving mechanism to maintain and no crews required to operate the bridge.

O-7.8
(cont.)

Additionally, a fixed bridge would provide a more reliable platform for the usage of trains, imposing fewer operational costs and uncertainties than a movable bridge. As noted in the Environmental Assessment, the Walk Bridge serves Amtrak and Metro-North trains along one of the busiest rail corridors in the country. Indeed, Norwalk Harbor Keeper members were present at a public information meeting in Norwalk on May 11, 2016, at which a CTDOT spokesperson admitted that Amtrak and Metro-North would prefer a fixed bridge for reliability reasons. Given the regional importance of this train corridor, the benefits of a fixed bridge to reliability for train access cannot be discounted.

O-7.9

Finally, as explained below, there are troubling indications in the Environmental Assessment that the true cost of the movable bridge alternatives are grossly underestimated, and a more detailed breakdown of estimated costs is necessary to allow the public a better understanding of the comparative costs of project alternatives. Although I am an engineer and have a background in building, neither I nor any other reasonable person would be able to ascertain the true costs of the bridge options based on the meager information discussed in Chapter 3 of the Environmental Assessment. Once more, we request that the Environmental Assessment be revised to incorporate and evaluate supporting data and analysis for these comparative figures.

O-7.10

1. The Environmental Assessment's Cost Estimates for Movable Options Are Too Low

O-7.11

As an engineer, it is difficult for me to analyze the exact costs of the proposed bridge construction without reviewing the actual design. It should be made clear that we have no interest in developing a quotation or taking part in the actual construction as the Norwalk Harbor Keeper or under a company owned or operated by the undersigned. However, based on my review of the Environmental Assessment, it is clear that the costs of the proposed designs for the movable bridge designs are grossly underestimated.

O-7.11
(cont.)

The current information in the Environmental Assessment must separate the actual design costs from the construction costs. The cost of the selected bridge design, whether full span vertical lift, turnstile, or fixed, will not be based on the CTDOT's engineers estimates; they will be based on whatever cost the selected contractor is willing to build it for. Beyond cost, the structure must be aesthetically and socially acceptable as it is part of an existing community and special waterfront environment.

O-7.12
O-7.13

The Environmental Assessment does not break down the estimated costs or present a cost comparison of bridge types considered under the generally acceptable categories of design and construction:

1. Horizontal and Vertical Geometry
2. Super structure type
3. Pier Support, placement and span placement
4. Abutment placement and height
5. Superstructure type
6. Pier shape
7. Abutment shape
8. Color

O-7.14

9. Texture and landscaping.

O-7.14
(cont.)

As a result of these missing cost comparisons, it is our opinion that the estimated costs are not fully developed and do not take into account material selections, delivery periods and associated delays and disruptions associated with the intent to move forward with construction prior to a complete design and construction specification approval. The reports do not include a life cycle analysis, nor do they include a cost benefit analysis normally developed for a project of this size.

O-7.15

A complete, detailed comparison and analysis of design, construction, future maintenance, extended operating costs and total effects on the Norwalk Harbor environment must be presented if the Environmental Assessment is to serve its legally mandated purpose of providing a basis for informed public comment.

O-7.16

2. The Environmental Assessment's Cost Estimates for Fixed Options Are Inflated

O-7.17

In considering options to address the aging Walk Bridge, CTDOT worked closely with the Federal Transit Administration (FTA) in developing the project's "Purpose and Need Statement," an outline of the project requirements required to meet design and construction analysis. The bullet points of the statement are addressed below with our comments.

<ul style="list-style-type: none">• Address the existing deteriorated bridge with a resilient bridge structure	It should be noted that current engineering documents do not indicate a "deteriorated" bridge structure. The issue is the failure of the operating system to open and close the existing bridge.	O-7.18
<ul style="list-style-type: none">• Enhance the safety and reliability of rail service	At no time has the bridge failed or affected the reliability of rail service in its fixed position. The reliability concerns are specific to the bridge's failures in opening and closing.	O-7.19
<ul style="list-style-type: none">• Offer operational flexibility and ease of maintenance	A fixed bridge option completely removes the risk of failure during opening and closing and therefore provides the best reliability and	O-7.20

	minimizes required maintenance.	O-7.20 (cont.)
• Provide for increased efficiencies of rail transportation along the New Haven Line/Northeast Corridor	The efficiencies can only take into account current rail service. There is no provision in the design to provide compatibility with future high speed rail service. Any concern about efficiencies and delays due to the bridge's failure to open and close properly would be addressed with a fixed bridge, as there would be no such failures.	O-7.21
• Maintain and improve navigational capacity and dependability for marine traffic in the Norwalk River	The limited commercial traffic can be accommodated with a fixed bridge option.	O-7.22
• Increase bridge reliability, incorporate bridge redundancy, and provide a sustainable bridge for significant weather events, thereby accommodating current and future rail and marine traffic	The existing bridge weathered Hurricane Sandy and is in one of the most protected zones of the Norwalk Harbor. The full vertical lift design under consideration exposes lifting mechanisms to weather at heights not before experienced with the existing bridge.	O-7.23

An accurate comparison of fixed bridge options would take into account a cost benefit and life cycle analysis, including factoring the favorability of not removing a 120 year-old structure in a marine environment. At a minimum, an adequate cost analysis must take into account:

- The cost for removal of all machinery and equipment necessary for the opening and closing of the bridge;
- The decreased risk of environmental damage;
- Any operating costs concerning a “bridge operator”;
- Need for a staging area;
- Construction time differentials; and

- The necessity to remove the current overhead wires and supporting electrical systems.

An adequate baseline cost and engineering analysis, incorporating the above factors, must be completed to determine which option has the lowest cost and impacts on the Norwalk community.

O-7.24
(cont.)

II. THE ENVIRONMENTAL ASSESSMENT'S ANALYSIS OF THE PROJECT'S IMPACTS IS FLAWED

A. The Environmental Assessment Fails to Adequately Analyze Potential Impacts to Natural Resources from the Release of Contaminants into the Norwalk Harbor

The Environmental Assessment fails to adequately analyze how the project may release large amounts of toxic contaminants into the Norwalk Harbor, harming the sensitive shellfish that many Norwalkers consume or rely on for their livelihood. Shellfish, including oysters, has been a crucial natural resource for Norwalk residents for centuries. As of the late 1880s, oyster farming was the dominant local industry, and Norwalk had the largest fleet of steam-powered oyster boats in the world.¹ The oyster industry continues to be a major economic and cultural resource today, and thus Norwalkers have a long history of working to protect and celebrate the oyster. In 1930, Frederick J. Lovejoy, a local businessman who used Norwalk Harbor for oyster farming, sued the City of Norwalk to stop the discharge of sewage into the harbors, which was injuring his oyster grounds.² The Norwalk Seaport Association has organized an annual Oyster Festival since 1978, with 50,000 to 60,000 attendees every year.³ And in 2013, members of the U.S. Congress from Connecticut helped obtain an Urban Waters Small Grant from the U.S. Environmental Protection Agency for local environmental watchdog group Earthplace, to

O-7.25

¹ <http://connecticuthistory.org/towns-page/norwalk/>

² Lovejoy v. City of Norwalk, 112 Conn. 199 (1930)

³ <http://www.seaport.org/page-939740> (Webpage for 2016 Norwalk Seaport Association Oyster Festival)

support its efforts to screen and research water quality at three major stormwater runoff drains discharging into Norwalk Harbor. Protecting the local habitat for oysters and shellfish is crucial for Norwalk residents and the local region, and the Environmental Assessment needs to take these considerations into account.

O-7.25
(cont.)

Shellfish need clean water to thrive, and pollutants like bacteria can destroy their beds and sicken people who eat them. Thus, our paramount concern with this project is the contamination of Norwalk Harbor's oyster beds and shellfish. Shellfish feed by filtering particles out of the water, and thus take in and accumulate contaminants in the water, such as cadmium, lead, and metaloids like arsenic, in their flesh. Eating shellfish with high heavy metal concentrations can have a direct impact on human health. Activities from industry and run-off from urban and agricultural land uses further contribute to concentrations of these metals in the environment. Small children and infants are especially susceptible to harm from these toxins, as heavy metals are particularly detrimental to children's developing organs, especially the brain.

O-7.25
(cont.)

Considering the 120-year age of the current bridge, the removal of the center pivot point of the existing structure, along with abutments in the shoreline, can and will release contaminants of undetermined quantity and quality. The bridge was built during period in the nation's history where potential environmental impact or contamination from construction materials like lead was not well understood. The materials in the bridge likely contain toxic heavy metals that would be released into and harm the sensitive aquatic environment of Norwalk Harbor.

O-7.26

In addition, the Environmental Assessment fails to discuss the potential impacts to shellfish from contaminants that would be released by dredging. While it briefly discusses potential habitat alteration from dredging work required for construction, the Environmental Assessment ignores the likely release of large amounts of heavy metals and other contaminants,

O-7.27

which are settled in the sediment at the bottom of the Norwalk Harbor, into the water column.

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(cont.)

Those contaminants, which have accumulated in the sediment over decades of industrial releases into the harbor, would be disturbed and re-suspended into the water column by dredging. These contaminants could dramatically harm shellfish being cultivated in the area or render them unsafe for human consumption. This is a puzzling omission, considering that a 1972

Environmental Impact Statement for periodic maintenance dredging in Norwalk Harbor discusses this exact issue, of how dredging could potentially result in re-suspension of heavy metals and non-biodegradable chemical pollutants that could harm aquatic life.⁴ Obviously there is no corresponding discussion of mitigation of these potential effects in the current Environmental Assessment. These possible impacts to aquatic life from the Project need to be analyzed as a direct environmental effect in the Environmental Assessment pursuant to legal requirements, and an Environmental Assessment without this discussion is inadequate to meet legal requirements.

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The possible release of heavy metals and other contaminants is the leading reason to consider a fixed bridge option utilizing a rehabilitated support structure at the center pivot point.

O-7.29

The EA/EIE must, at a minimum, include an approved U.S. Food and Drug Administration/Interstate Shellfish Sanitation Conference (FDA/ISSC) testing and collection site at the construction area, where sample shellfish can be raised and tested during the project period to meet the mandates of the National Shellfish Sanitation Program Model Ordinance (NSSP-MO). Beyond that testing site, an approved EPA plan to control, clean and mitigate any and all pollutants generated by the construction and measured at the testing site must be presented and made available to local commercial fishermen for their consideration and understanding.

O-7.30

⁴ U.S. Army Engineer Division, New England. *Environmental Statement for Maintenance Dredging, Norwalk Harbor, Connecticut*. March 27, 1972.

In addition, the construction of the preferred alternative will also have impacts on tidal wetlands, which was not studied in sufficient detail by the CTDOT. The wetland areas in Veteran's Memorial Park and in East Norwalk harbor will be affected by any outflow of contaminants from the construction into those wetlands. These impacts were not studied by the Environmental Assessment and constitutes an improper omission.

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B. The Environmental Assessment Fails to Consider Socioeconomic Impacts

The construction work required for the preferred project alternative, which would last more than three years,⁵ will have devastating impacts to locally owned businesses in the area. It would require the permanent displacement of four existing small businesses and temporary easements on 12 parcels.⁶ Counsel informs us that such impacts must be analyzed in detail pursuant to legal requirements for an Environmental Assessment, quantifying details like the amount of business that would be lost due to interruptions in access and foot traffic lost from construction. We request that CTDOT study these impacts before finalizing the Environmental Assessment.

O-7.32

The construction work will also affect the value of the property near the construction areas for the duration of the construction. South Norwalk rental properties like Ironworks SoNo, along with businesses and restaurants on Water Street, will have their property values negatively impacted by the construction work. Foot traffic access and availability of parking will be impacted, reducing the flow of potential customers and purchasers or renters of residences, and the waterfront views will be marred by construction. This will lessen the value of these properties that have played a pivotal role in gentrifying and reviving Norwalk.

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⁵ EA/EIE at 5-11 (Table 5-1).

⁶ EA/EIE at 5-9.

Another inexplicable omission is CTDOT's long-ongoing consideration of entirely dismantling the existing IMAX Theater, which the Environmental Assessment notes is "the largest Connecticut attraction within 100 miles of New York City," hosting 500,000 visitors a year.⁷ While the Environmental Assessment mentions that there are potential impacts to the IMAX Theater, nowhere does it discuss the possibility of closing and entirely dismantling the theater to use the land where it stands as a staging area.⁸ CTDOT has reportedly been considering the closure since at least January 2016.⁹ The potential closure of the theater, renovated only four years ago in 2012, is a significant concern for Norwalk citizens. No decision on the project should be made before evaluating the impacts from such a closure, such as loss of revenue, job loss, loss of tourism and visitors to Norwalk, and other major factors and considerations required to be studied by law.

The project construction will require the taking of property including existing housing. Counsel informs us that such impacts to housing must be studied in some detail, including providing a breakdown of the residences who would be displaced by race and by income group, and analyze whether the action is consistent with state policy for housing and community development. The Environmental Assessment merely mentions that a few homes would be lost without providing such details, and should be amended to include these analyses.

A significant concern of many Norwalk residents is that the property taken by the government in order to perform construction will eventually be sold to developers who will build high-end properties beyond the reach of most Norwalkers, as they would be geared towards

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O-7.35

⁷ EA/EIE at 3-48.

⁸ EA/EIE at 5-18.

⁹ Nancy Chapman, *ConnDOT Considering Rail Spur Where Maritime Aquarium Sits*. Nancy on Norwalk, January 23, 2016. Available online at <https://www.nancyonnorwalk.com/2016/01/conndot-considering-rail-spur-where-maritime-aquarium-sits/>.

cosmopolitan residents commuting to New York City. While we appreciate that some new businesses and residences can attract high-earning taxpayers to Norwalk, we are concerned that we long-time residents of Norwalk would be priced out of our own homes and neighborhoods, as is so commonly occurring in metropolitan areas across the nation. We are afraid that the government may be taking properties and displacing Norwalkers from their homes and residences with plans to sell those properties to the highest bidder in short order. We ask that the Environmental Assessment study these potential impacts and provide a plan for what CTDOT may do with the land it plans to take from Norwalk citizens after construction is complete.

O-7.36

III. CONCLUSION

The foregoing demonstrates the need to redraft the Environmental Assessment and then to evaluate the need for a full-blown Environmental Impact Statement. In my opinion, the movable feature of the bridge should be eliminated in favor of a fixed bridge composed of modern spans that would allow for barges to pass beneath with a low-profile prime mover.

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O-7.38

Thank you again for the opportunity to submit these public comments on behalf of Norwalk Harbor Keeper. Please feel free to contact me if you have any questions. I can be reached at [REDACTED] or at [REDACTED]

Sincerely,



Robert Kunkel

President
Norwalk Harbor Keeper

COMMENTS ON THE PROPOSED REPLACEMENT OF THE WALK BRIDGE

Submitted on Behalf of Norwalk Harbor Keeper

by

Sive, Paget & Riesel, P.C.

2016-12-02

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I. Introduction

These comments are submitted on behalf of Norwalk Harbor Keeper, a voluntary association comprised of members who use and enjoy Norwalk Harbor and use the rail line that crosses the Walk Bridge, as well as other similarly situated residents and business entities in and around the City of Norwalk. It is based on the representations and omissions in the Environmental Assessment/Environmental Impact Evaluation ("EA/EIE" or "Environmental Assessment") for the Walk Bridge Replacement Project (the "Project"), jointly published by the Connecticut Department of Transportation ("CTDOT") and the Federal Transit Administration ("FTA") on September 6, 2016, pursuant to the federal National Environmental Policy Act ("NEPA") and the Connecticut Environmental Policy Act ("CEPA"). It is also based on the written statement of Robert Kunkel, a marine engineer knowledgeable of conditions in Norwalk Harbor, in his capacity as President of Norwalk Harbor Keeper (hereafter "Kunkel Statement"), as well as other aspects of the public record.

Annotation
starts in
Section IIA,
on Page 5.

II. Overview

The Environmental Assessment suffers from numerous fatal defects under both NEPA and CEPA. Those deficiencies must be corrected before either CTDOT or FTA may take any further action to advance the Project and before any federal or state funding or permits may be issued. To the extent that the Environmental Assessment is probative, it indicates that the bridge replacement option selected by CTDOT should be disregarded.

Thus, the Environmental Assessment is an illogical argument for spending an excessive amount of public money and causing unneeded disruption to the Norwalk community. CTDOT's preferred alternative of a vertical lift movable bridge is estimated to cost between \$425 to \$460

million for construction, which significantly exceeds the cost of other options. (EA/EIE 2-19).

The construction is estimated to take 40 months, which will result in tremendous harm to Norwalk's businesses along the waterfront, unnecessarily damage natural resources, and interrupt Norwalk residents' ability to enjoy the Norwalk Harbor and its shorelines for a period of more than three years. (EA/EIE 2-23).

The most basic error is not fully evaluating a logical Project alternative of a fixed bridge at the present height, which would have lower costs, provide greater rail safety, and have less of an impact on the Norwalk community and its harbor. The Environmental Assessment attempts to justify this critical omission based on the false assumption that any hindrance to navigation eliminates the need to consider a fixed bridge at the same height as the current bridge. However, no facts are provided to support the conclusion that a fixed bridge at current height would significantly impact maritime commerce. There is furthermore no legal support for the position that a bridge may not impose reasonable limits on navigation of a federal waterway, as courts have repeatedly upheld the principle that reasonable restrictions on navigation are indeed permissible.

The alternatives analysis also fails to provide adequate analysis or information relating to cost-effectiveness, resiliency, or railroad safety factors as related to the choice between the design alternatives. A discussion of these factors would mandate the replacement of the Walk Bridge by a relatively simple fixed bridge. Significantly, the arbitrary choice of a movable bridge over a fixed bridge, in these circumstances, demonstrates that there is no basis for the use of federal "Sandy" money which the Project plans to rely upon. The relevant regulations require that Sandy grants be utilized to maximize resiliency for public transportation assets. This purpose would plainly be best served by a fixed bridge, rather than a movable bridge, because a fixed

bridge lacks moving parts, a requirement for power, or operational staff, all of which are vulnerable to extreme weather events. Because the Environmental Assessment indicates that the preferred remedy will not be in conformity with the authorizing grant program, it may result in the allocation of the Sandy funds being rescinded. *See* 49 C.F.R. Part 602, 602.6.

Another critical error in the Environmental Assessment is the segmentation of necessary Project components, such as the removal and relocation of high-voltage electricity transmission towers and the rerouting of railroad communications cables, from environmental review as required by law. Segmentation is explicitly proscribed by both NEPA and CEPA, as allowing agencies to make decisions that could significantly harm the environment without considering the entire potential footprint of the action would render NEPA and CEPA meaningless. The Environmental Assessment fails to consider the potential impacts of necessary Project components that it states are required for all Project alternatives, then boldly states that the impacts of those components will be separately reviewed in the future—a clear cut case of segmentation.

The Environmental Assessment additionally fails to adequately analyze the full scope of potential Project impacts, including impacts to shellfish, socioeconomic impacts, and housing impacts. The Environmental Assessment mentions the existence of some of these impacts at a superficial level, but does not analyze what the impacts would be or their magnitude. This makes it impossible for third parties, including the public, to independently analyze CTDOT's environmental review and comment on them in meaningful ways, such as by suggesting appropriate mitigation options.

Accordingly, and for all of the other reasons stated above and explained in further detail below, the Environmental Assessment must be revised and re-issued before any further action is taken to advance the Project.

A. The Environmental Assessment Does Not Conform to the Requirement for Full and Meaningful Disclosure of Environmental Impacts

O-8.1

Compliance with the National Environmental Policy Act ("NEPA") is required for "major Federal actions significantly affecting the quality of the human environment." 42 U.S.C. § 4332(2)(C). The Environmental Assessment recognizes that NEPA applies to the Project, as the Project depends on both funding and permits from federal agencies. (EA/EIE ES-1). The Connecticut Environmental Policy Act ("CEPA"), similar to NEPA, requires a "detailed written evaluation of...environmental impact[s]" from a project under consideration by a state agency. Conn. Gen. Stat. § 22a-1b; Conn. Agencies Regs. 22a-1a-7(a). The Environmental Assessment recognizes that CEPA also applies to the Project, as the Project involves both funding and permits from Connecticut state agencies. (EA/EIE ES-1).

The dual goal of both NEPA and CEPA is to (1) provide the decision maker with a rational basis for choosing amongst alternatives and (2) enable the public and third parties to independently evaluate and make informed comments about agency actions under consideration in order to improve the quality of those decisions. 40 C.F.R. § 1502.14; *Chelsea Neighborhood Associations v. U.S. Postal Serv.*, 516 F.2d 378, 389 (2d Cir. 1975); *I-291 Why? Ass'n v. Burns*, 372 F. Supp. 223, 249 (D. Conn. 1974), *aff'd*, 517 F.2d 1077 (2d Cir. 1975); *Stand Up for California! v. U.S. Dep't of the Interior*, No. CV 12-2039 (BAH), 2016 WL 4621065, at *64 (D.D.C. Sept. 6, 2016); Conn. Gen. Stat. § 22a-1b(c); Conn. Agencies Regs. 22a-1a-7(f).

Connecticut law has recognized that CEPA, as it was modeled on NEPA, is to be construed to incorporate applicable NEPA requirements and interpretive precedents. *Connecticut Coal. for Envtl. Justice, Inc. v. Dev. Options, Inc.*, No. CV030828997S, 2005 WL 525631 (Conn. Super. Ct. Jan. 5, 2005) (applying precedent on federal NEPA segmentation prohibition to construe CEPA).

The Environmental Assessment fails to meet these standards. It does not consider a reasonable range of Project alternatives, attempts to segment and delay review of necessary Project components until the future, and provides incomplete, opaque information concerning potential Project impacts and costs. Because of these deficiencies, the document is not able to fulfill its purpose, to provide information to the public that allows individual citizens to analyze and comment on the agency's proposed action. Accordingly, the Environmental Assessment cannot serve to fulfill the FTA's obligations under NEPA, and no federal funding or any of the required federal permits may be issued for the proposed Project.

O-8.1
(cont.)

A document prepared by a state agency, such as the Environmental Assessment, which has been primarily prepared by CTDOT, may suffice to meet a federal agency's NEPA requirements if the document meets NEPA's standards. 42 U.S.C. § 4332(D); 40 C.F.R. § 1506.2(c) ("Agencies shall cooperate [in NEPA review] with State and local agencies to the fullest extent possible...such cooperation shall to the fullest extent possible include joint environmental impact statements...so that one document will comply with all applicable laws."); 23 C.F.R. § 771.109(c)(2) ("Any applicant that is a State or local governmental entity that is, or is expected to be, a direct recipient of [FTA] funds...may prepare [NEPA] environmental review documents if the Administration furnishes guidance and independently evaluates the documents.").

The Environmental Assessment recognizes that the Project will be reliant on federal funding, none of which may be disbursed until NEPA compliance is attained. (EA/EIE 4-1; 6-1). The Environmental Assessment also recognizes that the Project will require numerous federal permits and authorizations, none of which may be granted until NEPA compliance is attained. (EA/EIE 7-1).¹

The myriad flaws afflicting the Environmental Assessment also render the document unfit to fulfill CTDOT's obligations under CEPA, which means that no state funding or any of the required state permits may be issued. Conn. Gen. Stat. § 22a-1b(c). The Environmental Assessment recognizes that none of the state funding required for the Project, along with numerous necessary state permits and authorizations, may be granted or disbursed until CEPA compliance is attained. (EA/EIE ES-15; 6-1; 7-2).² As such, this defective document must be redrafted in compliance with binding federal and state law before either FTA or CTDOT can take any further action to advance the Project.

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B. Historical Patterns of Use of the Upper Norwalk River Demonstrate Declining Commercial Navigation, While Railroad Traffic Across the Walk Bridge Grows

The Walk Bridge, constructed in 1896, is a movable railroad bridge spanning the Norwalk River. (EA/EIE ES-1). It provides approximately 16 feet of vertical clearance for ships

¹ See, e.g.: Section 9 of the Rivers and Harbors Act (33 USC 491) - U.S. Coast Guard (permit for construction of new bridge); Section 10 of the Rivers and Harbors Act (33 USC 403) - U.S. Coast Guard (permit for dredging and filling in navigable waters/ impacts to waters and wetlands of the U.S.); Section 14 of the Rivers and Harbors Act (33 USC 408) - U.S. Army Corps of Engineers (permit for impact to federal navigation channel); Section 7, Endangered Species Act (16 USC 1531 *et seq.*) - National Oceanic and Atmosphere Administration/National Marine Fisheries Service (evaluation of Project impacts on wildlife).

² See also, e.g.: Connecticut Coastal Management Act; and Tidal Wetlands Regulations (CGS Section 22a-30-1) - Connecticut Department of Energy and Environmental Protection (structures, dredge and fill, and tidal wetlands permit); Section 401 of the Clean Water Act (33 USC 1341); Connecticut Surface Water Quality Standards (CGS Section 221-426) - Connecticut Department of Energy and Environmental Protection (water quality certification); Conn. Gen. Stat. §22a-36 to 22a-45 - Connecticut Department of Energy and Environmental Protection (inland wetlands general permit); Conn. Gen. Stat. 22a-133z and 22a-208a - Connecticut Department of Energy and Environmental Protection (general permit for contaminated soil and/or sediment management).

to pass underneath, and divides Norwalk Harbor from the Upper Norwalk River, which extends approximately one mile north of the Walk Bridge, whereupon it gradually terminates into a shallow, gravelly stream. The Walk Bridge is engineered to swing open horizontally to permit the passage of ships that require more than 16 feet of vertical clearance. (EA/EIE 2-6). At the time of the design and construction of the swing mechanism for the Walk Bridge, the portion of the Norwalk River north of the Walk Bridge was a thriving hub of maritime commerce; thus, preserving unlimited navigational access to the Upper Norwalk River was considered important. (Kunkel Statement 3).

However, in recent decades, maritime commerce and transportation to the Upper Norwalk River has dropped precipitously (Kunkel Statement 3-4). This is a result of a confluence of long-term trends, including deindustrialization of the Upper Norwalk River, decreasing land transportation costs, and gentrification along the Upper Norwalk River. (*Id.*). One of the only two remaining active commercial maritime uses of the Upper Norwalk River is a gravel plant which occasionally uses barges propelled by tug boats that are too tall to fit under the Walk Bridge to bring gravel down the river, but more frequently employs trucks to transport gravel off-site. (*Id.*). Even this small-scale commercial use of the movable bridge is unnecessary, however, as tug boats with a wider, but less tall, profile would be a completely practical solution to shipping gravel under the Walk Bridge without requiring the bridge to open. (Kunkel Statement 4).

The other remaining commercial use is a small marina located just past the Walk Bridge, which contains a few sail boats with masts too tall to fit under the Walk Bridge. These boats could easily be relocated to a site in Norwalk Harbor below the Walk Bridge, as no logistical or shipping considerations dictate its current location. (Kunkel Statement 4). As can be seen, the

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O-8.3

current *de minimis* maritime commerce on the Upper Norwalk River is a far cry from the booming industrial traffic in the 1800s which originally justified engineering a movable bridge structure. (*Id.*)

The Environmental Assessment contains a partial recognition of these realities, noting that maritime traffic in the whole of Norwalk Harbor has fallen significantly in recent years. (EA/EIE 3-19, "Marine traffic in Norwalk Harbor has generally declined since 2008...Vessel trips in 2012, the most recent annual report, represented a decline in marine traffic of more than 30 percent from vessel trips reported in 2008.").

However, it is striking that the Environmental Assessment contains absolutely no empirical data concerning the rate or volume of commercial shipping on the Upper Norwalk River, that portion of the Norwalk River which extends north of the Walk Bridge. Instead, the Environmental Assessment relies solely on shipping data for traffic throughout *all of Norwalk Harbor* to claim that there is still non-*de minimis* commercial use of the Upper Norwalk River. (EA/EIE 3-18). The information concerning commercial maritime uses of the Upper Norwalk River is a table entitled "Domestic Commercial Traffic and Commerce through Norwalk Harbor, 2008-2012," which notes that as of 2012, 192 total vessel trips occurred in Norwalk Harbor (down from 288 trips in 2008). (*Id.*). The Environmental Assessment then states that "[b]ased upon a review of existing land uses around Norwalk Harbor, it is likely that the majority of vessels carrying cargo in Norwalk Harbor pass through Walk Bridge, traveling to distribution points north of the bridge." (*Id.*). No rational basis is furnished for this determination of "likelihood."

Instead, the Environmental Assessment simply proclaims that the conclusion is true based on an unspecified "review" of land use in Norwalk Harbor, which does not even disclose who

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conducted the review and whether this review was conducted in-person or whether maps were simply consulted. (EA/EIE 3-18). This type of environmental impact analysis by agency fiat, rather than documented empirical study, flies in the face of NEPA and CEPA's public disclosure requirements. It is impossible for the public to engage with, and comment upon, these type of opaque and vague determinations.

While maritime trade on the Upper Norwalk River has significantly declined by any measure, railway traffic across the bridge has increased significantly. (EA/EIE 1-1). From 1984 to 2014, Metro-North ridership on the New Haven Line, which crosses the Walk Bridge, increased by more than 72%. Today, the Amtrak and Metro-North rail lines across the Walk Bridge are among the heaviest-trafficked rail lines in the entire country, and ridership is only expected to increase. (*Id.*). Although this documented juxtaposition of trend lines (increasing rail traffic and decreasing maritime traffic) is clear even on the face of the incomplete information furnished in the Environmental Assessment, the document nowhere engages with its implications for infrastructure planning. Given that a new bridge will likely be in use for at least 100 years into the future, the Environmental Assessment's failures in this regard are conspicuous.

Thus, CTDOT proposes to spend hundreds of millions of public money to accommodate vanishing maritime traffic and adversely impact increasing rail usage. The Environmental Assessment is able to reach this illogical point by a marked misuse of the alternatives analysis process.

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III. The Environmental Assessment Inadequately Analyzes Project Alternatives

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The alternatives analysis is the "linchpin" of a NEPA document, and an inadequate alternatives analysis alone is sufficient grounds to invalidate such a document. *Monroe Cty.*

Conservation Council, Inc. v. Volpe, 472 F.2d 693, 697 (2d Cir. 1972). Here, the Environmental Assessment must be rejected because its flawed alternatives analysis violates the core tenet of NEPA and CEPA that the document must analyze a "reasonable range of alternatives." 40 C.F.R. § 1508.9(b); *Env'tl. Def. Fund, Inc. v. Corps of Engineers of U.S. Army*, 492 F.2d 1123, 1135 (5th Cir. 1974); Conn. Agencies Regs. 22a-1a-7(g); *Bingham v. Dep't of Pub. Works*, 51 Conn. Supp. 590, 596, 16 A.3d 865, 875 (Super. Ct. 2009), *aff'd*, 127 Conn. App. 461, 15 A.3d 213 (2011).

The Environmental Assessment states that the Project's purpose and need is to i) replace the existing railroad bridge with a more resilient structure, and ii) maintain the existing navigational capacity on the river. (EA/EIE 1-4). The Environmental Assessment briefly identifies a set of fixed bridge designs, including a fixed bridge at approximately the same vertical clearance as the existing movable bridge. However, the Environmental Assessment "screens out" these designs from further consideration on the grounds that they would not meet the Project's purpose and need, as they would not provide unlimited vertical clearance for navigation. With no further analysis or evidence provided, the Environmental Assessment completely drops consideration of fixed bridge designs and proceeds to evaluate only movable bridge designs. (EA/EIE 2-2). As this memorandum will explain in further detail below, this alternatives analysis is inadequate for several key reasons.

As a threshold issue, a project sponsor may not tailor a project's purpose and need such that it artificially excludes reasonable alternatives. *Theodore Roosevelt Conservation P'ship v. Salazar*, 661 F.3d 66, 73 (D.C. Cir. 2011) (courts "will reject an 'unreasonably narrow' definition of objectives that compels the selection of a particular alternative."); *Nat'l Parks & Conservation Ass'n v. Bureau of Land Mgmt.*, 606 F.3d 1058, 1070 (9th Cir. 2010) ("An agency may not define the objectives of its action in terms so unreasonably narrow that only one alternative...would

O-8.6
(cont.)

accomplish the goals of the agency's action, and the EIS would become a foreordained formality.") (internal citations omitted); *Davis v. Mineta*, 302 F.3d 1104, 1119 (10th Cir. 2002) (An agency "could not define the project so narrowly that it foreclosed a reasonable consideration of alternatives") (internal citation omitted).

Here, CTDOT and FTA have defined the Project's purpose as not only replacing the existing Walk Bridge with a structurally sound new railroad bridge, but also doing so in a way that maintains the existing unlimited vertical navigational clearance afforded by the current movable bridge design. (EA/EIE 1-4). By stipulating this parameter as part of the Project purpose and need, CTDOT and FTA have unreasonably "stacked the deck" in favor of replacing the Walk Bridge with another movable design. As noted above, CTDOT and FTA provide no reasonable empirical basis for why maintaining unlimited vertical navigational clearance to the Upper Norwalk River is socially useful in light of the rapid and continuing decline in maritime commerce there in recent decades. Additionally, as discussed further below, a major source of federal funding the Project intends to rely upon is specifically targeted at improving the resiliency of public rail transport assets, and says nothing about maintaining unlimited vertical clearance for maritime commerce. (EA/EIE 4-1).

A revised Environmental Assessment, free of the use of this artificially restricted purpose and need to block consideration of a fixed bridge, would study the actual commercial maritime uses of the Upper Norwalk River and engage with the issue of whether a movable bridge is truly necessary, given the historical changes that have occurred since the construction of the existing bridge 120 years ago. Such a document would be a critical part in a lawful NEPA and CEPA review process.

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Notwithstanding CTDOT's use of an artificially narrow purpose and need, federal courts have consistently ruled that an Environmental Assessment must analyze even those reasonable project alternatives which "partially" accomplish the goals set forth in the purpose and need. This is because the tradeoffs involved in partial accomplishment of the goals may be worthwhile to the public if costs and impacts are lower. *City of N.Y. v. U.S. Dep't of Transp.*, 715 F.2d 732, 742–43 (2d Cir. 1983) ("[R]eviewing courts have insisted that the agency 'consider such alternatives to the proposed action as may partially or completely meet the proposal's goal.' Moreover, an agency will not be permitted to narrow the objective of its action artificially and thereby circumvent the requirement that relevant alternatives be considered."); *Nat. Res. Def. Council, Inc. v. Callaway*, 524 F.2d 79, 93 (2d Cir. 1975); *see also N. Buckhead Civic Ass'n v. Skinner*, 903 F.2d 1533, 1542 (11th Cir. 1990) ("[A] discussion of alternatives that would only partly meet the goals of the project may allow the decision maker to conclude that meeting part of the goal with less environmental impact may be worth the tradeoff with a preferred alternative that has greater environmental impact.").

Moreover, it is well established that an environmental assessment document cannot limit the alternatives examined by some arbitrary criteria; there is a binding requirement under both NEPA and CEPA to consider a "reasonable" range of project alternatives. 40 C.F.R. § 1508.9(b); *Env'l. Def. Fund, Inc. v. Corps of Engineers of U.S. Army*, 492 F.2d 1123, 1135 (5th Cir. 1974); Conn. Agencies Regs. 22a-1a-7(g); *Bingham v. Dep't of Pub. Works*, 51 Conn. Supp. 590, 596, 16 A.3d 865, 875 (Super. Ct. 2009), *aff'd*, 127 Conn. App. 461, 15 A.3d 213 (2011). Indeed, as emphasized by the Council on Environmental Quality ("CEQ"), the federal agency responsible for NEPA compliance, the requirement to consider a reasonable range of alternatives is "the heart" of a NEPA document. 40 C.F.R. § 1502.14. *Calvert Cliffs' Coordinating Comm., Inc. v. U.*

S. Atomic Energy Comm'n, 449 F.2d 1109, 1114 (D.C. Cir. 1971) ("This requirement...seeks to ensure that each agency decision maker has before him and takes into proper account all possible approaches to a particular project (including total abandonment of the project) which would alter the environmental impact and the cost-benefit balance. Only in that fashion is it likely that the most intelligent, optimally beneficial decision will ultimately be made."). Accordingly, the truncated review given to the low fixed bridge, the most logical alternative to the higher cost and riskier movable bridge, presents a *prima facie* case of the Environmental Assessment's deficiency, as the following discussion demonstrates.

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A. The Environmental Assessment's Alternatives Analysis Inadequately Assesses Navigational Considerations

O-8.8

The Environmental Assessment evidences numerous analytical flaws in how alternatives were considered and how the determination was reached to "screen out" the fixed bridge alternatives after only cursory review. The Environmental Assessment's alternatives analysis fails to adequately assess considerations relating to the commercial navigational needs on the Norwalk River. This issue is at heart of the document's inadequacy. The Environmental Assessment "screens out" from its alternatives analysis any fixed bridge alternative on the grounds that they would result in "reduced dependability and capacity for marine traffic." (EA/EIE 2-5). This rationale has no relationship to the determination of what a reasonable alternative might be, absent some documentation of what marine traffic is presently or might be in the future. However, the Environmental Assessment is completely bare of any study on whether a fixed bridge, in light of the minimal and declining maritime commerce on the Upper Norwalk River, would have any significant impact on marine traffic. The Environmental

Assessment simply assumes and states this to be the case, but provides no means for the public to evaluate the basis for this conclusion. | O-8.8 (cont.)

Both NEPA and CEPA require that the document's analysis must include actual conditions and reasonable projections grounded on empirical data. 40 C.F.R. § 1500.1(b) ("NEPA procedures must insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. The information must be of high quality. Accurate scientific analysis, expert agency comments, and public scrutiny are essential to implementing NEPA."); *Oregon Nat. Desert Ass'n v. Jewell*, No. 13-36078, 2016 WL 6127053, at *5 (9th Cir. Oct. 20, 2016) (Agencies must "succinctly describe the environment of the area(s) to be affected...by the alternatives under consideration, and insure that environmental information is available to public officials and citizens before decisions are made and before actions are taken. Accurate scientific analysis...[is] essential to implementing NEPA.").

Accordingly, the applicable frame of reference is whether there is a rational basis to conclude that actual or predicted marine commerce would be adversely affected by a low clearance fixed bridge. No such rational basis is supplied, and indeed, as discussed *supra* at 7, the Kunkel Statement clearly indicates that there would be no significant adverse impacts of a fixed bridge at current height on maritime commerce. | O-8.8 (cont.)

In light of this absence of data supporting the reason for rejecting the low fixed bridge, it is possible that the "screening out" of fixed bridge alternatives is grounded on the assumption that any impairment of navigation on a federally navigable waterway is contrary to law. However, there are no legal or regulatory barriers to a fixed bridge arising from the status of the Norwalk River as a navigable waterway. Once a water body is recognized as navigable, the

standard for permitting a bridge across it is whether the bridge will *unreasonably* obstruct navigation. U.S. Coast Guard regulations recognize that bridges may lawfully pose "obstructions to navigation" so long as they allow for "the reasonable needs of navigation." 33 C.F.R. § 116.01 ("All bridges are obstructions to navigation and are tolerated only as long as they serve the needs of land transportation while allowing for the reasonable needs of navigation."). Similarly, the Rivers and Harbors Act provides that "[n]o bridge shall at any time *unreasonably* obstruct the free navigation of any navigable waterway of the United States." 33 U.S.C. § 512 (emphasis added).

Since railways were first introduced into commerce in the United States, there have been competing interests in building railway bridges across waterbodies while maintaining navigation in those same waterbodies. However, over the years, courts have consistently rejected legal challenges to building fixed bridges that limit navigability when the bridges were duly authorized by the federal government. In the Supreme Court case of *Miller v. City of New York*, 109 U.S. 385, 395 (1883), the Court discussed the need to balance the interests of then-recently introduced railway technology with existing modes of transportation:

Every public improvement, while adding to the convenience of the people at large, affects more or less injuriously the interests of some ...Every railway in a new country interferes with the business of stage coaches and side-way taverns; and it would not be more absurd for their owners to complain of and object to its construction than for parties on the banks of the East River to complain of and object to the improvement which connects the two great cities on the harbor of New York.

The Supreme Court had already acknowledged in this principle in *The Mohler*, 88 U.S. 230, 234–35 (1874):

These bridges, supported by piers, of necessity increase the dangers of navigation, and river-men, instead of recognizing them as lawful structures built in the interests of commerce, seem to regard them as obstructions to it, and apparently act on the belief that frequent accidents will cause their removal. There is no foundation for this belief...These bridges are, to a certain extent, impediments in the way of navigation, but railways are

highways of commerce as well as rivers, and would fail of accomplishing one of the main objects for which they were created—the rapid transit of persons and property—if rivers could not be bridged.

See also Levingston Shipbuilding Co. v. Ailes, 239 F. Supp. 775, 777 (E.D. Tex. 1965), *aff'd*, 358 F.2d 944 (5th Cir. 1966); *Pac. Inter-Club Yacht Ass'n v. Morris*, 197 F. Supp. 218, 223 (N.D. Cal. 1960); *Wilmington Ry. Bridge Co. v. Franco-Ottoman Shipping Co.*, 259 F. 166, 168 (4th Cir. 1919) ("[T]he bridge was a lawful structure, though it interfered with navigation"). In light of the above, it is unreasonable to exclude a fixed bridge design from the full alternatives analysis without providing any rational basis for doing so.

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It is also unreasonable to exclude any analysis of future maritime commerce trends from the Environmental Assessment. As the Environmental Assessment itself recognizes, the Project will require a U.S. Coast Guard permit to reconstruct the bridge, and the permit requires the applicant to provide an analysis of future maritime trends. (EA/EIE 7-1, recognizing the need for a Rivers and Harbors Act Section 9 bridge permit from the U.S. Coast Guard). The U.S. Coast Guard instructs applicants to include in a Section 9 bridge permit application an analysis of the long-term navigational needs of the waterbody. U.S. Coast Guard, *Bridge Permit Application Guide* (October 2011) at 6.

O-8.9

As further explained in U.S. Coast Guard guidance, this evaluation is done by means of the Navigational Clearance Determination procedure, which involves detailed assessment and projections of maritime use patterns on the water body. U.S. Coast Guard, *Reasonable Needs of Navigation White Paper* (October 5, 2012). This analysis must include, among other considerations:

- Existing commercial users
- Existing recreational users
- Vessel trip frequency
- All bridges upstream and downstream from the proposed bridge

- Waterway layout and geometry
- Waterway depth and elevation fluctuations
- Type and size of vessels utilizing the waterway (or expected to utilize the waterway during the proposed bridge lifespan)
- Review of annual cargo movements

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See U.S. Coast Guard, *Reasonable Needs of Navigation White Paper* (October 5, 2012). These criteria indicate what should have been included in the Environmental Assessment, as opposed to the substantively limited material actually supplied.

Moreover, given that the Project will be obligated to perform a Navigational Clearance Determination analysis in order to obtain a necessary federal bridge permit, it makes little sense to delay doing so until after an alternative is selected and the Environmental Assessment is finalized. The Environmental Assessment's lack of any analysis of future maritime use patterns renders its alternatives analysis meaningless, and the required projection analysis should be included in the Environmental Assessment to inform the public's ability to review and comment on the EA/EIE. More generally, in light of the fact that Project alternatives are being assessed for a 100-year operational life, it is simply unreasonable for the Environmental Assessment to omit any analysis of whether future maritime shipping trends justify the need for a movable bridge to allow for unlimited vertical clearance. (EA/EIE 2-6, describing assessment of project alternatives for a 100-year operational life).

O-8.10

B. The Environmental Assessment's Alternatives Analysis Inadequately Assesses Cost-Effectiveness Considerations

The Environmental Assessment itself recognizes that cost-effectiveness is a critical factor in evaluating and comparing potential Project alternatives. (EA/EIE 2-1, citing "cost, including initial costs and life cycle costs" as a parameter to screen project alternatives). More broadly, the U.S. Office of Management and Budget ("OMB"), in issuing regulations to guide the use of

O-8.11

public monies by federal agencies, including the FTA, has recognized the importance of cost-effectiveness in project design. OMB guidelines encourage federal agencies to "increase cost-effectiveness," defined as pursuing, "on the basis of life cycle cost analysis of competing alternatives...the lowest costs expressed in present value terms for a given amount of benefits."

78 FR 78589; OMB Circular No. A-94 Revised.

A fixed bridge, which has no motorized mechanism that needs to be operated or maintained, and no 24-7 crew to oversee operations, would almost certainly have a much lower initial and life-cycle cost, while having higher resiliency to extreme weather and only minimal impacts on maritime traffic. (Kunkel Statement 9-11). Indeed, as the Environmental Assessment itself indicates, a fixed bridge at current height is less expensive than the movable bridge options. (EA/EIE 2-6; 2-11; 2-15; 2-19, estimating the cost of constructing a low-level fixed bridge between \$290 and \$340 million, compared to the moving bridges which were estimated to cost between \$330 and \$365 million (Bascule Bridge, Option 4S), \$380 and \$415 million (Vertical Lift Bridge, Option 8A) and, for the preferred alternative, \$425 and \$460 million (Vertical Lift Bridge, Option 11C)).

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The Environmental Assessment also fails to provide a breakdown of the cost estimates identifying the components of the estimates, issuing only lump sum total estimates for the construction costs and yearly operational costs. Such an opaque approach prevents public evaluation and comment on how those estimates were reached. It is impossible to determine, for example, whether the cost of staff to operate the movable bridge mechanism is included in the lifecycle costs for the movable bridge alternatives. (EA/EIE 2-6; 2-21). Additionally, while for the movable bridge options, the Environmental Assessment specifies that the "year basis" for the cost estimates is 2020 dollars, there is no such specified year basis for the cost estimates for the

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fixed bridge options, rendering it impossible to perform a consistent side-by-side comparison of the alternatives.

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In sum, the Environmental Assessment contains only incomplete and opaque information on cost estimates for the different alternatives screened, which frustrates NEPA and CEPA's goal of facilitating informed public comment on project alternatives. (EA/EIE 2-6; 2-21). Indeed, informed members of the public believe that the cost-effectiveness of a fixed bridge at current height may be even greater than indicated on the face of the EA/EIE, as a true and complete cost estimate comparing the fixed bridge at current height to movable bridge options would likely indicate even greater savings than reflected in the EA/EIE. (Kunkel Statement 6-7).

C. The Environmental Assessment's Alternatives Analysis Inadequately Assesses Resiliency Considerations, Thus Precluding Disbursement of the Sandy Funds

O-8.14

The Environmental Assessment recognizes that resiliency against extreme weather is a critical factor in evaluating and comparing potential Project alternatives. (EA/EIE 2-1, citing "resiliency" as a parameter to screen project alternatives). The federal government, including CEQ and the U.S. Department of Transportation ("U.S. DOT"), which includes the FTA, has emphasized the centrality of a resiliency analysis in evaluating project alternatives, especially for public infrastructure projects with a long operational life. CEQ's guidance on climate change consideration for federal agencies counsels:

[A] NEPA review should consider an action in the context of the future state of the environment. In addition, climate change adaptation and resilience — defined as adjustments to natural or human systems in response to actual or expected climate changes — are important considerations for agencies contemplating and planning actions with effects that will occur both at the time of implementation and into the future.

Final Guidance for Federal Departments and Agencies on Consideration of Greenhouse Gas Emissions and the Effects of Climate Change in National Environmental Policy Act Reviews

(2016). In addition, U.S. DOT guidance on climate change adaptation provides, "DOT agencies will develop, prioritize, implement, and evaluate actions to moderate climate risks and protect critical infrastructure using the best available science and information." U.S. DOT, *Policy Statement on Climate Change Adaptation*, June 2011.

It is essential for agencies to incorporate resiliency planning into infrastructure because climate change is projected to cause extreme weather events to occur at increasing frequencies, including more severe heat waves, sea level rise, storm surges, and more intense precipitation. U.S. EPA, *Climate Impacts on Transportation*, 2016.³ Such events, especially heat waves, will have particularly significant impacts on rail infrastructure, as "high temperatures cause rail tracks to expand and buckle [and] [m]ore frequent and severe heat waves may require track repairs or speed restrictions to avoid derailments." *Id.*

Critically, one of the key federal grants that FTA and CTDOT is relying on for the Project is money authorized in the wake of Superstorm Sandy to improve the resilience of public transportation assets. (EA/EIE 4-1). The grant program specifically provides that "[e]ligible projects are capital projects that reduce the risk of damage to public transportation assets as a result of future natural disasters." 78 FR 78489. As the grant program notice recognizes, "Both scientific evidence and recent history indicate that weather and climate-related disasters are a continuing threat. According to the 'Hurricane Sandy Rebuilding Strategy' report, in the last year alone there were 11 different weather and climate disaster events with estimated losses exceeding \$1 billion each across the United States. Taken together, these 11 events resulted in more than \$110 billion in estimated damages." 78 FR 78488.

³ Available at <https://www.epa.gov/climate-impacts/climate-impacts-transportation>.

This grant was made available as part of a program support "projects designed and built to address current and future vulnerabilities to a public transportation facility or system due to future occurrence or recurrence of emergencies or major disasters that are likely to occur in the geographic area in which the public transportation system is located; or projected changes in development patterns, demographics, or climate change and extreme weather patterns." 78 FR 78486.

Thus, the grant must be used for a project that would reinforce the resiliency of the Walk Bridge's Amtrak and Metro-North rail lines to the effects of climate change, such as extreme weather events. In light of the above, a fixed bridge design would be the most reasonable alternative, since it lacks any moving mechanism, reliance on power, or need for staff to operate. Additionally, recent news reports indicate that hot weather (temperatures greater than 85 degrees) compelled CTDOT to keep the Walk Bridge closed as the high temperatures caused the steel tracks to warp, preventing proper closure if the bridge were opened. *The Hour*, "Heat Stroke for Norwalk Bridge," July 9, 2016. This illustrates a challenge intrinsic to any movable bridge design, the warping of steel in high temperatures preventing parts from properly joining together to achieve bridge closure. A fixed bridge would completely avoid this issue, as the bridge components would not be required to lift and move and re-set into precise positions to ensure safe passage across the bridge.

However, the Environmental Assessment completely lacks any analysis comparing the resilience of different fixed and movable Project alternatives. The lack of a resiliency analysis comparing movable bridge versus fixed bridge designs is a fatal flaw, one which must be corrected to enable informed public comment on the full range of reasonable alternatives. Perhaps even more critically, if the selected alternative for the Project is found not to advance

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public transit resiliency priorities as required by the Sandy grant program, those federal funds may be rescinded.⁴

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D. The Environmental Assessment's Alternatives Analysis Inadequately Assesses Railroad Safety Considerations

O-8.15

The safety of a railway bridge, especially in a bridge crossing over a waterbody, is the overwhelming priority in designing and constructing a bridge. The Environmental Assessment also recognizes that railroad safety is an important factor in evaluating and comparing potential Project alternatives. (EA/EIE 2-5, citing "safety standards" as a parameter to screen project alternatives). The FTA's NEPA implementing regulations, issued jointly with the Federal Highway Administration, directs that "[a]lternative courses of action be evaluated and decisions be made in the best overall public interest based upon a balanced consideration of the need for safe and efficient transportation." 23 C.F.R. § 771.105(b) (emphasis added).

The Federal Railroad Administration ("FRA"), which oversees railroad bridge safety, including the safety of the Walk Bridge, has recognized "safety as the highest priority" in carrying out its duties. 49 U.S.C.A. § 103(c) ("In carrying out its duties, the [Federal Railroad] Administration shall consider the assignment and maintenance of safety as the highest priority, recognizing the clear intent, encouragement, and dedication of Congress to the furtherance of the

⁴ See 49 U.S.C. §5324. The Grant Requirements section of the Sandy funding allocation stipulates that "Emergency Relief funds may only be used for eligible purposes as defined under 49 U.S.C. 5324 and as described in the Emergency Relief Program Rule (49 CFR part 602)." (79 F.R. 65764). The funds may only be used for eligible purposes as defined in 49 C.F.R. § 602.13. The Project would presumably be categorized by CTDOT as a resilience project. However a resilience project is one "designed and built to address existing and future vulnerabilities to a *public transportation facility or system* due to a probable occurrence or recurrence of an emergency or major disaster in the geographic area in which the public transportation system is located." (emphasis added)(49 C.F.R. § 602.6). The relevant public transportation facility or system here is the rails on the bridge. Thus, the funds must be used to address existing or future vulnerabilities to the rail system. The Project would not address any such vulnerabilities, and could potentially even exacerbate potential vulnerabilities to the rail system, as movable bridges inherently create more risks for malfunction, especially in extreme weather events like high heat or severe storms.

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highest degree of safety in railroad transportation."); (EA/EIE 3-166, "Pursuant to 49 CFR 209.1, FRA is responsible for enforcing federal statutes and regulations related to railroad safety, including track safety, railroad operations, railroad workplace safety, and train control systems.")

Amtrak and commuter trains in the Northeast region have recently experienced numerous deadly crashes resulting in fatalities due to human error or inoperable moving parts. *See New York Times*, "Hoboken Train Crash Kills 1 and Injures Over 100," September 29, 2016; *NBC News*, "Human Error and High Speed Blamed for Deadly Philadelphia Amtrak Crash" May 17, 2016; *New York Post*, "Fatal crash leaves Metro-North riders wary of the front car," February 6, 2015.

Additionally, malfunctioning moving bridges have historically been the cause of numerous serious, multiple-fatality accidents. The Walk Bridge itself has been the site of such a high-fatality accident. In what was then the highest-fatality railroad disaster in American history, a train plunged into the Norwalk River off the open swing bridge after the conductor failed to check the signal for whether the bridge was passable, killing 48. *See* Edgar A. Haine, *Railroad Wrecks*, Associated University Presses (1993) p. 34. Similar fatal accidents have occurred throughout the Northeast and elsewhere. *New York Times*, "U.S. Inspectors Seeking Flaws in Rail Bridges," November 26, 1996 (misaligned rail on a moving bridge across the Hackensack River resulted in derailment of an Amtrak train into a marsh in Secaucus, N.J.); *New York Times*, "Barge Pilot Blamed in Fatal Amtrak Wreck," June 22, 1994 (towboat struck a swing bridge, knocking it out of alignment by one meter, causing rails to kink and leading to the derailment of an Amtrak train killing 47); Edgar A. Haine, *Railroad Wrecks*, Associated University Presses (1993) p. 134 (Commuter train in Bayonne, New Jersey ran a stop signal and was derailed and plunged forty feet into the Newark Bay, killing 44); *New York Times*, "Fearful Railroad

Accident.; A Train on the Grand Trunk Railroad Runs off a Bridge," June 30, 1864 (in the highest-fatality train disaster in Canada, a train failed to observe a red signal and ran through an open swing bridge into the Richelieu River, killing 99); *see also The Times-Picayune*, "NOPD Officer Killed After Car Careened from Open Industrial Canal Drawbridge," May 20, 2008 (Driver on vehicular bridge drove off a raised vertical lift bridge into a canal in New Orleans).

The safety of critical infrastructure, including railway bridges, is likely to be increasingly compromised due to climate change. Climate change is expected to cause more frequent extreme weather events, including very high and low temperatures, which poses safety issues for travelers on a movable bridge. For railways, high temperatures could cause rail tracks to expand and buckle. This could cause significant issues for the alignment of the rail lines on a movable bridge, which are constantly split and rejoined as the bridge moves.

Warping of rail lines on a movable bridge can raise significant safety issues. This problem arises where heat causes a rail line on a bridge to warp while separated from the main rail line, which then fails to properly realign when the bridge is rejoined to the main line. This was the cause of a derailment of an Amtrak train into the Hackensack River in Secaucus, N.J., discussed *supra*. The rail lines of a moving bridge there had warped, and one rail line, which had been pulled up vertically to create a clearance for the bridge to move, ended up on top of the rail line it was supposed to rejoin and created a ramp, which the train passed over and into the river. *See also* EPA, *Climate Impacts on Transportation*, available at <https://www.epa.gov/climate-impacts/climate-impacts-transportation>.

A former president of the Metro-North Railroad, Howard Permut, also spoke out during his tenure as president on the serious safety risks caused to commuters by maintaining the Walk Bridge as a movable bridge:

"In the case of the four-track Walk bridge, a failure to close brings service to a standstill, Permut said...The broader issue is the New Haven Line is the lifeblood of Connecticut and Fairfield County and the busiest rail line in the United States yet we are saddled with four moveable bridges that have the potential to disrupt tens of thousands of people every time they are lifted," Permut said. "Besides finding the money to fix them we are always looking to do what we can to reduce the risk to tens of thousands of travelers."

Older rail spans prone to problems, CONNECTICUT POST, April 23, 2012. Yet, the Environmental Assessment's alternatives analysis completely fails to assess the relative railway safety implications of swing and lift bridges as opposed to a fixed bridge.

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(cont.)

This lack of a railway safety analysis is a particularly unreasonable omission in light of the harsh winters experienced in the Northeast and the increasing frequency of extreme heat and cold events due to climate change, which hold the potential for significant interference with the moving mechanism of a movable bridge. If such a movable bridge mechanism were to jam open, this could pose significant safety risks on the busy Amtrak and Metro-North lines crossing the bridge. The Environmental Assessment provides no analysis of these issues, a defect which must be remedied.

E. Selection of the Preferred Alternative of a Vertical Lift Movable Bridge Would Be Arbitrary and Capricious

O-8.16

The foregoing suggests that the Environmental Assessment defies common sense: an expensive and more dangerous bridge selection is made because of some slight impact on vanishing marine commerce. However, these intuitive reactions translate into adverse legal consequences. As courts have made clear, an agency's selection of a project alternative must "reveal a rational connection between the facts found and the choice made." *Brodsky v. U.S. Nuclear Regulatory Comm'n*, 704 F.3d 113, 119 (2d Cir. 2013); *Islander E. Pipeline Co., LLC v. Connecticut Dep't of Envtl. Prot.*, 482 F.3d 79, 94–95 (2d Cir. 2006) ("Pursuant to the arbitrary

and capricious standard, an agency must examine the relevant data and articulate a satisfactory explanation for its action including a rational connection between the facts found and the choice made."). *See also Green Island Power Auth. v. F.E.R.C.*, 577 F.3d 148, 158 (2d Cir. 2009) ("In evaluating whether an agency decision is arbitrary or capricious, we 'must consider whether the decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment.'").

Here, as the record indicates that a fixed bridge at the current height would i) have no significant impacts on maritime commerce, ii) be more cost-effective, iii) be more resilient to climate change, and iv) be more safe for rail traffic, and the record is also bare of any support for the determination that current and future maritime commerce requires a movable bridge, the selection of the Environmental Assessment's preferred alternative of a vertical lift movable bridge for implementation would be arbitrary and capricious.

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IV. The Environmental Assessment Violates NEPA and CEPA By Unlawfully Segmenting Off Project Components for Separate Review

Another major flaw in the Environmental Assessment is that it engages in unlawful segmentation. NEPA and CEPA both prohibit segmentation of a project to delay environmental review of necessary project components and projects with no independent utility for purported future review. Accordingly, the Environmental Assessment must include complete analysis of the project's actual footprint. 40 C.F.R. § 1502.4(a) ("Proposals or parts of proposals which are related to each other closely enough to be, in effect, a single course of action shall be evaluated in a single impact statement."); *Town of Huntington v. Marsh*, 859 F.2d 1134, 1142 (2d Cir. 1988); Conn. Agencies Regs. 22a-1a-7(d); *Connecticut Coal. for Envtl. Justice, Inc. v. Dev.*

O-8.17

Options, Inc., No. CV030828997S, 2005 WL 525631, at *7 (Conn. Super. Ct. Jan. 5, 2005);
Serra v. Solnit, No. CV 95553813S, 1996 WL 488883, at *4–5 (Conn. Super. Ct. Aug. 9, 1996).

Agencies are also forbidden from segmenting off from project review any “connected” actions that have no “independent utility” other than to further the project. 40 C.F.R. § 1508.25(a)(1); 23 C.F.R. § 771.111(f); *Delaware Riverkeeper Network v. F.E.R.C.*, 753 F.3d 1304, 1313 (D.C. Cir. 2014); *Stewart Park & Reserve Coal., Inc. (SPARC) v. Slater*, 352 F.3d 545, 559 (2d Cir. 2003); *City of Rochester v. U.S. Postal Serv.*, 541 F.2d 967, 972 (2d Cir. 1976).

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(cont.)

A. The Environmental Assessment Fails to Analyze the Potential Impacts of Necessary Components of the Project

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In its discussion of Project costs and impacts, the Environmental Assessment states that removal and relocation of high-voltage electricity transmission towers located adjacent to the bridge will need to be removed for any of the movable bridge options under consideration. (EA/EIE 2-21, stating that "[t]he three options for replacing the Walk Bridge all require the removal of the two existing high towers which carry Eversource Energy high voltage power and Metro-North Railroad communications over the Norwalk River.") The Environmental Assessment also notes that the towers also currently carry cables used for Metro-North communications, and if the towers are removed, such cables will need to be rerouted. This may involve potentially embedding them at the bottom of the river, which would require significant sediment disturbance with requisite environmental impacts to water quality. (EA/EIE 2-21).

The Environmental Assessment states that although the Project will require the removal and relocation of the towers for all project alternatives under consideration, the environmental review for the removal and location of the towers will be performed separately in the future.

O-8.19

(EA/EIE 2-21, stating that the tower relocation "will undergo a separate environmental evaluation and permitting process"). This is, by its own terms, a textbook example of an unlawful segmentation of a necessary and intrinsic project component. The potential impacts of the segmented component would then be subject to a separate, smaller-scale environmental review. Such piecemeal environmental review is explicitly and emphatically forbidden by law, as it enables project planners to disregard a potential impact in their decisionmaking, avoid disclosing potential impacts to the public, and evade the requirement to make a single evaluation of a proposed project's true and complete footprint. This is a very serious flaw of the Environmental Assessment and must be corrected before the Project is allowed to proceed.

The Environmental Assessment also segments from review the potential impacts of a number of other necessary components of the Project, including replacement of the Fort Point Street Bridge and track, catenary and signal work. These are components that would be included in all of the three build alternatives considered. Yet, CTDOT fails to analyze their potential impacts as required by NEPA and CEPA, in fact appearing to ignore almost all of their potential impacts and reviewing the impacts solely from construction specifically on the Walk Bridge. This also violates the prohibition on segmentation by attempting to minimize the footprint of the Project in evaluating its impacts.

The replacement of the Fort Point Street Bridge would occur under all build options. (EA/EIE ES-15, stating "Fort Point Street Bridge also would be replaced in all options."). Yet the Environmental Assessment fails to discuss the potential impacts from such work, other than discussing how land construction activities like the replacement work would "create temporary adverse impacts." (EA/EIE 6-2). It briefly mentions adverse historic effects as the Fort Point Street Bridge is listed on the National Register. (EA/EIE 9-24). But it otherwise omits discussion

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O-8.18
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of any of the potential construction, traffic, or other related impacts from the replacement of this bridge. The Environmental Assessment appears to indicate that design for this bridge is ongoing (EA/EIE ES-12), stating “CTDOT will continue to work with the City of Norwalk as design progresses to determine the abutment locations and span length of this bridge.”). Possibly CTDOT is planning to conduct a separate environmental review for this bridge after design is complete; however that would be another instance of impermissible segmentation, as this work is a necessary component of the Project as CTDOT has stated. The potential impacts for the replacement of this bridge must be discussed in this Environmental Assessment.

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Another project component, track, catenary and signal work, involves replacement of one-half mile of tracks and ballast, replacement of overhead catenary and supports, and signal work. (EA/EIE 2-11). The Environmental Assessment briefly discusses how this work would occur within the existing state-owned ROW, and notes how Project work would involve surveying and evaluating existing structures including catenary systems for asbestos. (EA/EIE ES-29). But again, there are zero discussions of potential impacts from the actual construction work related to this work, or any of the other necessary project components, especially those on land.

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The potential construction impacts of the Project that are included in the Environmental Assessment appear to be specific to construction activities being conducted solely for the replacement of the Walk Bridge itself, not for these other project components. (EA/EIE 5-1, stating, “The project will involve typical bridge and railroad construction activities, including work in and over water.”). The Environmental Assessment sets forth a long list of potential activities that would be conducted, such as pile driving, drilling foundation shafts, excavation, and dredging, that appear to be specific to the bridge work. But it cannot limit its review to such

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narrow aspects of the Project, and a failure to remedy this error would be a violation of NEPA and CEPA.

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B. The Environmental Assessment Improperly Segments Connected Projects with No Independent Utility from Review

O-8.20

Similarly, the Environmental Assessment improperly segments from review a number of related projects that would have no utility but for the Walk Bridge replacement. CTDOT's public information website contains a fact sheet for the Project discussing "a series of related projects *needed* for the replacement of the Walk Bridge," including the Danbury Branch Dockyard Project; the CP243 Interlocking Project; and the rehabilitation of the Osborne Avenue Bridge and the replacement of the East Avenue Bridge.⁵ (emphasis added). These projects are being undertaken in order to "facilitate rail operations during construction of the Walk Bridge" (Danbury Branch Dockyard Project) and "to allow for two-track Metro-North Railroad operations during reconstruction of the Walk Bridge" (CP243 Interlocking Project). The rationale for the Osborne Avenue and East Avenue Bridge work is not set forth in the fact sheet but the fact sheet clearly states they are necessary for the Project.⁶

Yet, the Environmental Assessment does not discuss the potential impacts of any these projects. It concludes without any explanation that these projects "have utility for improving NHL operations independent of the Walk Bridge Replacement Project," when there is evidence indicating otherwise, as set forth below regarding the Danbury Branch. (EA/EIE 5-6). Nevertheless CTDOT boldly states that it is segmenting these related projects, which are necessary for the Walk Bridge replacement, for separate reviews *for each individual project*. It

⁵ CTDOT, *Building a Resilient Bridge*. Available at http://www.walkbridgect.com/pdf/2016_factsheet_03.pdf.

⁶ CTDOT, *Building a Resilient Bridge*. Available at http://www.walkbridgect.com/pdf/2016_factsheet_03.pdf.

further announces that it plans to issue categorical exclusion for all of these projects apparently without even having analyzed these projects' potential environmental impacts:

[S]eparate environmental reviews will be completed for the CP243 Interlocking and Danbury Branch Dockyard Projects. Since these projects are not expected to have a significant effect on the environment, Categorical Exclusions will be prepared. The Osborne Avenue and East Avenue Bridge Projects will also require Categorical Exclusions.⁷

CTDOT is improperly segmenting each of these projects, which would not be undertaken but for the Walk Bridge replacement.

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A particularly egregious example of this segmentation is the \$30 million Danbury Branch Dockyard Project, a project to construct a new dock yard at the southern end of the Danbury Branch, a portion of the New Haven line that runs 38 miles from Norwalk north to Danbury.⁸ The project involves adding track sidings, signal work and electrification to the southern end of the Danbury Branch in Norwalk to avoid disruption of rail service during the Walk Bridge construction.⁹ While CTDOT and the governor apparently framed this project as part of a Connecticut transportation improvement initiative, on its own it has no utility beyond maintaining rail service during the replacement of the Walk Bridge.¹⁰ State Senator Toni Toucher and State Representative Gail Lavielle obtained information from CTDOT about the project when it was announced in July 2015. According to their information, as of July 2015, the dock yard project was the only improvement planned for the 38-mile Danbury Branch Rail Line, which runs from Norwalk north to Danbury; subsequently Representative Lavielle expressed her dissatisfaction that this project would not actually contribute to improving overall service on the

⁷ CTDOT, *Frequently Asked Questions*, available at <http://www.walkbridgect.com/faqs/#>.

⁸ Danbury Branch Report, available at [http://www.danburybranchstudy.com/Danbury_Branch_brochure_final_AB_3-11-16%20\(2\).pdf](http://www.danburybranchstudy.com/Danbury_Branch_brochure_final_AB_3-11-16%20(2).pdf)

⁹ Walk Bridge Program Fact Sheet, available at http://www.walkbridgect.com/pdf/2016_factsheet_03.pdf.

¹⁰ WiltonBulletin.com, *State plans \$4 million for branch line*, available at <http://www.wiltonbulletin.com/50368/state-plans-4-million-for-branch-line/>

Danbury Branch line.¹¹ CTDOT itself states multiple times in different contexts that the dockyard project is necessary for the Walk Bridge construction. In addition to the fact sheet, where it stated the dock yard was necessary for the Project, CTDOT notes in a separate report about the Danbury Branch Line that “the schedule [for the work] is being accelerated so it is completed prior to the commencement of the Walk Bridge reconstruction.”¹² Clearly, the dock yard project is being completed for the Walk Bridge. It will not independently contribute any utility to the Danbury Branch or rail service other than helping maintain service during construction on the Walk Bridge. Therefore under NEPA and CEPA its impacts must be evaluated along with the rest of the Project.

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In sum, as CTDOT itself clearly stated that the above-discussed projects were necessary for the Walk Bridge project, and as documents in the public record indicate that they have no independent utility, CTDOT should evaluate their potential impacts under NEPA and CEPA together with the rest of the Project.

V. The Environmental Assessment Inadequately Analyzes Project Impacts

O-8.21

The Environmental Assessment's analysis of potential Project impacts also fails to meet the legal requirements of NEPA and CEPA. Both NEPA and CEPA require the Environmental Assessment to consider all of the Project's "direct" or "indirect" effects caused by the action. 40 C.F.R. § 1508.8; Conn. Gen. Stat. § 22a-1b(c). Under NEPA, "[e]ffects includes ecological (such as the effects on natural resources and on the components, structures, and functioning of affected ecosystems), aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or

¹¹ *Id.*

¹² CTDOT, Danbury Branch Line Final Implementation Plan, available at <http://www.danburybranchstudy.com/Danbury%20RR%20-%20Final%20Report.pdf>.

cumulative." *Id.*; *see also* 42 U.S.C. 4332(2)(C) (requiring a detailed statement on the adverse environmental effects of a potential agency action). CEPA requires the Environmental Assessment to set forth "the environmental consequences of the proposed action, including...direct and indirect effects which might result during and subsequent to the proposed action; any adverse environmental effects which cannot be avoided...[and] an analysis of the short term and long term economic, social and environmental costs and benefits of the proposed action." Conn. Gen. Stat. § 22a-1b(c); *see also* Conn. Agencies Regs. 22a-1a-7(g).

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A. The Environmental Assessment Inadequately Analyzes the Project's Impacts on Shellfish Natural Resources and Other Aquatic Life

O-8.22

The Environmental Assessment provides some limited discussion of potential impacts on shellfish, but fails to adequately analyze the most critical type of impact, harms from the release and re-suspension of contaminants in the soil to be dredged as part of the Project. The Environmental Assessment acknowledges the presence of diverse aquatic life in Norwalk Harbor in the area of Walk Bridge, including numerous shellfish species. (EA/EIE 3-79). It also notes that "[t]he Norwalk River is a State-designated natural shellfish bed." (EA/EIE 3-81). The Environmental Assessment continues to describe certain potential impacts to aquatic life from dredging and pile installation work, including impacts to habitat. (EA/EIE 3-82; 3-83).

However, the Environmental Assessment ignores how the dredging required for the bridge construction work would release large amounts of heavy metals and other contaminants contained in the sediment, exposing sensitive aquatic life to toxic chemicals. Under a chart discussing potential impacts to various environmental resources, under "Hazardous and Contaminated Materials/Environmental Risk Sites," the Environmental Assessment notes that for the preferred alternative, "*Permanent impacts* would occur due to disposal of approximately

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16,700 [cubic yards] of dredged sediment" and that "*Potential exposure* to hazardous materials could occur due to removal of existing bridge structures, rail and ties, ballast, and soil." (EA/EIE ES-26, emphasis in original).¹³

Thus, CTDOT is aware that there are likely hazardous materials in the soil that would be released from dredging and other construction work. However, the Environmental Assessment contains no attempt to analyze the scope of these impacts, beyond merely noting briefly their potential to occur. Given the historical significance of shellfish resources for this region, in particular, this omission is unreasonable. More detailed analysis would also be necessary to design appropriate mitigation. This potential impact to shellfish (and other aquatic life) from the potential release of large amounts of heavy metals and other contaminants from dredging must be more adequately analyzed, and the Environmental Assessment must be revised accordingly.

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B. The Environmental Assessment Inadequately Analyzes the Project's Impacts from Displacing Businesses and Homes and Other Socioeconomic Impacts

O-8.23

NEPA and CEPA also require the Environmental Assessment to evaluate the Project's socioeconomic effects. "Effects [that must be analyzed under NEPA] includes . . . *economic, social*, or health, whether direct, indirect, or cumulative." 40 C.F.R. § 1508.8 (emphasis added). CEPA requires an even more detailed evaluation of short-term and long-term impacts, including economic losses to existing business and to a municipality's demographics and socioeconomics. Conn. Gen. Stat. § 22a-1b(c)(6) ("All such environmental impact evaluations shall be detailed statements setting forth the following:...an analysis of the short term and long term economic,

¹³ The presence of hazardous substances in the soil at the bottom of Norwalk Harbor has been well known for decades. A 1972 Draft Environmental Impact Statement for periodic maintenance dredging for Norwalk Harbor discusses concerns about re-suspension of heavy metals and non-biodegradable chemical pollutants. U.S. Army Engineer Division, New England, Draft Environmental Impact Statement, Maintenance Dredging, Norwalk Harbor, Connecticut (March 27, 1972).

social and environmental costs and benefits of the proposed action"); Conn. Agencies Regs. 22a-1a-7(g)(6) ("This [EIE] discussion shall include...An analysis of the *short-term and long-term economic, social and environmental costs and benefits* of the proposed action.") (emphasis added).

Connecticut courts have made clear that CEPA's command to study socioeconomic impacts includes analysis of losses to local businesses resulting from a project. *Hutchings v. Dep't of Econ. & Cnty. Dev.*, No. CV 000597095S, 2000 WL 528145, at *8 (Conn. Super. Ct. Apr. 14, 2000) ("[C]laims of large economic losses to existing businesses in New Haven and in other regions should the mall be constructed...must be considered together with the benefits of evaluation and comment by the public."); *Serra v. Solnit*, No. CV 95553813S, 1996 WL 488883 at *4 (Conn. Super. Ct. Aug. 9, 1996) (Requiring a more detailed environmental analysis where proposed agency action would result in changes in demographics of a municipality, creating socioeconomic impacts); *see also Connecticut Energy Marketers Ass'n v. Connecticut Dep't of Energy & Env'l. Prot.*, No. X07 HHD CV 14 605453, 2015 WL 4720490, at *1 (Conn. Super. Ct. July 2, 2015); *Bingham v. Dep't of Pub. Works*, 51 Conn. Supp. 590, 596, 16 A.3d 865, 875 (Super. Ct. 2009), *aff'd*, 127 Conn. App. 461, 15 A.3d 213 (2011).

The Environmental Assessment fails to meet the above NEPA and CEPA requirements, as it provides almost no analysis of the Project's potential negative socioeconomic impacts. This prevents the Environmental Assessment from being able to adequately prepare and consider mitigation plans that would reduce such impacts and prevents a full consideration of project alternatives.

The Environmental Assessment's existing discussion of impacts also fails to address the impacts of permanently displacing existing businesses and homes. The Environmental

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Assessment attempts to focus only on the positive impacts such as the creation of temporary construction jobs and increased reliability of rail service, which could also be accomplished with a fixed bridge. (EA/EIE ES-20; 6-3). The Environmental Assessment's discussion of economic impacts is primarily limited to benefits of the Project, such as "avoided disruption to rail service and avoided operations and maintenance costs associated with the existing Walk Bridge." (EA/EIE 3-52).

The only discussion of negative impacts, especially long-term, is a brief mention of the displacement of businesses and homes. In this regard, there is a single mention of how "[t]he project is not expected to change the demographics of the local area, beyond the direct business and residential displacements." (EA/EIE 3-52). The Environmental Assessment discusses how construction work "will potentially affect businesses in the area of construction as well as water-dependent businesses upstream from Walk Bridge." (EA/EIE ES-15). However, the Environmental Assessment merely mentions this potential impact without discussing what types of harm it would cause or attempting to quantify the impact.

O-8.24

The Environmental Assessment also recognizes that the Maritime Aquarium/IMAX theater, "the economic anchor for the area" for South Norwalk, would be impacted by project-related "construction easements." (EA/EIE 3-48; 5-18). More specifically, temporary easements would "displace...some Maritime Aquarium facilities and operations." (EA/EIE ES-22). Yet the Environmental Assessment fails to describe the actual expected impacts to the IMAX theater, with no quantification or other discussion beyond merely mentioning the potential for losses.

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Furthermore, the Environmental Assessment fails to adequately analyze the impacts from takings of the land of existing businesses that would be permanently displaced for the proposed action. The Environmental Assessment notes that "[n]ine parcel acquisitions would be needed,

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displacing four businesses, including a water-dependent use." (EA/EIE ES-22). The Environmental Assessment goes on to merely list the businesses to be displaced and promises to comply with federal requirements for the treatment of individuals displaced from their businesses. (EA/EIE 3-35; 3-37). It does not discuss the potential amounts of economic productivity that would be lost or potential ripple effects on other businesses. (EA/EIE 3-51).

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In sum, the Environmental Assessment's analysis of socioeconomic impacts, including takings, falls far short of the requirements of NEPA and CEPA. Notably, CEPA requires an even more detailed and granular analysis of a project's impacts on local businesses than NEPA. These defects must be remedied in order to understand the full scope of the costs and relative benefits of the different project alternatives.

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C. The Environmental Assessment Inadequately Analyzes the Project's Housing Impacts

O-8.26

The Environmental Assessment's analysis of housing impacts is also deficient under CEPA. CEPA requires a detailed analysis of potential impacts on housing including (i) direct and indirect effects on existing housing, organized by income group and by race, and (ii) consistency of housing impacts to state policy for housing and community development. Conn. Gen. Stat. § 22a-1b(b)(7)(c) ("In the case of an action which affects existing housing, the evaluation shall also contain a detailed statement analyzing (A) housing consequences of the proposed action, including direct and indirect effects which might result during and subsequent to the proposed action by income group as defined in section 8-37aa and by race, and (B) the consistency of the housing consequences with the state's consolidated plan for housing and community development prepared pursuant to section 8-37t."). *See also* Conn. Agencies Regs. 22a-1a-7(g)(6); Conn. Agencies Regs. 22a-1a-3(a); Connecticut Department of Housing, State of Connecticut DRAFT 2016-2017 Action Plan for Housing and Community Development, July

2016; *Giuliano v. State, Dep't of Transp.*, No. X01UWYCV014002704S, 2007 WL 4754932, at *13 (Conn. Super. Ct. Dec. 20, 2007); *Fort Trumbull Conservancy, LLC v. City of New London*, 265 Conn. 423, 427, 829 A.2d 801, 805 (2003).

However, the Environmental Assessment merely lists the existing housing that would be eliminated for the preferred alternative without discussing the race and income breakdowns or analyzing the action's consistency with state policy on housing and community development planning (as specifically required in Conn. Gen. Stat. § 22a-1b(b)(7)(c)). (EA/EIE 3-37; 3-52).

To meet CEPA requirements, the Environmental Assessment must provide demographic information about the existing residences that would be displaced, including the resident's race and income and include an assessment of impacts on the state's housing and community development plan. The Environmental Assessment's failure to do so is a plain violation of clear statutory requirements under CEPA.

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VI. Conclusion

Due to the above-discussed deficiencies in information and analysis, the Environmental Assessment cannot serve its legally-mandated purpose under NEPA and CEPA of serving as a basis for public comment on the Project. As a result of these fatal flaws, the Environmental Assessment must be supplemented to fill these gaps, and it is only at this point whether the public will be able to discern whether or not the Project's impacts are significant and whether or not an Environmental Impact Statement may be required. Indeed, once all the necessary and connected Project actions are included in the environmental impact review, significant impacts will likely be seen. Until the revisions necessary to attain compliance with NEPA and CEPA are completed, no federal or state permit or funding may be issued to the Project.

O-8.27

Dated: New York, New York
December 2, 2016

Respectfully Submitted,

____/s/_____

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EA/EIE Comment Record

Date Received: 12/7/16

ID Number: EA 75

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City/State: Norwalk

CONTACT REASON: EA Comment

REFERRED BY LEGISLATOR? No

Comment

(Note: The Preservation Trust sent this revision to its original comments, which are logged in EA 58.)

Comments of The Norwalk Preservation Trust on the Walk Bridge Replacement Project

STATE PROJECT 301-176

Proposed mitigation measures under Section 106 of the National Historic Preservation Act of 1966

December 5, 2016; Revised December 7, 2016

The State of Connecticut has determined that the Walk Bridge in Norwalk, Connecticut must be replaced. The existing bridge is listed in the National Register of Historic Places and it is scheduled to be demolished to make way for its replacement. As a result, a draft Memorandum of Agreement (MOA) has been issued which states, in part, that the State Historic Preservation Office has determined that this project will have, "... unavoidable adverse effects to properties that are listed in or eligible for listing in the National Register of Historic Places (NRHP), including the Norwalk River Railroad Bridge (Walk Bridge), several contributing components of the New York to New Haven Rail Line (high towers, catenary structures, stone retaining walls, and Fort Point Street Railroad Bridge), the former Norwalk Lock Company buildings at 18 Marshall Street, the former Norwalk Iron Works buildings at 10 North Water Street, and the South Main and Washington Streets Historic District (collectively, the Historic Properties); and (ii) identified areas of possible sensitivity for significant archaeological remains." The bridge itself and the other buildings and structures listed in the MOA are the historic heart and soul of South Norwalk. The loss of the existing bridge, its catenaries and high towers, as well as its brownstone structural elements would forever change the character of the area.

We respectfully request that the repair and retention of the existing bridge be given further study in the hopes that demolition can be avoided. If the bridge and its associated elements must be demolished, we request the following mitigation measures, as well as those suggested by other stakeholders, be implemented:

O-9.1

O-9.2



1. Leave historic granite or Portland, Connecticut, brownstone abutments in place whenever possible or remove and reuse them as part of the visible structure of new abutments. O-9.2 (cont.)
2. If the existing granite or brownstone structure must be replaced with concrete, face the concrete with the original rusticated stone to maintain the historic look of the abutment as much as possible. O-9.3
3. Fully fund the listing of Liberty Square in the National Register of Historic Places. O-9.4
4. Fully fund the listing of the former Norwalk Lock Company building in the National Register of Historic Places O-9.5
5. Fully fund the creation of a curriculum that addresses the impact of the railroad on Norwalk and the rest of the Connecticut coast. This curriculum could be used as model for other towns in the state. O-9.6
6. Fully fund a multi-day event to celebrate the bridge and the high towers to take place during or just before and after their demolition. The event will include a call for artists to create works inspired by the bridge, catenary system and high towers. O-9.7
7. Fully fund an exhibit at the Norwalk Historical Society Museum on the bridge, catenary system and high towers using HABS/HAER and other archival material, as well as new photography and other documentation. O-9.8
8. Fully fund a curriculum for Norwalk schools and an associated exhibit at the Norwalk Historical Society Museum based on archaeological work done on the site of the Native American site south of the bridge. O-9.9
9. Make significant parts of the bridge, catenary system and high towers available for use by a qualified artist to create a work of art funded by the Connecticut Art in Public Spaces Program. O-9.10
10. Fully fund permanent interpretive plaques that illustrate the bridge and its construction to be placed in view of the new bridge. O-9.11
11. Minimize the impact of this project on neighborhoods outside of SONO and Liberty Square. O-9.12
12. Carry out underwater archaeology at the site of the 1853 train wreck. O-9.13
13. Fully fund an exhibit at the Norwalk Historical Society Museum based on the findings at the train wreck site. O-9.14



EA/EIE Comment Record

Date Received: 12/7/16

ID Number: EA 73

Name: David Green, Cultural Alliance of Fairfield County

E-Mail: david@culturalalliancefc.org

Phone:

City/State: Norwalk, CT

CONTACT REASON: EA Comment

REFERRED BY LEGISLATOR? No

Comment

I strongly support the Historical Commission's list of proposed historical mitigation items to be included, i.e.:

1. Because of its direct association with the development of the railroad system in Connecticut, we are recommending that the Lockwood Mathews Mansion host exhibits and education programs associated with the Walk Bridge and the development of Connecticut's railroad system. The builder of the mansion, which is listed on the National Register of Historic Places and has "Landmark" status, LeGrand Lockwood developed the Danbury line and was a competitor of Cornelius Vanderbilt, who later gained control of the Lockwood Mathews Mansion by buying his mortgages. In order to accomplish this, we need the DOT to implement: the remaining phases of the State Historic Preservation Office approved Master Plan of Preservation for the Lockwood Mathews Mansion dated September 9, 2008, which includes mechanical upgrades electrical, HVAC, sprinklers, emergency lighting, etc.; to preserve and restore the existing finishes in the first floor rooms including the Billiards room, the Dining room, the grand staircase (first and second floor), the bathroom, the coatroom, all exterior doors; restoration of the gas lights on the first floor and in the servant's quarters; develop exhibits and education programs, including a model curriculum of the development of the railroad system in the state of Connecticut, to be hosted by the Lockwood Mathews Mansion, the SONO Switch Tower Museum, and the City of Norwalk Historical Commission; and provide for documentation and filming of the process of dismantling the old bridge and construction of the new bridge to be included in the exhibit and/or programs.

O-10.1

2. Salvage and reuse brownstone from abutments to be demolished in the new bridge construction in place of stamped concrete, even if just used as a veneer.

O-10.2

3. Provide for the funding and development of exhibits and education programs, incorporating the archaeological and geological findings from the project with the Norwalk Historical Society and the City of Norwalk Historical Commission. This could include a model curriculum for southwestern Connecticut geology and American Indian habitation to be used by other Historical Societies and educators in Connecticut.

O-10.3



4. Restore the original iron fencing, gates, and associated masonry at the original entrance to the Lockwood Mathews Mansion along West Avenue.	O-10.4
5. Provide an elevator and ADA accessible bathroom at the Lockwood Mathews Mansion Carriage House.	O-10.5
6. Provide exterior ADA access to the Lockwood Mathews Mansion Gate Lodge.	O-10.6
7. List Liberty Square on the National Register of Historic Places.	O-10.7
8. Provide interpretive signage regarding the Walk Bridge, development of the railroad in Norwalk and Connecticut located along DOT provided pedestrian and bike paths on both the east and west sides of the Norwalk river near the bridge	O-10.8



EA/EIE Comment Record

Date Received: 12/8/16

ID Number: EA 76

Name: Laura G. Einstein Bryant, Center for Contemporary Printmaking

E-Mail: LGEFineArt@gmail.com

Phone: 203-899-7999

City/State: Norwalk

CONTACT REASON: EA Comment

REFERRED BY LEGISLATOR? No

Comment

December 7, 2016

RE: Historical Commission Walk Bridge EA/EIE.

To Whom It May Concern,

As Executive Director of the Center for Contemporary Printmaking and a leasee of the Historic Carriage House of Lockwood-Mathews Mansion, I am writing to you in response to Norwalk's Historic Walk Bridge. CCP requests that the renovation be done with respect and best attempts to secure first-rate engineering studies in order to maintain the integrity of the City of Norwalk and its history. The Walk Bridge is an important part of this history. O-11.1

At CCP, we have committed to ensuring ADA access and all other measures to be a safe and inclusive environment for all. I hope that you will take my comment with all best intentions and care.

I am including, for your reference, a list of proposed historical mitigation initiatives:

Proposed Historical Mitigation

1. Because of its direct association with the development of the railroad system in Connecticut, we are recommending that the Lockwood Mathews Mansion host exhibits and education programs associated with the Walk Bridge and the development of Connecticut's railroad system. The builder of the mansion, which is listed on the National Register of Historic Places and has "Landmark" status, LeGrand Lockwood developed the Danbury line and was a competitor of Cornelius Vanderbilt, who later gained control of the Lockwood Mathews Mansion by buying his mortgages. In order to accomplish this, we need the DOT to implement: the remaining phases of the State Historic Preservation Office approved Master Plan of Preservation for the Lockwood Mathews Mansion dated September 9, 2008, which includes mechanical upgrades electrical, HVAC, sprinklers, emergency lighting, etc.; to preserve and restore the existing finishes in the first floor rooms including the Billiards room, the Dining room, the grand staircase (first and second floor), the bathroom, the coatroom, all exterior doors; restoration of O-11.2



the gas lights on the first floor and in the servant's quarters; develop exhibits and education programs, including a model curriculum of the development of the railroad system in the state of Connecticut, to be hosted by the Lockwood Mathews Mansion, the SONO Switch Tower Museum, and the City of Norwalk Historical Commission; and provide for documentation and filming of the process of dismantling the old bridge and construction of the new bridge to be included in the exhibit and/or programs. | O-11.2 (cont.)

2. Salvage and reuse brownstone from abutments to be demolished in the new bridge construction in place of stamped concrete, even if just used as a veneer. | O-11.3

3. Provide for the funding and development of exhibits and education programs, incorporating the archaeological and geological findings from the project with the Norwalk Historical Society and the City of Norwalk Historical Commission. This could include a model curriculum for southwestern Connecticut geology and American Indian habitation to be used by other Historical Societies and educators in Connecticut. | O-11.4

4. Restore the original iron fencing, gates, and associated masonry at the original entrance to the Lockwood Mathews Mansion along West Avenue. | O-11.5

5. Provide an elevator and ADA accessible bathroom at the Lockwood Mathews Mansion Carriage House. | O-11.6

6. Provide exterior ADA access to the Lockwood Mathews Mansion Gate Lodge. | O-11.7

7. List Liberty Square on the National Register of Historic Places. | O-11.8

8. Provide interpretive signage regarding the Walk Bridge, development of the railroad in Norwalk and Connecticut located along DOT provided pedestrian and bike paths on both the east and west sides of the Norwalk river near the bridge | O-11.9

Thank you.

Laura G. Einstein

Executive Director

Center for Contemporary Printmaking



Office of the President

December 2, 2016

VIA ELECTRONIC MAIL

Mr. Mark W. Alexander
Connecticut Department of Transportation
Bureau of Policy and Planning
2800 Berlin Turnpike
Newington, CT 06111
info@walkbridgect.com

Re: Written Comments on EIE for Walk Bridge Replacement Project No 04288R; State Project No. 0301-0176

Dear Mr. Alexander:

On behalf of the Maritime Aquarium at Norwalk, we are submitting the following written comments regarding the EIE for the Walk Bridge Replacement Project.

Introduction

1. The Aquarium understands and supports the need to update and improve Connecticut's railroad transportation infrastructure and we appreciate the complexity of the Walk Bridge Project ("Project") and the work being done to plan and complete the Project. The Aquarium has made itself and its experts available to the Project team and attempted to work in good faith to have our environmental concerns addressed. It is not our intention to stop the Project. However, despite our efforts, we remain very concerned about the still unknown, unquantified, and in some instances, unexplored effects of the construction on the health and safety of the diverse and exotic resident animals in the Aquarium, the Aquarium's employees and volunteers, visitors, and the Aquarium's physical buildings. We are concerned that many of the environmental impacts to the Aquarium from the proposed construction have not been adequately examined in the EIE to the level of detail that would allow the Aquarium and the Project decision makers to assess, eliminate, minimize or mitigate and plan for those impacts.
2. While acknowledging the eventual need for rail upgrades, it is equally true that the Project impacts, both environmental and financial, present a grave risk to the economic viability and survival of the Aquarium. The cost, expense and business interruption resulting from the Project, if not properly addressed, threaten the Aquarium's ability to continue to operate, ensure the proper care and survival of its animals, provide safety for

O-12.1

O-12.2

staff and visitors and provide an educational resource for the region that cannot be replaced. The Aquarium is fully committed to working to avoid such a dire outcome. With the commitment, collaboration and support of all involved, the Aquarium believes that impacts and costs can be addressed with appropriate compensation and appropriate coordination in a way that allows the Aquarium to continue to thrive as a key institution in Norwalk and the region.

O-12.2
(cont.)
O-12.3

3. For over a year, the Aquarium has been working with the Connecticut Department of Transportation (“CDOT”) to understand the critical components of the Project and comprehend the environmental impacts to the Aquarium and its aquatic and terrestrial animals. The Aquarium has begun planning for how it may need to relocate, protect/insulate or contain those exhibits that will be directly and adversely impacted by the Project. It has been working to gather information from the Project team regarding baseline data for vibrations and noise and understand how such information will align with and adversely impact animal behaviors (e.g., sleeping, breeding and training sessions). Dealing with environmental impacts will, in turn, have significant economic impacts on the Aquarium and its operations.
4. It is our understanding from conversations with CDOT that the State is committed to addressing our concerns, which were not fully addressed in the EIE, and to sufficiently safeguarding the Aquarium’s animal population, employees, volunteers, visitors and physical facilities. With that commitment confirmed, we look forward to working with CDOT and other agencies to address all of the Aquarium’s issues and concerns as well as find appropriate solutions.
5. To evaluate some of the Aquarium’s concerns, it needs the Project team to provide a more detailed and fully developed construction plan for all phases of the Project so that it can overlay the plan with the daily and seasonal operations of the facility as well as the daily and seasonal patterns of animal behavior. This will allow the Aquarium to anticipate the steps required to determine not only the environmental, health and safety impacts but also the scheduling and costs associated with the protective measures that will be required to safeguard its animals, employees, volunteers and visitors. This information will also be necessary for the Aquarium to anticipate mitigation measures and costs in order to tailor its program, as necessary, to continue to provide the high quality program currently available to its visitors.
6. In addition, detailed information regarding the anticipated: noise; vibrations; emissions/air quality impacts; hazardous materials to be disturbed and plans for appropriate assessment, and remediation of same; vehicle and pedestrian access; the overall safety plan, and disturbances to the site are all key elements required for the Aquarium to evaluate the environmental impact of the Project on our animals and people and ensure that the organization continues to thrive.
7. Based on the Aquarium’s ongoing discussions with CDOT, the Aquarium has already initiated mitigation efforts but needs the information requested in these comments to be timely provided in order to continue those efforts. The goal of planning is not only to

O-12.3
(cont.)

O-12.4

determine the renovations required to mitigate any anticipated adverse effect on the animal exhibits and the IMAX theater directly affected by the Project, but also to make sure any such renovations will align with the Aquarium's ability to move visitors through a path that continues to tell the story of Long Island Sound from its rivers to its oceans and beyond. Coordinated planning efforts between the Aquarium, CDOT, and federal agencies involved will be instrumental in ensuring that the Aquarium will continue to be able to provide visitors with the same high quality experience that is currently provided, and, consequently, ensure the Aquarium's viability.

8. In short, significant advanced planning and coordination between the Aquarium and CDOT, Federal Transit Administration, the City of Norwalk, Connecticut Department of Energy and Environmental Protection and other state agencies will be required to ensure the welfare of our animals; safety to employees, volunteers and visitors; integrity of our physical facilities; and continued viability as a key regional institution.

O-12.5

Commitment to Animal Safety and AZA Accreditation/Reaccreditation

9. The Aquarium is home to nearly 2,500 aquatic and terrestrial animals comprised of over 250 species. These animals are ambassadors for their respective species and serve as critical agents in connecting our visitors to Long Island Sound and the global ecosystems beyond. The safety and well-being of these animals and ensuring they are maintained with the highest level of care and integrity is critically important to the Aquarium and the effectiveness and long-term viability of our mission.

10. The Aquarium creates unique ecosystems catered to the needs of each individual species, which involves, for example, maintaining the optimal range of water quality and temperature in each exhibit. Disturbing these variables or introducing noise, dust, lighting or vibration can have significant adverse health and environmental impacts on the animals.

11. The Association of Zoos & Aquariums (the "AZA") plays a critical role in establishing animal care and maintenance guidelines. The AZA is a globally-recognized brand representing the best of the world's aquariums and zoos. The mission of the AZA is to provide its members with the services, high standards and best practices needed to be leaders and innovators in animal care, wildlife conservation and science, conservation education, the guest experience, and community engagement.

12. The Aquarium is accredited by and has been an active member of the AZA since 2013, and will require reaccreditation in 2018, approximately one year into the planned construction.

13. Accreditation means that a facility has been officially recognized and approved by a group of experts who carefully examine each zoo or aquarium that applies for AZA membership. Only those zoos and aquariums that meet the highest standards can become members of the AZA. Fewer than 10% of the approximately 2,800 animal exhibitors licensed by the United States Department of Agriculture are AZA accredited. The

Aquarium falls within this elite group, and loss of accreditation would be a serious, if not fatal, blow to the future of the Aquarium.

14. The AZA has reviewed the Aquarium's initial plans for maintaining the welfare of its animals during the Project and it has particularly focused in on its concerns regarding the Aquarium's six (6) geriatric harbor seals that reside both inside and outside the Aquarium. The AZA has concurred that these marine mammals are acutely sensitive to acoustics and other environmental disturbances. The AZA has determined that during the construction, consideration must be given to providing all of the Aquarium's animals with adequate living space, life support, safety, and comfort, and has recognized that protecting the harbor seals and all of the animals affected must be conducted in a manner that is safe, well-planned and coordinated, adheres to all applicable laws and/or regulations, and minimizes the risk to the animals. Coordination among the various agencies and the Aquarium and advanced planning, including planning for a variety of emergencies and contingencies that may arise, will be critical to ensuring the welfare of all of the Aquarium's animals.
15. As planning for bridge construction proceeds, the special needs and ecosystems required by the Aquarium's animals must be considered to minimize the construction's effects on the animals, particularly with regard to the anticipated levels of noise and vibration, which can have a profound impact on the behavioral patterns of the highly sensitive species being impacted.
16. Several animal exhibits lie within 40 feet of one of the largest construction cranes scheduled to be used at the site. This includes the Aquarium's meerkat exhibit, dragons (reptile) exhibit and a 30,000 gallon Long Island Sound Exhibit. These exhibits are housed in a domed permanent structure adjacent to the main building ("Domed Building") that protects the animals from the elements. A short distance from these exhibits, approximately 110 feet from the construction crane scheduled for the site, is the Aquarium's harbor seal exhibit which has both indoor and open air components with passage that enables the seals to move between the indoor and outdoor enclosures. In order to safeguard the animals directly impacted by the construction, planning efforts must begin immediately and well in advance of the construction scheduled to begin in mid-2017. The Aquarium has a limited footprint as it is bordered by the Norwalk River to the East; residences and businesses to the North and West; and the Walk Bridge at the South end of the facility. This provides the Aquarium with some severe limitations as to where the animals can be relocated within the existing footprint.
17. Meerkats: Meerkats are skittish animals by nature and are sensitive to sound and vibrations. They, therefore, must be moved from their current exhibit located in the Domed Building, within close proximity to one of the primary cranes for the Project to the interior of the permanent structure of the Aquarium, to minimize their exposure to noise and vibrations as well as remove them from the direct path of the crane. The move will require advanced planning and renovation to relocate the meerkat exhibit to the second floor of the Aquarium where additional flooring will be added and the exhibit

habitat will need to be designed to absorb vibrations and to buffer sound related to construction. New habitat designs will be based on current AZA requirements.

18. The “Dragon Exhibit”: The species within the Dragon Exhibit, consisting of nine (9) species of reptiles or aquatic organisms, including a rare Black Dragon (one of only 31 found in the United States), are sensitive to sound and vibrations. They, therefore, must be moved from their current exhibit located in the Domed Building, within close proximity to one of the primary cranes for the Project to the interior of the permanent structure of the Aquarium, to minimize their exposure to noise and vibrations as well as remove them from the direct path of the crane. The move will require advanced planning and renovation to relocate the Dragon Exhibit to the second floor of the Aquarium where additional flooring will be added and the exhibit habitat will need to be designed to absorb vibrations and to buffer sound related to construction. New habitat designs will be based on current AZA requirements. The Aquarium is concerned about reptile mortality before, during and after the move.
19. The “Go Fish” Exhibit: This 30,000 gallon exhibit houses a multitude of local fish species and is a critical exhibit that highlights the Aquarium’s mission and connects its visitors to animals that thrive in Long Island Sound. The fish species in the exhibit are sensitive to vibrations and sound, which are amplified in the aquatic medium. They, therefore, must be moved from their current exhibit located in the Domed Building, within close proximity to one of the primary cranes for the Project to the interior of the permanent structure of the Aquarium, to minimize their exposure to noise and vibrations as well as remove them from the direct path of the crane. This exhibit will be moved to the former entrance of the Aquarium, which is currently an outdoor children’s play area. This move is far more complex (and costly) than the move for the meerkat and Dragon exhibits due to the weight associated with an exhibit of this size as well as the complex filtration and cooling systems necessary for animals to survive such a move and to maintain the animals within the narrow environmental range required for them to thrive after the move.
20. The Harbor Seal Exhibit: The harbor seal exhibit serves as a centerpiece of the Aquarium’s organization. The harbor seal is the Aquarium’s signature animal and has been integrated into its Logo. The seal pool is home to six (6) rescued geriatric seals. The seal pool is an indoor/outdoor structure that allows the seals to move freely between their indoor and outdoor accommodations. Harbor seals are sensitive to sound and vibrations and the outside area of the seal habitat will expose the seals to construction debris. There is no other location to which to move these animals within the Aquarium due to the amount of space required for the exhibit. Therefore, the exhibit will need to remain in its current location with an expanded footprint and a permanent exterior structure will need to be erected to enclose the exhibit. The large size and location of the exhibit in the center of the Aquarium, with a significant water volume, complex life support system, and highly sensitive animals, contribute to the complexity of reconfiguring this exhibit and the need for significant advanced planning.

21. Throughout the period of construction, the Aquarium must continue to meet all AZA standards in order to maintain its accreditation. The 2018 reaccreditation process will begin in late 2017. By this time, each of the exhibits to be relocated and/or reconstructed must be fully constructed and operational with demonstrated protections for the animals from the noise, vibration and construction debris in order to ensure continued accreditation by the AZA.

22. Consequently, the Aquarium must engage in advanced planning for these moves, and CDOT, Federal Transit Administration, the City of Norwalk, Connecticut Department of Energy and Environmental Protection and other state agencies must work collaboratively with the Aquarium during both the demolition and construction phases of the Project to ensure the continued safety and well-being of the Aquarium's animals. O-12.5
(cont.)

23. For each of the animals mentioned above, and any other animals identified by the Aquarium and its experts/consultants as being sensitive to noise and vibrations, there must be coordination between the Aquarium and CDOT to schedule construction in a way to minimize the impacts of the noise and vibration on the animals. This will require sequencing of construction phases and projects, including the sequencing of various construction equipment in a way that will minimize vibrations and maintain decibel levels at safe levels for all animals. O-12.6

24. In addition to the need to physically relocate and/or reconfigure exhibits to minimize impacts on the animals in the direct path of the construction, and to assess and maintain safe vibration and decibel levels for all animals, the sleep and reproductive habits/cycles of the Aquarium's animals must be considered and taken into account in connection with the proposed construction schedule for all phases of the Project. The construction schedule must be specifically identified (daily, weekly, monthly, seasonally) and managed to conform to the needs of the various impacted animals. O-12.6
(cont.)

25. To plan for and mitigate the effects on animal sleep, training and reproductive schedules, the Aquarium will require a proposed and very detailed (daily, weekly, monthly, seasonally) construction plan for each phase of the Project that it can overlay with animal sleep and life cycle schedules and sensitivities to noise and vibration to determine the optimal construction schedule to maintain the welfare of all of its animals. The timing of construction (morning, afternoon, evening, overnight), phasing of construction projects and phasing of the use of various construction equipment will need to be coordinated to align with the Aquarium's animals' sleep and life cycle schedules and account for the animals' general well-being in terms of mitigating noise and vibrations to the greatest extent possible. O-12.6
(cont.)

26. For instance: Our mammals (seals, meerkats and river otters) participate in enrichment/training sessions that allow the Aquarium to conduct non-invasive, minimal stress monitoring of their health (blood draws, dental procedures etc.). Sleep interruptions and/or deprivation will likely cause lack of participation in the enrichment/training sessions and ultimately negatively impact the Aquarium's ability to monitor the health of the animals. Knowing the frequency and duration of the

construction plans will provide us with an opportunity to address the concerns and alter possible training/enrichment schedules accordingly to prevent and mitigate any problems.

27. The Aquarium will also need to be included in any discussions going forward regarding any anticipated changes in the construction schedule, as determined with the Aquarium's input, with sufficient advance notice to plan and alter plans. Any deviation from the agreed upon construction schedule may significantly affect the availability of suitable alternative homes for the animals and result in adverse impacts to their wellbeing.

O-12.6
(cont.)

Environmental Health and Safety of Visitors/Employees/Volunteers/Continued Viability of Aquarium

28. The Aquarium welcomes nearly 500,000 visitors a year, many of which are small children, and contributes \$40 million annually to the state's economy.

29. The Aquarium will need to be included in any discussions regarding partial or full street closures, detours, and appropriate signage so that it can determine and mitigate impacts of closures on its business by alerting employees, volunteers and visitors well in advance of such closures through its website and other social media/media sources, appropriate signage, etc.

30. The Aquarium will need to be included in any discussions regarding parking lot/area closures and alternative parking arrangements, particularly when access to the Maritime and other garages typically used by Aquarium employees, volunteers, and visitors is compromised either by closures or overflow of others coming from parking areas that have been closed. This information is required so that the Aquarium can anticipate and mitigate impacts on its business by alerting employees, volunteers and visitors well in advance of such closures and/or the need to use alternative parking areas through its website and other social media/media sources, appropriate signage, etc.

O-12.7

31. The Aquarium will need to continue to be included in any discussions regarding the relocation of the research vessel dock it currently uses for its various educational programs, including any change of route, so that the Aquarium may assess the need for transportation from the Aquarium to the relocated dock, the need for any change in the cruise program curriculum, and changes to the information it provides regarding cruise options on its website and other marketing literature to continue to offer this valuable maritime experience, with the least amount of interruption, to its visitors.

O-12.8

32. The Aquarium will need to continue to be included in discussions regarding the parameters of the proposed temporary and permanent easements so that it may assess the impact of these easements on the Aquarium's operations, and in particular with regard to the IMAX Theater and other non-animal exhibits that will or may be impacted.

O-12.9

33. Air Quality: The Aquarium will require additional detail on the Project's impacts on air quality from construction vehicle and equipment emissions in the vicinity of the Aquarium to ensure the safety of its animals, employees and volunteers and visitors.

O-12.10

Appropriate testing should be conducted to determine current baseline emissions, and continuous emissions monitoring/perimeter monitoring should be conducted throughout the Project to monitor for any emissions that will need to be addressed.

O-12.11

34. Noise: The Aquarium will require additional detail on the anticipated noise levels from construction and construction equipment on humans: employees, volunteers, and visitors to ensure safe decibel levels are maintained.

O-12.12

35. Vibrations: The Aquarium will require additional detail on the anticipated vibration levels from construction so that it may access the potential impacts to its physical buildings and plan for appropriate mitigation measures.

O-12.13

36. Hazardous materials: The Aquarium will require additional detail on all suspected contaminants including asbestos, lead, polychlorinated biphenyls (“PCBs”), particulates, historical fill constituents and arsenic. The Aquarium will require CDOT to implement and review, in coordination with the Aquarium, an official and thorough hazardous materials survey in advance of the design stage so that appropriate containment and remediation methods for all hazardous materials and other contaminants can be established. If any PCBs exist, a strategy needs to be carefully and proactively developed in coordination with the Aquarium.

O-12.14

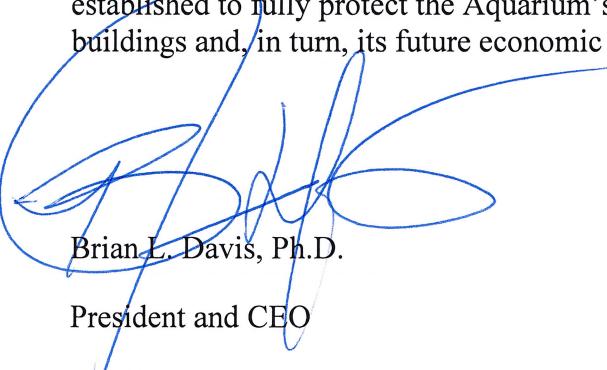
37. The Aquarium will require detailed information about the location of any stockpiles of hazardous materials or contaminants that may be located in the vicinity of the Aquarium, what those stockpiles will contain, and how they will be sampled, monitored and maintained in order to develop any required mitigation measures.

O-12.15

38. The Aquarium will require detailed information regarding any proposed dewatering activities in the vicinity of the Aquarium in order to develop any required mitigation measures.

O-12.16

In conclusion, the Aquarium appreciates the commitment from CDOT to work with and include the Aquarium in developing construction plans and schedules as well as hazardous materials remediation procedures that will ensure that appropriate mitigation measures are established to fully protect the Aquarium’s animals, employees, volunteers, and visitors, physical buildings and, in turn, its future economic viability.



Brian L. Davis, Ph.D.

President and CEO

CT Walk Bridge EA Comments - RECORD #91 DETAIL

Status : Action Pending
Record Date : 12/9/2016
Submission Date : 12/9/2016
First Name : Diane
Last Name : Jellerette
Organization/Agency : Norwalk Historical Society
Address :
Apt./Suite No. :
Town/City : Norwalk
State : CT
Zip Code : 06851
Telephone : 203-846-0525
Mobile :
Email Address : director@norwalkhistoricalsociety.org
Comments :

The Norwalk Historical Society supports the following proposed Historical mitigation requests for the Walk Bridge Program:

1. Because of its direct association with the development of the railroad system in Connecticut, we are recommending that the Lockwood Mathews Mansion host exhibits and education programs associated with the Walk Bridge and the development of Connecticut's railroad system. The builder of the mansion, which is listed on the National Register of Historic Places and has "Landmark" status, LeGrand Lockwood developed the Danbury line and was a competitor of Cornelius Vanderbilt, who later gained control of the Lockwood Mathews Mansion by buying his mortgages. In order to accomplish this, we need the DOT to implement: the remaining phases of the State Historic Preservation Office approved Master Plan of Preservation for the Lockwood Mathews Mansion dated September 9, 2008, which includes mechanical upgrades electrical, HVAC, sprinklers, emergency lighting, etc.; to preserve and restore the existing finishes in the first floor rooms including the Billiards room, the Dining room, the grand staircase (first and second floor), the bathroom, the coatroom, all exterior doors; restoration of the gas lights on the first floor and in the servant's quarters; develop exhibits and education programs, including a model curriculum of the development of the railroad system in the state of Connecticut, to be hosted by the Lockwood Mathews Mansion, the SONO Switch Tower Museum, and the City of Norwalk Historical Commission; and provide for documentation and filming of the process of dismantling the old bridge and construction of the new bridge to be included in the exhibit and/or programs.

O-13.1

2. Salvage and reuse brownstone from abutments to be demolished in the new bridge construction in place of stamped concrete, even if just used as a veneer.

O-13.2

3. Provide for the funding and development of exhibits and education programs, incorporating the archaeological and geological findings from the project with the Norwalk Historical Society and the City of Norwalk Historical Commission. This could include a model curriculum for southwestern Connecticut geology and American Indian habitation to be used by other Historical Societies and educators in Connecticut.

O-13.3

4. Restore the original iron fencing, gates, and associated masonry at the original entrance to the Lockwood Mathews Mansion along West Avenue.

O-13.4

5. Provide an elevator and ADA accessible bathroom at the Lockwood Mathews Mansion Carriage House.

O-13.5

6. Provide exterior ADA access to the Lockwood Mathews Mansion Gate Lodge.

O-13.6

7. List Liberty Square on the National Register of Historic Places.

O-13.7

8. Provide interpretive signage regarding the Walk Bridge, development of the railroad in Norwalk and Connecticut located along DOT provided pedestrian and bike paths on both the east and west sides of the Norwalk river near the bridge

O-13.8

Add to Mailing List : Yes

Submission Method : Website Comment Form

Contact Reason : Environmental Document Comment

Project Interest :

Distribution List : Program Announcements, Fact Sheets and Newsletters, Construction Notices

Referrer : Other

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #86 DETAIL

Status : Action Pending
Record Date : 12/9/2016
Submission Date : 12/9/2016
First Name : Cece
Last Name : Saunders
Organization/Agency : Historical Perspectives, Inc.
Address :
Apt./Suite No. :
Town/City : Westport
State : CT
Zip Code : 06880
Telephone :
Mobile :
Email Address : cece@historicalperspectives.org
Comments :

Proposed Historical Mitigation

1. Because of its direct association with the development of the railroad system in Connecticut, we are recommending that the Lockwood Mathews Mansion host exhibits and education programs associated with the Walk Bridge and the development of Connecticut's railroad system. The builder of the mansion, which is listed on the National Register of Historic Places and has "Landmark" status, LeGrand Lockwood developed the Danbury line and was a competitor of Cornelius Vanderbilt, who later gained control of the Lockwood Mathews Mansion by buying his mortgages. In order to accomplish this, we need the DOT to implement: the remaining phases of the State Historic Preservation Office approved Master Plan of Preservation for the Lockwood Mathews Mansion dated September 9, 2008, which includes mechanical upgrades electrical, HVAC, sprinklers, emergency lighting, etc.; to preserve and restore the existing finishes in the first floor rooms including the Billiards room, the Dining room, the grand staircase (first and second floor), the bathroom, the coatroom, all exterior doors; restoration of the gas lights on the first floor and in the servant's quarters; develop exhibits and education programs, including a model curriculum of the development of the railroad system in the state of Connecticut, to be hosted by the Lockwood Mathews Mansion, the SONO Switch Tower Museum, and the City of Norwalk Historical Commission; and provide for documentation and filming of the process of dismantling the old bridge and construction of the new bridge to be included in the exhibit and/or programs.

O-14.1

2. Salvage and reuse brownstone from abutments to be demolished in the new bridge construction in place of stamped concrete, even if just used as a veneer.

O-14.2

3. Provide for the funding and development of exhibits and education programs, incorporating the archaeological and geological findings from the project with the Norwalk Historical Society and the City of Norwalk Historical Commission. This could include a model curriculum for southwestern Connecticut geology and American Indian habitation to be used by other Historical Societies and educators in Connecticut.

O-14.3

4. Restore the original iron fencing, gates, and associated masonry at the original entrance to the Lockwood Mathews Mansion along West Avenue.

O-14.4

5. Provide an elevator and ADA accessible bathroom at the Lockwood Mathews Mansion Carriage House. |O-14.5

6. Provide exterior ADA access to the Lockwood Mathews Mansion Gate Lodge. |O-14.6

7. List Liberty Square on the National Register of Historic Places. |O-14.7

8. Provide interpretive signage regarding the Walk Bridge, development of the railroad in Norwalk and Connecticut located along DOT provided pedestrian and bike paths on both the east and west sides of the Norwalk river near the bridge |O-14.8

Add to Mailing List : Yes

Submission Method : Website Comment Form

Contact Reason : Historic interest/concern

Project Interest :

Distribution List : Program Announcements, Fact Sheets and Newsletters

Referrer : Email

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #85 DETAIL

Status : Action Pending
Record Date : 12/9/2016
Submission Date : 12/9/2016
First Name : Patsy
Last Name : Brescia
Organization/Agency : Lockwood-Mathews Mansion Museum
Address :
Apt./Suite No. :
Town/City : Norwalk
State : CT
Zip Code : 06850
Telephone : 203-838-9799 ext 112
Mobile :
Email Address : sgilgore@lockwoodmathewsmansion.com
Comments :

We firmly believe that additional environmental impact evaluation is needed prior to finalizing replacement of the walk bridge. We believe to be of utmost importance highlighting LeGrand Lockwood's contribution to building the railroad industry including the Danbury line in any historic mitigation. We therefore strongly support the Norwalk Historical Commission's proposed historical mitigation as listed below.

O-15.1

Proposed Historical Mitigation

1. Because of its direct association with the development of the railroad system in Connecticut, we are recommending that the Lockwood Mathews Mansion host exhibits and education programs associated with the Walk Bridge and the development of Connecticut's railroad system. The builder of the mansion, which is listed on the National Register of Historic Places and has "Landmark" status, LeGrand Lockwood developed the Danbury line and was a competitor of Cornelius Vanderbilt, who later gained control of the Lockwood Mathews Mansion by buying his mortgages. In order to accomplish this, we need the DOT to implement: the remaining phases of the State Historic Preservation Office approved Master Plan of Preservation for the Lockwood Mathews Mansion dated September 9, 2008, which includes mechanical upgrades electrical, HVAC, sprinklers, emergency lighting, etc.; to preserve and restore the existing finishes in the first floor rooms including the Billiards room, the Dining room, the grand staircase (first and second floor), the bathroom, the coatroom, all exterior doors; restoration of the gas lights on the first floor and in the servant's quarters; develop exhibits and education programs, including a model curriculum of the development of the railroad system in the state of Connecticut, to be hosted by the Lockwood Mathews Mansion, the SONO Switch Tower Museum, and the City of Norwalk Historical Commission; and provide for documentation and filming of the process of dismantling the old bridge and construction of the new bridge to be included in the exhibit and/or programs.

2. Salvage and reuse brownstone from abutments to be demolished in the new bridge construction in place of stamped concrete, even if just used as a veneer.

O-15.2

3. Provide for the funding and development of exhibits and education programs, incorporating the archaeological and geological findings from the project with the Norwalk Historical Society and the City of Norwalk Historical Commission. This could include a model curriculum for southwestern Connecticut geology and American Indian habitation to be used by other Historical Societies and educators in Connecticut.

O-15.3

4. Restore the original iron fencing, gates, and associated masonry at the original entrance to the Lockwood Mathews Mansion along West Avenue.

O-15.4

5. Provide an elevator and ADA accessible bathroom at the Lockwood Mathews Mansion Carriage House.

O-15.5

6. Provide exterior ADA access to the Lockwood Mathews Mansion Gate Lodge.	O-15.6
7. List Liberty Square on the National Register of Historic Places.	O-15.7
8. Provide interpretive signage regarding the Walk Bridge, development of the railroad in Norwalk and Connecticut located along DOT provided pedestrian and bike paths on both the east and west sides of the Norwalk river near the bridge	O-15.8

Add to Mailing List : Yes

Submission Method : Website Comment Form

Contact Reason : Environmental Document Comment

Project Interest :

Distribution List : Program Announcements, Fact Sheets and Newsletters, Construction Notices

Referrer : My Legislator's Website

Referrer Legislator : Sen. Bob Duff, Rep. Fred Wilms, Rep. Gail Lavielle, Rep. Chris Perone

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

4. *Comments from Individuals*

I-1 **Elsa Peterson**

I-2 **Elsa Obuchowski**

I-3 **John de Regt**

I-4 **An Interested Voter**

I-5 **Joseph Schnierlein**

I-6 **Eric Nelson**

I-7 **Kevin Fanning**

I-8 **HSG**

I-9 **Rick Lowenthal**

I-10 **Richard Smola**

I-11 **Linda Vazquez**

I-12 **Judith Bacal**

I-13 **John Cardamone**

I-14 **Jack Alexander**

I-15 **Lisa Thomson**

I-16 **Linda Mineo**

I-17 **Danny Grundman**

I-18 **Alex Sherman**

I-19 **James Hamilton**

I-20 **Adolph Neaderland**

I-21 **Jo-Anne Horvath**

I-22 **Peter Schmerch**

I-23 **Ursula Corkutt**

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

I-24 Diane Lauricella

I-25 Robert Hard

I-26 William Burnham

I-27 Michael Widland

CT Walk Bridge EA Comments - RECORD #3 DETAIL

Status : Action Completed

Record Date : 9/6/2016

Submission Date : 9/6/2016

First Name : Elsa

Last Name : Peterson

Organization/Agency :

Address :

Apt./Suite No. :

Town/City :

State :

Zip Code :

Telephone :

Mobile :

Email Address :

Comments :

To: Connecticut DOT

In your information slides about the Walk Bridge replacement (specifically the 3rd slide in the Display Boards

<http://www.walkbridgect.com/pdf/meetings/displayboards.pdf>), you call the new bridge a "redundant structure." It would be better and more understandable for the lay public if you called it a "resilient structure."

I-1.1

I understand that in this context "redundant" means it will have multiple areas of strength so that if one area fails, the bridge will still stand.

But many people may think "redundant" means "unnecessary," thus raising the question of why we are doing it if it's redundant.

Sincerely,

Elsa Peterson Obuchowski

Norwalk, CT 06851-3919 USA

Add to Mailing List :

Submission Method : Project Inbox

Contact Reason :

Project Interest :

Distribution List :

Referrer :

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #4 DETAIL

Status : Completed
Record Date : 9/6/2016
Submission Date : 9/6/2016
First Name : Elsa
Last Name : Obuchowski
Organization/Agency :
Address :
Apt./Suite No. :
Town/City : Norwalk
State : CT
Zip Code : 06851
Telephone :
Mobile :
Email Address : [REDACTED]
Comments :

The public has not been given an explanation why Veterans Park can't be used for staging area instead of displacing businesses and demolishing IMAX theater. The only excuse given is that Norwalk promised a seasonal ice skating rink in Veterans Park, which is ridiculous. The skating rink could be put in after the bridge is finished. What is the real reason why you are not using Veterans Park as staging area?

I-2.1

Add to Mailing List : No
Submission Method : Website Comment Form
Contact Reason : Abutter/ROW interest/concern
Project Interest :
Distribution List :
Referrer : My Legislator's Website
Referrer Legislator : Bob Duff

CT Walk Bridge EA Comments - RECORD #14 DETAIL**Status :** Action Pending**Record Date :** 9/16/2016**Submission Date :** 9/16/2016**First Name :** John**Last Name :** de Regt**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06853**Telephone :** [REDACTED]**Mobile :****Email Address :** [REDACTED]**Comments :**

It seems that the cost/time/displacement of businesses out-weigh the so-called benefits of the current plan. I'd like to understand why the current structure won't be rehabilitated. There are many examples of older bridges being re-furbished and giving many decades of added service.

I-3.1

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** General Program Information**Project Interest :****Distribution List :** Program Announcements, Fact Sheets and Newsletters, Construction Notices**Referrer :** Friend**Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #16 DETAIL

Status : No Action Required

Record Date : 9/19/2016

First Name :

Last Name :

Organization/Agency :

Address :

Apt./Suite No. :

Town/City :

State :

Zip Code :

Telephone :

Email Address : [REDACTED]

Comments :

All the fuss is in relation to just one business that is up river of the project

I-4.1

It is also unreasonably accommodated on Commerce St, Norwalk

an interested voter

-----Original Message-----

From: CT Walk Bridge Program <info@walkbridgect.com>

To: mrsheidi [REDACTED]

Sent: Fri, Sep 16, 2016 11:46 am

Subject: Construction News 9/16

Walk Bridge Program

Program Announcement

CT Walk Bridge EA Comments - RECORD #17 DETAIL**Status :** Action Pending**Record Date :** 9/21/2016**Submission Date :** 9/21/2016**First Name :** Joseph**Last Name :** Schnierlein**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :****State :****Zip Code :****Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

With the impending "Walk" bridge construction on the Norwalk River by the Norwalk Harbor, I feel compelled to write this letter as I could not stick my head in the sand on this project. The Environmental Assessment/Environmental Impact Evaluation (EA/EIE) immediately gives me the feeling that, due to its length, most will not read it and will be impressed just due to the length. That is far from the truth.

The EA/EIE Section 4 (f) Evaluation Environmental impact Evaluation made me absolutely cringe and was far from a professional job, except when discussing the railroad. I am sure researchers from the University of Connecticut or the CT DEEP could do a more accurate and superior job of identifying what organism can be found in the harbor as well as how the currents will be shifted by construction, and how dredging will affect the harbor. UCONN should seriously be considered to write the EA/EIE as they will approach it without a bias and are a skilled resource in our state and this can add to their knowledge of the State's waters and resources.

I-5.1

I am writing this as simply a taxpayer, no affiliation to any political party nor any organization, but as a biologist who tends to think logically and has been on and in the waters of Long Island Sound and the Norwalk Harbor for over 45 years. I have taught marine sciences in high school and on the college level – both undergraduate as well as graduate level.

To start, are we putting the cart before the horse with this bridge project? Before any large-scale construction is planned the issue of dredging the Norwalk River needs to be examined and settled on. After the last dredging of the Norwalk Harbor in 2014, the members of the Harbor Commission were advised by the Army Corps of Engineers that the 2013-14 dredging was probably the last dredging that would be paid for with federal money due to a lack of commerce up river. If this is true, and the Feds, the City of Norwalk, CTDOT, nor anyone else are not going to pay for dredging, then there is no need to plan a movable bridge to last the next 100 + years as large vessels will not be able to go up river after 30 years that would require any opening!!! I don't know how much of a tax increase the Norwalk taxpayers are willing to take on to cover this cost for mostly recreational boaters and someone else's business. Dredging a river is much more expensive than paving a road and it needs to be done more frequently.

I-5.2

Dredging of the harbor has taken place in 1872, 1873, 1874, 1875, 1878, 1879, 1880, 1881, 1882, 1884, 1886,

1888, 1890, 1907, 1945, 1950, 1953, 1954, 1955, 1956, 1960, 1964, 1980-81, 2013-14. The earlier dredgings took place more frequently as the equipment was smaller and less powerful and could only complete the work in sections of the river and harbor, but as equipment improved, it became necessary once every 10 to 25 years and could be done in 1 to two years. However, major storms could change all of that as more sediments wash down stream and more frequent dredgings could be needed. We know from the past that at least 4 feet of sediment can be shifted into channels from one storm.

Also, in Norwalk city planning, there are future plans to develop along the river and harbor, reducing the number of marinas. | I-5.3

In speaking to people from ConnDOT on 8/16/16 at the Maritime Aquarium at Norwalk, I was told that there would be very little impact until construction would begin. WRONG! Merchants on Washington St., and Water St. already know there will be road closures and they will be impacted. I know from talking with people at law firms as well as real estate agents – it has already impacted them. No merchant in their right mind would invest in a business on these streets not knowing, at least for the next 4 to 5 years, when access to the business will not be available and for how long. Some are already thinking of bailing out. How many restaurants can keep staff when opening and closing irregularly? Most staff will leave for jobs with a degree of consistency if given the opportunity. How many patrons would go to restaurants with constantly changing staff and not knowing when they might be open or not, or if parking is far away – especially during winter months?

The following was presented at the meeting on 8/16/16 at the Maritime Aquarium:

- 1) The single rise Bascule bridge – side nearest Aquarium (west side) opens and closes. East side is hinged.
 - a. Pro's: fewest moving parts of moving bridge therefore lower maintenance cost, less taxpayer investment over time.
 - b. Con's requires: building parallel tracks to existing bridge – requires more eminent domain property seizures. Would require new foundations and removal of the old foundations. Dredged material would need to be disposed of – dumping it in Long Island Sound only hastens the speed in which it fills in and takes away another colder habitat for animals in warm weather. Would require hardening of the river banks up and down stream from the bases of the bridge due to eddies created by bases deflecting river currents. If mechanical failure, the RR lines are shut down. Work might require relocation of overhead power line towers.
- 2) Through Truss Vertical Lift bridge – entire mid section rises to accommodate large vessels. Must lift 80 to 100+ ft to accommodate sail masts. A 70 ft. sailboat can have a mast 93 ft. in length.
 - a. Pro's: would probably provide the most jobs to build for 3 or more years. Most companies would love to build this due to the amount of work it would require. It would be an engineering feat that would probably garner awards – engineer type people would come to see it.
 - b. Con's: would be the most expensive, would require duplicate lift systems, and therefore double the cost of

maintenance of mechanisms to open the bridge. Would also be the ugliest when viewed from I95 or the harbor. Could require double the time down for maintenance and double the price. Would require new foundations and removal of the old foundations. Requires building parallel tracks to existing bridge, - requires more eminent domain property seizures. Would require hardening of the river banks up and downstream from the bases of the bridge due to eddies created by bases deflecting river currents. Work would require relocation of overhead power line towers.

3) Through Truss Rolling Bascule Bridge — In this alternative, a pair of 160-foot Truss Rolling Lift Bascules will each carry two tracks adding redundancy so a mechanical problem does not impact all four tracks.

- a. Pro's: would probably provide the 2nd most jobs to build for 3 or more years. It has the ability to have a backup if mechanics for one bridge failed – at least two tracks would be open.
- b. Con's: would be the 2nd most expensive, would require duplicate lift systems, and therefore double the cost of maintenance of mechanisms to open the bridge. Would require new foundations and removal of the old foundations. Requires building parallel tracks to existing bridge, - requires more eminent domain property seizures. Would require hardening of the river banks up and downstream from the bases of the bridge due to eddies created by bases deflecting river currents. Work would require relocation of overhead power line towers.

Not shown at meeting: Weld present bridge in place, build support system above and around the bridge (truss work) as well as new cross members under the bridge. Cut out old support system which will provide an extra 10 to 15 feet of clearance. Either buy a tug for Devine bros. to pull barge to their business – leave it north of the bridge – or compensate them for the additional cost for trucking material. Compensate United Marine for a loss of revenue based on business the last 10 years.

I-5.4

- a. Pro's: Cannot fail open! Would require less seizure of property by eminent domain. Would cost about the same as a single lift bridge. Should not require a loss of Metro North service as construction could take place during service. Would reduce dredging, and have less of an environmental impact. Once the old supports under the bridge are removed the greater majority of the 250 boats up river will easily pass under the bridge and not need it open (most do not need it open now)! Could be done mostly from the river and on the existing bridge. Would require the least maintenance. Because no additional tracks are needed, less eminent domain seizures are needed. Zero maintenance for mechanisms to open and close bridge as well as energy costs to open and close bridge. Could use existing foundations if reinforced. Presently at high tide there is about 12 feet of bridge clearance for a vessel passing underneath, this construction method could add another 10 feet or more of clearance at high tide. Would not require moving overhead power lines.
- b. Con's: would cost as much to build as the other bridges – but less for eminent domain. Accommodations would need to be made for the vessels requiring more height south of the bridge in the available marinas, I doubt if it is more than 20.

To get a rough idea of how many sailboats there are up river so I would have an idea of usage other than Devine Brothers, I used Google Earth and came up with the following:

I-5.5

April 2016 – 33 – mostly on shore at United Marine,

Sept 2015 – 14,

Sept 2014 – 15,

Sept 2013 – 9,

March 2012 – 51 – mostly on shore at United Marine,

Aug. 2010 – 15

2011 photo's not sharp enough to identify power boats from sailboats.

Note: United Marine mostly winter stores vessels on shore – only has slips for maybe 10 boats in summer depending on their size.

For the remaining part of this letter I will be referencing the Walk Bridge website section from the notification I received on 9/7/16, "Environmental Assessment/Environmental Impact Evaluation for the Walk Bridge Replacement Project, it appears that there are other bridge options they are looking at: a long span vertical lift, a short span vertical lift and still a bascule bridge but in all cases, each will be composed of two sections with each section containing two tracks so that if the bridge fails open, hopefully they can close one section and have some railroad service. What is listed under section 2.3 "alternatives not advanced for further evaluation" is replacement of the fixed bridge. The reason stated: "Would not meet purpose and need with regard to dependability and capacity for marine traffic". Are you kidding me?! What is more dependable than a fixed bridge? As for capacity for marine traffic – this is the Norwalk River – not the Hudson or Connecticut River. We are going to create a bridge so that a few recreation boaters can go up river and have it cost the taxpayers money for construction as well as maintenance. The boats with tall masts will have the ability to find slips in other marinas. All of the present power boats will be able to pass under the bridge if the replacement bridge is constructed with the support structure above the railroad bed.

I-5.6

The Environmental Impact Statement (EIS) is probably the weakest EIS I have ever seen. It does not show any regard for the Norwalk environment and my high school marine biology students could have done a more accurate assessment of the animal assessment. Section 3 page 79 there is table 3-8 "Essential Fish Habitat in the Vicinity of Walk Bridge" taken from a NOAA Source, has species stated that are very misleading. The NOAA Fish Habitat Mapper v 3.0 is a regional mapper – NOT SPECIFIC to the Norwalk Harbor in the vicinity of the bridge. Indeed, it is way off as in the harbor we do not find Little Skate, Squid, Atlantic Mackerel, Atlantic Butterfish, and Atlantic Herring, Pollock, Ocean Pout, and Red Hake. We can, on occasion, find some of them outside the Harbor beyond the islands in more saline water – but they are just passing through the area. What are probably the most

I-5.7

abundant in-harbor species are Fundulus sp. (mummichogs, killifish), Atlantic Silversides, Menhaden, cunner, tomcod, pipefish, sticklebacks and Tautog – and they are not even mentioned and are primary food sources for

the larger fish species! These are all species that could be affected by silt, noise and changes in dissolved oxygen levels, as well as the fluke and flounder that they do mention.

I-5.7
(cont.)

In the section on Water Quality, there is no mention of how dredging up the river bottom will release the industrial wastes buried there over the years that came from hat factories (mercury) as well as the drum recycling company and a chemical company and how it will impact shellfish beds further down stream and into the harbor as this material may not be stopped with a screen. It only mentions that they will be disposed of by existing guidelines (whose?) and it is mentioned later that screens will be used, but it does not mention to what degree they are efficient. And, it does not mention under what conditions will they cease dredging (if specific tolerances are exceeded).

I-5.8

Throughout the "Environmental Assessment/Environmental Impact Evaluation for the Walk Bridge Replacement Project, there are sections titled "No Build Alternative" and "Build Alternatives". Again, I find it beyond logic wondering why total replacement of the bridge in place, girder by girder is not considered! If you look at how minimal the impact will be, it makes no sense, Yet on table 2-1 listed under "Alternatives Not Advanced" for High Level option fixed bridge it states "High environmental impacts" and "High Costs". If no new piers are required, no removal of salt marshes, and minimal dredging to how would that have more environmental impact? And, how could a fixed bridge not be dependable?

I-5.9

For Mid-level option for fixed bridge it would meet the purpose of most of the marine traffic and would be more dependable than a moving bridge as nothing has to move and if the support system takes place above the bridge, the clearance for vessels should be over 25 feet. ! I do not understand how they say it would not meet needs for dependability – it doesn't have to move!

Pg. 3-82 in the list of birds actually seen on and in proximity of the "Walk" bridge, the list is missing: peregrine falcon, American coot, Brant, Cattle egret, Common Loon, Greater and lesser Scaup, Old Squaw (Long tail), and the past two years we had bald eagles fishing the river from late April to August.

I-5.10

On pg 3-83 under marine mammals, both ringed and harbor seals have been seen in the river by the bridge. Also, for marine turtle, the most commonly found in the area is the diamondback terrapin. Their young as well as snapping turtle young have been found on the banks of the river by the bridge.

I-5.11

In 3.1.3 – Potential Impacts, there is no mention as to an estimate for the loss of revenue to the businesses on Washington St., and North Water St. due to road closures.

I-5.12

Nor, the potential loss of the rowing program, which has made a significant contribution to the Olympic rowing program with three rowers coming from programs on the Norwalk River in the past 10 years. At least twenty seven have rowed in college, at least 8 have placed in world and national championships and over 20 have placed in junior national championships which probably opened their doors to NCAA competition. This is a major accomplishment, and could be impacted severely by construction. Rowers are required to row up to 3000 meters, and when training, this takes them from the river into the Harbor. The longer construction blocks this passage, the more it will cut into the training. It is being treated like they are just a bunch of recreational

I-5.13

rowers out for a good time! Many of the present youth rowers have their future on the line and need to excel to be competitive on the NCAA or National level or Olympic level. 1-5.13 (cont.)

Section 4 “Resiliency and Sustainable design”

Before we even start on analyzing this section we should be aware of the fact that with Tropical Storm Sandy, the tidal surge brought the water level up to within one foot of the tops of most pilings. If the storm had lasted one more hour, most of the docks, and boats attached to them would have all been floating loose and slamming into each other and what ever was in their way, including buildings, and bridges. Having stated that, please note that according to table 4-1, if we follow NOAA’s high scenario, we should be prepared for a water level rise of 9 feet over the next 100 years. Now, add onto that another 15 to 20 foot tidal surge for a category 4 or 5 hurricane and the bridge and tracks will need to withstand the impact of the vessels. We have had four category 3 hurricanes hit Connecticut (1938, 1944, 1954 and 1985). If severity is going to increase as we are told to expect, we should have the same number in this next century, but they will be category 4. So, if one really wants sustainability – there needs to be an entire raising of the railroad bed, tracks and bridges or movement well above sea level. I-5.14 I-5.15

As far as resiliency – the best way to get hazardous weather resiliency would be to run a parallel set of track along interstate 95, which for the most part, is elevated enough not to worry about coastal flooding. Having a second set of tracks next to the ones that should be impacted doesn’t provide any resiliency. Having two sets of tracks on a bridge doubles the maintenance costs and if one set fails, yes the railroad might get through if the railroad beds are not wiped out, but not the vessels. I-5.16

Section 5 it states that CTDOT will employ best management practices (BMP’s) during all the work on the water. Whose BMP’s? Where will confined sediment be placed? If round-abouts are used, and wheel greasers are implemented, what will be used to minimize the petroleum that ends up on the ties and rails from getting in the water? There is no mention of the amount of acceptable noise both in the air and water. Please take a look at the environmental impact statement for the Tappan Zee bridge. They cover all of that. I-5.17 I-5.18 I-5.19

In table 5-2 there is no mention of blue-back herring, northern diamondback terrapins, common Loon, great and snowy egrets, bald eagles (2 this year) seaside sparrow. Anyone who has spent a few hours on the shore here in the summer would be aware of the loons, egrets and sparrows. I-5.20

I would hope that the leaders of the State of Connecticut and City of Norwalk would require that the CTDOT do a much better analysis of this bridge program and a professionally done environmental impact statement by trained scientists and economic impact by trained economists for Norwalk. It is sad to think that State officials think so little of the people of Norwalk to think all of us would be impressed with this document and buy into it.

If you would like to discuss this please feel free to contact me.

Most sincerely,

Joe Schnierlein

[REDACTED]
Norwalk, CT.

[REDACTED]
Add to Mailing List :

Submission Method : Project Inbox

Contact Reason :

Project Interest :

Distribution List :

Referrer :

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #18 DETAIL**Status :** Action Pending**Record Date :** 9/22/2016**Submission Date :** 9/22/2016**First Name :** Eric**Last Name :** Nelson**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06850**Telephone :** [REDACTED]**Mobile :****Email Address :** [REDACTED]**Comments :**

Cost considerations and reliability aside, I prefer the rolling Bascule design for aesthetic reasons. Lift span is simply too large. I-6.1

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** General Program Information**Project Interest :****Distribution List :** Program Announcements, Fact Sheets and Newsletters**Referrer :** My Legislator's Website**Referrer Legislator :** Fred Wilms

CT Walk Bridge EA Comments - RECORD #19 DETAIL**Status :** Action Pending**Record Date :** 9/24/2016**Submission Date :** 9/24/2016**First Name :** Kevin**Last Name :** Fanning**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Fairfield**State :** CT**Zip Code :** 06824**Telephone :** [REDACTED]**Mobile :****Email Address :** [REDACTED]**Comments :**

I think that this is a great use of public money and happy to be supporting this project. | I-7.1

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** Abutter/ROW interest/concern**Project Interest :****Distribution List :** Program Announcements, Fact Sheets and Newsletters, Construction Notices**Referrer :** Search Engine, Email, Social Media, Other**Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #20 DETAIL**Status :** Action Pending**Record Date :** 9/26/2016**Submission Date :** 9/26/2016**First Name :****Last Name :****Organization/Agency :****Address :****Apt./Suite No. :****Town/City :****State :****Zip Code :****Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

and once again

who are we accommodating with the walk bridge.????

the rowing team?

I do not think so

I-8.1

hsg

-----Original Message-----

From: CT Walk Bridge Program <info@walkbridgect.com>

To: mrsheidi [REDACTED]

Sent: Fri, Sep 23, 2016 3:46 pm

Subject: Construction News 9/23

CT Walk Bridge EA Comments - RECORD #21 DETAIL

Status : Action Pending

Record Date : 9/26/2016

Submission Date : 9/26/2016

First Name : Rick

Last Name : Lowenthal

Organization/Agency :

Address :

Apt./Suite No. :

Town/City :

State :

Zip Code :

Telephone :

Mobile :

Email Address : [REDACTED]

Comments :

I realize it's all complicated vis a vie the Coast Guard FED funding, Navigable Rivers designation/status, et al. I have commented/questioned the need for a anything other than a fixed bridge and all the money, time, properties that would be involved. I have just returned from my first European River Trip and having passed under 50? fixed bridges with all kinds of barges carrying sand, gravel, grain, etc. In addition, there were many sailboats with pivoting masts, pleasure yachts, scores of similar 200? passenger river boats plying the river way. Europe seems to manage just fine with fixed bridges in most locations. I-9.1

I am requesting, one more time, without full understanding of the funding restrictions, for some common sense rethinking of the fixed bridge solution. Frankly, also fixed bridges are more pleasing to the eye rather than a 100 ft? tall opening steel superstructure. I can only assume the long term maintenance and manpower required to monitor an opening bridge would considerably less with a fixed bridge. RETHINK to a fixed bridge - please. Regards, I-9.1 (cont.)

Rick LowenthalNorwalk, [REDACTED]

Add to Mailing List :

Submission Method : Project Inbox

Contact Reason :

Project Interest :

Distribution List :

Referrer :

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #30 DETAIL**Status :** Action Pending**Record Date :** 10/3/2016**Submission Date :** 10/3/2016**First Name :** Richard**Last Name :** Smola**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Fairfield**State :** CT**Zip Code :** 06824**Telephone :** [REDACTED]**Mobile :** [REDACTED]**Email Address :** [REDACTED]**Comments :**

Why not fix the bridge as is, repair and renovate and buy the entities that cause the bridge to need to be opened?

I-10.1

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** General Program Information**Project Interest :****Distribution List :** Program Announcements, Fact Sheets and Newsletters, Construction Notices**Referrer :** Social Media**Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #32 DETAIL**Status :** Action Pending**Record Date :** 10/8/2016**Submission Date :** 10/8/2016**First Name :** Linda**Last Name :** Vazquez**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Nirwalk**State :** CT**Zip Code :** 06854**Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

This old train bridge and new changes are important topics for locals | I-11-1

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** Historic interest/concern**Project Interest :****Distribution List :** Fact Sheets and Newsletters, Construction Notices**Referrer :** Search Engine, Other**Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #35 DETAIL**Status :** Action Pending**Record Date :** 10/31/2016**Submission Date :** 10/31/2016**First Name :** Judith**Last Name :** Bacal**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06854**Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

My concern is for the impact that it is going to have on the businesses and residences of South Norwalk (including Shorefront Park, Harborview, Harbor Shores and Village Creek). There's great concern that traffic will get tied up, there will be construction disruption (sound, dirt) and getting in and out will be a nightmare. We're concerned that visitors will stay away from South Norwalk because they hear about the construction, reducing business income and property values during the construction. Are there plans to alleviate this?

I-12.1

Add to Mailing List : No**Submission Method :** Website Comment Form**Contact Reason :** Other**Project Interest :****Distribution List :****Referrer :** Other**Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #36 DETAIL

Status : Action Pending
Record Date : 11/7/2016
Submission Date : 11/7/2016
First Name : John
Last Name : Cardamone
Organization/Agency :
Address :
Apt./Suite No. :
Town/City :
State :
Zip Code :
Telephone :
Mobile :
Email Address : revjohnnycardamone@gmail.com
Comments :

Why not buy out Devine Bros. and thereby eliminate need for new bridge. Just weld it in place and clear up the
riverfront. They're building all those condos which I don't approve of but that seems to be the future. I-13.1
Revjpc

Sent from my iPhone

Add to Mailing List :
Submission Method : Project Inbox
Contact Reason :
Project Interest :
Distribution List :
Referrer :
Referrer Legislator :

Make the Norwalk, CT rail Walk Bridge a fixed bridge

Present plans are to replace the Walk Bridge with two lift bridges see the report of the CTDOT and related engineering and environmental studies. The cost has been estimated to be about 800 million dollars and will inconvenience many when tracks are temporally relocated and River navigation is interrupted for three years.

These comprehensive studies and plans are flawed because they are based on the flawed premise that the Norwalk River must be navigable including the part of the river from the Walk Bridge to Wall Street a distance of about one half a mile. Hundreds of years ago the Norwalk River was designated by Federal regulations as a Navigable River up to Wall Street in Norwalk. This was before there was a railroad and a railroad bridge.

I-14.1

It is now time to change the Federal regulation that designated that one half mile of the Norwalk River from the Walk Bridge to Wall Street so that it is no longer classified as a Navigable River. On the banks of the River, in the one half mile between the Walk Bridge and Wall Street, those affected by the change are two small businesses: a boat yard for pleasure craft and a sand, gravel, and cement plant. There are also private residences with docks that will be affected when the River is closed to navigation of large boats. These business and residences will have to be compensated. The cost of compensation will be small compared with the huge saving by replacing the Walk Bridge with a fixed bridge instead of two lift bridges. Very small boats will still be able to move under a new fixed bridge.

I-14.2

I-14.3

When the Federal Navigation laws and regulations are changed so that the Norwalk River from the Walk Bridge to Wall Street is no longer a Navigable waterway, replacement of the Walk Bridge can begin.

Here is an idea on the replacement with a fixed bridge. Build the new bridge on land near the old Norwalk Walk Bridge. Complete the work on new piers and retaining walls. After these steps are completed, close rail traffic for the few weeks it takes to dismantle the old bridge and move the new bridge into place. This will avoid building a temporary bridge and temporary access tracks on both sides of the river which will dislocate and inconvenience real estate interests on both sides of the river. Rail passengers will shuttle by bus from/to terminals on both sides of the river during the few weeks it takes for the replacement bridge to be moved into place. Rail passengers will be compensated for their inconvenience.

I-14.4

All this can be done with much less cost and less inconvenience than the present plan of replacing the Walk Bridge with two lift bridges.

I-14.5

Jack Alexander



November 14, 2016

EA/EIE Comment from Lisa Thomson, received on November 17, 2016, at
Walk Bridge EA/EIE Public Hearing

Lisa Thomson

[REDACTED]
[REDACTED] Norwalk, CT 06853

I recognize the strategic importance of the Walk Bridge and Norwalk's role and responsibility to the transportation needs of the Northeast Corridor. I am not an engineer and therefore not in a position to comment on the best solution for the project. However, I wanted to respectfully ask the DOT to consider helping Norwalk city center, as part of a broader transportation strategy and perhaps in good faith, take some sting out of the significant disruption this project will bring to SoNo and Norwalk. Norwalk has an old station along the Danbury Line—located at Wall Street. It was closed decades ago following The Great Flood, however the city is trying to revitalize the area. Significant construction has taken place (1,800 residential units), planned office space. Would the DOT consider reopening the Wall Street Station? It would be a rounding error in terms of cost (relative to the Walk Bridge) but as they say—"where this is rail there is progress." Please consider re-opening the Wall Street Line. It would be good for the city and ultimately for Hartford → \$.

I-15.1

I believe that replacing our walk bridge with a new modern bridge would be a disservice to the town of Norwalk. Some of our small businesses would be losing their property and the town might be losing those businesses. Replacement changes the historic look and feel of our community. This bridge is part of our history and enjoyed by decades of children and adults alike. It has been a resilient and reliable bridge for 120 years and can still be for another 120 years as it meets the needs of the people in our future. Even if the entire bridge had to be re-built from the bottom up it would be worth the money to save this piece of creative history and our community as we know it, instead of spending the same or more for a new design that will not last 120 years and will probably need more money to repair in 50 years or less. The current walk bridge has already proven itself reliable, resilient, and safe. In fact it's failures have only been the result of a lack of maintenance even though monies were spent for that purpose. The most recent bridge fail was due to damage caused by a Metro North rail replacement of a different size that bent part of the bridge when it was opened. This was in no way the fault of the bridge or it's age or design.

I-16.1

As for ease of maintenance; we should have more faith in modern technology and engineering. I believe with a little pride and determination that they can come up with an adjustment to make maintenance for that difficult section easier.

E-16.2

As for redundancy; I believe the need for it pertaining to the town of Norwalk, or Marine traffic is questionable at best. If there is proven reliability and resiliency as our walk bridge design has, there should not be a need for redundancy. However a new design without a proven record would have a greater need for this kind of insurance. This need only satisfies rail traffic alone because if one track were to be stuck closed instead of open it would affect only Marine traffic and redundancy will not help that. If this new bridge were to have this problem it would be of no concern to the DOT or Metro North because a closed bridge doesn't affect them and there would be no incentive to address that possible problem. It would end up falling on the backs of the tax payers of Norwalk.

E-16.3

So I believe we should save our bridge, that creative part of our town's history, our businesses and their property, and assure our water access by repairing and restoring our walk bridge so it can once again do it's job in the marvelous way that it does. Because once it is gone, it cannot be returned. It will be gone forever and in it's place an inferior structure that like all things new and modern will not last nearly as long.

E-16.1
(cont.)

Respectfully,

Linda Mineo
Resident, Van Zant Street, Norwalk
Lnebel59@sbcglobal.net

PROPOSAL TO RECONSTRUCT THE NORWALK WALK BRIDGE

By Danny Grundman

December 1, 2016

ADVANTAGES AND KEY POINTS OF THIS PROPOSED BRIDGE:

1. Most of the old bridge will remain intact after being reconstructed as necessary.
2. No change to the elevation or grading of RR track.
3. The towers remain in place.
4. No destruction of the areas around the bridge, not in South Norwalk, not in East Norwalk.
5. The new prefabb sections, with swift opening and closing capability, will allow marine traffic to use both of the 120-year-old deep water channels.
These new prefabb sections will swiftly close to allow rail traffic. They will also provide greater clearance in the channels for marine traffic.
6. Using the same deep water channels that have been used for 120 years will keep to a minimum any damage to the Norwalk River and the surrounding land environment.

I-17.1

I-17.1
(cont.)

7. The major advantage of this proposal is that the center section of the present bridge (which sits on the center island) can be reconstructed while the bridge remains in service.
8. When that reconstruction is finished the center section will be turned 90 degrees permanently, where it will be able to support the two new prefabb opening sections. These sections would be brought in by barge and lifted into place by crane. The old channel crossing sections would be removed.
9. This will keep the Norwalk River open for dredging, commerce, and future use.

All of the reconstruction of the existing bridge and the construction of the new sections must be done with the strongest and best materials and mechanical devices and the best bridge technology and design.

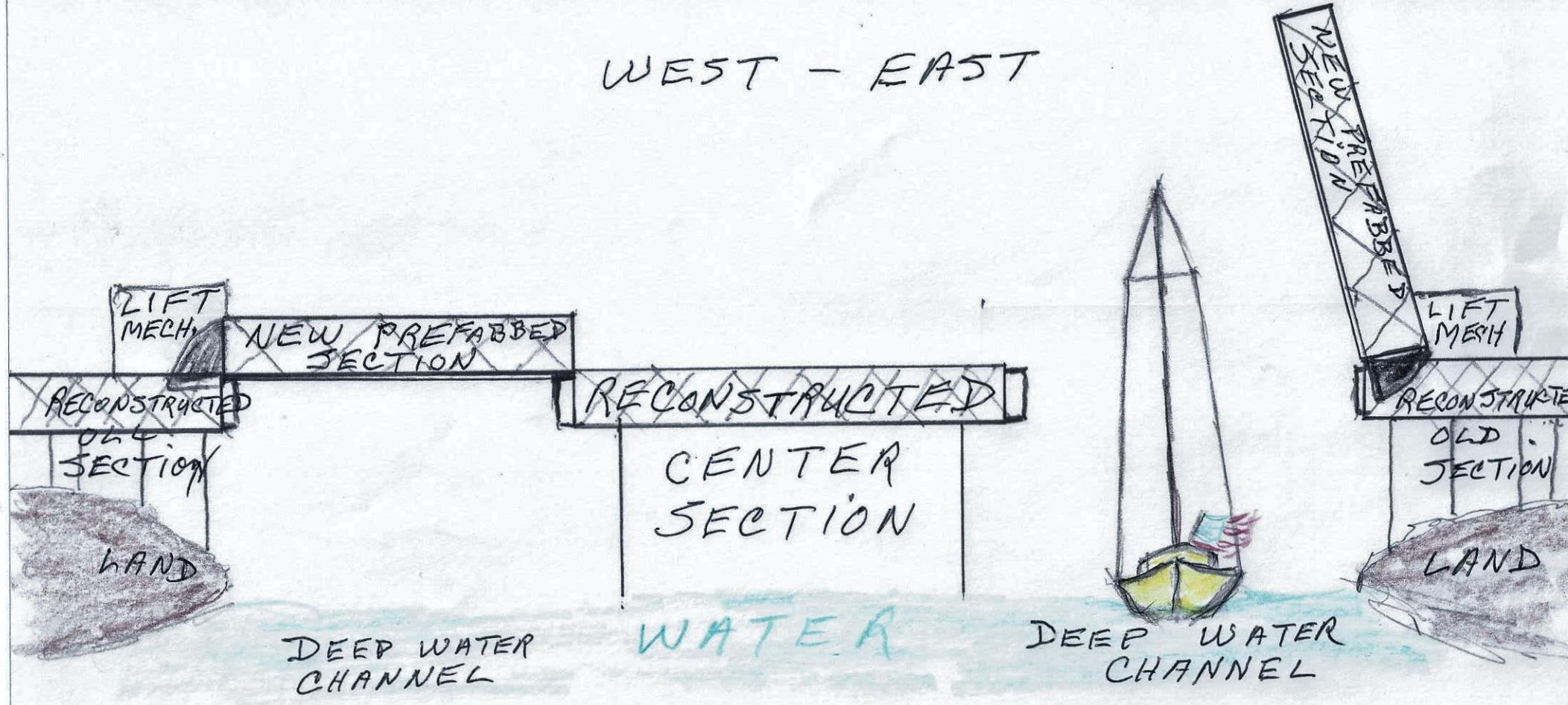
Submitted by

Danny Grundman

Norwalk CT 06850

Attachment: 1

WEST - EAST



Questions for the Connecticut DOT About the Norwalk Walk Bridge Replacement

Replacing the present four-track railroad swing bridge with a totally new 240-foot vertical lift bridge, “in the same foot print”, is a monumental design, engineering, and building task.

Has the company, HNTB, and Mr. Chris Brown, the senior project manager, ever accomplished this before? If so, where and when? | I-17.2

How long will the railroad service be disrupted during the removal of the old bridge and the installation of the new one? | I-17.3

I asked Mr. Brown about the Bascule bridge option, (draw bridge with counter weights) and the feasibility of moving it from the center to the East Norwalk side, to open over the East channel. Mr. Brown stated the channel was 8 to 6 feet deep and that this was not deep enough.

The DOT-preferred 240-foot vertical lift bridge would be a fine design for installation of a brand new railroad line | I-17.4

where space is not a problem. Trying to shoehorn it into
an existing confined footprint is something that should
be reexamined.

I-17.4
(cont.)

The DOT proposal seems like too much over-engineering
and too environmentally damaging.

I-17.5

The current channels are about 55 and 58 feet wide. The
River north of the Walk Bridge is only about 5 ½ feet
deep at low tide. This has worked well for 120 years.

I-17.6

Would it be feasible to reconstruct sections of the
present bridge and have two Bascule bridges, one over
each of the existing channels? Another alternative would
be one Bascule bridge opening over the West channel
with the counterweights on the West side of the current
bridge and the leaf section supported by the
reconstructed center section. These simpler alternatives
would not require raising the railroad grading or
removing the Towers.

I-17.7

The “NIMITZ” is not coming up the Norwalk River.

Danny Grundman 12/9/2016

[REDACTED]; Norwalk Ct 06850

CT Walk Bridge EA Comments - RECORD #72 DETAIL**Status :** Action Pending**Record Date :** 12/7/2016**Submission Date :** 12/7/2016**First Name :** Alex**Last Name :** Sherman**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Stamford**State :** CT**Zip Code :****Telephone :****Mobile :****Email Address :****Comments :**

I am concerned about the impact that this project will have on the active rowing community on the Norwalk River. If the bridge area is closed to water traffic, this will strand the rowers upriver with not enough room to train. The upriver portion is not long enough for training (less than 2,000 meters). It will also be unsafe with the large number of high school and middle school rowers on the river in the afternoon. This will not be as much of an issue if the bridge area remains passable for rowing shells and the coaches launches (which do not need too much overhead clearance). Please ensure this is worked into the final design.

I-18.1

Add to Mailing List : No**Submission Method :** Website Comment Form**Contact Reason :** Environmental Document Comment**Project Interest :****Distribution List :****Referrer :** Email**Referrer Legislator :**



EA/EIE Comment Record

Date Received: 12/8/16

ID Number: EA 79

Name: James Hamilton

Phone: [REDACTED]

City/State: [REDACTED] Norwalk CT 06851

CONTACT REASON: EA/EIE Comment

REFERRED BY LEGISLATOR? No

Comments

Comments on WALK Bridge Project EA/EIE

Date: December 8, 2016

From: James S Hamilton

Address: [REDACTED] Norwalk CT 06851

Email: [REDACTED]

Phone: [REDACTED]

COMMENTS:

My comments are limited to Visual Impacts/Aesthetics of Option 11C, the long-span vertical lift bridge preferred alternative.

I am interested in how the proposed new bridge, particularly the lift towers, will look in the bridge setting, with the Maritime Aquarium and historic building structures on the west bank of the river. This location is a “signature site” because of the setting and the bridge being highly visible to motorists and pedestrians traversing the Stroffolino Bridge just downstream, for example. The lift towers will be a new and different feature in this setting. I request that as the design of the lift towers and spans is advanced, that the DOT post updated renderings of the bridge in the historic building setting on the website. Please solicit comments from the local community on options for the color to be painted and overall appearance of the lift towers and spans as the design is advanced.

I-19.1

I-19.2

The rendering of Option 11C in the Project Fact Sheet shows open truss towers painted an aqua blue color. My reaction to the appearance is that the blue color will tend to highlight the new bridge and differentiate it from the historic buildings complex on the west bank. This is not necessarily a bad thing, but I would be interested in seeing a couple of additional color and lift tower appearance configurations shown in renderings in the bridge setting, for comparison to the Fact Sheet rendering.



For example, how would the new bridge look if painted a brick red color similar to that of the adjacent buildings? What if the outside edges of the lift towers (facing the river upstream and downstream) were covered with solid metal painted plates instead of an open truss, how would that look? (I would keep the lift spans as open trusses, so train passengers could view the river as trains cross the span). The Tower Bridge in Sacramento California is a signature lift bridge with lift towers partially covered with gold-painted steel plates – a handsome bridge. I wouldn't suggest painting the Walk Bridge gold, but I would suggest considering a color scheme and lift tower configuration that complements the very prominent and historic setting at this crossing. As a longtime Norwalk resident, I'm aware that we'll be living with this new bridge for many years. So I ask that the Department post renderings with a few different options for the appearance of the lift towers, and solicit comments. I'm confident that the effort invested in improving the bridge's aesthetics will give us a visually pleasing and highly functional bridge that we can enjoy for years to come.

Very truly yours,
James S. Hamilton

I-19.3

I-19.2

(cont.)

CT Walk Bridge EA Comments - RECORD #70 DETAIL**Status :** Action Pending**Record Date :** 12/7/2016**Submission Date :** 12/7/2016**First Name :** Adolph**Last Name :** Neaderland**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :****State :****Zip Code :****Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

The one area that might be open was the suggestion of a fixed *mid height* bridge if the channel was dredged deep enough for barge traffic to pass a mid tide.

I-20.1

Given a reasonable cost for dredging , including a cost for a renewable 5 year silt removal, a fixed bridge on the same piers designed for the lift bridge would appear to have the lowest cost for both initial build and annual operating cost.

Adolph Neaderland

Add to Mailing List : Yes**Submission Method :** Project Inbox**Contact Reason :** Environmental Document Comment**Project Interest :****Distribution List :****Referrer :****Referrer Legislator :**

1 Cobblers Lane
Norwalk, CT 06851
December 7, 2016

Mr. Mark W. Alexander
CT Department of Transportation
Bureau of Policy and Planning
2800 Berlin Turnpike
Newington, CT 06111

Dear Mr. Alexander:

I have attended three meetings on the Walk Bridge Replacement Project here in Norwalk.

The latest one was held on December 5, 2016 where Mr. Chris Brown, Senior Project Manager representing DOT's bridge consultant firm, HNTB, gave a detailed presentation explaining the 3 alternatives that ConnDOT decided best fit the purpose and need of the project.

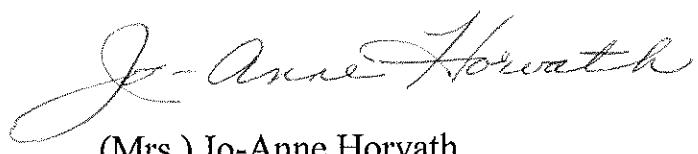
After speaking with Mr. Thomas A. Harley of ConnDOT and attending the talk by your consultant, I am in favor of the 240-foot Vertical Lift Span as the best bridge design to replace the aging Walk Bridge.

I-21.1

My reasons for this are listed below:

- A. It will provide maximum clearance to all vessels that use the Norwalk River.
- B. It will be built far enough away from the current bridge in case the old bridge fails while construction is on-going and the old bridge needs repair.
- C. It will line up with the Stroffolino Bridge just a short distance away which would be beneficial to boat traffic.
- D. It would take the shortest time to build.

Sincerely,



(Mrs.) Jo-Anne Horvath

CT Walk Bridge EA Comments - RECORD #106 DETAIL**Status :** Action Pending**Record Date :** 12/19/2016**Submission Date :** 12/9/2016**First Name :** Peter**Last Name :** Schmerch**Organization/Agency :****Address :** [REDACTED]**Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06851**Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

1) I am very concerned the BRIDGE WILL continue to block progress to continue the Harbor Loop Trail and the Norwalk River Valley Trail (NRUT). I believe both these trails are major quality of life improvements for Norwalk and this region! I-22.1

2) I believe the river should be kept as a navigation channel. I-22.2

3) The preferred long span bridge seems to be the best way to keep trains running and the harbor working. I-22.3

Add to Mailing List : No**Submission Method :****Contact Reason :** Environmental Document Comment**Project Interest :****Distribution List :****Referrer :****Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #107 DETAIL**Status :** Action Pending**Record Date :** 12/19/2016**Submission Date :** 12/9/2016**First Name :** Ursula**Last Name :** Corkutt**Organization/Agency :****Address :** [REDACTED]**Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06851**Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

1) Please allow the Harbor Loop Trail & NRUT Trail to continue under the bridge! I-23.1

2) I believe it is important for Norwalk & property values that the bridge allows full navigation of the Norwalk River. I-23.2

3) I agree with your presentation that the long span lift bridge is the best option of those presented. I-23.3

4) I hope that the bridge design will be visually interesting and an enhancement to the area. More inspiring than the I95 bridge! I-23.4

Add to Mailing List :**Submission Method :****Contact Reason :****Project Interest :****Distribution List :****Referrer :****Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #90 DETAIL**Status :** Action Pending**Record Date :** 12/9/2016**Submission Date :** 12/9/2016**First Name :** Diane**Last Name :** Lauricella**Organization/Agency :** EIG**Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06851**Telephone :** [REDACTED]**Mobile :****Email Address :** [REDACTED]**Comments :**

There are impacts that must be recognized, identified and resolved. | I-24.1

I wholeheartedly agree with the harbor management Commission of Norwalk, Fred Krupp and others who feel that a more holistic Environmental Assessment be conducted BEFORE any decisions are made about the type of bridge that will be built. | I-24.2

I know that this is a major project so I hope that both state, local and City government realize that they need adequate number and qualified staff to give this project the attention it needs both before , during and after the construction. | I-24.3

Thank you.

Diane Lauricella

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** Environmental Document Comment**Project Interest :****Distribution List :** Program Announcements, Fact Sheets and Newsletters, Construction Notices**Referrer :** My Legislator's Website, Email, Social Media, Event**Referrer Legislator :** Senator Duff

CT Walk Bridge EA Comments - RECORD #88 DETAIL**Status :** Action Pending**Record Date :** 12/9/2016**Submission Date :** 12/9/2016**First Name :** Robert**Last Name :** Hard**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06851**Telephone :** [REDACTED]**Mobile :****Email Address :** [REDACTED]**Comments :**

A small comment and a larger one:

The small comment--In your summary of alternatives in Table 2-1, you list the deficiencies of the "no-build/do nothing" alternative. Evidently, the precise same wording was cut-and-pasted for the first alternative, rehabilitation. This must be an act of carelessness, since it is absurd on its face to assert that rehabilitation would have no impact on structural integrity and the many age-related problems with the current bridge.

Rehabilitation may not achieve all your goals (e.g. redundancy), but it would clearly meet most of them. To suggest it would meet none of your objectives for a reliable bridge is simply illogical.

I-25.1

Longer comment with respect to a fixed span. My suggestion is to use the same basic layout you are proposing for your long-span (240-foot) vertical lift, but don't make it movable. Skip the lifting towers. Skip the span-move machinery and controls. Just take advantage of the opportunity to add a small grade from the Danbury line connection eastwards. You should then have a vertical clearance on the order of 30 feet at high water, which can accommodate virtually all current and foreseeable maritime uses except the relatively small number of sail craft that go up for repairs and winter storage.

I-25.2

I recognize that some legal changes may need to occur with respect to the north-of-bridge channel being Federal. But that's a "may" not a certainty, and Rep. Himes has indicated that such a change can be achieved in an event if the community thinks it useful.

I-25.3

I recognize that the Harbor Management Commission does not see it this way. However, they entertain what I see as a very unrealistic vision of re-industrialization of the north channel. They also, in their reports, chronically and wildly overstate the volumes of marine traffic that require a bridge that opens, using data that is ten or more years out of date, and do not evaluate the impact of a fixed bridge with a high-water clearance on the order of 30 feet. It would not be hard to find rather blatant conflicts of interest, either.

I-25.4

There is also the frequent assertion that a fixed bridge would end the Federal practice of providing free maintenance dredging. In truth, that practice is over any way: The ACoE has no intention of dredging north of the bridge for the foreseeable future. Their resources are much too scarce, budgets too tight, and competition elsewhere too fierce. There is no plausible cost-benefit analysis that supports such a dredging program on economic grounds. If we want it dredged (at a cost of about \$4 million, once every ten years), we simply have to find the resources ourselves. Spending many tens of millions of dollars in the vain hope of maybe getting a \$4 million dredging project is impractical to the point of being ludicrous.

I-25.5

In summary, a fixed bridge with a vertical clearance on the order of 30 feet at high water would:

- 1) Allow for twin span redundancy
- 2) Be more resilient than any movable span ever could be
- 3) Accommodate 95% of all maritime users
- 4) Radically improve the channel alignment between the Walk and Straffolino bridges, improving marine safety
- 5) Eliminate the annual operating and maintenance costs of a manned, movable span
- 6) Save tens of millions in construction costs, and trim several months off the completion schedule
- 7) Ease a serious scheduling burden for Metro North, and improve train travel reliability and safety.

For these reasons I urge you to reconsider your current preferred alternative of a wasteful and unnecessary vertical lift bridge.

I-25.6

Add to Mailing List :

No

Submission Method :

Website Comment Form

Contact Reason :

Environmental Document Comment

Project Interest :

Distribution List :

Referrer : Email

Referrer Legislator :

I-25.7

CT Walk Bridge EA Comments - RECORD #52 DETAIL

Status : Action Pending
Record Date : 12/3/2016
Submission Date : 12/3/2016
First Name : William
Last Name : Burnham
Organization/Agency : Trustee-Maritime Aquarium at Norwalk
Address :
Apt./Suite No. :
Town/City : New Canaan
State : CT
Zip Code : 06840
Telephone : [REDACTED]
Mobile :
Email Address : [REDACTED]
Comments :

As a long term South Norwalk investor in time and capital I do not dispute the need for the Walk Bridge replacement. What I do dispute is the lack of transparency in quantifying the cost and delineating the obstacles of leaving and securing the bridge "in place" at its current height with no swing or lift capacity. In personal conversations with State legislators and others "in the know" I have been told, "the Army Corps of Engineers will not allow a fixed bridge" or "you will never get it (a fixed bridge) past the Coast Guard" or "there are very little savings". The underlying argument here is that it would take an act of Congress to de-federalize the upstream waterway. Such an argument is not defensible if our elected Congressional leaders knew the following:

- 1)the significantly lower and true cost in leaving the bridge "in place" and relocating the three affected companies up stream to a coastal Long Island site...a certainly less expensive project than the taking of businesses , residences and institutional structures including the IMAX and the cost for the build of a vertical lift bridge.
- 2)the undisclosed or, I might say, the understudied economic impact of the surrounding community on small businesses, residences and infrastructure.
- 3)The disruptive nature of the lift bridge construction over the 5-7 year term and the physical and psychological effects on residences adjacent to or in the path of the construction.
- 4)The irreparable economic, structural and perceptual harm to the Maritime Aquarium during and after construction...harm that might call into question the Aquarium's ability to operate as a going concern.

Regarding 4) above, there is no question that the Aquarium is the centerpiece and catalyst for the economic vibrancy of South Norwalk. Its growing attendance attracts nearly 500,000 visitors a year. Over 100,000 students pass through its doors annually with an additional tens of thousands attracted to its marine biology and STEM programs in classrooms throughout the tri state area. An internal study by the Aquarium and not released publicly questions its long term viability post construction without significant fiscal mitigation. Attendance and thus revenue will never return to preconstruction levels with the plan currently being considered. The Aquarium receives over 10% of its operating budget from foundations and private sources, myself included. Such giving will be compromised if the Aquarium cannot return its attendance to profitable levels. It must strategically instill confidence in the community that it has a plan to replace its attractions and more...not the partial plan currently on the table.

In summary, I ask for full disclosure on why the current bridge or a new fixed bridge with attendant costs cannot

I-26.1

I-26.2

I-26.3

I-26.4

I-26.5

I-26.6

I-26.1

(cont.)

be left in place or rebuilt with no opening capacity. The Aquarium and community deserves as much in a frank | I.26.1
discussion under full transparency. (cont.)

Bill Burnham

Trustee/Member Executive Committee

The Maritime Aquarium at Norwalk

Add to Mailing List : Yes

Submission Method : Website Comment Form

Contact Reason : Abutter/ROW interest/concern

Project Interest :

Distribution List : Program Announcements, Fact Sheets and Newsletters, Construction Notices

Referrer : Other

Referrer Legislator :

Good Evening,

I am Michael Widland, Co-Chairman of the Board of Trustees of the Maritime Aquarium at Norwalk. The Aquarium appreciates the opportunity to comment publicly on the CTDOT / Federal Transit Authority EIE for the Walk Bridge Project and to submit further written testimony. For the last year, the Aquarium has been working with CTDOT in order to understand the Walk Bridge Project and comprehend the environmental implications. Given the many and significant issues and concerns you will hear about tonight regarding the inadequacy of the EIE, we respectfully request that the deadline for written testimony be extended at least thirty days from the current December 5, 2016 deadline. We think this proposed extension is necessary to provide the public with adequate time to fully address and comment regarding concerns with the EIE. The additional time will help and not harm the EIE - and will not adversely affect CTDOT's timeline, particularly given the intervening holidays.

The Board of Trustees understands the need to update and improve our railroad transportation infrastructure in the State of Connecticut. We appreciate the complexity of the Walk Bridge Project and the work being done to plan and complete the Project. It is not our intention to stop the Project, but we are

I-27.1

I-27.2

very concerned about the still unknown, unquantified, and in some instances, unexplored effects of the construction on the health and safety of the diverse and exotic resident animals in the Aquarium, the Aquarium's employees and its volunteers.

I-27.2
(cont.)

Also speaking tonight on behalf of the Aquarium will be Dr. Brian Davis, the President and CEO of the Aquarium who will discuss the Aquarium's concerns in greater detail. As Co-Chairman of the Board of Trustees, I want to express our strong objection to the adequacy of the EIE and request that an EIS be undertaken to fill the many gaps and unknowns in the EIE. The EIE should not be a rush to a finding of no significant impact but rather a careful discourse of the environmental impacts of the proposed project. In this case, the EIE's consistent emphasis on "planning to plan" is not sufficient and does not allow the Aquarium to meaningfully assess the potential environmental impacts of the Project. An EIS is necessary to provide the additional detail required so that the Aquarium can adequately plan to protect its animals, employees and volunteers, and, in turn, its future economic viability.

I-27.3

Thank you.

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

5. *Comments from Businesses*

- B-1 Linda Kornmeyer**
- B-2 Jeffrey Price, Artists' Market Inc.**
- B-3 Shenton J. King, Director of Marketing, Commercial Development, King Industries, Inc.**
- B-4 Thomas E. Devine, President, Devine Bros.**
- B-5 Karen Tomko, Vice President, United Marine Boatyard**
- B-6 Matthew Condon, Jonathan Brown, Managing Members, Coastwise Boatworks**
- B-7 Kim Morque, Spinnaker Real Estate Partners, LLC**
- B-8 Clayton H. Fowler, Chairman & CEO, Spinnaker Real Estate Partners LLC**
- B-9 Kim Morque, Spinnaker Real Estate Partners, LLC**
- B-10 Douglas A. Bora, Jr., Spinnaker Real Estate Partners, LLC**
- B-11 Matt Edvardsen, Spinnaker Real Estate Partners LLC**
- B-12 Konstantinos Kousidis, THINQ MAC, LLC**

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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CT Walk Bridge EA Comments - RECORD #13 DETAIL**Status :** Action Pending**Record Date :** 9/15/2016**Submission Date :** 9/15/2016**First Name :** Linda**Last Name :** Kornmeyer**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :** Norwalk**State :** CT**Zip Code :** 06854**Telephone :****Mobile :****Email Address :** [REDACTED]**Comments :**

We are a local business, concerned about road closures and rail schedules.

B-1.1

Add to Mailing List : Yes**Submission Method :** Website Comment Form**Contact Reason :** General Program Information**Project Interest :****Distribution List :** Program Announcements, Fact Sheets and Newsletters, Construction Notices**Referrer :** Search Engine**Referrer Legislator :**

CT Walk Bridge EA Comments - RECORD #22 DETAIL

Status : Action Pending
Record Date : 9/26/2016
Submission Date : 9/26/2016
First Name : Jeffrey
Last Name : Price
Organization/Agency : Artists' Market inc.
Address :
Apt./Suite No. :
Town/City : Norwalk
State : CT
Zip Code : 06851
Telephone : [REDACTED]
Mobile :
Email Address : [REDACTED]
Comments :

My 45-year-old Norwalk business, Artists' Market, has patronized Liberty Sqate for decades, first using Nat Levy Glass, and for the past many years, Tony D'Andrea's Select Plastics. Tony has worked virtually his entire life to create a sustainable small business in a part of Norwalk that is drastically under-amortized. To destroy his life's work, and the livelihood of others, in order to provide construction access for a necessary bridge, is both short-sighted and unnecessary. There is river access and other alternatives. If we don't support Norwalk's indiginous businesses then Norwalk runs the risk of becoming another nondescript failed Connecticut town.

B-2.1

Support Select Plastics and Liberty Square and you are supporting Norwalk's future.

Add to Mailing List : Yes
Submission Method : Website Comment Form
Contact Reason : Environmental Document Comment
Project Interest :
Distribution List : Construction Notices
Referrer : Search Engine
Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #38 DETAIL

Status : Action Pending
Record Date : 11/18/2016
Submission Date : 11/18/2016
First Name : Shenton
Last Name : King
Organization/Agency :
Address :
Apt./Suite No. :
Town/City :
State :
Zip Code :
Telephone :
Mobile :
Email Address : SKing@KINGINDUSTRIES.COM
Comments :

Hello,

Please find the attached document outlining my concerns regarding the replacement of the current moving bridge with a fixed bridge. This would change the waterway designation from navigable to non-navigable, and would in turn have a great deal of impact on the businesses up-river who depend on the navigable status. The only feasible option, speaking on behalf of the businesses and residents north of the WALK bridge, is to repair it, replace it with a lift style bridge or replacement "in kind".

B-3.1

As a member of the commercial waterfront community north of the bridge, I can speak for all of us (Devine, Untied Marine, United Illuminated, and others) when I say that we would strongly protest the replacement of the existing bridge with a fixed bridge of ANY height.

Best Regards,
Shenton King

Shenton J. King
Director of Marketing
Commercial Development

King Industries, Inc.
1 Science Rd.
Norwalk, CT 06852
sking@kingindustries.com<mailto:sking@kingindustries.com>
www.kingindustries.com<http://www.kingindustries.com/>



The Norwalk River – A commercially navigable waterway

Concerns of not maintaining a navigable status

King Overview:

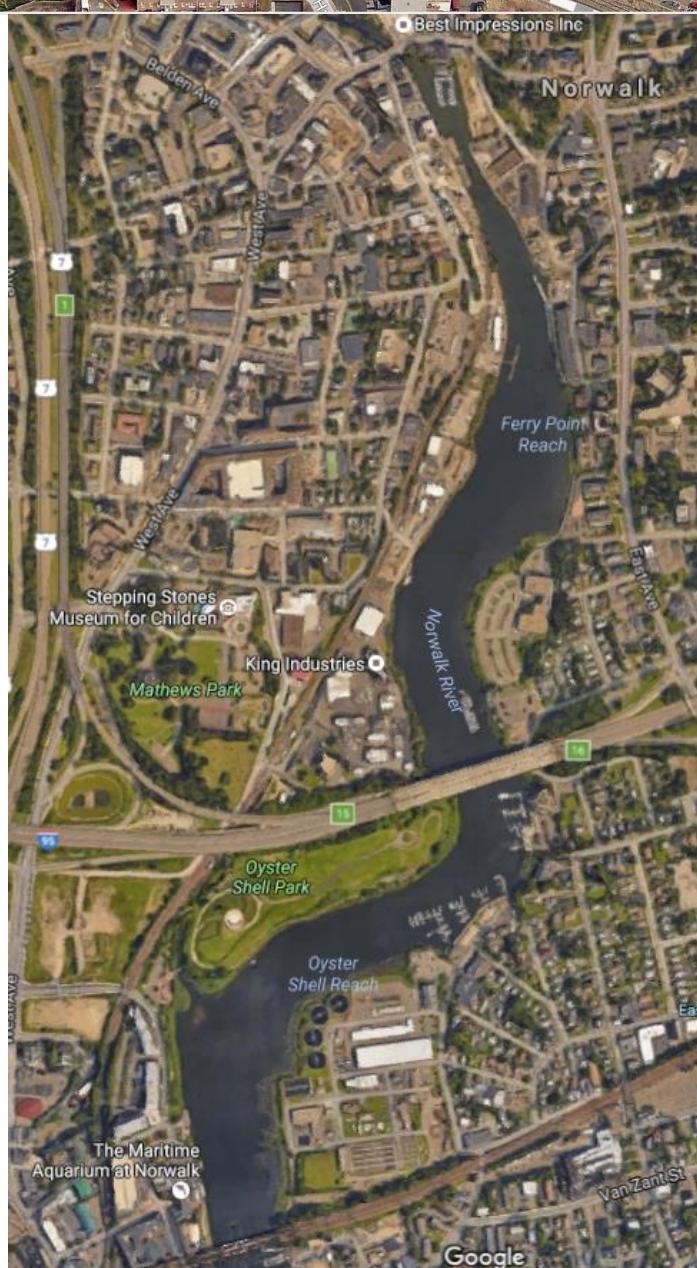
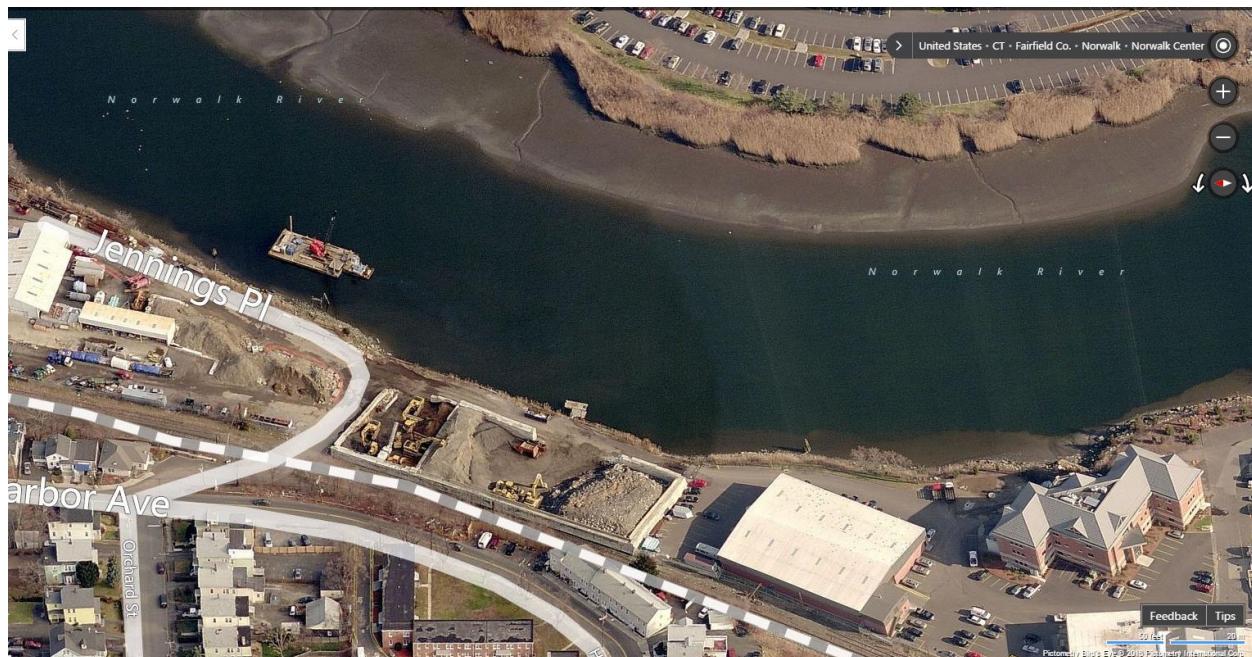
- In Norwalk since 1932
- Great relationship with the city & community outreach efforts - Supportive of youth organizations, churches, and other non-profits
 - Stepping stones, Lockwood, Bethel AME Church, Seaport, River Watch, Fallen Patriots Foundation, Norwalk PAL, Little League, Boy Scouts, Girl Scouts...
- Excellent employment record 200+ jobs
- Good wages, good benefits, great family culture, a great place to work
- Excellent health and safety, quality and environmental departments
- Excellent standing with Department of Environmental Protection, and OSHA
- Cooperative efforts with FD, PD, and Metro North for improved emergency response
- Good overall corporate citizen
- Leaders of technology innovation for paint and lubricants companies all over the world
 - Paint & lubricant industry
 - Automotive
 - Aerospace
 - Military
 - Marine
 - General Industrial
- 14 Acres
 - 3 Production buildings
 - 4 tank farms
 - 4 office buildings
 - 16 technical R&D labs

King Concerns:

- Fire boat accessibility
- River front accessibility for equipment
- 100 & 500 year flood level concerns
 - Sandy and Irene both saw 100 year flood level at King
 - One small office building of 6 people had flood damage
 - Changes to the river may result in long term flood plain behavior with unknown impact on our production or warehouse buildings
- Maintenance of bulkhead – 1000 ft
- Historic oyster vessel HOPE navigation to and from the harbor
- Contracted industrial dock use (95 repair)

Non-King

- Fire and rescue accessibility for river front structures (residential and
- Crane operations to repair the Yankee Doodle (95) bridge
- Metro North spur rail emergency water support / rescue
- Long Island Sound power cable (New Haven, CT to Shoreham, LI)
 - 25 mile long cable stored on Yankee Gas property
 - King is the only access point through Harbor Ave.
 - Power cable is only transported over commercially navigable waterways
 - Barge and tug navigation



Concrete
Mason & Landscape
Supplies
Electricity



Home Heating Fuel
Diesel Fuel
Propane
Heating & Cooling
Service

December 6, 2016

Mr. Mark W. Alexander
Connecticut Department of Transportation, Bureau of Policy and Planning
2800 Berlin Turnpike
Newington, CT 06111

Re: Walk Bridge EA/EIE

Dear Mr. Alexander:

My name is Tom Devine, President of Devine Bros Inc. Devine Bros Inc. is a 98 year old family owned company that retails propane, heating oil, building and landscape supplies, as well as a producer of ready-mix concrete.

Our facility is located at 38 Commerce St., Norwalk at the head of the Norwalk River, where we have been since 1930.

Devine Bros. relies heavily on its use of the Norwalk River to ship inventory to our terminal where the products are unloaded for retail sale use and production purposes. Based on a three year average of sales, Devine Bros moves 105,000 tons of sand and stone per year. This equals 87 barges of product per year or 5,833 truckloads of product per year. Our movement of sand via the River slowed temporarily over the last year and a half because our water based sand supplier had closed, resulting in the trucking of a portion of our sand supply from a land based supplier. However, we are in negotiation with a new water based supplier and our movement on the River will soon increase back to its norm.

Based on a three year average, Devine Bros moves 6,200,000 gallons of oil per year through its terminal. Devine Bros is currently in "caretaker" status with the U.S. Coast Guard and receiving oil by truck. However, our intent is to resume moving oil by barge. It takes 15 barges to move this amount of product as opposed to 819 trucks to move the same amount of product.

Therefore, Devine Bros. needs a railroad bridge on the Norwalk River that opens in order to move its product. Not having a railroad bridge that opens; a low fixed bridge would have an extremely detrimental impact on our ability to run our business economically and efficiently. To replace the current Walk Bridge with a low closed bridge would in effect "close" the Norwalk River, the consequences of which would have an enormous negative impact on the value of real estate Devine Bros owns along the River as well as the entire loss of our water based business.

B-4.1

38 Commerce Street • Norwalk, CT 06850

Office: 203-866-4421 • Fax: 203-857-4609

www.devinebrosinc.com

HOD #215

Concrete
Mason & Landscape
Supplies
Electricity



Home Heating Fuel
Diesel Fuel
Propane
Heating & Cooling
Service

Page 2

It is vital, therefore, that the Norwalk River remain open in order to retain property values along its banks and continue as a designated Federal Navigable Channel of water so it can be used by interstate commerce as it has been for over 100 years. Also, it is equally vital that the channel stay open to such commerce during the period of construction of a new bridge. If not, then alternatives must be developed to be certain Devine Bros can continue to operate and run efficiently and economically.

B-4.2

B-4.3

The Environmental Assessment / Environmental Impact Evaluation states that OPTION 11C would minimize temporary disruption by limiting the duration of construction activities, restrictions or closure.

Therefore, Devine Bros is in support of the preferred built alternative 11C - described by the Environmental Assessment/ Environmental Impact Evaluation (EA/EIA) as the "Long Span Vertical Lift Bridge".

B-4.4

Our position is based on the information provided in the EA/EIE. According to the EA/EIE's information, Option 11C:

- 1) Has the least amount of interruption to commercial marine and rail traffic;
- 2) Has no more negative impact to the environment than its alternatives – perhaps less;
- 3) Has, according to the assessment report, the shortest construction time frame- 40 months, and
- 4) A temporary run around span is not needed with option 11C.

Based on what we have read thus far, we cannot determine the details of the social and economic impacts to Norwalk. However, the EA/EIE reports that "OPTION 11C corresponds with the least social & economic risks and impacts to the City of Norwalk and the larger community."

I have been a resident of Norwalk my whole life. My family and I have seen many positive changes brought to our city through the revitalization of Washington Street and the presence of the Maritime Center and the IMAX Theatre. We are SYMPATHETIC to those losing property and those who are similarly directly affected by the projects purpose and needs. Just as Devine Bros wants to be assured minimal to no disruption of maritime commerce during construction of a bridge, and compensation for when there is disruption, we hope those people and organizations that are located around the project get the utmost consideration for their inconveniences as well.

B-4.5

Sincerely,

A handwritten signature in black ink that reads "Thomas E. Devine".

Thomas E. Devine, President

38 Commerce Street • Norwalk, CT 06850

Office: 203-866-4421 • Fax: 203-857-4609

www.devinebrosinc.com

HOD #215



99 Commerce Street
Norwalk, CT 06850
Phone: 203-853-1174, Fax: 203-853-1175
Email: unitedmarineboatyard@gmail.com

December 8, 2016

Mr. Mark Alexander
CTDOT Office of Engineering
2800 Berlin Turnpike
Newington, CT 06131

Re: Comment regarding Norwalk "WALK" Bridge

My name is Karen Tomko and I, along with my husband Michael Tomko, own and operate United Marine Boatyard on the upper Norwalk River. Since 1977, United Marine has served the local community and is now one of only two boatyards in Norwalk that can accommodate and service sailing vessels. Nearly 40 years ago, United Marine Boatyard was founded by my father-in-law Paul Tomko, Sr. Ever since that time, our boatyard has served as *one of only two* marinas in the area which caters to sailboats. In the beginning, we provided limited services such as winter storage. We soon expanded our capabilities to include a wide variety of yacht and sailboat services. Since 1977, United Marine's primary focus has been on providing our clients with high quality services including: winter storage, engine work/re-power, topside re-finishing, carpentry, and fiberglass repair. As a provider of these marine services, United Marine not only serves local patrons, but facilitates interstate commerce as a service provider to boaters. We are a nearly forty year old family business which sustains our family and serves many local Norwalk and Fairfield County boaters. Since the local community has only two options for servicing sailboats, the loss of United Marine, in addition to severely compromising our livelihood, would cause irreparable harm to the local boating community and the Norwalk business community at large.

B-5.1

Other local businesses share our concerns about losing access if the bridge were to be fixed and the diminished property values that will certainly result from such an obstruction. Speaking from personal experience, our property value would plummet if access to the river is cut off or significantly reduced as a result of the bridge or associated construction. Local businesses like ours need to be assured that river access will not be eliminated or impeded during or after the construction of the new bridge.

B-5.2

The fixed bridge option will almost certainly destroy our family-owned local business that has served boat owners since 1977. Even the mere mention of preventing or limiting access to the river has already caused a significant reduction in revenue. There can be no doubt that a fixed bridge option with insufficient clearance would certainly put an end to our business, our livelihood, and leave our patrons out in the cold. They would be forced to seek services elsewhere and perhaps leave Norwalk altogether. This would certainly harm numerous, non-marine businesses such as restaurants and marine goods stores, which derive substantial revenue from boaters.

B-5.3



99 Commerce Street
Norwalk, CT 06850
Phone: 203-853-1174, Fax: 203-853-1175
Email: unitedmarineboatyard@gmail.com

We understand that the preferred option currently is "11C", the 240' Vertical Lift Span bridge. We further understand that this option would have the least amount of impact on marine traffic. United Marine agrees that this option, "11C", would be preferable to the others so long as a minimal impact on clearance, both vertical and horizontal, is maintained during construction. We do want to express our concerns about the impact of the construction phase on our business as well as the other commercial businesses that use the river regularly. Closing the channel for short periods during construction is expected, but closing the waterway or restricting height for extended periods will have dire consequences for our boatyard and for the other businesses that rely on the upper Norwalk River for their continued operation.

B-5.4

B-5.2
(cont.)

We sincerely thank you in advance for your thoughtfulness and hard work and remain available to work with you regarding any questions you may have concerning our business and how it relates to the project. We believe option "11C" will allow our waterways to remain open for future generations of Norwalk and Connecticut boaters and we look forward to Norwalk having a new, modern, functional WALK Bridge which will serve the community and allow the Norwalk River to remain a Navigable Channel, thus promoting a lively and active marine community.

B-5.5

Sincerely,

A handwritten signature in black ink, appearing to read "Karen Tomko".

Karen Tomko
Vice President
United Marine Boatyard
99 Commerce Street
Norwalk, CT 06850
Bus: 203-853-1174
Cell: 203-247-7906
www.unitedmarineco.com

Coastwise Boatworks, a Norwalk business for the past 13 years and a water dependent use, would like to note that it is being significantly impacted by the Norwalk Walk Bridge Project. In order for Coastwise to conduct operations it is reliant upon a water front property where it can haul and launch boats from the water's edge and manage boat slips for boaters. Section 22a-93 of the Connecticut Coastal Management Act describes a water dependent use as(16) "Water-dependent uses" means those uses and facilities which require direct access to, or location in, marine or tidal waters and which therefore cannot be located inland, including but not limited to: Marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyards and boat building facilities, water-based recreational uses..etc." The Connecticut Coastal Management Act was specifically designed to "protect water dependent uses" not extinguish them. We view the displacement of Coastwise without providing an alternative water front location to operate from as a direct violation of the Coastal Management Act.

B-6.1

We would like the environmental assessment/environmental impact evaluation documents to acknowledge how substantial the loss of a 60 slip water dependent use really is for the people of Norwalk, the city of Norwalk and the state of Connecticut. This marina has been in existence for the last 60+ years and the long term preservation of our coastal business has been identified by the State of CT to be very important. The bridge authorities should be looking at how to create more water dependent uses in accordance with this project not simply taking them away. With Coastwise Boatworks water front location being eliminated and no replacement location provided, Coastwise Boatworks would like to request that it be offered in contract form the first priority to reestablish our water front use at its present location upon completion of the bridge project. It is understood the portion of usable waterfront area is unable to be fully determined until the bridge project has been completed.

B-6.2

In regards to the published EA/EIE we would like to address issue of displacing water dependent uses under Chapter 5 section 5.3.12. Coastwise Boatworks offers roughly 60 boat slips for use on the Norwalk River. Displacing this marina will take away the public use of these slips on the river. We find your solution of "dispersal of marina users to other nearby marine facilities located upstream or downstream of Walk Bridge, or to nearby harbors" to be unacceptable. This solution merely forces users of the marina to find space in existing facilities elsewhere at the same time making the assumption there are in fact other available slips on the Norwalk River. It does not take into account the need for the replacement of this water dependent use. Elimination of these slips and leaving the boaters of Norwalk having to go to other towns for boat slip space is not okay. We would like to see the CT DOT provide Coastwise Boatworks the ability to relocate our slips somewhere on the Norwalk River while at the same time allowing the City to maintain one of its water dependent uses until we can reestablish ourselves at our current location upon the completion of the project.

B-6.3
(cont.)

Section 5.3.12 also states that "Discussions with the City of Norwalk indicate that a currently closed upstream marina may be available for temporary use by the current operator of Coastwise Boatworks" As the operators of Coastwise Boatworks we would like it to be known that in fact there was and is no viable Marina available upstream to be able to move our operation to. At this point Coastwise Boatworks does not have a new location from which we can conduct water front operations and our water dependent use has been permanently displaced.

B-6.1
(cont.)

Matthew Condon
Jonathan Brown
Managing Members, Coastwise Boatworks

WALK BRIDGE REPLACEMENT PROJECT

Comment on the EA/EIE

I am President of Spinnaker Real Estate Partners and have been working on redevelopment projects in the Reed Putnam Urban Renewal Area in South Norwalk for over twenty years. In addition our company completed a mixed-use new construction project directly adjacent to Metro North rail line and west run up of the Walk Bridge two years ago. The project known as Iron Works has been a great addition to the South Norwalk community adding much vitality to the neighborhood and a significantly increased real property tax assessment benefiting all of Norwalk.

We know and accept that the Walk Bridge needs to be replaced and generally understand the regulatory requirements for the project. We accept that the bridge replacement is a difficult and challenging project with many engineering, logistical and environmental constraints and requirements. We are, however, very concerned about the impacts on our commercial properties and the businesses in South Norwalk. We urge the CT DOT to seek outside experts to work with area stakeholders and the City of Norwalk to adopt a Business Impact and Mitigation Plan.

B-7.1

The Walk Bridge, the Norwalk River, the bolted steel catenaries and the massive stone rail embankments are unique elements of SoNo's historic fabric and make the area interesting and special. The bridge will be replaced, the catenaries removed and the massive stone embankments dramatically altered. These are big changes and will take several years to complete.

From a commercial real estate perspective, SoNo's waterfront location, the unique landmarks and Spinnaker's state-of-the-art building design create "value premiums". These elements are the basis of our commercial real estate strategy and the foundation of our commercial real estate portfolio. My perspective is biased of course, but any objective appraisal of the facts will confirm the facts and the rent premiums we achieve. Our rents in both commercial, residential and retail space in SoNo have significantly out-performed comparable projects within the region. Our occupancy has been well over 90% with our commercial properties and our bottom line has always been positive.

The Walk Bridge Replacement Project will have a significant impact on our properties, tenants and businesses. For example, the Lock Building is a 1.95 acre parcel of land with a renovated Class A office building containing 103,722 square feet of space. The building is home to a diverse group of tenants from 1,750 to 22,831 square feet, all expecting a Class A building and work environment. The Lock Building commands rent at the top of the market for Class A space.

We understand that the contractor constructing the Walk Bridge Project will be using a construction easement for storage and construction "lay down" on the Lock Building lot. We also been told that a large crane will be located on the construction easement and used in

B-7.1
(cont.)

B-7.2

connection with the project, and that protective walls will be constructed within the easement area, which will adversely affect the view of a number of tenants and the availability of natural light. In addition, the on-site parking spaces within the area of construction easement are currently provided on a reserved, exclusive basis for senior executives of our tenants and the loss of these highly valued spaces may put some of our leases in technical default. The noise, dust, and vibrations from the contractor's activities within the construction easement will almost certainly severely affect our tenants' quiet enjoyment of their premises. These are significant impacts and issues for our tenants and threaten the economic viability of the facility and will severely affect if not destroy its economic value.

B-7.2 (cont.)

We believe that as information about the project becomes more available, there is an increasing risk tenants will vacate. We have already lost commercial tenants because of the Walk Bridge Replacement Project; our occupancy which is historically the highest in the market now reflects the market. Recently, on lease renewals, we had to negotiate terminations clauses if "quiet enjoyment" is not maintained due to the project.

B-7.3

B-7.4,
B-7.5,
B-7.6

Kim Morque
President, Spinnaker Real Estate Partners
1 N Water Street
Norwalk, CT 06854
kim@spinrep.com

December 9, 2016

CT Walk Bridge EA Comments - RECORD #99 DETAIL

Status : Action Pending
Record Date : 12/12/2016
Submission Date : 12/12/2016
First Name : Clay
Last Name : Fowler
Organization/Agency :
Address :
Apt./Suite No. :
Town/City :
State :
Zip Code :
Telephone :
Mobile :
Email Address : Clay@spinrep.com
Comments :

Mr. Mark Alexander and others who involved,

Please see my comments below as they relate to the above document:

I am the Chairman and CEO of Spinnaker Real Estate Partners and we own and have operational control of much of the property immediately surrounding the western side of the Walk bridge immediately across the street from The Maritime Aquarium including The Ironworks Building (1 North Water Street) and The Lock Building (20 Marshall Street). In addition, we own The Corset Factory which is directly affected by the Ann Street Bridge Replacement which is a part of the Walk Bridge Project and 90 Water Street which is slated for staging for the project. We have built much of what we term the Aquarium District in Reed Putnam in SONO and are most concerned about the viability of our neighborhood and our properties during the long-term disruption that this project entails.

B-8.1

While we understand the nature and complexity of the Walk Bridge Replacement Project and the large body of work that has already gone into and that will go into its planning, we are dismayed by the lack of specificity in the impacts that its prolonged construction will have on the community. As developers we, too, are besieged by approval authorities, community groups, and neighbors with questions, concerns, and doubts that must be answered before we are allowed to move forward with our projects. Often, our Environmental Impact Statements (EIS) run to hundreds if not thousands of pages and have very specific sections on impacts and more importantly, their mitigation in a full airing of how the project is to be actually constructed. We are required to undertake noise, air pollution, traffic, and economic studies in addition to dissecting and discussing the normal "environmental" (flora, fauna, storm water, utility, light, etc.) issues.

B-8.2

* While Sections 3.2-3.6 state that there will be on "long-term impacts" on traffic, land use, properties, etc., we strongly suggest the opposite as a 5-7 year construction period and its associated disruptions is itself a LONG TERM IMPACT, and that impact itself will have yet a longer tail, potentially altering irreparably zoning, land use, public enjoyment, and value of the affected areas.

B-8.3

- * It is interesting to note that in this section, Chapter 3 as in the even more acute construction impact section that the State only offers that mitigation plans will be developed as plans progress: "To the greatest extent possible, CTDOT will strive to minimize impacts." (P3-37) This not a mitigation plan, it is barely a promise and certainly provides no comfort to the community that the State is going to spend 5-7 years disrupting. B-8.4
- * Incidentally, we note on Figure 3-12, "Locations of Proposed Parcel Use", that the aerial used is outdated as it does not show the new building, The Ironworks, that now exists on Parcel 2/24/10. What other information is incorrect or old? B-8.5
- * In 3.7.4, Summary, it is stated that the mitigation measures proposed in Chapters 3 and 5 will be protective of the natural and build environment. This is a self-serving statement that is woefully deficient in specifics as to how that is to be accomplished regarding impacts such as noise, traffic circulation, economic and value loss both temporary and permanent in the South Norwalk community, loss of visitorship and tourism due to long-term construction impacts, and general loss of quality of life within the construction area. B-8.6
- * Note in Section 3.8.1 Existing Conditions description of the SONO area, the Ironworks Building is not a "reconstruction" but rather a new building and it is doubtful that any other new building will be constructed in the area during the projected 5-7yr term of this project, and impact in itself. B-8.7
- * 3.8. Potential Impacts Section clearly underestimates the economic impacts to the SONO area during the construction period and it does not take into account any recovery once the project is completed. SONO's vitality, always fragile, will be dealt a crushing blow from this construction intrusion from which it may take years to recover as economic and cultural activity move to surround neighborhoods and towns unaffected by the protracted construction period. Apparently the concept of Mitigation (Section 3.8.3) is so important as to deserve around 50 words. B-8.8
- * Table 3-22 states that there is not impact on the use of the Lock Building from use of its parking lot. This needs serious re-evaluation as it is the life blood of the building to say nothing of the construction impacts use of the parking lot will have on the rights of the building's tenants to Quiet Enjoyment of their space as required in their leases! B-8.9
- * In Section 5.3.3, Impacts on local roadways, sidewalks, parking resources, and buildings need much more detailed evaluation before valid comments can be made. Suffice it to say, the impacts will be significant with adjoining businesses likely to see severe declines in visitors and revenues. This is no more true than for The Maritime Aquarium where significant declines in patron visits are probable. We expect that mitigation plans, including economic restitution figured from a baseline condition will be discussed in the near future. There is no reason that a small population should bear the brunt of impact for a project that benefits an admittedly larger body without just compensation based on all factors of impact. We expect the DOT to quickly discuss this with stakeholders in the nearby community as damage is already being done by the increasing awareness that this project is to move forward. B-8.10 B-8.11
- * In 5.3.4 DOT needs to realize a temporary easement of 3-5 years plus the led-in to the construction and the recovery time totaling 5-7 years begins to look more like a permanent impact than a temporary one, and in B-8.12

many cases, such may very well be the case. Appropriate allowance must be made for such instances, to wit, the historic Lock Building, the Ironworks Building, and the Maritime Aquarium. | B-8.12
(cont.)

* The statement that there is ample alternative parking available (Page 5-9) needs to be more closely evaluated due to various non-complementary periods of use, particularly as they intersect with peak periods at The Maritime Aquarium. | B-8.13

* 5.3.16 Noise and Vibration, while the tables in this section are clear, it is not clear what the real impact is as there is no baseline information, particularly for the night when nearby residents are attempting to sleep. The impact here is obvious, people will leave the area and this must be adequately mitigated. | B-8.14

In summary, while it is recognized that significant work will be conducted at the Walk Bridge site whether it is in the No-Build or Build instances, more information must be provided as to the actual construction impacts, both long and short, can be evaluated. To be sure, the DOT is working toward that point where specifics can be divulged and evaluated but in the meantime, nearby properties are already seeing the negative impacts of potential takings, condemnations, and degradation in local quality of life; it is hoped that the DOT and the rest of the State agencies involved will bring adequate thinking to a real plan of mitigation. We wait anxiously for that day. | B-8.15

Clayton H. Fowler
Chairman & CEO
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Add to Mailing List :

Submission Method : Project Inbox

Contact Reason :

Project Interest :

Distribution List :

Referrer :

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #97 DETAIL**Status :** Action Pending**Record Date :** 12/12/2016**Submission Date :** 12/12/2016**First Name :** Kim**Last Name :** Morque**Organization/Agency :****Address :****Apt./Suite No. :****Town/City :****State :****Zip Code :****Telephone :****Mobile :****Email Address :** Kim@spinrep.com**Comments :**

The EA/EIE did not adequately address the impacts on the surrounding neighborhood and businesses. A comprehensive study and economic impact mitigation plan should be prepared. An impartial and expert organization for CT DOT to consider for assistance with this is Smart Growth America. Listed below are examples of their work on conducting workshops and implementing mitigation strategies for large scale infrastructure projects.

A relevant example is Irrigate project from St Paul<https://urldefense.proofpoint.com/v2/url?u=http-3A__creativeplacemaking.t4america.org_placemaking-2Din-2Dpractice_minneapolis-2Dgreen-2Dline_&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=fqSj7HM847FltpS9l0bsn7d8lsLZ4R3aGeBuit_vi48&e=>>.

Other examples of our technical assistance, research, and workshops via the following links:

* Workshops: [smartgrowthamerica.org/work-with-us/workshop-types<\[https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_work-2Dwith-2Dus_workshop-2Dtypes&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=1hGuYKhgWvkg6hj7omSejbX4kHRGXp6Q1PWetG0yJ6E&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_work-2Dwith-2Dus_workshop-2Dtypes&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=1hGuYKhgWvkg6hj7omSejbX4kHRGXp6Q1PWetG0yJ6E&e=>\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_work-with-us/workshop-types&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=1hGuYKhgWvkg6hj7omSejbX4kHRGXp6Q1PWetG0yJ6E&e=>)

* Technical assistance: [smartgrowthamerica.org/tag/technical-assistance<\[https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_tag/technical-assistance&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=uZFbXKJzM7qdf0nRYqqZHSvA-2Vvzsbtme2bR5zKlew0&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_tag/technical-assistance&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=uZFbXKJzM7qdf0nRYqqZHSvA-2Vvzsbtme2bR5zKlew0&e=>\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_tag/technical-assistance&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=uZFbXKJzM7qdf0nRYqqZHSvA-2Vvzsbtme2bR5zKlew0&e=>)

* Research and reports: [smartgrowthamerica.org/resources<\[https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_resources&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=lmMklxIQpNUkPGZxpwp0-VeiwzFVoGc_7Th3v_gv1UE&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_resources&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=lmMklxIQpNUkPGZxpwp0-VeiwzFVoGc_7Th3v_gv1UE&e=>\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__smartgrowthamerica.org_resources&d=DQMFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=NHhfEDybApEYlvpW7wyJVA&m=LZelNqVPNyeLE1-IlxOXvkf4AtxWKPWDFZTfCvwpEew&s=lmMklxIQpNUkPGZxpwp0-VeiwzFVoGc_7Th3v_gv1UE&e=>)

Thank you, Kim Morque

B-9.1

B-9.2

Kim Morque
Spinnaker Real Estate Partners, LLC
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* 203-354-1554 Office
7 203-354-1551 Fax
* kim@spinrep.com<<mailto:kim@spinrep.com>>
[SREP-LLC-logo-XS]

Please note new address.

Add to Mailing List :

Submission Method : Project Inbox

Contact Reason :

Project Interest :

Distribution List :

Referrer :

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #98 DETAIL

Status : Action Pending
Record Date : 12/12/2016
Submission Date : 12/12/2016
First Name : Doug
Last Name : Bora
Organization/Agency :
Address :
Apt./Suite No. :
Town/City :
State :
Zip Code :
Telephone :
Mobile :
Email Address : Doug@spinrep.com
Comments :

TO WHOM IT MAY CONCERN:

Please open the attached comments regarding the Walk Bridge EA-EIE.

Thank you,
Doug Bora

Douglas A. Bora, Jr.

[REDACTED]
Darien, CT 06820
doug@spinrep.com<mailto:doug@spinrep.com>

Add to Mailing List :
Submission Method : Project Inbox
Contact Reason :
Project Interest :
Distribution List :
Referrer :
Referrer Legislator :
Attachments : DAB Comments on EA-EIE (11-18-16).pdf (71 kb)

WALK BRIDGE REPLACEMENT PROJECT

Comment on the EA/EIE

The Environmental Assessment/Environmental Impact Evaluation that was prepared by DOT and the Federal Transit Administration did not provide sufficient and rigorous analysis of alternative solutions to minimize the negative impact on area businesses and the environment. A project that costs somewhere between \$460 million and \$1 billion that is forecasted to last from years to 4 years to 7 years needs to have an Environmental Impact Statement completed and vetted by all stakeholders. Sadly, DOT elected to skip this customary and critical step.

B-10.1

B-10.2

There may be more cost effective and faster alternatives that will ensure a reliable, safe and resilient new bridge. One example is a fixed bridge that would essentially close the under-used waterway north of the bridge as a navigable waterway. It would be far cheaper, faster and cause less impairment to local businesses and the environment, even if Norwalk lost its right to seek future dredging from the Army Corps of Engineers there. An Environmental Impact Statement would likely reveal that there's surprisingly little boat traffic north of the bridge.

B-10.3

B-10.4

CT Walk Bridge EA Comments - RECORD #93 DETAIL

Status : Action Pending
Record Date : 12/12/2016
Submission Date : 12/12/2016
First Name : Matthew
Last Name : Edvardsen
Organization/Agency :
Address :
Apt./Suite No. :
Town/City :
State :
Zip Code :
Telephone :
Mobile :
Email Address : matt@spinrep.com
Comments :

Mark,

Thank you for the opportunity to comment on the Environmental Assessment/Environmental Impact Evaluation for the Walk Bridge Replacement Project in Norwalk, CT. My comments relate primarily to the impacts imposed (past, present and future) by this project on the west side of the Norwalk River within the community known as South Norwalk.

Creating and sustaining authentic, mixed-use, mixed-income, transit oriented, waterfront communities with tremendous quality of life attributes similar to that of South Norwalk that attract residents, businesses and visitors to the State is not simple, routine or easily replicable (even without the waterfront!). It takes years of incremental, organic growth combined with smart long-term governmental planning, visionary entrepreneurship, patient capital and lots of good fortune along the way. I have no doubt that the State leadership understands that. Although constantly evolving, South Norwalk, in many ways, is the type of community that the State's economic development efforts strive to create, often at great expense. There is no doubt that the replacement of the Walk Bridge will negatively impact this community in a myriad of ways including but not limited to mobility (bicycle and pedestrian) restrictions, traffic, loss of parking resources, visual impacts, noise, vibration, dust and light pollution. Further, not only will the project stall the progressive momentum of the neighborhood but most likely undo much of the past "livability" efforts.

To that point, I don't believe the EA/EIE adequately examines how these construction period impacts will negatively alter and restrict the use and enjoyment of the community by ALL stakeholders and reduce the actual number of stakeholders (residents, business, patrons) of the neighborhood.

And the document ignores how this project has already impacted the community. The "dark cloud" this project has cast over the neighborhood (over 2 years now) has already resulted in damages to the community and individual property owners:

* Decisions by current as well as prospective residents and businesses to relocate out of or not move to

South Norwalk and in certain cases only renewed with the ability to opt out with specific reference to the impacts of this project.

- * Existing business owners who committed to South Norwalk with long term leases are stressed by the uncertainty of these impacts. Many have businesses reliant on simple, convenient access to the area and to parking
- * Financial investment commitments and decisions have been altered
- * Development plans have been delayed
- * Property sales have been terminated

I am not saying these decisions were based in complete understanding of fact (versus rumor). But the impacts are real, nonetheless. And they are impactful. And they will amplify over time.

Perhaps most importantly, the EA/EIE underestimates the lingering impact this project will have on the community. The time and expense needed for a community to heal and rejuvenate, economically and by way of reputation, from the wound(s) this project will create is not insignificant and any commentary on such is sorely lacking within the EA/EIE.

I also believe that details matter. And this review process, conducted without the benefit of adequate plans for review (at least not made public) leaves much to be desired. Past transgressions within the neighborhood, such as CTDOT eliminating the pedestrian stairwell from Monroe Street that used to lead directly to the southbound platform at the South Norwalk Train Station when they replaced the Monroe Street bridge, merit a public review of the details as the plans advance. That simple design flaw on Monroe Street, most likely due to cost considerations, makes transit use less convenient for hundreds of area residents and employees daily. I fear similar oversights will occur with the Walk Bridge absent further public interaction and comment.

All that said, I fully understand the importance of a safe, functional, sustainable Walk Bridge to the New Haven Line / Northeast Corridor and also how critical this transit corridor is to not just the local, state and regional economic but to the economy of the entire country. The cost of repairing or replacing the bridge imposed on South Norwalk could pale in comparison to the cost of not replacing the bridge on the greater economy.

That, however, does not justify an underestimation of the project's impacts or the simplicity of the mitigation measures proposed.

I hope that as the project advances, that realistic expectations of the project's impacts evolve and that appropriate, holistic mitigation measures are contemplated. Without that, I believe the unnecessary, unmitigated damages inflicted upon the community will far exceed the public's cost of a well-designed impact alleviation and recovery plan. I know that the project management team that is currently in-place are extremely diligent and have a tremendous amount of relevant experience. However, I also know that this is a very complex, difficult project to undertake. As such, I ask that as the project advances and some of the uncertainty

B-11.4

B-11.5

B-11.6

B-11.7

is resolved and any controversy perhaps subsides that the project team take a step back to consider a more comprehensive approach to these economic impacts and the long term survival, recovery and evolution of the community (and the individuals that make this community special). B-11.7
(cont.)

Finally, there are a few technical details of the EA/EIE that I would like to point out:

Table 3.5

* 18 Marshall Street - this property also serves as free evening and weekend parking for the general public but primarily Ironworks restaurant employee and patron parking. Any pedestrian mobility restriction along North Water Street from this property to Ironworks will impact such usage. And the proposed displaced "employee parking" use is more complicated than simply relocating such spaces. There are legal, convenient and economic ramifications to do so. And I think the project team should undertake a formal parking study / parking management plan to confirm some of the seemingly informal conclusions regarding parking availability in the area. Unless the assumption is that the project will dramatically impact visitation to the aquarium, I believe the EA/EIE is over allocating available spaces in the Maritime Garage based on past peak usage. B-11.8

* 1 North Water Street - this property is listed as commercial but is actually a mixed-use facility with 108 rental units apartments, about 21,000 square feet of commercial space and 200+ parking space garage. This garage is privately owned but publically accessible. Many employees of the Lock Building tenants use this parking garage for weekday parking. Any pedestrian mobility restriction along North Water Street from this property to the Lock Building will impact such usage and most likely cause addition demand of the Maritime Garage which may impact capacity for other parking relocations envision during this project. The table also identifies displaced uses as "none". Even though numerous discussions and tours have occurred on the topic, I am concerned that this simplistic determination has not been fully vetted and does not consider indirect impacts noise and access restrictions amongst others will have on tenants of this building. We ask that mitigation measures be considered for such. B-11.9

* 90 Water Street - the land area is inaccurate. The site is over double the stated acreage. I believe the City of Norwalk source data is accurate but that data for 70 Water and 90 Water Street is transposed. B-11.10

Mention of road closures and detours are a prevalent component of the EA/EIE. I suggest a comprehensive traffic study be conducted to determine the impacts on level of service caused by each road closure and on any combination of road closures. Any level of service reduced to unacceptable levels or significantly impacted from current operations should be examined for re-programming suggestions where necessary to maintain acceptable traffic flow. B-11.11

The catch basins in the vicinity of the Walk Bridge as well as the Ann Street Bridge and the Marshall Street bridge are critically important and should be maintained and unobstructed at all times. B-11.12

Also, not specifically mentioned in the EA/EIE but any pedestrian mobility restrictions, even temporarily, along B-11.13

Ann Street that limits convenient access to the waterfront and Oyster Shell Park for residents living on Ann Street west of the Danbury Branch severely impacts their quality of life and the value of their real estate. Many residents and their pets use that area for exercise and recreation daily. This is a small detail considering the scale of the project...but solutions should be considered. B-11.13 (cont.)

It is easy to get lost in the big picture, but please do not overlook these small impacts on quality of life. They are numerous but identifiable and manageable given the appropriate level of thought.

Thanks again for the opportunity to comment.

Matt Edvardsen

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South Norwalk, CT 06854

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(203) 354-1551 fax

Matt@spinrep.com<<mailto:Matt@spinrep.com>>

Add to Mailing List :

Submission Method : Project Inbox

Contact Reason :

Project Interest :

Distribution List :

Referrer :

Referrer Legislator :

CT Walk Bridge EA Comments - RECORD #74 DETAIL

Status : Action Pending
Record Date : 12/7/2016
Submission Date : 12/7/2016
First Name : Konstantinos
Last Name : Kousidis
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Apt./Suite No. :
Town/City : Norwalk
State : CT
Zip Code : 06854
Telephone : [REDACTED]
Mobile :
Email Address : Konstantinos@thinqmac.com
Comments :

I am the owner of thing mac, which is a computer store right next to the train bridge, across the street from the IMAX theater. We will be severely impacted by this and would like to know more information on how this will affect business. B-12.1

Add to Mailing List : Yes
Submission Method : Website Comment Form
Contact Reason : Environmental Document Comment
Project Interest : Local Business/Organization
Distribution List : Program Announcements, Fact Sheets and Newsletters, Construction Notices
Referrer : Friend
Referrer Legislator :

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

Public Hearing Transcript

Harry Rilling, Mayor, City of Norwalk (Refer to E-3)

T-1 Mario Coppola, City of Norwalk Corporation Counsel (Refer to C-1)

Steve Kleppin, Norwalk Director of Planning and Zoning (Refer to C-8)

Elizabeth Stocker, City of Norwalk Director of Economic Development (Refer to C-11)

T-2 Gail Lavielle, State Representative, 143rd District (Refer to E-1)

T-3 Fred Wilms, State Representative, 142nd District

Tom Devine, President, Devine Brothers (Refer to B-4)

Lori Torrano, Vice Chair, City of Norwalk Redevelopment Agency (Refer to C-6)

Jim Carter, Norwalk Representative, Norwalk River Valley Trail Steering Committee (Refer to O-3)

T-4 Michael Widland, Co-Chairman, Maritime Aquarium Board of Trustees (Refer to I-27)

Nancy Rosett, Chair, Mayor's Bike/Walk Task Force (Refer to C-13)

T-5 Brian Davis, President and CEO, The Maritime Aquarium at Norwalk (Refer to O-12)

Bill Burnham, Trustee, Maritime Aquarium (Refer to I-26)

Dick Brescia, Chairman, Norwalk Parking Authority (Refer to C-9)

T-6 Michael McGuire

T-7 Fran DiMeglio, Chair, Norwalk Planning Commission

Mike Tomko, Owner, United Marine Boatyard (Refer to B-5)

T-8 Mike Griffin, State of Connecticut Harbor Master for Norwalk, CT

Bill Nightingale, City of Norwalk Conservation Commission (Refer to C-10)

T-9 Robin Penna, Norwalk Harbor Keeper

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

T-10 Tony D'Andrea

T-11 Fred Krupp, Norwalk Harbor Keeper

T-12 Tony Mobilia, Chair, Norwalk Harbor Management Commission (Refer to C-3)

David Westmoreland, Chair, City of Norwalk Historical Commission (Refer to C-2)

John Igneri, Chairman, Public Works Committee, Norwalk Common Council (Refer to E-6)

T-13 Joe Schmierlein (Refer to I-5)

Bruce Chimento, Director of Public Works, City of Norwalk (Refer to C-7)

Paul Sotnick, Senior Civil Engineer, Norwalk Department of Public Works (Refer to C-12)

Danny Grundmann (Refer to I-17)

Susan Wallerstein, Chair, Norwalk Arts Commission (Refer to O-4)

Bruce Kimmel, President, Norwalk Common Council (Refer to E-5)

T-14 Johnny Dobowski

T-15 Tod Bryant, President, Norwalk Preservation Trust (Refer to O-9)

T-16 Robert Hard (Refer to I-25)

T-17 Edward J. Musante, Jr., President, Greater Norwalk Chamber of Commerce

Debora Goldstein, Commissioner, Third Taxing District Commission (Refer to E-4)

T-18 Bob Wagman

Shenton King, King Industries (Refer to B-3)

T-19 Debora Goldstein

T-20 Shenton King, King Industries (Refer to B-3)

T-21 Daisy Franklin

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

Note: Where the commenter noted in the hearing transcript is not designated with a "T," the commenter also provided written comments in addition to the public testimony, and reference is made to the written comment to avoid duplication.

**State of Connecticut Department of Transportation
Walk Bridge Replacement Project – Bridge No. 04288R - Norwalk, Connecticut
RECORD OF DECISION**

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STATE OF CONNECTICUT

DEPARTMENT OF TRANSPORTATION

WALK BRIDGE HEARING
ENVIRONMENTAL IMPACT EVALUATION (EIE)

STATE PROJECT NO.

NOVEMBER 17, 2016

Note: Where there is notation to refer to another comment (for example: "Refer to O-12 for Comment Annotations"), the commenter also provided written comments in addition to his or her public testimony. In these cases, the comment is not repeated to avoid duplication, and the reader is referred to the noted comment and its response.

RE: WALK BRIDGE REPLACEMENT PROJECT
ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT EVALUATION (EA/EIE)

1 . . . Verbatim proceedings of a hearing before
2 the State of Connecticut, Department of Transportation, in the
3 matter of Walk Bridge Replacement Project, held on November 17,
4 2016 at p.m. . . .

5

6

7 MR. ROBERT IKE: Good evening Ladies and
8 Gentlemen. My name is Robert W. Ike from the Connecticut
9 Department of Transportation. I will serve as the moderator for
10 tonight's public review and comment on walk... on the Walk Bridge
11 replacement project Environmental Assessment/Section 4F
12 Evaluation/Environmental Impact Evaluation EA/EIE Public Hearing.
13 I will now turn the podium over to Mr. Jim Fallon from the
14 Connecticut Department of Transportation.

15 MR. FALLON: Okay. Thank you, Bob. I just
16 wanted to make some opening comments before we get started. Once
17 again, I'm Jim Fallon, Manager of Facilities and Transit at
18 Connecticut DOT. Like I said, we want to make some opening
19 comments. We've met with city and elected officials yesterday
20 and they... they felt there was some clarifications that we ought
21 to provide. So the purpose of tonight's hearing is for the
22 department and the federal transit administration to provide an
23 opportunity for the public to comment on the EA/EIE. The
24 department's presentation is thorough but abbreviated for that
25 reason. We want to allow adequate time for the public comment
26 portion of tonight's hearing. After the comment period for the
27 EA/EIE concludes on December 5th, the department will meet
28 individually with city officials and key stake holder groups to
29 discuss their respective comments and concerns. We will work
30 with each group to fully understand their comments and to clearly
31 identify the community's concerns. The department will then
32 respond to all comments received and provide draft responses to

WALK BRIDGE REPLACEMENT PROJECT
ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT EVALUATION (EA/EIE)
NOVEMBER 17, 2016

1 city officials and key stake holder groups prior to finalizing.
2 Responses may include commitments such as mitigation measures
3 that the department will be obligated to complete.

4 The comments and responses provide valuable input
5 to the department and they assist FTA in making the determination
6 of either a finding of no significant impact as it relates to the
7 national environmental policy act or that an environmental impact
8 statement should be prepared. We are three or four months away
9 from that decision point. The department also understands there
10 are many questions regarding the evaluation of the alternatives,
11 particularly to fix bridge. Since the low and mid-level fixed
12 bridge options don't meet the project's purpose and need due to
13 restrictions on navigation, detailed information regarding the
14 implementation challenges associated with them is not discussed
15 in the EA.

16 The department has many engineering analysis of
17 the constructability, duration and risk associated with these
18 alternatives that we want to share. Therefore, we have scheduled
19 an information meeting for Monday, December 5th to review this
20 information. You are still welcome to comment about these
21 alternatives at tonight's hearing. Thank you for your patience.
22 Now I'll turn it back to Bob.

23 MR. IKE: Thank you, Jim. Please be advised
24 that we have a recording room set up in the Mayor McCarthy
25 rehearsal room located at the end of the hallway, to the right of
26 the stage. One on one recordings will be on a first come, first
27 serve basis. Anyone who chooses to utilize this method for
28 public comment are asked to patiently wait outside the room for
29 their turn to comment. There is a sign-up sheet in the room.
30 Staff is present at the recording room to assist you. I'd like
31 to introduce the individuals to my right who are here this
32 evening to make a presentation to listen to your comments and

WALK BRIDGE REPLACEMENT PROJECT
ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT EVALUATION (EA/EIE)
NOVEMBER 17, 2016

1 concerns. Mr. James Fallon, Transportation Division Chief,
2 Connecticut Department of Transportation. Mr. Christian Brown,
3 Project Manager, HNTB and Mr. Kevin Slattery, Environmental
4 Specialist, HNTB. And to listen to your comments we have Mr.
5 Mark Alexander, Transportation Assistant Planning Director and
6 Mr. John Hanifin, Transportation Supervising Engineer.

7 We are meeting with you this evening in order to
8 receive comment on a Walk Bridge replacement project EA/EIE. I
9 would like to emphasize that no final decision has been made on
10 the EA/EIE. That is why we are here this evening, to hear your
11 input in order to help us reach a final decision. This public
12 hearing is being conducted in accordance with the Connecticut
13 Department of Transportation's policy entitled Public
14 Involvement/Public Hearings for highway layouts, corridor and
15 designs, revised April 24, 2015. I will now discuss the format
16 for tonight's public hearing. Then I will turn the podium over
17 to presenters who will provide information on the EA/EIE. I will
18 then moderate the hearing as we listen to your comments. My
19 intent is to conduct a fair and orderly hearing tonight by
20 following a particular format. We would appreciate your patience
21 during my remarks as well as the presentations to follow by
22 holding your remarks and comments until this portion of the
23 hearing has been completed. For your information, our
24 presentation should take approximately 30 minutes to complete.
25 We will also have opening comments by the mayor and several of
26 his key staff members immediately after the state's
27 presentations. The city's presentation should be for 15 minutes.
28 We will be happy to remain here this evening until everyone has
29 had a reasonable opportunity to speak. Experience has shown that
30 audible recordings can only be made if the person making a
31 statement uses a microphone connected to the recording equipment.
32 The microphones have been set up. If you wish to make a

WALK BRIDGE REPLACEMENT PROJECT
ENVIRONMENTAL ASSESSMENT/ENVIRONMENTAL IMPACT EVALUATION (EA/EIE)
NOVEMBER 17, 2016

1 statement, please come to a microphone after I read your name
2 from the sign-up sheet. Please introduce yourself and if you are
3 representing an organization, please give its name as well. If
4 you didn't sign up to speak but a question comes to mind, feel
5 free to raise your hand. I will be happy to recognize you after
6 I go through the speaker sign-up sheet.

7 If you wish to speak this evening, we have a
8 sign-up sheet in the lobby. There is a three minute time limit
9 on all first time speakers. There will be no yielding of your
10 time to other speakers. Your time is for your own comments. If
11 after all first time speakers have finished anyone who would like
12 the opportunity to speak again, a reasonable amount of time will
13 be allotted for this purpose. For those individuals who have a
14 prepared statement, you may read it into the record if you so
15 desire. However, if the statement is lengthy, you are asked to
16 offer a written copy of the statement for the record and give a
17 brief summary of its contents. Such attachments to the record
18 carry as much weight as the transcribed verbal testimony received
19 here tonight when the transcript is reviewed.

20 The EA/EIE has been available for review at the
21 Connecticut Department of Transportation, the Western Connecticut
22 Council of Governments, the Norwalk City Hall Town Clerk's office
23 and Norwalk Public Libraries. As a result of information that
24 you might learn at tonight's hearing you may wish to make
25 additional comments on the EA/EIE. Comments may be submitted
26 online at WalkBridgeCT.com or written statements or exhibits may
27 be mailed or delivered to the attention of Mr. Mark Alexander,
28 2800 Berlin Turnpike, PO Box 317546, Newington, CT 06131-7546.
29 This information is available in a handout which you should have
30 received when you entered the room tonight. The receipt for
31 comments on the EA/EIE is December 5, 2016. Written statements
32 or exhibit must be postmarked by this date and must be

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1 reproducible in black and white and not larger than 8 $\frac{1}{2}$ x 11 inch
2 paper. At this point I will turn the podium over to Mr. James
3 Fallon, Mr. Fallon will be followed by Mr. Brown, Mr. Brown by
4 Mr. Slattery and Mr. Slattery by the Mayor. James.

5 MR. JAMES FALLON: Okay. Thank you, Bob.
6 Dave. Could you just adjust this? Thank you. Okay. So as Bob
7 mentioned, I'm Jim Fallon, Manager of Facilities and Transit at
8 DOT. Our presentation tonight should be about 30 minutes. We're
9 going to go through this pretty quick. Like I said it's not
10 going to cover everything but hopefully we hit the highlights.
11 Okay. So we'll start off with the project overview. These are
12 the projects to be constructed in the next several years in
13 Norwalk.

14 First, we have rail system improvement projects.
15 First, we have rail system improvement projects which don't
16 include, there's a new rail interlocking and signal system
17 improvements to allow the trains to move between the tracks.
18 Shown in green are the Danbury line dockyard improvements to
19 allow for the turning, layover and storage of trains. Shown in
20 purple are the ongoing East Avenue and Osborne Avenue projects
21 which will be constructed with the walk to simplify their
22 construction. Those are shown in purple. All of these projects
23 are independent projects and have separate environmental
24 processes. The EA/EIE and the public hearing is specific to the
25 Walk Bridge improvements shown in yellow. Those project limits
26 are defined as from the Washington Street Bridge to 300 feet east
27 of the Fork Point Street Bridge.

28 So the Walk Bridge, the New Haven Line, the
29 Northeast Corridor, are a critical transportation link. The New
30 Haven line is the busiest commuter line in the country, carrying
31 approximately 125,000 passengers and 175 trains per day. It's
32 ridership is projected to double by 2030. It's a vital component

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1 to success of the regional economy. I think we've mentioned
2 before that the Walk Bridge is a single point of failure in that
3 it carries all four tracks on one structure. So that is an
4 issue. Resiliency, because of the vitality of the corridor,
5 resiliency and reliability of the structure are very important
6 and that's one of the goals of the project.

7 Another key element of the project are waterway
8 users and river navigation. It's certainly important to be
9 considered during our design of the project as well as our
10 constructability and our staging. There's a multitude of users
11 of the river both upstream and downstream, commercial and
12 recreational. The Norwalk River is designated as a navigable
13 waterway and in a federal channel which is maintained by the Army
14 Corp and the City has a harbor management commission which is
15 responsible for managing the river.

16 So bridge issues prompted this project,
17 accelerated the project. This is a 120 year old structure. It's
18 showing signs of deterioration and lack of performance and
19 reliability, experienced operational problems, which many of you
20 probably experienced in 2014 and also this past summer. This
21 project is consistent with an asset management approach where we
22 upgrade our existing transportation infrastructure. A little
23 overview of the environmental process, the regulations on the
24 federal and state side are NEPA and CEPA. These regulations
25 state that agencies assess the environmental, social and economic
26 effects, among others, of our actions prior to making decisions.
27 And the EA and EIE are early planning phase decision documents.
28 Throughout both of these processes there is opportunity for
29 consultation and coordination with the public.

30 What is an EA/EIE? So we have prepared an EA and
31 EIE in response for the Walk Bridge. Key sections and
32 information that is contained within the documents are listed

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1 here. Many of you have probably read through the document. The
2 EA is an appropriate level of document based on the scope of the
3 job, which is replacement of an existing transportation element.
4 The EA identifies the anticipated environmental impacts and the
5 range of alternatives as well as possible mitigations.

6 Purpose and need is a foundational element of the
7 EA. It was developed by the program team in consultation with
8 stake holders. It was presented at the public and agency scoping
9 meetings and was approved by FDA. The purpose and need is a
10 driving... is a driving criteria for identifying the range of
11 alternatives to be considered. The purpose and need is all
12 inclusive, meaning that an alternative needs to satisfy all of
13 the elements for the purpose and need in order to be viable. The
14 document also contains the Section 4F as a draft 4F evaluation of
15 the project. This is applicable to public parks, recreation
16 areas, wildlife sanctuaries and historic properties. So the
17 document reviews the purpose and need and the project
18 alternatives as they relate to these items. And now I'll turn it
19 over to Chris, who will go through project alternatives.

20 MR. CHRISTIAN BROWN: Thank you, Jim. Good
21 evening everybody. I won't focus a great deal on process tonight
22 as far as how the alternatives are being developed but a
23 fundamental aspect of the environmental document itself is
24 actually having alternatives that can be evaluated. So the first
25 step is to establish that purpose and need statement and that
26 purpose and need, the need part of it, really kind of defines
27 what this project is going to entail. Then, we have to develop
28 alternatives that are structured around those needs and best fit
29 those needs. Making any improvements at Walk Bridge is certainly
30 a challenging endeavor. There's a lot of trains every day. We
31 have an active waterway. We have that unique four track swing
32 span configuration. There's overhead electrification, a

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1 relatively congested surrounding site, particularly on the west
2 side. So there's a number of challenges in implementing any
3 improvement at Walk Bridge. But what is consistent with other
4 railroad moveable bridge projects is the range of alternatives
5 that are being considered.

6 First of all we start off with the no build
7 alternative. And the no build really kind of establishes the
8 baseline for what those project needs are. We... we identify any
9 deficiencies in the existing structure, identify goals that are
10 to be met as it relates to what those needs are trying to attain
11 throughout the process and then we move on to actually looking at
12 those alternatives that would make those improvements. We call
13 those the build alternatives. And there's a range of
14 classifications within that build category. We have
15 rehabilitation, we've looked at fixed bridges and we looked at
16 moveable bridges. So overall there was a great deal of effort in
17 the development of more than 70 alternatives initially. Those
18 were then prescreened down to a more manageable number of around
19 five to seven different alternatives and those are presented in
20 the environmental assessment.

21 The environment assessment and the EIE document
22 itself is a planning level document. So I... I need to remind
23 everybody when you see any of these images that depict a
24 particular structure type it's important to remember that those
25 too are at a conceptual or planning level as well. So it's not
26 to indicate what the final appearance of a structure may be.
27 It's more to give an indication of the overall character of the
28 structure, the overall size, the width, the lengths, the heights,
29 etcetera. So please keep that in mind as we look at these
30 alternatives.

31 As Jim mentioned before, on December 5th we plan
32 to have an additional informative section or session that

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1 describes attributes for alternatives that weren't retained for
2 further analysis as it relates to the environmental assessment
3 document itself. And some of you, we do know, have questions as
4 it relates to certain alternatives, whether it be a rehab
5 alternative or any of the fixed bridge alternatives and we want
6 to highlight those in that upcoming session. But just briefly
7 tonight in making that decision as far as what alternatives are
8 retained, we have to look at two different things. One, is the
9 alternative feasible. Well all the alternatives that are in the
10 environmental document itself would be considered feasible under
11 any condition as it relates to could you actually implement this?
12 Could you build that particular bridge, could you make those
13 particular rehabilitation improvements?

14 Next up you have to look at the practicality as
15 well as the meeting of the purpose and need of the project. So,
16 as it relates to the purpose and need, the alternatives
17 themselves have to meet all of the elements of that purpose and
18 need. So we can't go two for three or three for four in the
19 purpose and need. They all had to meet the needs of the project
20 in order to be advanced further into the discussion of the
21 environmental document. So, if we take a look at the table on
22 the screen here, what that is a table that's similar to what's in
23 the environmental document itself as it relates to the project
24 needs. And across the top we have the various alternative
25 categories. We have the rehab alternative, the low level fixed
26 bridge, the high level and the mid-level fixed bridge as long... as
27 well as the moveable bridges. And you see a scattering of check
28 marks and Xs and a check mark just indicates that that particular
29 alternative meets that need. An X indicates that that need isn't
30 met. So you do see for example the high level fixed bridge, and
31 we'll get into this here in a little bit more detail, it has all
32 check marks. Well it was viewed that yes, it does meet the

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1 purpose and needs statement but in the end it's not really
2 practical. It would result in significant impacts throughout
3 Norwalk as it relates to its implementation. So just by virtue
4 of meeting the purpose and need, there's an example of an
5 alternative that isn't advanced forward.

6 As it relates to the environmental footprint,
7 this is another important distinction with all of the
8 alternatives. So just for a second let's not consider the high
9 level fixed bridge and we'll talk about it somewhat separately.
10 But for all of the alternatives, whether it be any of the build
11 alternatives, whether it be the rehabilitation, any of the fixed
12 bridges or the moveable spans, the environmental footprint, the
13 project limits if you will from east to west and north to south
14 and any of the adjacent properties, all of that is essentially
15 the same for all of the alternatives. For example, the
16 rehabilitation work runs from a location west of North Water
17 Street all the way past the overhead transmission high tower on
18 the east side. Likewise the fixed bridge alternatives also have
19 similar project limits as well. As it relates to the permanent
20 construction, those project limits are the same for those build
21 alternatives. As it relates to the temporary impacts for land
22 use, those land use requirements are also similar amongst the
23 various alternatives. So in terms of providing access to where
24 the construction activity would have to occur, whether it be
25 marine access or getting close to the tracks to preassemble any
26 of the bridge components so work could be swiftly completed, all
27 of that work and all of that land use is the same for all of the
28 alternatives.

29 So let's get into a little bit of detail on the
30 specific alternatives themselves. And frankly, on any bridge
31 project and a railroad moveable bridge project in particular, one
32 of the first build alternatives that we look at is

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1 rehabilitation. What can be done to salvage the existing
2 structure? And we all know that every bridge location is unique.
3 You have its own unique set of traffic, own unique set of
4 constraints and there certainly are a number of constraints here
5 with the existing Walk Bridge.

6 We also have a bridge that's more than 120 years
7 old and we are also, I would consider that to be somewhat in
8 unchartered waters as it relates to the long term performance of
9 a bridge 120 years old. That's... that sees this frequent of use.
10 So rehabilitating the bridge itself is a challenging endeavor.
11 We're going to be mixing in kind of modern rail systems from
12 track to catenary to the locomotive and train sets themselves in
13 with this old bridge and sometimes those don't mesh all that
14 well. And then we also have to remember that we are going to be
15 retaining this 120 year structure after this robust
16 rehabilitation effort is complete. It does meet the purpose and
17 need from the standpoint that it does meet navigation clearances
18 but overall it doesn't meet the purpose and need because of a
19 lack of redundancy and a lack of resiliency. The location of the
20 operating equipment for the moveable span is susceptible to
21 inundation from a storm event. It has high life cycle costs.
22 Implementing the rehabilitation is a strenuous effort from the
23 standpoint of being able to actually do the work right on top of
24 where you are running trains. And because of that the
25 possibility of having a temporary fixed bridge, or a runaround as
26 we call it, in place in order to implement those improvements
27 will add time and cost to this particular alternative. For these
28 reasons, primarily because of not meeting the overall purpose and
29 need, the rehab was not retained for further evaluation.

30 As far as fixed bridge alternatives are
31 concerned, again similar to other railroad moveable bridge
32 projects, we generally do look at providing a fixed bridge

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1 alternative. But because we do have a moveable bridge and
2 because we do have an active waterway, we generally look at
3 moveable bridge spans that will provide that reasonable means of
4 navigation, particularly when we have structures along the
5 waterway that can accommodate that present day navigation. The
6 high level fixed bridge was initially viewed as being feasible,
7 again, from the standpoint of meeting the reasonable needs of
8 navigation. But because of the overall limits of the project,
9 essentially going from the East Norwalk station and beyond South
10 Norwalk station, this option was viewed as not practical. So it
11 does meet the purpose and needs statement. If you remember the
12 chart we had all of the Xs or all of the check marks filled for
13 meeting the needs but it wasn't practical. And because of the
14 overall limits, the impacts, the costs and the schedule, it was
15 not retained for further evaluation.

16 Walk Bridge is certainly unique and we understand
17 the interest in looking at the low level and the mid-level fixed
18 spans as well. I will tell you that this is a little bit of a
19 departure from what we would typically see on a railroad moveable
20 bridge project where we would introduce an option that would
21 permanently restrict navigation. But we did listen to our stake
22 holders, we did listen to public comment on including that as
23 part of the catalog of feasible alternatives and it was included
24 in the environmental assessment. With a low level and a mid-
25 level fixed bridge, you do meet the needs of having a resilient
26 structure and providing that reliability for rail traffic.
27 However, it doesn't meet the purpose and need because of the
28 limits to navigation that would result from introducing that
29 fixed obstruction. Likewise, similar to the rehab option, the
30 potential for introducing a temporary runaround structure to
31 implement the improvements would be... would be a potential. Why
32 would that be important? Because if we're putting in a fixed

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1 bridge and we're saying that we're going to be closing down the
2 waterway, what's the big deal? Well, what that does is it adds
3 time and it adds cost to the overall project. And because it
4 doesn't meet the purpose and need, the low level and the mid-
5 level fixed bridges were not retained.

6 So then let's go to the final category for the
7 build alternatives and that is the moveable span alternatives.
8 There were a number of different options that were considered.
9 The three options that you see here were a variety of span length
10 and movable span types. These alternatives all meet the purpose
11 and need and they were the lowest cost options that do meet the
12 purpose and need. If you remember the only other option that met
13 the purpose and need was that high level fixed bridge and it had
14 a cost that was more than double what any moveable bridge
15 alternative had. It would be resilient to extreme weather events
16 by strategically placing the operating equipment in the locations
17 necessary. It provides improved navigation by opening up the
18 waterways significantly and they have the shortest construction
19 duration potential. And I know that sounds a little
20 counterintuitive but it's all in a matter of how these
21 alternatives get phased and that step by step construction method
22 that will expedite the construction procedure. We would also
23 have the ability to avoid the use of a temporary runaround. So
24 by virtue of not having that, we get to reduce construction time,
25 construction cost and be able to implement this while still
26 having a navigable waterway.

27 With those three movable span alternatives we
28 were focused then on providing a preferred alternative as it
29 relates to the environmental document. With that, there were
30 attributes of these alternatives that were discussed in the
31 document specific to construction duration, construction risk,
32 environmental footprint, esthetic flexibility and cost. And by a

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1 comparative analysis on... of those three alternatives it was
2 determined that the 240 foot vertical lift span was the
3 alternative that best met the overall project goals and was
4 determined to be the preferred alternative. It has the shortest
5 overall construction schedule, the lowest risk during
6 construction, the shortest period of time that we have two tracks
7 out of service. There's no extended navigation closure with this
8 alternative. Fewest number of foundation elements in the
9 waterway thereby reducing the overall environmental footprint of
10 these particular alternatives, and it has what we call aesthetic
11 flexibility. And what that means is that there are a number of
12 different areas on this project, whether it be the towers, or the
13 span, or the control house, and other elements of the bridge that
14 in working with the community can really help define a structure
15 that fits in to the South Norwalk area. And with that, I'm going
16 to turn it over to Kevin Slattery.

17 MR. KEVIN SLATTERY: Good evening, everyone.
18 I'm going to talk briefly about the environmental document
19 process that was followed for this project. I'd like to point
20 out, and some of this you've heard a little bit already this
21 evening, but this is a joint federal and state environmental
22 document process. The federal process is NEPA, National
23 Environmental Policy Act and the state process is CEPA, which is
24 the Connecticut Environmental Policy Act, and we are preparing a,
25 you know we have a prepared a joint document. It's a called
26 environmental assessment or an EA/EIE environmental impact
27 evaluation. And as been pointed out earlier this is a very early
28 planning document. It's a decision document. It's not the final
29 decision for all aspects of the project related to permitting and
30 so on which follows the planning and environmental document
31 stage.

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1 So we started the project with the initiation of
2 the project purpose and need. The purpose and need was available
3 to the public and the agencies for review and comment at the
4 public scoping sessions which were held in February of 2015. The
5 agency scoping was held in March of 2015 and then that
6 information was reviewed and culminated into the preparation of
7 the environmental document. The document was published during
8 the summer and that started the public comment period. It
9 culminates tonight in the public hearing and the public comment
10 period closes on December 5th of next month.

11 Now the Department of Transportation Federal
12 Transit Administration will be reviewing the public record, the
13 environmental document, the comments and responses to comments
14 and prepare the final documents with that information. That
15 information is reviewed and decisions are made based upon that
16 record. It's for the Connecticut Environmental Policy Act
17 decision. It's a recorded decision or a ROD and under the
18 National Environmental Policy Act it's either a FONSI, Finding
19 of No Significant Impact or a Recommendation to Proceed to an
20 Environmental Impact Statement. Now those procedures have to be
21 completed before the department can move on to the final design
22 and permitting phases of the project. And the permits have to be
23 secured before the department can start the construction on the
24 project as well.

25 There's a number of cooperating, participating
26 agencies on this project. The lead federal agency is the federal
27 transit administration. Connecticut Department of Transportation
28 is a sponsoring agency. In total there's five cooperating and
29 six participating agencies. Examples include NOAA National
30 Marine Fisheries, United States Environmental Protection Agency,
31 United States Coast Guard, US Army Corp of Engineers, Connecticut
32 Department of Energy and Environmental Protection and the City of

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1 Norwalk. I'd like to also point out in addition to the NEPA
2 cooperating and participating there's also a series of stake
3 holders under Section 106 of the National Historic Preservation
4 Act. Examples include the State Historic Preservation Office,
5 the Connecticut local tribes and the local Norwalk historic
6 groups. They've all seen the documents. It's very
7 comprehensive. There's a number of general categories that
8 represent the evaluation of the impacts and the project
9 activities. They fall into categories such as transportation,
10 community effects, natural and aquatic resources, cultural
11 resources and other resources and considerations. So for
12 instance under transportation we evaluated the effect on rail
13 movements, marine traffic, local roadway effects, transit,
14 parking, pedestrian movements and bicycles. Community aspects
15 involve considerations such as zoning, property acquisition,
16 socio-economic impacts, effects on park lands, recreational areas
17 and community facilities.

18 Under the natural resources we evaluate aspects
19 such as water quality, the aquatic resources such as fish and
20 shellfish, tidal and freshwater wetlands and threatened
21 endangered species. In culture resources in this sense refers to
22 historic and archaeological properties or sites. And then other
23 considerations evaluated include aspects such as air noise and
24 vibration, the hazardous materials and risk sites, safety and
25 security, environmental justice, secondary effects and
26 consistency with state and local plans.

27 Now relative to the environmental impacts, I'm
28 not going to go through all the details. The document's quite
29 extensive as you know. But I'm just going to hit some of the
30 highlights. One point I'd like to make is that the majority of
31 the impacts from the project are temporary in nature,
32 particularly to water and natural resource aspects. And most

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1 important, all moveable bridge options have very similar order of
2 magnitude for impacts.

3 So related to the water and natural resources
4 category, water quality impacts are temporary, mostly related to
5 the pier construction, demolition of the existing piers and
6 channel dredging. We have small amounts of tidal and fresh water
7 wetland impacts, around a tenth of an acre or so for temporary
8 and permanent impacts combined. There will be some flood plain
9 use temporarily during the construction of the project and there
10 could be some minor alteration of the flood flows during the
11 construction period which still has to be evaluated and detailed
12 on the permitting phase.

13 Related to noise and vibration, the document
14 identified effects, local effects to nearby properties. The
15 noise and vibration effects of the construction, again short term
16 and temporary. And I would like to again point out that related
17 to the water resources and natural resources, many of these
18 categories are subject to a fairly extensive permitting process.
19 It has to be secured before the project can be constructed.

20 Related to traffic, pedestrians and bicycles, the
21 document identified effects to the local roadways and parking
22 temporarily. Also temporary impacts on pedestrian and bicycle
23 disruption and movement. From an economics perspective the
24 document identified local business disruption temporarily during
25 construction and also in particular upstream users, water
26 dependent users which rely on the bridge openings to get back and
27 forth to various businesses. There will be property tax revenue
28 reduction with the short term. It's attributable to nine parcel
29 acquisitions, four businesses, including one water dependent use
30 which is the marina and up to six residences.

31 Related to historic properties and archaeological
32 sites, the document identified adverse effects to the national

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1 register listed historic Walk Bridge, the Fork Point Street
2 Bridge, the walls, the high towers and catenary supports of the
3 railroad infrastructure in the immediate vicinity of the project.
4 Document noted no adverse effect to the surrounding historic
5 buildings. And we also noted potential effects to pre-colonial
6 contact and historic period archaeological resources which are
7 basically underground resources. I'd like to also point out that
8 an adverse effect under Section 106 is a formal term derived
9 under the National Historic Preservation Act. Slightly different
10 from an adverse effect or a significant effect as defined by
11 NEPA.

12 Now all these effects are identified in the
13 document and the document also included some potential mitigation
14 measures that could be employed to help offset some of the
15 effects. There's a number of plans in the document that were
16 explaining methods to mitigate. For instance storm water
17 pollution plan, dredge material and contaminated materials
18 management plan, communications plan, business coordination plan,
19 wetland compensation plan and a historic and archaeological
20 mitigation memorandum of agreement. In addition to those plans,
21 the department has identified additional opportunities to help
22 mitigate. Jim mentioned some of that previously. That work is
23 starting now. Starting to look at opportunities to mitigate.
24 Examples include noise and vibration control plans, spill
25 prevention plans, more detailed evaluation of traffic management
26 opportunities, alternative parking and replacement parking plans,
27 working with marine transportation and water dependent uses,
28 designated truck hauling and historic building protection plan.
29 The department has mentioned that they will work with the stake
30 holders to implement those and those plans will be implemented
31 prior to construction starting. Jim?

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1 MR. FALLON: Okay. So before I turn it over
2 to Bob, just talk a little bit about how to comment. There are
3 opportunities for the... to comment. There's comment forms
4 available in the lobby. You can do it online by email. You can
5 also send a comment in to Mark Alexander. Any comments made
6 tonight will also be part of the official record. In regards to
7 next steps, so this shows the integration of the planning, design
8 and construction phases. I think you guys are aware you know
9 currently we're in 2016 and the final NEPA/CEPA documents are
10 expected to be through the middle of next year. Throughout all
11 these phases there's opportunities for public comment and input
12 and engagement. We are fairly early in the process in regards to
13 the Walk Bridge. As I stated earlier, it is our intent to meet
14 with key stakeholders to address your comments and concerns
15 after we receive them to understand them and to get more
16 information so that we can collectively develop responses and
17 mitigation to them as we proceed through the environmental
18 process. Okay. Bob?

19 MR. IKE: Thank you, Jim. I'd like to invite
20 the Mayor and his staff to come forward to give their special
21 presentation. Mr. Mayor.

22 MR. HARRY RILLING: Thank you, gentlemen and
23 once again I welcome you to the City of Norwalk. I know you've
24 been here many, many times in the past several months and we
25 truly appreciate the fact that you're here to listen to us
26 tonight. I'd also like to thank my department heads who are
27 here, members of the common counsel, different boards and
28 commissioners, but most of all the public. As you can see by the
29 turn out this is a major, major project in the City of Norwalk
30 that has generated a lot of concern and we're here tonight to
31 work with you to make sure that the impact on our community is
32 minimized to the greatest degree possible. There are a lot of

Refer to E-3 for
Comment
Annotations

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1 stake holders here, a lot of people that are going to be impacted
2 by this and they're here because they're passionate about this
3 project. We recognize that the bridge needs to be replaced but
4 we also recognize the fact that our city needs to continue, our
5 economy cannot be affected and we want to minimize everything to
6 the greatest degree possible. What we need to discuss and
7 evaluate is how the Walk Bridge is going to be replaced. What is
8 going to be put in its place? What is the effect on the city,
9 our residents and our businesses? What is the project going to
10 be? How long will it's going to last? What business and
11 residents will be displaced? What will happen to them? What
12 will happen to our parks, the aquarium, the skyline and our
13 public areas? What will the disruptions be? How long will it
14 last? What mitigation measures can be implemented? What are the
15 long term direct and indirect effects? The city administration
16 has spent significant time and effort to review all of the
17 documentation and information that has been provided by the
18 Connecticut Department of Transportation so far. While
19 substantial work has been done, there is so much more to do.
20 While my administration is working directly with CONNDOT, we have
21 taken steps to independently assess potential impacts on the
22 projects on city res... city residents, businesses, properties and
23 other important city resources. The evolution of the Walk Bridge
24 and the other projects that will occur concurrently are extremely
25 important undertaking for the city, vital to the social, cultural
26 and economic growth of our community. It's impacts and economic
27 development land use patterns, cultural and historic resources
28 and social behavior including, as I mentioned, our use of parks
29 now and in the future.

30 These impacts require thoughtful and careful
31 consideration. The effects on our residents and businesses now,
32 during construction and thereafter should be carefully studied

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1 and considered by the agencies and not in any way that's going to
2 be rushed. Meaningful, thoughtful evaluation will lead to a
3 successful project and one that our current and future residents
4 deserve. I look forward to working with you and will certainly
5 make myself and my staff available to you at any time. We are a
6 resource. We are a partner. We are effected... we are the
7 affected community and we are committed to moving things forward
8 but we also must do as right... what is right for the citizens of
9 Norwalk. I hope you not only hear but you listen closely to the
10 hard work and analysis presented by my city officials and staff
11 tonight and when we submit our written comments. The City of
12 Norwalk looks forward to working with you together and to make
13 this project a great success. And I know that a lot of our
14 residents are probably going to speak tonight and we are very
15 grateful for the opportunity to have to address you. Thank you.

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16 MR. MARIO COPPOLA: Good evening. My name is
17 Mario Coppola and I am the Norwalk Corporation Counsel. As the
18 mayor indicated, the city looks forward to working with all of
19 you in order to develop a successful project. We believe that
20 team work with the FTA, the state and the city all working
21 together will be significant to the success of this project as it
22 moves forward. The city appreciates all the work that has been
23 conducted and that went into the development of the EA and EIE
24 pro... evaluation so far. It is a substantial document and the
25 city departments, boards and commissions have spent significant
26 time reviewing it. The city is speaking to you tonight through
27 its various boards and commissions and departments because we
28 believe that the Walk Bridge project will have an array of
29 impacts, particularly significant impacts under the National
30 Environmental Protection ACT or NEPA. Tonight our city
31 representatives will outline for you what some of these impacts

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1 are and how the EA/EIE document has not specifically addressed
2 and/or identified all of these significant impacts.

3 As you know, EAs are prepared for actions in
4 which the significance of the environmental impact is not clearly
5 established. It is an information gathering tool and the
6 information presented here tonight leads to no other conclusions
7 than that many of the significant project impacts have not yet
8 been fully delineated within the document that's been presented
9 to date. Indeed, based upon the information presented already,
10 our city departments, boards and commissions assert that this
11 development will have a significant impact to the human
12 environment as it is defined under NEPA and the Connecticut
13 Environmental Policy Act and that further study is warranted.

14 These city representatives who know the city
15 exceptionally well will all speak to the impacts on the natural
16 and physical environment, the impact on historical, social,
17 economic, aesthetic, cultural, natural and physical resources
18 including wildlife, habitats, bird life, river life, wetlands and
19 how we use or parks and recreate here in Norwalk.

20 The city will be impacted through temporary and
21 permanent changes from our streets, to our wetlands, from our
22 land use patterns, to the deprivation of property that will occur
23 from our recreational activities and cultural amenities such as
24 the aquarium. The city is significantly impacted by this
25 project. As the city's lawyer, I want to remind you as to how
26 significantly is defined under NEPA. It requires consideration
27 of both context and intensity. Context means that the
28 significance of the proposed action must be analyzed as a whole,
29 the affected region, the affected interest and most importantly
30 for us the locality. While we agree that the Walk Bridge is a
31 hundred plus years old and certainly needs to be replaced, and
32 that is it is necessary for the traveling, commuting public in

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T-1.1

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1 the region, the actions to be taken during this construction and
2 the permanent changes to the city over the long term are site
3 specific. Intensity refers to the severity of the impact. There
4 will be temporary impacts to traffic, residents and businesses in
5 the area. There are also long term impacts such as to historic
6 properties or city resources.

T-1.1
(cont.)

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7 Some of the impacts and losses are permanent.
8 Others are temporary. However, given the potential two to three
9 year construction window, any temporary impact is... is certainly
10 not fleeting. After you hear the issues and impacts already
11 identified, the conclusion is inescapable. The impacts have not
12 fully been... have not been fully evaluated or are already
13 significant under NEPA. There's certainly more work to do under
14 NEPA and we look forward to working with you the extent.

15 More analysis is warranted. More in depth study
16 is needed before this project moves forward. Impacts need to be
17 addressed in proportion to their significance and mitigation
18 measures fully understood. I also want to just comment briefly
19 on two areas where we believe there needs to be some more
20 information. First, the Walk Bridge is the subject of this EA,
21 as you know. However the project includes a variety of
22 improvements to be completed beyond the Walk Bridge. For
23 example, track replacement, the removal of existing high towers
24 or construction of a new fender system and construction at the
25 nearby Point Street Bridge are all part of this project. The EA
26 goes very little... into very little detail about these projects
27 including alternatives and impacts. The primary discussion in
28 what has been provided so far by DOT is the... is related to the
29 Walk Bridge project itself. These other projects are aspects of
30 the overall project warrant further analysis and discussion.
31 Second, two other projects are also proposed. The... I hope I get
32 this right. THE CP243 interlocking project on the main line

T-1.2

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1 between South Norwalk and Westport and secondly, the Danbury
2 Bridge Dockyard Electrification... it's been a long day already...
3 project. I understand that these projects may proceed under a
4 categorical exclusion under NEPA. However, we believe that all
5 these projects should be taken together with the Walk Bridge
6 project and analyzed. The city should be presented with an
7 assessment of the cumulative effects of these projects and
8 alternatives fairly presented and considered.

T-1.2
(cont.)

9 It is clear that some more work needs to be done
10 and I will yield the floor on the more substantive matters to our
11 following board and commission members who are going to speak in
12 more detail. In closing I want you to know that we certainly do
13 appreciate all of your hard work to date and continued work going
14 forward in this process. We understand that this process is a
15 marathon, it's not a sprint, given the magnitude of the
16 undertaking. It's my understanding, prior to concluding this
17 review process, that DOT will provide the city with written
18 responses to its written submission and it's my further
19 understanding that the DOT will hold future meetings with the
20 public to address mitigation issues before the DOT renders its
21 decision and concludes this stage of the review process. We
22 certainly appreciate the commitment of DOT to continue to work
23 with the city, officials, staff and concerned residents during
24 this review process. However, we certainly ask to continue to
25 work with you and that a more rigorous study be conducted by DOT
26 at this stage of review. The law supports it, the facts support
27 it and the city urges it. We will again be submitting more
28 substantive comments on December 5th in writing and I think you
29 very much for letting me speak this evening. Thank you.

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30 MR. STEVEN KLEPPIN: For the record, my name is
31 Steve Kleppin, Director of Planning and Zoning. I have written
32 comments that will be submitted along with the city comments but

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1 I did bring the plan of conservation development with me tonight
2 and what you'll notice when you look at that is the Walk Bridge
3 and the western high tower are prominently featured right on the
4 cover. So I think it's clear that the structure, as it stands
5 now, is kind of an iconic and vital part of the city. It's very
6 well known. So I think it would be important to utilize this
7 opportunity to have the new bridge become that signature element
8 of the downtown.

9 The EA/EIE acknowledges that historic SoNo has
10 seen recent redevelopment through both private and public
11 funding. However, I think that understates the vitality that
12 this area has. The SoNo neighborhood now is really has a good
13 vibe going to it. The... it's really the southern anchor with the
14 maritime aquarium of the district. As you proceed northward
15 there's been recent development in the Waypointe area, which has
16 added numerous residential units. There are other entertainment
17 venues being contemplated in there, such as a small movie
18 theater, bowling alley, in addition to other shops and
19 restaurants. Recently approved was the SoNo collection which is
20 a 1.1 million square foot shopping destination which will fill in
21 the last hole between Stepping Stones Museum and Matthews Park to
22 the north. All of which is connected by the hopefully and
23 continued to be connected by the Norwalk River Valley Trail. So
24 all of this corridor is being connected and turned into a very
25 vibrant area.

26 The EA/EIE states that the... that within the
27 Connecticut Coastal Boundary, the project must be conducted in a
28 context sensitive manner. The Walk Bridge is over a 100 year old
29 structure and is an iconic part of the downtown and SoNo area.
30 The bridge and high towers are synonymous with the character and
31 fabric of the historic SoNo neighborhood and like other notable
32 infrastructure projects, have become more than a bridge and a

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1 tower. They have become significant pieces of architecture. The
2 current bridge designs as proposed are not unattractive by any
3 means, but I think this opportunity should be taken to use this
4 new structure to really become that signature piece, that
5 signature landmark that anchors this area of the city.

6 It's true that the new bridge will upgrade the
7 existing rail system and maritime traffic. However, the goal of
8 the project should not simply be to meet the minimum standards.
9 The EA/EIE also states that the intent is to incorporate historic
10 design elements within the replacement bridge and solicit public
11 input from historic stakeholders. I think the, in our
12 discussions we... we have acknowledged that that has been the case
13 in our meetings with DOT and we hope that that continues in the
14 future. I'd like to point out that section E.4.1.3 of the plan
15 of conservation and development states specifically as it relates
16 to bridges that bridge replacement design should be sensitive to
17 the community. Section F.5.1.1 regarding historic and
18 architecturally significant landmarks and structures states that
19 they should retain the character of the city by emphasizing
20 historic preservation, quality design of all public and private
21 facilities. Lastly, section F.5.1.4 states that historic
22 preservation should be used as a tool for economic revitalization
23 and to promote tourism.

24 I think it's fairly clear that the POCD places a
25 great emphasis on design when working on structures, whether they
26 are projects... whether they are from private, public or at the
27 state level. There's also more evidence lately that the state
28 has been moving in the direction of replacing design of greater
29 importance. The recently completed Q Bridge just won a
30 significant award and that has turned into a destination as much
31 as it's turned into a means of transportation. I think that has
32 a definite economic impulse... economic value added to the city. A

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1 little older is the Sikorsky Memorial Bridge completed in 2006
2 which incorporates several architecturally pleasing elements on
3 the roadside and also provides a nicer architecture beneath that
4 for the pedestrian traffic that uses the trail system along the
5 river. Closer to home, to our area, are the, is the Merritt
6 Parkway which is a national scenic byway and obviously some of
7 the nice elements of being on the parkway as opposed to
8 interstate 95 are the tree canopies, the nice signed package, but
9 also the very attractive bridges. Each bridge is distinctive and
10 separate from all the other bridges and it really adds a quality
11 and a value sometimes when you're stuck on it at five miles an
12 hour and other times as you're just traveling at normal speeds.
13 And even more close to home there's been a partnership between
14 DOT and the town and the city in terms of local bridges where
15 they try to provide the, you know, more attractive amenities,
16 making the bridges in keeping with the neighborhood. The most
17 recent example is the Perry Avenue Bridge constructed recently.

18 Another important aspect of this project is the
19 hopeful connection of the last links in this area to the
20 bike/pedestrian path along the Norwalk River Valley Trail that's
21 an important element. It's been you know planning studies across
22 the country speak to the value and economic value that trails
23 have within an urban setting since it's often difficult to
24 provide park land. But a trail like this, which brings people
25 closer to the water and connects to all the entertainment venues
26 being completed in the corridor really are value added to the
27 city.

28 Obviously you folks know bridges and have
29 forgotten more about bridges than I'll ever know or probably care
30 to know there's many examples of attractive lift bridges. Just
31 simply going on Google you can see some beautiful bridges built
32 in France, also other bridges built in the United States such as

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1 in Minnesota which has added great value to those areas and I
2 think would be a means of bringing people to the area as opposed
3 to just a means of providing access across the Norwalk River for
4 train traffic.

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5 There are other concerns that will be picked up
6 more by others who will speak but in closing I will talk about
7 the environmental quality, environmental issues as it relates to
8 construction of the bridges. The plan of conservation and
9 development has many items in here related to bridge
10 construction, specifically as it relates to bridges. Section
11 E.4.1.4 states that bridges and waterways over navigable
12 waterways should be maintained in operated, repaired, built to
13 avoid or reduce potential for any significant adverse impacts on
14 navigation, safety or environmental quality. Section E.4.1.5
15 states that work on bridge crossings should be monitored to avoid
16 or reduce any impacts on water quality. Probably over used
17 planning phase is make no small plans but I think in this case
18 the opportunity is there to not only improve and repair the
19 bridge, because we understand that it's needed, but to establish
20 a landmark, establish an identity for this area that's in keeping
21 with what's there now. Thank you very much.

22 MS. ELIZABETH STOCKER: Good evening. I
23 believe I'll be the last one of the mayor's.

24 MR. IKE: Yes. Yes ma'am. Yes Ma'am.

25 MS. STOCKER: So this... I'm Elizabeth Stocker.
26 I'm Director Economic Development for the City of Norwalk and my
27 discussion is just really focused on the socioeconomic part of
28 the report. The report's extensive and however it does not
29 adequately address, explore or identify or even quantify the
30 direct, secondary or cumulative econ... socioeconomic impacts of
31 the bridge replacement project. It will have a significant
32 impact on the City of Norwalk, its businesses, its residents.

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1 Nor does the republic... I mean the report, provide sufficient
2 mitigation measures to address the identified potential
3 socioeconomic impacts that are likely to occur in the City of
4 Norwalk during the construction period and immediately following.

5 So there's many areas that will and should be
6 addressed by the state in this process. And so we look forward
7 to working with you on that and helping to identify and
8 coordinate the Walk Bridge project with other projects that are
9 going on in the city that include other DOT projects, local
10 projects and private development projects. We also, during
11 construction, and actually in advance of construction, we want
12 you to work directly with us to identify and develop a detailed
13 plan of project sequencing that will address those projects and
14 well in advance of construction beginning so that we can be
15 prepared to be able to provide the proper outreach information
16 and re... providing detours for any kind of traffic issues that are
17 going to be developing.

18 We also have noticed that in the report there's a
19 business continuation plan or business coordination plan
20 mentioned. It's requested that such plan development begin now
21 and be completed at least one year before the construction
22 begins. City staff and business representatives in Norwalk will
23 work with DOT during the plan preparation to identify how, when
24 and where the project is likely to disrupt area businesses'
25 operations, customer access and delivery access. The plan should
26 include implementation of a mitigation plan that will help area
27 businesses prepare for the potential business disruption that
28 could potentially occur. The city will also experience a loss of
29 revenue from privately owned real and property... real estate
30 property that will be taken off of the tax rolls. We... the loss
31 of the revenue will have to be made up in order for the city to
32 maintain the level of services currently provided. We ask that

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1 DOT work with the city to identify the true value of such loss
2 revenue and then to develop a plan for in kind or reciprocal
3 improvements that are going to actually make up for that revenue.
4 And it is something that is going to occur during the entire
5 period before construction—I know you've already started taking
6 properties throughout the construction period, and then
7 afterwards until they are ultimately returned back to the tax
8 rolls. The final thing that is a very large concern to us has to
9 do with the impact on visitors to the City of Norwalk. Your
10 plans mentions that the... or identifies the Maritime Aquarium
11 Imax Theatre as the economic anchor for the area; the Maritime
12 Aquarium and Imax Theatre hosting 500,000 visitors per year as
13 the largest Connecticut attraction within 100 miles of New York
14 City. We expect this project to have an impact on that... on
15 those visitors and we ask that that kind of impact be addressed
16 fully and specifically in advance of this construction and
17 certainly before your final decisions on where this report is
18 going to go. The... finally, the loss of the final... of the
19 Walk Bridge and its High Towers which were a true iconic historic
20 asset that must be replaced with a new bridge that will be just
21 as iconic and beloved. We ask the DOT work together with the
22 City and our residents to develop a true iconic new bridge for
23 us. And I thank you very much. We look forward to continuing to
24 work with you.

25 MR. IKE: Thank you Mr. Mayor and staff. We will
26 now continue with the public comment. I'll be alternating
27 between public officials and the general public. We have a
28 traffic signal set up on a three-minute timer. When you begin
29 speaking, you will see green for 2.5 minutes; at yellow, 30
30 seconds; red, and your 3 minutes are up. I will also remind you
31 when your time is done. The purpose of tonight's hearing is to
32 receive comments on EA/EIE document that has been established.

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1 In order to provide everyone the opportunity to comment, the
2 Department will not be responding tonight to detailed comments or
3 questions. The Department and the FTA will formally respond to
4 all comments received as part of the official record after the
5 comment period closes. So to begin with, we'll try to move
6 things along, our first is State Representative Gail Lavielle,
7 and then in the public, Tom Devine. And then we will then go to
8 Representative Bruce Morris and then in the public, Tim... Tim
9 Carter. Representative Gail and Mr. Devine, if you would be
10 ready to speak, we'd greatly appreciate it.

11 REP. GAIL LAVIELLE: Thank you. Good evening and
12 thank you all for being here so numerous, particularly Mr. Ike
13 who makes us all feel so welcome at public hearings. Thank you.
14 My name is Gail Lavielle; I am the State Representative for the
15 143rd District which includes Norwalk, Westport, and Wilton. And
16 while all those communities are affected by the Walk Bridge, I'm
17 here particularly to talk about the concerns of Norwalk because
18 this is where it's happening. I'm going to talk about process
19 and communication basically and I'll go quickly because of the
20 traffic light - which is wonderful. You all have a process which
21 you're following. I'm sure everybody's very happy about that. I
22 would point out this is an involved City; this is a place where
23 people care; they come out a lot to speak on various things going
24 on, and sometimes they will have an expectation of a process that
25 isn't the same as the one you follow. I would ask you to be
26 sensitive to that, because there are so many constraints on an
27 enormous project like this that sometimes it's... people will
28 expect that things have been explained in advance, that they'll
29 have much more information than you're prepared to give at that
30 point in time. So because of that disconnect, you've heard from
31 the City all of the different areas of concerns people have. I
32 assure you that those are profound and that lots of residents and

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T-2.1

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1 businesses in this City have them all, but above all you will
2 notice that there is a persistent uncertainty and concern that
3 perhaps the Fixed Bridge options have not been adequately
4 explored. I hope you'll be addressing that on December 5th. But
5 it remains and I think Mayor Rilling and his staff are taking the
6 appropriate steps to get consultation and advice on these various
7 areas.

T-2.1
(cont.)

31 MR. IKE: Mr. Devine, let me just... I just have
32 the two legislators, then I'll let you go. Is Representative

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1 Bruce Morris... I guess Representative Morris is not here. Is
2 there a representative for Representative Morris who would like
3 to add [mingled voices] ...we have Representative Fred Wilms.
4 Yes, sir. And then I will go to Mr. Devine.

5 REP. FRED WILMS: Thank you, and thank you for
6 holding this meeting. I'm... my name is Fred Wilms; I'm the
7 State Representative for the 142nd District. I represent Norwalk
8 and a small portion of New Canaan. First of all, I agree with
9 all the speakers who came before me with their comments. So I
10 don't want to be duplicative so I'll focus on two areas. The
11 first is this. We here in Norwalk, we get construction projects.
12 We've had a lot, and we have a lot going on right now. We've got
13 the mall; we've got the Yankee Doodle Bridge coming up; we've got
14 POKO on Wall Street; we've had West Avenue; we've got your
15 project; we've got the East Avenue Project, so you know, there's
16 a lot that has been happening and is going on, and will be going
17 on. The thing that you need to do that really helps make a
18 project successfully implemented is to over-communicate. So I
19 know you possess a lot of good knowledge, a lot of technical
20 expertise, and I know candidly, I think you've done a good job of
21 reaching out and I want to applaud you for what you've done. I
22 think you should... whatever you think you should be doing, I
23 think you should do a lot more. This model of communication did
24 happen with the mall and I have to say that I think that moved
25 forward in a way that no other redevelopment project has moved
26 forward. I have to tell you, from a lot of my conversations with
27 constituents, there's a gap right now between I think where
28 you're at and where a lot of the public is at. For a lot of the
29 public, the view is well, why do we need to have a Cadillac when
30 we can have a Chevy? Why do we have to do this elaborate, you
31 know, long-span lift bridge, you know, that's probably, you know,
32 going to win some engineering award for, you know, complexity and

T-3.1

T-3.2

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1 elaborateness? Why can't we just do something simple? Something
2 straightforward? Something like a rehab or the Fixed Bridge?
3 Candidly, I know you have technical reasons and engineering
4 reasons for wanting to pursue the more complex option.
5 Respectfully, it's your responsibility to bring us there. If you
6 strongly believe that you need to pursue the lift bridge as the
7 course of action, I applaud the December 5th meeting but you need
8 to bring us along and explain exactly why that needs to happen.

T-3.2
(cont.)

9 My final comment is this. We in Norwalk get
10 that... we get Metro North; we get the Northeast Corridor; we get
11 that this is an important railway; we get that it has to keep
12 working. Many of us take the train. Many of us commute. But
13 the fact is that when this bridge is replaced, it will benefit
14 the entire Northeast Corridor but the cost is borne 100% by us.
15 And we get that we need to do our civic duty on behalf of others
16 but it would really be helpful, as part of us taking 100% of the
17 burden, if you can work in some kind of side projects as
18 compensation—two or three side projects that benefit Norwalk
19 specifically that could be wrapped into this Walk Bridge Project
20 to compensate us for the burden that we're going to be
21 experiencing. Thank you very much.

T-3.3

22 MR. IKE: Thank you. Mr. Tom Devine? Just give
23 your name... just give your address and your name again for the
24 public record.

25 MR. TOM DEVINE: Hi, my name is Tom Devine and I
26 reside at [REDACTED] Norwalk. I'm President of Devine
27 Brothers. Devine Brothers is a 98-year old company that retails
28 propane, heating oil and building materials, as well as producing
29 ready-mix concrete. We're located pretty much directly across on
30 the other side of the river here in Norwalk, which is now
31 currently referred to as head of the harbor; we're at 38 Commerce
32 Street. Devine Brothers relies heavily on the use of the Norwalk

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1 River to move inventory by barge to our bulkhead where products
2 are unloaded for retail use and the production purposes. One
3 barge of product up the river is equivalent to about 66 to 70
4 truckloads of product over the road. We need a bridge to move to
5 operate the way we do now. Devine Brothers experiences with the
6 current Walk Bridge - has its issues; it opens and closes; it's
7 sometimes difficult. It takes about 12 to 15 people to address
8 an event to make it happen and at times it doesn't always go
9 smoothly. Such difficulties in opening and closing the bridge in
10 a deteriorating structure that I've read in the report shows some
11 concern. If a bridge is built, and I believe the bridge is going
12 to be built, otherwise we really wouldn't be putting so much time
13 into this, the Environmental Assessment states Option 11c would
14 minimize temporarily disruption by minimizing the duration of
15 construction activities, restrictions or closure. Therefore
16 Devine Brothers is in support of the preferred build alternative
17 11c described by the Environmental Assessment as the Long Span
18 Vertical Lift Bridge. Our position is only based on the
19 information provided by the Assessment. According to the
20 Assessment, Option 11c has the least amount of interruption to
21 commercial marine and rail traffic. Option 11c has no more
22 negative impact to the environment than its alternatives, perhaps
23 even less. The Assessment reports 11c has the shortest
24 construction timeframe—40 months. I'm sure all of us want to see
25 this inevitable disruption to our City take the least amount of
26 time possible. A temporary runaround span is not needed with
27 Option 11c, a terrible and completion disruption all in itself.
28 Based on what we have read, we cannot determine the social and
29 economic impacts to Norwalk; however, the Assessment credits...
30 or pardon me, yeah, the report credits 11c with the least impact
31 to our society and economy, and reports Option 11c corresponds
32 with the least social and economic risks and impacts to the City

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1 of Norwalk and the larger community. I've lived in Norwalk my
2 whole life and my family and I have seen many positive changes
3 brought to our City through the revitalization of Washington
4 Street and the presence of the Maritime Center and the IMAX
5 Theatre. We are very sympathetic to those losing property and
6 those who are more directly affected by the project's purpose and
7 needs. Just as Devine Brothers wants to be assured minimal to no
8 marine commerce disruption during the construction of the bridge,
9 in consideration for when there is disruption we hope those
10 people and organizations that are located around the project get
11 the utmost consideration for their inconveniences. Thank you.

12 MR. IKE: Thank you. Our next public official is
13 Lori Torrano. Please come to the microphone, give your name and
14 address for the record.

15 MS. LORI TORRANO: Good evening. I'm Lori
16 Torrano; I reside at [REDACTED] in Norwalk. I am Vice
17 Chair of the City's Redevelopment Agency, and tonight my remarks
18 are on behalf of the full Agency Commission. The Norwalk
19 Redevelopment Agency supports the Walk Bridge being replaced;
20 however, the project Environmental Assessment, the EA, and the
21 Environmental Impact Evaluation, the EIE, do not sufficiently
22 quantify the significant impacts associated with this project
23 that either are or could be detrimental to the quality of the
24 human environment immediately surrounding the project. Given
25 that the Redevelopment Agency has worked for over six decades to
26 improve Norwalk's urban context, it's particularly concerned with
27 the socioeconomic impacts that this mammoth public infrastructure
28 project will have on the residents and businesses in the SoNo
29 neighborhood.

30 SoNo is defined by its strong community of multi-
31 family housing and small businesses. Some of these
32 establishments and housing units have served the neighborhood for

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Annotations

Refer to C-6
for
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1 generations. The locally owned and operated restaurants, bars,
2 beauty salons, florists, jewelry stores, studios, art galleries,
3 and the Norwalk Aquarium give this neighborhood a unique
4 character that is essential to Norwalk's regional sense of place.
5 While SoNo is strong in character, its economic underpinnings are
6 fragile. The negative impacts to livability and business
7 attributable to a development of this magnitude, if not
8 appropriately planned for, will be devastating to SoNo. These
9 community impacts are foreseeable and can be planned for; yet
10 neither the EA nor the EIE has fully considered the totality of
11 such impacts or put forth mitigation plans to address them. This
12 points to a serious deficiency in the project planning process
13 which, if left unaddressed, will exacerbate the extent and effect
14 that the negative project impacts will have on businesses and
15 residents during construction. To prevent this from occurring,
16 an Environmental Impact Statement must be undertaken. This
17 Environmental Impact Statement will more closely review and
18 consider all the related project impacts, assess their
19 significance, and develop appropriate mitigation strategies.
20 Government Development and Construction Mitigation Plans, and
21 providing assistance to businesses and residents in the path of
22 large-scale transit projects like this one is not an uncommon
23 occurrence throughout the United States and should not be foreign
24 to the State of Connecticut. Mitigation plans are usually
25 devised with the input of community members and business owners
26 and put into place before the project starts. To prepare an
27 effective mitigation plan, however, a complete assessment of the
28 project related impacts is required. The documentation developed
29 by ConnDOT to-date is insufficient in this regard.

30 Given the scale of this project and its potential
31 impact on SoNo, an EIS is required by the City and this project
32 should not be allowed to advance without it. The information

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1 obtained through the EIS process will assess... will assist DOT,
2 the City, and those who will be negatively impacted by this
3 project to better understand alternative approaches and plan
4 appropriate mitigation measures to ensure that SoNo is not made a
5 State construction site for more than three years and that
6 impacted businesses and residents are not left on their own to
7 deal with the resulting economic isolation. Thank you.

Refer to C-6
for Comment
Annotations

8 MR. IKE: Thank you. Tim Carter... or Jim
9 Carter? Please come to the microphone, give your name and
10 address for the record.

11 MR. JIM CARTER: My name is Jim Carter; I live at
12 [REDACTED] in Norwalk, and I am Norwalk's representative to
13 the Steering Committee for the Norwalk River Valley Trail. The
14 Norwalk River Valley Trail is a regional trail comprised of 38
15 miles of off-road trail when it's ultimately completed, and the
16 Norwalk Harbor Loop Trail is a 3 mile trail that embraces and
17 circles the Norwalk Harbor. Both of these trails are severed by
18 the current walk bridge in Norwalk and trail users are dumped out
19 on kind of sketchy, unsafe roads—North Water Street and Fort
20 Point Street respectively—so we request that the plans for the
21 new Norwalk Walk Bridge effectively address and accommodate this
22 need.

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for Comment
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23 The benefits to the community, and ConnDOT for
24 that matter, I would summarize in these four points. One: it
25 will improve connectivity for pedestrians and cyclists on
26 existing and expanding regional trail network for commuting,
27 tourism and recreational use. Two: it will improve public
28 safety. Three: it will satisfy the goal of ConnDOT to improve
29 multi-modal transportation options in dense urban areas, and in
30 the case of the NRVT, this is really a no-kidding. It does have
31 alternative transportation potential recognizing all the new
32 apartments that have been built along it and this will connect

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1 beyond to South Norwalk and up to Merritt 7 so there really are
2 alternative transportation possibilities here. And finally, it
3 will enhance the property values on both sides of the river, as
4 well as importantly leverage the substantial State, Federal and
5 City investment in the water _ parks, the trails and the
6 redevelopment projects. So we ask that you duly consider the
7 completion and filling in of this gap in these two trails and the
8 future plans for the new Norwalk Walk Bridge. Thank you.

Refer to O-3 for
Comment
Annotations

9 MR. ROBERT IKE: Thank you. Next speaker, Michael Widland.

10 MR. MICHAEL WIDLAND: Good evening. I am Michael
11 Widland; I'm the Co-chairman of the Board of Trustees of the
12 Maritime Aquarium. The Aquarium appreciates the opportunity to
13 comment publicly on the EIE, on the Walk Bridge Project, and
14 submit further written testimony. For over a year the Aquarium
15 has been working with the Connecticut Department of
16 Transportation in order to understand the Walk Bridge Project and
17 comprehend its environmental implications. Given the many and
18 significant issues/concerns you'll hear tonight regarding the
19 project, we respectfully request that the Department address all
20 of these issues and concerns and work with the Aquarium and
21 others to find appropriate solutions. The Board of Trustees
22 understands the need to update and improve rail transportation
23 infrastructure in the State of Connecticut. We appreciate the
24 complexity of the Walk Bridge Project and the work being done to
25 plan and complete the project. It is not our intention to hinder
26 the project, but we are very concerned about the unknown,
27 unquantified and in some instances, the unexplored effects of
28 construction on the health and safety of our diverse and exotic
29 resident animals in the Aquarium and the Aquarium's employees,
30 volunteers and visitors.

Refer to I-27
for Comment
Annotations

T-4.1

Refer to I-27
for Comment
Annotations

31 Also speaking tonight on behalf of the Aquarium
32 will be Dr. Brian Davis, the President and CEO of the Aquarium,

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1 who will discuss some of these concerns in greater detail. As
2 Co-chairman of the Board of Trustees, I want to express our
3 strong concerns that arise from unanswered questions in the EIE.
4 The EIE should be... not be a rush to a finding of no significant
5 impact but rather a careful discourse on the environmental
6 impacts of the proposed project. We need more information about
7 the Department of Transportation's specific construction plans to
8 allow the Aquarium to meaningfully assess the potential
9 environment impacts on the project. This requested information
10 is required in order to provide the additional detail so that the
11 aquarium can adequately plan to protect its animals, employees,
12 volunteers and visitors, and in turn, its future economic
13 viability. Thank you.

Refer to I-27
for Comment
Annotations

T-4.2

14 MR. IKE: Thank you. Next speaker, Nancy Rosett.
15 Just come to the microphone, give your name and address for the
16 record, please.

17 MS. NANCY ROSETT: Good evening. I'm Nancy
18 Rosett. I live at [REDACTED] here in Norwalk, and I also
19 Chair the Mayor's Bike/Walk Task Force. The Task Force strongly
20 supports the completion of the long-awaited "missing links" in
21 the waterfront trails on both the east and west sides of the
22 Norwalk River under the new Norwalk... under the new walk bride.
23 Completion of these two crucial trail segments will improve
24 public safety on existing trails that now dead-end at the bridge.
25 Today, pedestrians and cyclists must use dangerous stretches of
26 on-road detours on narrow North Water Street and Fort Point
27 Street when on either the 38-mile Norwalk River Valley Trail from
28 Norwalk to Danbury, or the 3-mile Harbor Loop Trail here in
29 Norwalk that encircles the Norwalk Harbor and River. The
30 completion of these missing links will complete a vision for
31 public access to Norwalk's waterfront in this dense urban
32 location that have been included in several different

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C-13 for
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1 professional planning studies and master plans. These are cited
2 in our written statement, as well as several Federal and State
3 regulations, ensuring public access to the waterfront. To
4 summarize, the Mayor's Bike/Walk Task Force respectfully requests
5 ConnDOT complete these two missing link trails to: improve
6 connectivity for pedestrians and cyclists on existing and
7 expanding regional trail network for both commuting, tourism and
8 recreational use; to improve public safety; to satisfy one of the
9 goals of ConnDOT, which is to improve multi-modal transportation
10 options in dense urban areas; and to enhance property values on
11 both sides of the river, as well as enhance the State and Federal
12 investment in the waterfront parks, trails and redevelopment
13 projects in the City. Thank you very much.

Refer to C-13
for Comment
Annotations

14 MR. IKE: Thank you. Our next speaker is Dr.
15 Brian Davis.

16 DR. BRIAN DAVIS: Good evening. I'm Brian Davis,
17 the President & CEO of the Maritime Aquarium in Norwalk. I want
18 to begin by thanking you all for providing us with this
19 opportunity to share our thoughts in relation to the Walk Bridge
20 EIE. I can't count how many times we've spent... how much time
21 we've spent together with the City, ConnDOT, as well as Federal
22 agencies to sort of navigate and understand the complexity and
23 need for the walk bride repairs.

Refer to O-12
for Comment
Annotations

24 Like I've said to you all many times before, I do
25 not envy the situation that you all are in. And although I don't
26 envy that, I'm also not looking forward to four to five years of
27 construction, at some point, 12 feet away from my building. But
28 I do understand the need for the Walk Bridge and the significant
29 repairs that have to take place, and I know that those impacts
30 are going to be unavoidable and they're going to have an impact
31 on the Aquarium and the surrounding community.

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1 The Aquarium at this point requests a more
2 detailed overview of the construction plan. And the reason for
3 that is we need to be able to overlay that plan with the daily
4 and seasonal operations of our facility, as well as the seasonal
5 patterns of animal behaviors. This will allow us to anticipate
6 the steps required for the Aquarium to determine not only the
7 health and safety impacts, but also the scheduling and cost
8 associated with the protective measures that will be required to
9 safeguard our staff, volunteers, animals and guests. The
10 Aquarium sits in the direct path of the Walk Bridge Project.

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Similar to some of the other businesses and organizations here tonight, we have to ensure the safety of people as well. In the case of the Aquarium, we want to be able to provide a safe environment for our guests, visitors, staff and volunteers for the duration of the Walk Bridge Project. We also have to consider thousands of permanent residents at our building—our animals. Their care and well-being is my responsibility. Age, in some cases, does not allow for us to move them, and injury or other circumstances would not allow us to return them to their natural environment. For example, we have provided a safe haven for several geriatric rescued harbor seals. It's important that we full understand the construction plan to determine how noise, vibrations and additional factors can impact the health and well-being of these animals. I'm going to go for my 30 seconds.

26 The current EIE does not provide enough
27 information/enough details to allow meaningful evaluation of the
28 impact of the proposed construction activities. For example, the
29 timing of installation of piers which has the potential to impact
30 animal behavior and normal sleep cycles must be known in order
31 for this project to move forward so we can plan accordingly. We
32 must also need to understand the impact of vibrations on a

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1 building that's over 150 years old. Planning appropriately is
2 not feasible without understanding the construction equipment
3 involved, duration and timing of the operation of the equipment,
4 and important components of driving piles and related
5 construction activity.

6 I'm almost done. We have started planning at the
7 Aquarium. We are working to understand baseline data vibrations,
8 developing baseline for animal behaviors, and gaining an
9 understanding of the significant economic impact this project
10 will have on our operations. We have spent the last year working
11 with you all as closely as possible to understand critical
12 components of this project and how they may impact the Aquarium.
13 But as a non-profit institution which provides an annual economic
14 support in excess of \$25 million to the City of Norwalk, and \$42
15 million to the State of Connecticut, and as well as hosting over
16 500,000 guests annually, we would like to see a more detailed
17 information in relation to the project so that the environmental
18 impacts of the construction can be evaluated and addressed. The
19 Aquarium would like to be able to provide a meaningful assessment
20 so that we can help you all move forward with this process.
21 Thank you very much.

22 MR. IKE: Thank you Dr. Davis. Okay, our next
23 speakers, Bill Burnham and then we'll have Dick Brescia. Then
24 we'll have Mike McGuire and then we'll have Fran DiMeglio, so if
25 you could come to... expeditiously come to the microphone, we'd
26 greatly appreciate it. So, Bill Burnham, I guess [comment from
27 audience not audible] okay, you don't want to speak. We'll go to
28 the next public speaker, Mike McGuire. Yes sir.

29 MR. BILL BURNHAM : Okay. My name's Bill
30 Burnham, [REDACTED], New Canaan, CT. I am a long-
31 term trustee of the Aquarium; in fact, I'm one of the founding
32 trustees of the Maritime Aquarium. At the time it was called the

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T-5.1

Refer to I-26 for Comment Annotations

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1 Maritime Center. We got very smart and we decided to call it
2 aquarium because it is indeed an aquarium. As a result of that
3 our attendance has mushroomed up to, at its highest point,
4 550,000.

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for Comment
Annotations

5 Michael Widland very aptly requested that a
6 significant study be made with regard to the economic impact and
7 to recognize a potential mitigation for what the impact would be
8 on the Aquarium. But I want to speak personally that as somebody
9 who was given my time, you know, for 30 years and also
10 philanthropically to the center, I'm very much concerned about
11 the center as being a going concern. We have significant
12 plans... by the way, I am the Chairman of the Education Committee
13 of the Maritime Aquarium where 135,000 students pass through
14 every year, and I would hate to see the Aquarium, from
15 information that I have from the economic impact, it would be...
16 we would be very concerned that the Aquarium could op... could be
17 a going concern post-construction. So, we need to focus on the
18 economic impact; not just on the Aquarium during the phase...
19 during the construction phase, but also what happens after the
20 construction's over with, because there's... we're suspect that
21 the Aquarium, really it would be a going concern. Thank you.

22 MR. IKE: Thank you sir. Dick Brescia...

23 MR. DICK BRESCIA: My name is Dick Brescia. I'm
24 the Chairman of the Norwalk Parking Authority. The Authority is
25 charged with the efficient managing of the City's public parking
26 assets, the garages, the "on street" parking, and their lots.
27 Our responsibility is to provide parking opportunities for local
28 businesses and for residents and consumers who might visit from
29 out of town or might visit from other parts of Norwalk. We
30 accomplish these goals without imposing a tax impact on the
31 citizens of Norwalk. We're a non-profit but we must cover all
32 our operating and capital cost through parking revenue. Our

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1 working relationship with the Maritime Aquarium has been
2 important for both parties. The NPA, the Parking Authority,
3 provides convenient parking at reasonable cost at both the
4 Maritime Garage and the adjoining North Water Street lot. The
5 Aquarium attracts hundreds of thousands of visitors and in doing
6 so, provides important revenue to the Parking Authority. In
7 trying to estimate the impact which the Walk Bridge Project will
8 bring to this area, it's obvious that any construction and
9 traffic problems spread over a prolonged period of time could
10 negate the appeal of the Aquarium and reduce their attendance.
11 That will also impact the revenue needed by the Parking Authority
12 to meet budgeted goals and responsibilities. Furthermore, the
13 possible loss of the North Water Street lot will also have a
14 negative impact on our ability to serve the public and our
15 revenue potential. Importantly, these negative "ripples"—less
16 attendance, reduced parking options—can have a dramatic impact on
17 the entire business and residential communities of SoNo.

18 We would be looking to the DOT to provide relief
19 for NPA revenue loss, as well as possible additional cost that we
20 might incur in serving the public with reduced parking options.
21 An example of these costs might be providing "jitney" or
22 "circulator" service from the Maritime garage to stores and
23 restaurants on Washington Street. Section 5.3.5 Socioeconomics
24 of the Environmental Assessment does not adequately address the
25 impacts on the Parking Authority. The Norwalk Parking Authority
26 joins in asking for an Environmental Impact Statement to deal
27 with these issues. Thanks.

28 MR. IKE: Thank you. Our next speaker, Mike
29 McGuire. And after Mr. McGuire, we'll have Fran DiMeglio. Thank
30 you.

31 MR. MICHAEL McGUIRE: Hi, Michael McGuire, [REDACTED]
32 [REDACTED] I'm not here to advocate for one type of bridge

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1 over another. I'm here to advocate for Norwalk. In the big
2 picture, the Walk Street Bridge Project is a clear improvement to
3 the existing rail operations, but I don't see it being a clear
4 improvement to the City of Norwalk. In fact as many people here
5 are speaking to, negative impacts to our City from now until the
6 completion are substantial. The question remains: after all is
7 said and done, is Norwalk a better place? What I hope, and I
8 know I speak for many people here, is that MTA and DOT will
9 invest in us, the Community of Norwalk, and in so doing leave
10 Norwalk a better place than it is today. There are a thousand
11 options for how DOT/MTA can invest in us, however, one option
12 does stand out and this option will bring substantial high-tech,
13 media start-up jobs growth to Norwalk, be a catalyst for
14 retaining highly educated millennials in Connecticut, revitalize
15 our downtown, grow our grand list by \$2 million in actual tax
16 revenue per year, and alleviate traffic and congestion.

17 So what is this option that seems to tick-off
18 every TOD or transit oriented development... Holy Grail it...

19 bullet point? It would be reactivating the Wall Street Station.
20 For all the reasons noted above and for many more, reactivating
21 the Wall Street Train Station will have a dramatic positive
22 impact on Norwalk and form the foundation of building a true
23 live/work community which in fact is the Holy Grail of TOD.

24 Luckily, Norwalk is blessed with an excellent location for
25 reactivating this train station at Wall Street at very low cost.

26 Utilizing the Mechanic Street parking lot and the exposed easily
27 accessible rail siting that runs along the west side of this
28 parking lot, a simple concrete rail platform can be installed
29 extending from 16 River Street northward under the Burnell Bridge
30 to the Norwalk River. If you wanted to include a small ticket
31 office/waiting room, the lower level of 16 River Street would be
32 ideal. Finally, since it's located directly next to the pulse

T-6.1

T-6.2

T-6.3

T-6.3
(cont.)

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1 point or the Pulse Point Bus Station on Burnell, you've now | T-6.3 (cont.)
2 created an inter-modal transportation hub.

3 And I'm sure DOT wants to know what's the cost.
4 I'm a real estate guy so I've estimated it would be roughly about
5 a million dollars to build. That's far less than 1% of the
6 overall project cost for the least expensive Walk Street Bridge
7 option. In a project of this magnitude, 1% is a rounding error.
8 I think we, the City of Norwalk, are due the modest level of
9 investment by TOD. Finally, since the Danbury line is roughly
10 one train station per hour... excuse me, one train per hour, the
11 average commuter train stops at a secondary rail station for
12 roughly 36 seconds, I think we, the City of Norwalk, are
13 certainly worth one extra minute of MTA's time. In closing, | T-6.2
14 please invest in us and leave Norwalk a better, more prosperous | (cont.)
15 place when you're done. Thanks.

16 MR. IKE: Next, we're going to allow three people
17 from the public to speak, then we'll go back to the public
18 officials. Michael Tomko, Lisa Thompson and Mike Griffin - if
19 you can be ready to speak, we're going to let you three go next.

20 MS. FRAN DiMEGLIO: Good evening. Fran DiMeglio,
21 [REDACTED] Planning Commission Chair. Planning | T-7.1

22 Commission comments and concerns as it relates to the City of
23 Norwalk Plan of Conservation and Development, POCD, and the Walk
24 Bridge Environment Assessment and Impact Evaluation. You don't
25 have to take notes. I'm going to give you the POCD and my notes
26 at the end. Page 10 - A114, Preserve and Enhance the Character | T-7.1
27 of Norwalk. Page 10 - A127, Protect Water Dependent Uses; Page | (cont.)
28 13 - A416, Encourage Harbor Oriented Retail Visitor Development;
29 Page 16 - B12, Protect Public Health and Safety; B22 - Support
30 the Continuation of the Shell Fishing Industry; Page 18 - B33,
31 Encourage all Efforts to Avoid or Reduce Siltation in Harbor;
32 Page 25 - C224, Protect Existing Passive Recreation Areas from

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1 Improvements that would Diminish Their Natural Character; Page 33
2 – D713, Support the Maritime Aquarium, Stepping Stones Museum,
3 the Switch Tower Museum and other City Museums as Educational
4 Facilities and Tourist Attractions; Page 36 – E114, Participate
5 in the Formulation of Regional Transportation Planning; E115,
6 Regularly Maintain the Federal Navigation Project Consisting of
7 Congressionally Authorized Channels and Anchorage Areas in
8 Norwalk Harbor to Serve Commercial and Recreational Vessels,
9 Provide Safe Navigation and Ensure the Continued Viability of
10 Water Dependent Facilities and the Economic Advantages of Water
11 Borne Transportation; Page 38 – E413, Minimize Impact Upon
12 Neighborhoods and Development Designs that are Sensitive to the
13 Community When Replacing Bridges; E414 – Bridges and Roadways
14 Over Navigable Waterways Should be Maintained, Operated,
15 Repaired, and Built to Avoid or Reduce Potential for Any
16 Significant Adverse Impact on Navigation Safety, Environmental
17 Quality. And lastly, Page 43 – F331, Continue to Actively Seek
18 and Listen to Public Participation in the Preparation of Future
19 Plans for the City or Any Part Thereof. We thank you for
20 holding this hearing.

21 MR. IKE: Thank you. Michael Tomko. Then we'll
22 have Lisa Thompson, and then Mike Griffin. Yes sir.

23 MR. MICHAEL TOMKO: Good evening everyone. My
24 name is Mike Tomko. I was born and raised here in Norwalk. My
25 wife and I own United Marine Boatyard. We are located up the
26 Norwalk River north of the railroad bridge. We have been serving
27 the local boating community for almost 40 years now. We do not
28 sell boats. We are strictly a service and storage yard. About
29 half of our customers have sailboats. As far as I know, we are
30 only... one of only two yards left on the Norwalk River that
31 cater to local sailboaters. Over the decades, United Marine has
32 expanded our capabilities to include a wide variety of high-

T-7.1
(cont.)

Note that the
City of
Norwalk Plan
of
Conservation
and
Development
was provided.

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1 quality power and sailboat services such as engine work, topside
2 refinishing, carpentry, fiberglass and so on. We employ local
3 residents and are proud to be a member of the Norwalk business
4 community.

5 We use the railroad bridge regularly and have for
6 over 40 years now to facilitate boats coming up and leaving the
7 yard. The railroad bridge is vital to our operation in the
8 continued use of the navigable waterways for all the businesses
9 of the upper Norwalk River. We at United Marine support the
10 construction of the Long Span Vertical Life Bridge. We believe
11 it will have the least impact on the health of the river, marine
12 life, the navigable channel and marine traffic. We believe this
13 new bridge, when finished, will be a great benefit to Norwalk
14 rail commuters and the continued use and growth of the upper
15 Norwalk River for boaters and commercial marine traffic. The
16 idea of a Fixed Bridge has been mentioned—not only would that
17 drastically affect my business, but this would adversely affect
18 all future commercial businesses on the upper Norwalk River, as
19 well as losing our designation as a Federal Channel and the
20 Federal dollars invested in its routine maintenance.

21 I do want to express concerns about the impact of
22 the construction phase on our business, as well as other
23 commercial businesses that use the river regularly. Closing the
24 channel for short periods during construction is expected, but
25 closing the waterway or restricting height for any extended
26 periods would have a dire consequence for the businesses that
27 rely on the waterway for their continued operation. We would
28 like to thank the State of Connecticut, DEP, and all agencies
29 involved for your thoughtfulness and hard work. We remain
30 available to work with you to finalize a plan that will benefit
31 not only our commuters and marine traffic, but one that will

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1 benefit the Town of Norwalk and the State of Connecticut for
2 generations to come. Thank you.

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3 MR. IKE: Thank you. Lisa Thompson? [voice from
4 audience says: Lisa had to leave]. Okay, our next speaker then
5 will be Mike Griffin.

6 MR. MIKE GRIFFIN: Good evening. Thank you for
7 the opportunity for me to speak this evening, addressing my
8 concerns for any disruption to the navigation channel and the
9 negative impact that that might have on our water dependent
10 users. For the record, my name is Mike Griffin, State of
11 Connecticut Harbor Master for Norwalk, CT. I reside at [REDACTED]
12 [REDACTED] in Norwalk. Give me a minute to get my glasses out
13 here; we can go on. Thank you.

14 As State Harbor Master for the past 25 years, my
15 focus has been on the safe and efficient use of Norwalk Harbor
16 and the federal mandate that the harbor's open to all on an equal
17 basis. Open to all on an equal basis has created many challenges
18 associated with a growing, heavy mixed-use boating environment;
19 an environment that on a daily basis must support vessels
20 transporting commercial products, commercial fishing vessels,
21 individual windsurfers, kayakers and rowers, plus hundreds of
22 members of our boating/five local rowing clubs, along with
23 numerous recreational power and sailboaters.

24 Speaking to the safe and efficient use of Norwalk [T-8.1]
25 Harbor, I ask DOT and its related Walk Bridge contractors to
26 focus on working closely with members of the United States Coast
27 Guard regarding all scheduling of channel closures. In addition,
28 I strongly recommend that all applications for said closures be
29 reviewed by Coast Guard individuals with input from myself as
30 Harbor Master, members of the Norwalk Marine Police & Fire Units,
31 and the Norwalk Harbor Management Commission. Through our local
32 knowledge and input, our goals will be to increase communication, [T-8.3]

T-8.1

T-8.2

T-8.3

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1 improve public safety, and minimize channel restrictions and
2 closures.

T-8.3
(cont.)

T-8.4

19 MR. IKE: Our next speaker will be Bill
20 Nightingale and then we'll go three... Linda M-I-N-E-O, Robin
21 Penna, and Tony D'Andrea.

22 MR. BILL NIGHTINGALE: Hi there. I'm Bill
23 Nightingale and I'm representing the City of Norwalk Conservation
24 Commission tonight. The City of Norwalk Conservation Commission
25 acknowledges that the replacement of the Walk Bridge will be a
26 massive undertaking with extensive adverse environmental impacts.
27 We, along with other City departments, have always worked to
28 ensure the Norwalk River and its harbor is healthy and dynamic.
29 The river is an attractive community resource that enhances
30 quality of life, education, tourism, and recreation. As this
31 project moves forward, we strongly urge the DOT to actively avoid
32 impairing the natural environment. When such action is

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1 unavoidable, we would like to see robust mitigation and
2 restoration of any impaired natural resources.

3 Protection of our natural resources goes hand-in-
4 hand with public access to them. The Conservation Commission
5 strongly encourages the DOT to commit to restoring and expanding
6 Norwalk's Pedestrian Trail System, Norwalk's Maritime Aquarium,
7 water-based recreational opportunities and public access to the
8 Norwalk River and its environment.

9 Finally, we are concerned about the potential
10 duration of the project. The longer Norwalk is disrupted by this
11 massive construction, the more negative will be the impact on our
12 environment and quality of life. So whatever bridge option is
13 selected, we strongly recommend an expedited construction
14 process. I will cite the Rowayton Avenue Railroad Bridge which
15 took over five years to rebuild. It raises fear and concern that
16 the Walk Bridge Project could be strung out for many more years.
17 The DOT should give Norwalk strong assurances this project can be
18 completed in a priority timeframe. Thank you very much.

19 MR. IKE: Thank you. Linda M-I-N-E-O, you're the
20 next speaker. Okay, since she's not appearing, Robin Pena,
21 please come to the microphone. Our next speaker then will be
22 Tony D'Andrea.

23 MS. ROBIN PENA: Good evening. My name is Robin
24 Pena and I live at [REDACTED] in Norwalk. I've been a
25 resident of Norwalk all my life and I'm commenting today as a
26 Norwalk resident/small business owner/taxpayer, but as a member
27 of Norwalk Harbor Keeper. The topic I would like to address is
28 climate change and public infrastructure resiliency.

29 It's essential to incorporate resiliency planning
30 into infrastructure because climate change is projected to cause
31 an increased frequency of extreme weather events, including more
32 heatwaves, sea level rises, storm surges and more intense

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1 precipitation. Critically, one of the key Federal grants that
2 FTA and ConnDOT is relying on for project money is authorized in
3 the wake of the super storm Sandy to improve resiliency of public
4 transportation assets and for extreme weather conditions. The
5 grant specifically provides that eligible projects are capital
6 projects that reduce the risk of damage to public transportation
7 and result of any future natural disasters, thus this grant must
8 be used for a project that would reinforce the resiliency of the
9 Walk Bridge, Amtrak and Metro-North rail lines. To that effect,
10 the extreme weather events in light of a Fixed Bridge design
11 would be the most reasonable alternative since it lacks any
12 moving mechanism, reliance on power, and need to staff
13 operations. However, the environmental assessment completely
14 lacks any analysis comparing the resiliency of a different fixed
15 versus a movable bridge. That's a fatal flaw and I'd like to
16 have some public comment on the full range of reasonable
17 alternatives. Public transit resiliency priorities as required
18 by the Sandy Grant Program, these federal funds may be rescinded
19 and the Environmental Assessment must be revised to include an
20 adequate resiliency analysis of the Fixed Bridge options. Thank
21 you very much.

T-9.1

22 MR. IKE: Thank you Ma'am. Our next speaker is
23 Tony D'Andrea. Then we'll have Fred Krupp. If you could come to
24 the... be prepared, Mr. Krupp, we'd greatly appreciate it. Mr.
25 D'Andrea.

26 MR. TONY D'ANDREA: Did you start the timer for
27 me?

28 MR. IKE: Yes.

29 MR. D'ANDREA: And, Heather, you don't have to
30 have the tranquilizer gun. I'm behaving tonight, so... Mr.
31 Hannifan, Mr. Fallon, always a pleasure. For the record, my name
32 is Tony D'Andrea. I am commenting in my capacity as a Norwalk

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1 resident, small business owner, water-dependent user, and former
2 member of the Norwalk Harbor Management Commission. And I'm at
3 ground-zero in Liberty Square for this project so take pictures
4 of Liberty Square because it won't look anything like it looks
5 today when this is done. I lived through the Stroffolino
6 Project. I was taller then.

7 I'm only here to try to shed some light on
8 dredging. Unfortunately, I know a little bit about that because
9 I was in a leadership role in the Harbor Commission when we last
10 dredged, so I'm not... I'm a proponent of safe transportation,
11 I'm a proponent of the bridge being repair in some way, shape or
12 form, and I will leave it to the greatest minds in the State of
13 Connecticut to decide what that is. Okay? But dredging as a
14 reason to have a certain type of bridge is not right. That's not
15 correct. And reasons for that is first, the Norwalk Navigation
16 Project currently does not meet the Army Corps criteria for
17 Federal funding today. So whether there's a bridge there or not,
18 the cost/benefit analysis doesn't jibe out for the dollars to be
19 spent by the Army Corps. And as one of the Presidential
20 candidates would say, "check me... check me." Fact-check me,
21 okay.

T-10.1

22 Second, given the declining trade on the river,
23 it is extremely unlikely that the Federal Government would ever
24 fund dredging of the upper portion of the project __. Please
25 check me. In fact, the most recent Norwalk Harbor Dredging
26 Project was not eligible for funds through the Army Corps of
27 Engineers' normal budgetary process. Please check me. But
28 instead was funded through the Congressional Earmark Process
29 which is a bad word down in Washington right now. Okay? As
30 Federal dollars will not be available, the City of Norwalk may
31 and should apply for funds through the newly formed Connecticut
32 Port Authority covered dredging costs. It is important not to

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1 lose sight of the fact that the channel upriver to Walk Bridge is
2 currently okay. The dredge depth is... has been reported to be
3 okay and there hasn't been any complaints from any of the upriver
4 people that I know of. And in the EIS documents, please consider
5 the facts that the dredging cannot be one of the angles that you
6 guys are using that there must be a bridge replacement of a
7 certain type, because dredging payment from the Federal
8 Government will not happen again in my lifetime.

T-10.1
(cont.)

9 Please remember Liberty Square. Don't forget us. | T-10.2
10 We hear a lot of talk about South Norwalk. Please remember |
11 Liberty Square.

12 MR. IKE: Thank you. Mr. Krupp; right after Mr.
13 Krupp, Anthony Mobilia. Please be prepared to speak. And then
14 after Mr. Mobilia we will have Devon McDougall, Joe S-C-H-M-I-E-
15 R-L-E-I-N, and Irving Richmond. Yes sir, the microphone is
16 yours.

17 MR. FRED KRUPP: Hi, my name is Fred Krupp. I'm
18 here as a Norwalk resident and member of the Norwalk Harbor
19 Keeper. I reside at [REDACTED] I'll talk about the
20 changed uses of the Norwalk River. In 1895 when the Walk Bridge
21 and its swing mechanism were constructed, the portion of the
22 Norwalk River north of the Walk Bridge was a thriving hub of
23 maritime commerce. Preserving unlimited navigational access to
24 the upper Norwalk River was then important. However, in recent
25 decades, maritime commerce and transportation to the upper
26 Norwalk River has dropped precipitously. This is a result of
27 long-term trends—the de-industrialization of the upper Norwalk
28 River, decreasing land transportation costs, and gentrification
29 along the upper river. In light of these changes, building a
30 bridge that opens in 2016 (at very high public expense) just no
31 longer makes sense. Additionally, the fact that the Norwalk
32 River has been recognized as a federally navigable waterway does

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1 not legally require a movable bridge. Attorneys retained by the
2 Norwalk Harbor Keeper have confirmed that a Fixed Bridge over
3 federally navigable waters is fully legal if it does not
4 unreasonable restrict navigational access. Based on the minimal
5 maritime commerce upriver the Walk Bridge, the vertical clearance
6 limitation imposed by a Fixed Bridge would plainly be reasonable.
7 All the boats and all the barges, with the exception of just a
8 handful of sailboats, would be able to continue to navigate the
9 river. The Environmental Assessment must be revised to include
10 analysis of the actual level of maritime commerce on the portion
11 of the Norwalk River north of the Walk Bridge and must factor
12 into that analysis, into an evaluation of whether a movable
13 bridge still makes sense in 2016.

T-11.1

14 In the opening presentation, it was said that the
15 fixed bridge option was tossed out of consideration early in the
16 process because it did not allow for unlimited navigable uses.

17 Well, in 2016, we can get by with a low Fixed Bridge, either a
18 new one or the existing one welded shut. Either of these options
19 would dramatically minimize the environmental impacts and the
20 economic disruption. Frankly, if this project goes through as
21 planned with 40 months of extreme restrictions on traffic, I
22 doubt many of the businesses of South Norwalk will make it.

T-11.2

23 MR. IKE: Thank you. So we're going to request
24 Anthony Mobilia, then we'll have David Westmoreland, and then
25 John Igneri - public officials. So if you could be prepared to
26 come to the microphone, it'd be greatly appreciated.

27 MR. TONY MOBILIA: Good evening. I'm Tony
28 Mobilia. I live at [REDACTED] and I'm the Chair of the
29 Norwalk Harbor Management Commission. The Norwalk Harbor
30 Management Commission recognizes the vital importance of the Walk
31 Bridge to rail transportation. We also recognize that the
32 project will have significant impacts on Norwalk Harbor. The

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1 Commission has a significant responsibility in the review and
2 permitting process for the project which must be reviewed with
3 respect to the Norwalk Harbor Management Plan. The Commission's
4 authority and responsibility to review proposals are established
5 in the Connecticut General Statutes, Norwalk Code of Ordinances,
6 and the Plan. The Harbor Management Plan contains a number of
7 provisions relevant to the project, including requirements to
8 maintain safe and efficient navigation and protect the harbor's
9 water-dependent uses, as well as requirements for maintaining the
10 Congressional Authorized Federal Navigation Channel. The Plan
11 also establishes policies and recommendations to protect
12 environmental quality including water quality, provide
13 substantial public access to the harbor, and protect the quality
14 of life in areas near the harbor. In accordance with the General
15 Statutes, a recommendation of the Harbor Management Commission
16 pursuant to the Harbor Management Plan shall be binding by any
17 state official making a regulatory decision affecting Norwalk
18 Harbor unless that official can show cause why a different course
19 of action should be taken.

20 The Commission has reviewed the DOT's
21 Environmental Assessment & Environmental Impact Evaluation for
22 the Project and it is of the opinion that the document does not
23 present a sufficiently detailed evaluation of the economic,
24 social and environmental cost and benefits of the project. For
25 example, the Commission is aware that the project will require
26 relocation of eight existing Eversource Energy electric
27 transmission lines currently carried on two high towers over the
28 bridge. This relocation is a significant effect of the project
29 on the harbor [mumbles] but it is not addressed in the document.
30 The Commission recommends that the DOT, DEEP, and the Office of
31 Policy & Management take no further action on the environmental
32 document until such time as: (1) an independent expert retained

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1 for this by the City completes an evaluation of the DOT's
2 conclusion regarding the potential cost and benefits associated
3 with the bridge alternatives described in the document; and (2)
4 the Harbor Management Commission and other City agencies review
5 the experts' evaluation and provide comments accordingly to the
6 DOT, DEEP and OPM. The cost of this necessary third-party review
7 should be part of the DOT's project cost. If necessary, the
8 public comment period for the document should be extended for a
9 reasonable period of time to accommodate the experts' evaluation
10 and the Commission's subsequent comments. The Commission will
11 present a formal statement of findings and recommendations to the
12 DOT on or before the close of the public comment period. Thank
13 you.

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T-12.1

14 MR. IKE: Thank you sir. Our next speaker will
15 be David Westmoreland and then John Igneri. Just be prepared to
16 speak. Yes sir.

17 MR. DAVID WESTMORELAND: Good evening. My name
18 is David Westmoreland. I'm the Chair of the City of Norwalk's
19 Historical Commission. The Commission will submit additional
20 written comments prior to the December 5th cutoff. As you are
21 aware, the Walk Bridge is listed on the National Register of
22 Historic Places for its engineering accomplishment. The State
23 Historic Preservation Office has declared this project to have an
24 adverse impact on the bridge because the historic resource will
25 be demolished. We consider the bridge, the high towers,
26 associated bridges and the Connecticut brownstone abutments and
27 retaining walls to be historic fabric that is integral to the
28 historic character of East and South Norwalk. To that end, the
29 Section 106 and 4f laws apply to this project, although it is now
30 my understanding the DOT may be seeking an exclusion to the 4f
31 law. We understand that both laws require preserving the
32 historic resource if possible, even if it is the highest cost

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1 option. After reviewing the EIE, we do not believe that the
2 option to repair the bridge was sufficiently and realistically
3 analyzed and is largely being disqualified because of new
4 resiliency requirements that the CT/DOT has applied in their
5 analysis. We are appreciative of the historical and
6 archeological reports that were developed and included in this
7 analysis; however, in both reports we believe that the area of
8 project affect is significantly understated and only addresses
9 the historic districts that are immediately adjacent to the
10 bridge. The bridge is at a low point in the Norwalk River Valley
11 which is surrounded by ridges to the east and west. The massive
12 proposed Lift Bridge will become the single defining
13 characteristic for all of Norwalk south of I-95. The APE should
14 include the other historic districts in the area such as the
15 Golden Hill Historic District. Included in Appendix 1 is a
16 proposed MOA for mitigation of historical and archeological
17 resources. We deem this proposal to be entirely inadequate given
18 the negative impact to the resource itself, as well as the
19 adverse impact that the new bridge will have on the character of
20 the historic district south of I-95. To that end we are
21 continuing to propose mitigation measures and discussions with
22 the SHPO and the DOT and trust that we can achieve a mutual
23 agreement regarding an appropriate level of mitigation given the
24 impacts of this project.

25 Additionally, it is quite concerning to us that
26 the DOT is seeking a finding of no significant impact from the
27 FTA, especially given that where you are in design, you're unable
28 to provide a substantive EIE as many impacts will not be able to
29 be determined until a plan is actually completed. Equally
30 concerning is that the City of Norwalk has not been able to
31 participate in any of the face-to-face meetings the DOT has had
32 with the FTA which may lead to concerns regarding a potentially

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1 biased decision from the FTA. We hope to continue to work
2 constructively with the DOT to minimize and mitigate impacts to
3 both our historic resources, as well as to the entire community
4 of Norwalk, while providing dependable train service for the
5 Northeast. Thank you.

refer to C-2 for
Comment
Annotations

6 MR. IKE: Thank you. Our next speaker will be Mr.
7 John Igneri, and then we'll go to the public - Devon McDougall,
8 Joe, and Irving Richmond. Yes sir. The microphone is yours.

9 MR. JOHN IGNERI: Thank you. I am a City of
10 Norwalk Common Council Member and Chairman of the Public Works
11 Committee. I've been kept abreast of this project by the
12 Department of Public Works staff over the past year. Often I
13 can't find them because they're meeting with you. I support the
14 Walk Bridge and I appreciate the challenge with building a new
15 one. I have also asked the DPW staff to work with you to the
16 best of their ability to make sure that the project is a success.

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17 Tonight, however, I am commenting specifically on
18 the EA/EIE document to meet NEPA and CEPA and other regulatory
19 requirements. It is my understanding that the purpose of this
20 document is to identify broad ranging impacts on the affected
21 constituents, user groups and community, both post... both during
22 and post construction. After the impacts are identified,
23 mitigation measures are to be developed. We have been told by
24 the Connecticut Department of Transportation that they are
25 working towards a FONSI where a finding of no significant impact
26 by April 2017 and that mitigation measures not included in the
27 EA/EIE can be part of that FONSI document. I would like to point
28 out that this document's purpose is to assess the human
29 environmental impacts resulting from the project rather than
30 justifying decisions already made.

31 The August 2016 EA/EIE does not adequately assess
32 nor wholly identify community impacts and thus without fully

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1 assessing or understanding the impacts, it's impossible to
2 develop mitigation plans and measures. After reading the
3 document I came away wondering if the preparers had any first-
4 hand knowledge of Norwalk or if they reached out to the community
5 in any way to determine the impacts. The document certainly
6 checks required boxes but, in my opinion, fails Norwalk.

7 On the high level, the entire Walk Bridge Program
8 encompasses several more projects not included in the EA/EIE.
9 The City of Norwalk's position is that this is being done to make
10 the DOT's project move more quickly. By slicing and dicing this
11 large-scale project and excluding the Danbury Dockyard Project,
12 East Avenue/Osborne Avenue and High Tower relocation portions of
13 the project from the process does a disservice to the community
14 and fails to recognize the total stress on the human environment.
15 Several of these projects have been identified by DOT as high
16 priority and need to be completed before construction on the
17 bridge can commence so they should be included in the
18 Environmental Assessment. The document also does not acknowledge
19 the incredible number of other public and private construction
20 projects going on simultaneously to the Walk Program. The City
21 of Norwalk has another unbelievable 20 DOT projects going on in
22 addition to the Walk Program, as well as a number of large-scale
23 developments in the immediate area of the project.

24 And I lost my last page... no. The Department of
25 Works... Department of Public Works alone will top millions of
26 dollars throughout the course of this project. A FONSI is not an
27 appropriate foregone conclusion of this process and too many
28 impact have not been identified or fully vetted. I respectfully
29 request that the Environmental Assessment be revised and expanded
30 upon to address the concerns I mentioned for the entire Walk
31 Bridge Program. Thank you. I'm sorry I went over.

32 MR. IKE: Thank you sir. Devon McDougall...

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1 DEVON McDougall: My concerns have been
2 articulated so I'd like to pass, thanks.

3 MR. IKE: Thank you sir. Devon... Joe S-C-H...
4 Yes sir. Come up on the microphone please. You'll have Irving
5 Richmond, then we'll go back to the public officials.

6 MR. JOE SCHMIERLEIN: My name is Joe Schmierlein.
7 I'm a resident of [REDACTED] Norwalk, CT and in my
8 different capacities I've served on the Mayor's Water Quality
9 Committee; I've also served on the Shellfish Commission; I was
10 Science Department Chairman; I develop curriculum in marine
11 sciences; I've taught marine sciences in high school down to
12 elementary school and all the way up through graduate level in
13 college. The only thing I want to address, because you gentlemen
14 have been hit with a lot tonight, is the environmental aspect to
15 this. When I read through the statement that was published on
16 the internet, it reminded me of two stamps that I had way back
17 when I was teaching. One had a bull on it and the other one had
18 Grimm's Fairy Tales on it—because you had animals on there that
19 didn't and don't exist in the Norwalk Harbor. And yet with the
20 Maritime Aquarium, with Harbor Watch, and the fishing clubs that
21 we have around, a short visit to any one of these places could
22 have given you a better idea of what is in the water, when it's
23 here, and how we have to prepare for it.

24 The Maritime Aquarium has over 20 or 30
25 biologists working there. They should be able, with one short
26 meeting, to give you better insight to what's there. We do have
27 harbor seals that come into the actual harbor. They have come
28 right up to the shores of the Aquarium. Back in the '80s we had
29 a beluga whale. What are you going to do if they come into the
30 harbor again while you're under construction? We also have
31 nocturnal hypoxia that takes place every summer. It starts at
32 night; usually happens somewhere between midnight and six o'clock

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T-13.1

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1 in the morning. It starts the second week of June and it usually
2 ends somewhere around the second week of September.

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3 The other asset that the Aquarium has is they
4 have a database. How do I know that? It was my job to put it
5 together. There's 6... 16 years most recently of data there and
6 some of the data goes back to the early '90s. You can access it
7 from your desk in Hartford. You don't even have to come down,
8 and you can be linked up to it so you can see what you should see
9 in the area and when it's here. Thank you very much for your
10 time and for coming down.

T-13.2

11 MR. IKE: Thank you. Irving Richmond, and...
12 Irving Richmond? Okay, we'll go to the three public officials -
13 Bruce Chimento, Paul Sotnik, Travis Simms. Please be prepared to
14 speak.

15 MR. BRUCE CHIMENTO: Thank you, Bob. Good
16 evening. I'm Bruce Chimento; I'm the Director of Public Works.
17 I live at [REDACTED] here in Norwalk. As Director, my duties
18 encompass all aspects of public works *including* engineering and
19 construction management. The Department reviews all plans,
20 reports and submittals, both public and private that take place
21 in the City. Currently we are handling over 90+ items of various
22 stages from initial plans to construction. In coming years, the
23 DOT will have some 20 projects or more which we will be involved
24 with. This does not include the Walk Bridge. Add that to 9
25 large projects (including the GGP, the SoNo Collection Mall, and
26 various other smaller projects) keeps us pretty busy, if not
27 overwhelmed. I have asked and it has been rejected to get
28 funding for us to have consultants on hand to review these
29 reports, the EA/EIA or perhaps an EIS, or other plans and
30 specifications that are being presented to us for the various
31 different projects that encompasses what we consider the entire
32 Walk Bridge Project, including all the other bridges. It is

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1 inconceivable that a project of this magnitude cannot come up
2 with funding for the City to help with the review and the
3 construction management. We do not have the staff, nor the money
4 to do this. As to the construction impact to the City, we need
5 to see and review the traffic studies that take place all over
6 the City, including all of the other DOT projects. We need to
7 take into account the traffic routing and road closures of the
8 central business district, the roads leading to and through South
9 Norwalk and Norwalk, and you know that the businesses impacted by
10 these shutdowns are going to be severely impacted.

11 It is most important at the end result of the
12 Walk Bridge, that community... it be community-friendly and be
13 part of the urban landscape that can be used by the public. We
14 have a valuable resource in the river and harbor waterways and
15 protect... and protect... the project should encourage public use
16 of this resource. Pathways, parkways, walking and bike paths
17 are necessary to make the use of the beautiful harbor.

18 Continuation of the Norwalk River Valley Trail and the Harbor
19 Loop Trail should be an important part of this project. Studies
20 starting in the 1970s show that the trails along the western and
21 eastern part of the bridge connecting to the Stroffolino Bridge—
22 this segment of the river behind the Maritime Aquarium includes a
23 raised wooden boardwalk which would afford the public wonderful
24 views of our harbor. The eastern segment, the Harbor Loop Trail,
25 also runs along the WPCA Plant, the Water Pollution Control
26 Plant, under the new bridge and connecting with Constitutional
27 Plaza and Park at the Stroffolino Bridge. Again, this would lead
28 to public enjoyment of the waterfront and the eastern side of the
29 river. The Department of Public Works supports these trail
30 segments under the new Walk Bridge and partially on the riverbank
31 and raised boardwalk along the river where necessary on both
32 sides of the river. Thank you very much.

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1 MR. IKE: Thank you. Paul Sotnik, and then
2 Travis Simms, and then we'll go to the public side.

3 MR. PAUL SOTNIK: Good evening. My name is
4 Paul Sotnik; I'm a Senior Civil Engineer in the City of Norwalk
5 Department of Public Works. I'm speaking tonight on behalf of
6 the Engineering Division of the Department of Public Works and
7 for Lisa Burns, the Principal Engineer for the City of Norwalk.
8 Our department has thoroughly reviewed the complete EA/EIE
9 document. We tonight are commenting on specific areas to our
10 department's oversight only. We deeply echo comments made by
11 others here tonight that the August 2016 EA does not recognize or
12 acknowledge all of the construction and development activities
13 going on within the City of Norwalk concurrent with the Walk
14 Bridge Program construction.

Refer to C-12
for Comment
Annotations

15 The Walk Bridge EA only analyzes the impacts of
16 the discrete Walk Bridge construction, Fort Point Street
17 replacement in the iconic High Tower demolition. It is not... it
18 does not include the impacts from the directly required High
19 Tower line replacement, a \$20 million project in itself; the
20 Osborne Avenue Bridge replacement; the East Avenue Bridge
21 replacement, and roadway projects; the Ann Street Bridge
22 replacement; electrification of the Danbury rail line from
23 Washington Street to Jennings Place Crossing, or the rail
24 improvements taking place from Norden Place to the Westport Line.
25 All of these components comprise one total project - the Walk
26 Bridge's construction. And this is also recognized by the DOT as
27 there is one special Walk Bridge team for the engineering,
28 program management and construction management for all of the
29 aforementioned projects. The EA/EIE needs to include these
30 projects to correctly determine human environmental impacts
31 despite the DOT and FTA's determinations that these other
32 projects can be categorically excluded. In addition, the EA/EIE

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1 document needs to appreciate or at least mention the hundreds of
2 millions of dollars of other construction projects going on
3 within the City by means of both private and public development.
4 The EA is devoid of this information.

5 Areas where the EA/EIE did not go far enough or
6 adequately address impacts are: water quality; the EA states
7 that the Norwalk River is an impaired water body. The EA/EIE
8 only provides cursory, almost check the box pre and post-
9 construction impacts and mitigation measures. No water quality
10 improvements have been proposed for a project with a 100 year
11 design life. Additional flows are proposed to the City of
12 Norwalk's stormwater pump station on North Water Street, also
13 with no water quality improvements. The City of Norwalk has
14 several water quality guidelines and drainage standards that are
15 imposed at even the homeowner level that are not included in the
16 EA or 90% design plans submitted for two of the early release
17 projects. Furthermore, additional stormflows are being proposed
18 in already burdened waterways with no downstream impacts having
19 been analyzed.

20 Public utilities and service: the EA states that
21 no public utilities will be impacted by the Walk Bridge
22 construction. It is impossible to believe that a project of this
23 magnitude will have no public utility impacts. For example, the
24 High Tower demolition with the electric transition lines will
25 have no impact on public utilities? Additional flows to the
26 stormwater pumping station? Temporary property acquisition at
27 the wastewater treatment plant? Roadway construction impacts
28 from crane loadings?

29 Traffic: we have had an ongoing dialog with the
30 DOT about the City's concerns about traffic. The traffic transit
31 and parking section of the EA is about two-thirds of one page for
32 all three topics. It is obvious that the traffic section of the

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for Comment
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1 EA is inadequate and it also conflicts with the socioeconomic
2 section of the document.

Refer to C-12 for
Comment
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3 Pedestrian and bicycle facilities: Existing
4 conditions do not reference plans [interrupted]

5 MR. ROBERT IKE: Mr. Sotnik, we'll let you come
6 up a second time. We want to get through this sign-up sheet,
7 okay, since you have a lengthy prepared statement. So our
8 next... Travis Smith... Travis Simms, excuse me. Danny
9 Grundmann, Susan Wallerstein, Victor Cavallo. So is Travis Simms
10 here? Mr. Simms? Okay, so we'll now go to the public side.
11 Danny Grundman.

12 MR. DANNY GRUNDMANN: Good evening. I'm
13 submitting a solution for the Walk Bridge. The following solves
14 the necessary of the Walk Bridge. Number one: it provides a
15 safe and reliable rail crossing over the Norwalk River. Two: it
16 will open to allow safe and swift marine passage through the
17 Norwalk Channel and close and restore to allow rail traffic.
18 Three: it keeps the Norwalk Channel open to commercial barges
19 and tugs with heating oil (which I need), and it would allow a 60
20 ft. mast sailboat to pass under the bridge (which I'll be doing
21 right after I hit the Powerball).

Refer to I-17
for Comment
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22 By doing so, the Federal Government will continue
23 to dredge the channel for free. The proposed involves modifying
24 the current bridge and restructuring it rather than building a
25 new bridge. As you look at the picture up here, the center
26 island of the current bridge would be reconstructed to support
27 two pivot sections, both left and right, and how that would be
28 done. The center section will be reconstructed in place,
29 allowing the rail traffic to continue and still being able to
30 open for marine traffic. The center section, after the pre-fab
31 sections of the east and west are brought here on barge and ready
32 to be lifted, the center section will be turned 90 degrees to

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1 accept the new pre-fab east and west sections. The two lift
2 mechanisms for both the east and west section will be installed
3 above the waterline, well above the maximum waterline and then
4 activated when the two pre-fab sections are installed. So
5 looking at that bridge now, the center section would be turned 90
6 degrees, two new sections would be attached to it, and they would
7 be pivotable. Eventually, the overhanging piece that we see now
8 over the channels would be removed. The Towers would remain
9 where they are and work can continue on the center section of
10 the bridge for as long as necessary, and any other sections of
11 the bridge for as long as necessary, while rail and marine
12 traffic are able to pass through it.

13 Minimalism—there are plenty of good engineers
14 that could do this and there's nothing that can't be done.
15 There's just people that can't do it. Thank you.

16 MR. IKE: Thank you sir. Our next speaker is
17 Susan Wallerstein, followed by Victor Cavallo.

18 MS. SUSAN WALLERSTEIN: Good evening. Susan
19 Wallerstein; [REDACTED] Even though I'm the daughter,
20 granddaughter and mother-in-law of civil engineers, I'm not here
21 to talk about the bridge. I'm Chairman of the Arts Commission.
22 The purpose of my presence this evening is to confirm the
23 Commission's interest in the 1% funding for public art, above and
24 beyond the cost of the bridge as required by statute. In
25 partnership with other agencies, organizations and City
26 departments, the Commission has the requisite infrastructure and
27 commitment to administer a public art component of this project.
28 Thank you for complying with the letter and spirit of the Public
29 Art Statutory Law. Thanks.

30 MR. IKE: Okay, our next speaker, Victor Cavallo;
31 then he'll be followed by Shannon O'Toole, Common Council
32 Minority Leader, and John Titus, Common Council Majority Leader,

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Refer to O-4 for
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1 and Bruce Kimmel. Is Victor here? [Comment from audience not
2 audible] Okay. Alright. Shannon? No? Okay. John Titus?
3 Okay. Bruce Kimmel?

4 MR. BRUCE KIMMEL: I thank you. My name is Bruce
5 Kimmel. I live at [REDACTED] in Norwalk. I'm President
6 of the Norwalk Common Council. I've also... I have been a
7 commuter in past years; over 20 years between East Norwalk and
8 Manhattan, so I'm sensitive to the needs of commuters and I
9 understand that the Walk Bridge has to be fixed one way or the
10 other. And we shouldn't forget that the lifeblood for much of
11 the east coast moves by rails, so this is an important project
12 which we do endorse.

13 Now I've been an elected official for probably
14 too long a time, about 17 years in Norwalk, and I've never seen a
15 project that has created so much anxiety among the population-
16 population in general, business owners, elected officials. There
17 are just too many question marks out there. And so whatever you
18 can do to alleviate that anxiety will be very much appreciated.

19 I don't want to get into the particular impacts
20 and how they will be addressed. Many people already spoke about
21 that. I'd like to add, though, we have to be cognizant... we
22 have to be mindful of the fact that this area of town is
23 undergoing a major renovation irrespective of what happens to the
24 Walk Bridge. Across from Liberty Square, which you're very
25 familiar with, is Veterans Park which is about to begin; is in
26 the process of a major improvement plan. And so there's a lot
27 going on, especially down at the docks in Veterans Park right
28 before you go over the Stroffolino Bridge. Over the bridge, if
29 you walk straight up Washington Street, you'll eventually get to
30 the Webster Street parking lot; a very large lot and a shopping
31 center with a very large building which we call 50 Washington
32 Street—all of which is about to undergo major changes, major

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1 renovations. If you turn right off the Stroffolino Bridge, as
2 you know, as you go past the railroad tracks, you're going to get
3 to a \$300 million project called the SoNo Collection. Do you
4 also know that if you turn left and you go a few blocks, there'll
5 be a \$140 million housing renovation project that's set to begin?
6 So what we're dealing with a complex area of town and you're
7 building... you want to be building a new Walk Bridge right
8 through the heart of our City, but it's not a quiet part of our
9 City. It's a major... it's undergoing major changes and thus the
10 anxiety. So whatever you can do to increase the communications,
11 to really dig into all of the impacts that have been discussed
12 this evening would be much appreciated. Work with community
13 organizations, work with City Government, work with the local
14 media, do whatever you can.

15 One final personal note: I live in the Cranbury
16 Section of town. Toilsome runs parallel to East Rocks Road which
17 has a bridge that goes over the Merritt. And for two years...
18 and East Rocks is a major thoroughfare in that part of town. For
19 over two years, more than two years it took to renovate that
20 really simple project—which looked like a simple project to most
21 of us. The problem was not the length of time that it took to
22 complete the project—I'm not an engineer—but the fact that I had
23 no idea when it was going to end. And that's the problem. We
24 kept getting conflicting signals, yet the detour signs were
25 always there and you couldn't get through, which created a
26 variety of traffic issues in different areas of town. Now you
27 multiple that possibly a hundredfold in South Norwalk. One last
28 point, I forgot to mention that in that area of town, we are
29 about to spend roughly \$105 million on school renovation projects
30 for three schools. One will be built as new, one will be
31 renovated as new. So you can see this is... this small area of
32 our town, which is critical to the City, to its people, to its

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1 economy—this is where the Walk Bridge is happening. So please
2 pay attention to the anxiety that's been expressed tonight. I
3 think I'm the last public official. I want to say [mingled
4 voices].

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for Comment
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5 MR. IKE: No, we have... we have some others,
6 sir.

7 MR. KIMMEL: Public officials?

8 MR. IKE: You're welcome to come back [mingled
9 voices]

10 MR. KIMMEL: No. No. No. I'm done. I'm done.
11 I'm done. I'm done.

12 MR. IKE: Okay. We want to give everybody an
13 opportunity to speak this evening.

14 MR. KIMMEL: Thank you for the time. I
15 appreciate it.

16 MR. IKE: Okay. Our next speaker, Richard Wolf,
17 and then followed by Fran DiMeglio. Okay, and then Tony Dubowsky
18 [comment from the audience not audible], Jonny Dubowsky.
19 [Comment from audience not audible] Would you like to speak or
20 are you all set?

21 MR. JOHNNY DOBOWSKI: Hi, my name is Jonny
22 Dubowsky; I live at [REDACTED] in Norwalk. I work for
23 Urban Labs which is a think tank that focuses on resiliency
24 solutions for our communities and environment. I'm also a member
25 of the Norwalk Harbor Keepers and a supporter of the SoNo 2.0
26 Community Organization. Urban Labs creates smart city simulation
27 models and dashboards that connect the hundreds of public
28 databases which hold the laws, regulations, tax and economic
29 data, and sensor information which are essential to building
30 resilient and economically viable public works projects. Picture
31 Google Earth but with the added depth of the thousands of input
32 items which makes projects like the Walk Bridge accessible to

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1 scrutiny and ultimately allow for approved projects to fall under
2 the oversite of the agencies and community groups dedicated to
3 monitoring these projects in real-time in a transparent way.

4 Placing the Walk Bridge project into even a basic review within T-14.1
5 this type of evaluation system reveals several foundational
6 issues which would prevent the project from receiving approval
7 from NEPA and CEPA requirements. The proposed recommendations
8 for the Walk Bridge are based on a requirement for unlimited
9 vertical clearance which is not an actual legal requirement. We
10 all want this project to be a success so we contribute this
11 simulation framework to create a public real-time website that
12 significantly addresses the deep public concerns, legal,
13 economic, environmental and social concerns. I recommend also
14 the addition of a viable cost effectiveness analysis calculator
15 to apply consistent economic and environmental costs and impacts
16 to allow for the adequate comparison and consideration of all
17 viable options for the Norwalk Bridge Project.

18 The primary Federal grant relied on for the Walk
19 Bridge is for the purpose of improving the resiliency of public
20 rail assets. Resiliency is a vital survival quality which can be
21 objectively measured and with the results subject to defensible
22 scientific evaluation to ensure such resiliency rating is
23 verifiable and replicable. In order to adequately evaluate the
24 project, significant additional research and data is required. A T-14.4
25 review of the actual maritime traffic north of the bridge and a
26 viable cost effectiveness comparison of viable alternatives is
27 also essential in order to make accurate determinations of the
28 overall project's resiliency. Resiliency as the basis for the
29 project's primary funding also must include a more expansive
30 consideration of the overall effects of the project on the
31 community's resiliency. Multi-modal transportation and mobility
32 solutions are currently being implemented up and down the 95

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1 corridor and throughout the country. We have all the tools and
2 information within reach to ensure the Walk Bridge Project will
3 become a major artifact that we leave to future generations. One
4 hundred years from now, as people zoom by in their flying cars,
5 we want them to consider how deeply integrated and forward
6 thinking the citizens of Norwalk were in 2017 to fully address
7 the real challenges in logistics and hand this off to our great-
8 grandkids. A permanent smart city dashboard for the Urban Labs
9 program is on display at Gallery __ on Washington Street and I'm
10 actively looking to collaborate with all local stakeholders to
11 strengthen our ability to care for and enjoy our local
12 environment in the best of health. Thank you.

13 MR. IKE: Thank you sir. Ted Bryant? [Comment
14 from audience not audible] Pat Bryant? Okay. Robert Hard?
15 [Comment from audience not audible] Okay. Mr. Bryant?

16 MR. TOD BRYANT: You surprised me. I thought I
17 was going to be here till midnight!

18 MR. IKE: Taking care of business.

19 MR. BRYANT: Hi, I'm Tod Bryant; [REDACTED]
20 in Norwalk. I'm the President of the Norwalk Preservation Trust.
21 And I came here with a whole list of mitigation suggestions for
22 the Section 106 process, but I've been listening to a lot of
23 concerns here and I think what I heard more than anything was the
24 deep affection that the people of Norwalk have for the Bridge,
25 the Towers, and the level of concern they have for that anchor to
26 the character of the City and especially to South Norwalk. It's
27 something that I've always felt but I heard it a lot here
28 tonight, and we believe that... the Norwalk Preservation Trust is
29 not just individual buildings. It's the whole community that
30 we're talking about. So, I would urge you to actually look
31 again. I didn't expect to say this. Look again at any
32 alternative that might preserve the Bridge and the High Towers.

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T-15.1

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1 I still have a list of mitigation requests but I hope to not even
2 have to need them; to not even need them. There are several
3 things that I think should happen anyway. They include listing
4 of Liberty Square in the National Register; they include fully
5 funding the creation of a curriculum that addresses the impact of
6 rails on the State of Connecticut, and Norwalk in particular; the
7 creation of a multi-day event that would celebrate the Bridge and
8 the High Towers that would take place during... during or just
9 before or after their demolition that would include a call for
10 artists to create works inspired by the Bridge. All of these
11 things that would kind of not... it would help us to lose that
12 important part of the City, and that's what mitigation is really
13 all about. So, the Preservation Trust will submit this later on
14 in a written document and thank you very much for your time.

Refer to O-9
for Comment
Annotations

15 MR. IKE: Thank you sir for your comments.

16 Robert Hard?

17 MR. ROBERT HARD: Hello, my name is Robert Hard.
18 I live at [REDACTED] I don't have a dog in this fight.
19 I'm just a concerned citizen. I've been studying this Bridge
20 Project for about a year and a half and reading bridge manuals
21 and trying to educate myself in this area. I used to have a job
22 trying to assess the viability of proposed new nuclear plants,
23 and they're about equally complex I've got to say. This is the
24 construction project from hell. There's just no two ways about
25 it. There are so many different considerations involved, not
26 just of building the bridge but accessing it and actually doing
27 the mechanical work of constructing it. My heart goes out to
28 you. That said, I'm here to support what Tony D'Andrea point
29 out, that the feds are not going to help us dredge upriver. It
30 is not going to happen, and consequently it is not a rationale
31 for turning down a fixed bridge option.

Refer to I-25 for
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1 Secondly, I'd like to support the remarks of Mr. T-16.1
2 Krupp which was that this is not a growing industrial area. It
3 is a declining, and it has been for decades. There's only a few
4 businesses left and they are not expanding. And consequently
5 this idea of that, oh, yes, we have to have this bridge that
6 opens in order for us to, you know, stimulate this industrial
7 development that's right around the corner is simply
8 disingenuous. It is not going to happen.

9 Now, my view is that the proposed Long Span
10 Vertical Lift has a lot of merit to it. My view is, though, you
11 don't have to lift it. Once you put it in place, you clear out
12 that central pivot and ease navigation, deal with navigational
13 safety issues. It is redundant and resilient because it's paired
14 spans and so it can sustain blows from upriver or down during a
15 hurricane and a big boat gets loose. It would have clearance
16 underneath in your proposal, I believe, of approximately 28 ft.
17 at high water. If you lift it just a little, say, starting at
18 the Danbury turnoff, you could probably get another 3 feet - 3 to
19 4 feet. That's all you need. You could accommodate Mr. Devine's
20 issues; his two, three, whatever it is barges per week of
21 aggregate. He doesn't get sand, he doesn't get oil. He does get
22 aggregate. But there are ways of dealing with, you know, with
23 low profile tugs. The only business that would really be damaged
24 is Mr. Tomko's business and I want to be upfront about that. I
25 don't see a way not. People will get hurt from this project and
26 I believe that they deserve to be compensated. But his business
27 involving sailboats, it's the only one that would be hurt
28 irrevocably by a fixed bridge that's properly done. Thank you
29 very much.

30 MR. IKE: Thank you for your comments. Edward
31 Musante? Please come to the microphone and then we have Debora
32 Goldstein and Steven Kleppin.

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1 MR. EDWARD J. MUSANTE, JR: Good evening. My
2 name is Edward J. Musante, Jr. I'm the President of the Greater
3 Norwalk Chamber of Commerce and I speak on behalf of our nearly
4 1,000 members. I have reduced my comments based on some very
5 good testimony that has been provided that covered many of the
6 subjects that I would have, and I think the speakers have been
7 very effective, particularly as they related to impacts on
8 businesses. But I would like to talk a little bit about the
9 context and kind of pick up where Mr. Kimmel left off as he gave
10 you that little tour around South Norwalk. I think there's
11 something that you also need to keep in mind, that as he ticked
12 off all of those very important pieces of South Norwalk, there is
13 something though in the whole that needs to be considered. And
14 that is very much people within Norwalk and particularly outside
15 of Norwalk view that area, particularly the South Norwalk
16 Historic District, as really being the jewel of Norwalk and
17 really being the fabric. And so when you mention to people
18 outside of Norwalk, you talk about Norwalk, in their mind often
19 times comes that neighborhood, and so there is much more than a
20 physical presence, there's also this emotional presence. And
21 that is so important not only perception-wise, but also really to
22 the economy of Norwalk. So, we are not totally impressed with
23 the depth of how you're going to handle keeping businesses going
24 and nurturing them during this process in the EA/EIE document.
25 We think there needs to be a lot more work done on that and we
26 think that there needs to be very solid plans to ensure the long-
27 term viability, not only of those immediately adjacent, but those
28 in Liberty Square and those up and down the river and in the
29 greater area, because we all know that the perception of being
30 difficult to get there is all that you need to have. It can
31 be... if the perception is bad, people won't go there and that
32 will irreparably damage Norwalk in an area that is absolutely

T-17.1

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1 critical for the visibility of Norwalk in the future. So, we
2 hope that you will treat that with greater care and present
3 solutions that will be adequate to keep our businesses going for
4 a long time. Thank you very much for providing the opportunity
5 for us to comment this evening.

6 MR. IKE: Thank you. Debora Goldstein.

7 MS. DEBORA GOLDSTEIN: My name is Debora
8 Goldstein. I am a Commissioner on the Third Taxing District
9 Commission and I'm speaking on behalf of the Commission tonight.
10 This is actually a very unique situation because the Commission
11 doesn't normally take positions and issue statements in
12 situations like this, and I hope you'll bear with me.

13 You guys have spent the last two years developing
14 a plan to replace the Walk Bridge, which included multiple
15 meetings with stakeholders. In the EA/EIA dated August 20, the
16 report lists... 2016, the report lists 14 benefits of the
17 preferred bridge design, 26 environmental impacts and 24
18 mitigations and commitments. It should be noted that the
19 residents and businesses of the Third Taxing District which
20 comprise the neighborhood of East Norwalk were not considered as
21 stakeholders though the TTD was consulted as a utility that must
22 coordinate on construction. As a result of this, impacts on the
23 abutting properties impacted by property takings and easements
24 have received a lot of attention, but that's only part of the
25 story affecting/impacting the East Norwalk community. Taking
26 elements listed in the report, here are some things you probably
27 haven't considered.

Rail traffic for the northeast corridor is extremely important and the mitigation improvement discussions revolve around this need. However, there's been scant attention paid to improving the frequency of service specific to the East and South Norwalk stations after the project is done—communities

T-17.1
(cont.)

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1 that will be suffering long-term changes and all of the pain and
2 disruption of this project.

3 For marine traffic, straightening the channel and
4 increasing the horizontal and vertical clearances will have the
5 effect of improving the marine traffic as it exists today.
6 There's been no discussion of what future marine traffic needs
7 might be as a result of these changes. And the two-span
8 redundancy would not resolve the marine traffic difficulties in
9 the event one of the spans doesn't open.

10 Traffic, transit and parking - these are
11 discussed only in terms of impacts and mitigation for this
12 project. The report wholly fails to address any benefits of the
13 bridge, such as reducing highway congestion due to increased
14 ridership as a result of improved service to our community.

15 Socioeconomics - the benefits are discussed
16 solely in terms of temporary construction jobs in connection with
17 the project and benefits to the northeast corridor from improved
18 rail service. Impacts are discussed only in the context of
19 abutting property owners.

20 Needs for easement and the loss of property taxes
21 to the City - mitigation is limited only to assisting abutting
22 property owners subject to easements. This utterly fails to
23 address the impacts of losing a historical structure, the long-
24 term maintenance cost of proposed infrastructure changes like
25 placing electrical feeds underground, demolishing the IMAX
26 Theatre and the loss of long-term residents and businesses in a
27 primary commercial downtown area. The \$91,000 in property tax
28 losses from this project will be spread over 85,000 residents and
29 all of the commercial properties in Norwalk. In our municipal
30 district, we will be forced to absorb the losses of almost
31 \$60,000 per year in revenue from customers displaced by the
32 project, not counting the three projects already demolished for

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1 East Avenue, and those losses will have to be spread over roughly
2 3800 meters even as businesses and residents are suffering the
3 impacts from traffic disruptions in the area.

4 I'm going to skip forward and point out that it's
5 going to be difficult to lure new businesses to this district for
6 the duration of this and other CT/DOT construction projects due
7 to the disruption of traffic in the area. The report lists no
8 impacts to public utilities but both SNEW and TTD will be
9 experiencing impacts as electrical infrastructure decisions with
10 permanent impacts to the maintenance and revenue needs of the
11 district are being made with little or no consultation with the
12 districts, including moving feeds from one side of the bridge to
13 the other, burying electric feeds underground and/or placing ____
14 poles within the district to accommodate overhead feeds. The TDD
15 [Mr. Ike interrupts]

16 I'm going to just wrap it up. The TDD urges
17 CT/DOT to go back and reconsider options that were discarded in
18 2014 and to fully vet them against the objectives for this
19 project; including a new fixed bridge with truss work above the
20 rails instead of underneath, mini-tugs for the businesses that
21 need access under the bridge now, tall-masted pleasure boats
22 mooring in the outer harbor instead of the upper river, and
23 restoration in place of the existing bridge, which would be a
24 very cost effective option. Thank you.

25 MR. IKE: Thank you. Steven Kleppin? [Comment
26 from audience not audible] Okay. Are there any first-time
27 speakers? Do we have any first-time speakers? Are there any
28 first-time speakers? Come to the microphone and you must give
29 your name and your address for the public record.

30 MR. BOB WAGMAN: My name is Bob Wagman; I'm a
31 long-time Norwalk resident. Obviously I hadn't planned to speak
32 tonight but I would like to address two points - the first of

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1 which is the bridge design. It's obvious that the powers that be
2 have selected a design and that may be the proper one. I'm not
3 here to challenge it. I am here to express concern that I
4 haven't heard about what went into the alternatives; the
5 considerations that went into the alternatives. The bridge has
6 been there for a hundred some odd years. It's been that turn
7 bridge for that long. Aside from the fact that, I don't know, in
8 1880 a train dropped into the river because somebody failed to
9 press the PUSH button, it's been a safe construction. I don't
10 know what considerations went into denying just replacing the
11 rotating mechanism. I'm sure we wouldn't do it the same way with
12 gears and levers, etc. but I'm sure there are
13 pneumatic/hydraulic/electronic means to address that issue and
14 I'd be concerned as to what kind of research went into those
15 alternatives and into why they were rejected. And, of course, I
16 would accept the professional opinions of those who made that
17 decision.

T-18.1

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1 volunteers, and I don't know how many hundreds of us there are at
2 the Aquarium, but we do the same thing and it would be a terrible
3 mistake to break that line of communication. You can't do
4 anything to the Aquarium that would disrupt the operation of that
5 particular facility. The Aquarium has an education department;
6 they do extremely well and they develop budding marine
7 scientists. The volunteers do something different at a much more
8 basic level and I encourage you - think about that before you
9 take violent actions that would disturb that. Thank you.

10 MR. IKE: Thank you. Any other first-time
11 speakers? Any other first-time speakers? Do we have any second-
12 time speakers? Yes sir. If you're a first-time speaker, please
13 come to the microphone, give your name and your address please.

14 MR. SHENTON KING: Yeah, my name is Shenton King.
15 I'm here on behalf of King Industries north of the river. I grew
16 up in Norwalk; currently reside in Fairfield. So, yeah, there's
17 been a lot discussed here. Clearly everyone has their own
18 interests and it's an emotional topic. Particularly for me, what
19 resonates is the story of the Tomkos and the Devines, and also
20 our company.

21 A little background on our company. We started
22 in 1932. We have a great relationship with the City. We have
23 excellent community outreach efforts; we contribute to Stepping
24 Stones; Lockwood Museum; Bethel AME Church and so on and so
25 forth. We have an excellent employment record with 200
26 employees. We have good wages, good benefits, great family
27 culture—just an overall excellent place to work. We have
28 excellent health and safety programs followed by quality and
29 environmental departments, excellent standing with the Department
30 of Environmental Protection and OSHA, and we're just a good
31 overall citizen and we're happy to be part of Norwalk. And we've
32 seen the development in the process of this bridge design go on

T-18.2

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1 and we do have concerns. Part of them may be false which Tony
2 alluded to, which I'm not really sure of. I'm here to basically
3 express my concern that we've not going to have a navigable
4 river. Essentially, not to scare anybody, but we're a chemical
5 plant and we rely on the services of the Norwalk Fire Department
6 to protect us, protect our citizens in the event... in the
7 unlikely event that something would happen. We do have processes
8 and procedures in place that we audit so that these... you know,
9 nothing will happen. Knock on wood; everybody knock on wood.

10 So really, Norwalk has a new fire boat and we do
11 offer drilling and we've drilled with them before and it's proven
12 to be a nice comfort zone for us to have that fire boat be
13 accessible all the way up the river. So, from a safety
14 standpoint it makes sense to just... whatever happens, whatever
15 bridge you choose, from a King Industries standpoint, we're
16 asking that if it is in fact going to create any issues with
17 dredging or not dredging, that you understand our position from a
18 safety point of view.

19 From a business point of view, I have to resonate
20 and really fight for the Tomkos and the Devines as it relates to
21 height and the restrictions of height. You will ruin... not you,
22 I know it's not your fault; this is nobody's fault; this is
23 something that needs to happen. If we... in my opinion, the low
24 bridge, the medium bridge is not an option. You ruin the income
25 and the future stability of the Tomko and the Devine families and
26 in my opinion it's a poor decision. And I think Option 11C as it
27 stands right now is the best option. Thank you.

28 MR. IKE: Thank you for your comments. Any other
29 first-time speakers? Any first-time speakers? Any second time
30 speakers? Mr. Sotnik?

31 MR. SOTNIK: And just to finish up where I had
32 left off before, we were talking about areas where the EA/EIE did

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1 not go far enough. I had mentioned the water quality the first
2 time, mentioned the public utilities and service, traffic.

3 I just wanted to touch on the pedestrian/bike
4 facilities. Existing conditions do not reference plans to
5 continue the NRVT and Harbor Loop Trail along the west side of
6 the trail. As was mentioned by other people, the City on
7 numerous occasions has provided the DOT with its plans to route
8 the trail in that location. DOT had stated verbally that permits
9 would be hard to get to accomplish this and the City subsequently
10 provided documents to DOT from DEEP stating that it would issue
11 permits and we would be able to get those permits. The NRV Trail
12 seems to almost have been overlooked in this case and we'd like
13 to request that it not be overlooked and it does want to
14 construct that part of the project. Even if DOT didn't want to
15 do it, we asked that it be included in the EA as an existing
16 condition.

17 Property acquisition: with regard to DPW
18 controlled parcels listed in the property acquisition sections of
19 the document for both temporary and permanent easements, the EA
20 does not take into account land use restrictions on certain
21 parcels and it states that in some instances, there are no
22 displaced permanent uses when in actuality there are.

23 Under the time constraints that the Department
24 had to review preparing for the public hearing tonight, we use
25 this time to give you a flavor of some of our concerns about the
26 completeness of the document. Department of Public Works
27 respectfully requests that a Finding of No Significant Impact
28 (FONSI) is not issued until at the very least the EA is revised
29 and expanded upon to include the concerns and is prepared with
30 outreach to all constituency groups and accurately understand the
31 community impacts. Thank you again for your time. It's greatly
32 appreciated.

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1 MR. IKE: Thank you. Do we have any other
2 speakers? Do we have any other speakers? Yes Ma'am.

3 MS. DEBORA GOLDSTEIN: I'm Debora Goldstein from
4 [REDACTED] as a private citizen. I just wanted to speak briefly
5 again about the fact that a lot of people here have enumerated
6 the fact that there were options eliminated and it's really not
7 clear to the public why. You speak of having gone through 70 or
8 so options but only 4 or 5 of them really were in the realm of no
9 build/rehabilitation or some version of a fixed bridge other than
10 the one that's really unpopular. And I will just go back and say
11 that the EA did reference the Hardesty & Hanover Feasibility
12 Study done in September of 2000 where all of those options were
13 considered side for side for cost without preconceived notions
14 about needing to do it quickly and meeting these other
15 obligations or maybe getting Sandy funds, I don't know. And
16 you'd have to translate these \$2000... your 2000 figures into
17 today's dollars but I would argue that the ratios would probably
18 hold. The No Build Option was \$3.4 million and the
19 Rehabilitation In Place, which would give us the same
20 functionality we have now, was \$34.5 million. The Super
21 Structure Replacement was \$79.8 million. All of the replacement
22 structures, which includes some of your 70 options up here, were
23 in the range of \$153.8 million to \$200.2 million. So we're
24 talking about multiples of the cost of rehabilitating the bridge.
25 Your own report from 2013 where you looked at the rig and the
26 gears after you replaced the rails and bent them doing the test
27 was about a million dollars to replace the works on the bridge.
28 Considering all of the impacts here, the permanent loss of a
29 historical structure, the pain, the businesses that are being
30 impacted, the permanent restructuring of the neighborhood, I
31 think it obligates you to go back and look at this report again
32 and check your assumptions about the costs of doing a rehab in-

T-19.1

| T-19.2

T-19.3

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1 place. I realize that there are some new standards that need to
2 be met but this is a massive undertaking, and if you can do it
3 for a tenth of the cost on top of everything else, that's a
4 pretty...pretty big win. Thank you.

T-19.3
(cont.)

5 MR. IKE: Thank you. Any other speakers?
6 [mingled voices] You have to give your name and address for the
7 record.

8 MR. KING: Yeah, sorry. Shenton King again; King
9 Industries; Fairfield, CT. I would just like to offer up our
10 services if you're interested at all in meeting with those of us
11 that represent the business community north of the bridge and
12 north of the Yankee Doodle Bridge. And in the event that
13 dredging is affected by whatever bridge you decide to erect, that
14 actually before you even decide that, let's get a definitive
15 answer on what's going to happen there related to dredging. And
16 if it does affect it, what's the outcome of let's say the 100-
17 year flood plan or the 500-year flood plan. During Hurricane
18 Sandy and Hurricane Irene, we had about a foot to a foot and a
19 half of water on various locations of the site of our 14-acre
20 site and we sustained a little bit of damage but nothing that we
21 can consider per se operational damage. If dredging—and I'm not
22 a biologist or a fluid flow dynamic engineer—if the lack of
23 dredging would change the flow of the river and the flood plain
24 over the course of 20, 30, 50 years, King Industries, we don't
25 plan on moving so we'd be interested to know how that would be...
26 how that would affect us. So again, I offer my services and the
27 location, King Industries, if anybody would like to get together
28 to just hear us as one cohesive voice to you representing the
29 businesses north of the bridge. Thank you.

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T-20.1

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30 MR. ROBERT IKE: Thank you sir. Any other
31 speakers? Any other speakers? Seeing no further speakers, I
32 will now close tonight's public hearing. On behalf of

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1 Commissioner James Redeker, I would like to thank you for coming
2 and expressing your view tonight. Please remember that you have
3 until December 5, 2016 to submit any written post-marked comments
4 on the EA/EIE to the Connecticut Department of Transportation.
5 Thank you for coming and have a good evening.

6 MS. DAISY FRANKLIN (RECORDED DURING THE HEARING
7 IN SIDE ROOM): My name is Daisy Franklin, I live at [REDACTED]

8 [REDACTED] in Norwalk and I'm not representing an organization. I am
9 representing just myself as a resident and other residents that
10 may be in my same position. I'm for the work, I just do care
11 about the environment. I do care about the Maritime. I do care
12 about, you know, the birds and the animals but I also care about
13 the walk. The use of the bridge for people when they get ready
14 to, because you were always able to walk across the bridge. I
15 also want that privilege of being able to walk across from South
16 Norwalk to East Norwalk. And then the transportation with the
17 bus. That's going to bring a big inconvenience for people who
18 take the bus. They are going to have to take the bus and take a
19 longer route to get to where they have to go, workshop and
20 whatever. So, I just want to bring that to you as someone who
21 does walk. I do have a car but I do walk and sometimes I have to
22 walk across that bridge to get to other places, or even take the
23 bus. And I just want to bring that to your consideration - the
24 time and how long this work will be done. And the fact that

25 Norwalk, South Norwalk, is a beautiful place. The water, the use
26 of the water, and all that is a valuable jewel for us. So I just
27 want to make sure I make that comment that the timing, the use of
28 the bridge for local people to be able to walk back and forth,
29 and transportation. So that ends my comment, thank you.

30

T-21.1

T-21.2

T-21.3

