

July 28, 2016

Andrew Davis
2800 Berlin Turnpike
P.O. Box 317546
Newington, CT 06131-7546

**RE: DEEP Permit Consultation Form Attachment D: Shellfish Commission
State Project No. 102-295
Median Reconstruction and Resurfacing of I-95 Norwalk and Westport**

Dear Mr. Davis:

At its July 6, 2016 meeting, the Westport Shellfish Commission reviewed the application material as submitted in your letter of June 20, 2016 as it pertains to the median reconstruction and resurfacing of I-95 in Norwalk and Westport. The Commission focused its attention on that portion of the project within Westport's jurisdictional boundaries. The Commission found that the project WILL adversely impact our shellfish areas. We offer the following comments for your consideration:

While we support the primary goal of making this section of I-95 safer, we believe that the proposed design lacks adequate provisions for stormwater treatment prior to discharge into the Saugatuck River. The River under the I-95 bridge plus the Saugatuck River Estuary located directly downstream, contain both natural and manmade shellfish beds. These beds are amongst the most prolific in the state, if not the United States. Recreational and commercial shellfishing has been and continues to be a generational long- standing practice and lucrative industry in Westport.

Stormwater runoff is the primary contributor to pollution. One of the main sources of this pollution comes from roadways and parking lots. Runoff from the I-95 bridge discharges directly into the receiving waters below making it a point-pollution source and one that cannot be overlooked. The failure to include provisions to address this issue is not only a missed opportunity to improvement but a rejection of present day environmental best practices.

According to the 2004 Connecticut Stormwater Quality Manual, the Saugatuck River Estuary is waterbody impaired by urban stormwater runoff. A portion of this runoff comes from the I-95 bridge.

Westport is in the midst of securing permits from the Army Corps of Engineers to dredge the Saugatuck River to improve navigation, aquatic life and habitats. New construction of the bridge should conform to this new enhanced standard. Preliminary core samples taken from the Saugatuck River indicate a level of hydrocarbons and other pollutants that will influence where these dredge spoils will be deposited.

Since Westport has had no active industrial uses for a very long time, it is clear that many of these hydrocarbons are coming from local and state roadways, including the I-95 bridge. Sediments, snow melting chemicals, hydrocarbons, trash and debris, and other pollutants, when not effectively filtered, can modify habitats, affect water quality, alter toxicity of the water column and sediments, change downstream channel erosion, bio-accumulate in the food chain and harm aquatic life including Westport's unique and valuable shellfish resource.

In its 2015 report to the Connecticut General Assembly, the Long Island Sound Assembly recommends the following legislative action:

“Facilitate cooperative efforts among State Agencies to substantially reduce or redirect untreated stormwater runoff from the State roadway system, including bridges, with the common goal of reducing pollution in the State's waterways. ”

The report concludes with recommendations that state:

“CT State Agencies should be encouraged to utilize best management practices including the following:

- Routine cleaning of roadways and catch basins, and retrofitting existing basins with hooded traps and sumps, or filter bags, in these locations to collect sediment before discharge into the waterways including from bridges.
- Implementing additional sediment reduction controls and making the strong connection between erosion and the need for costly dredging.”

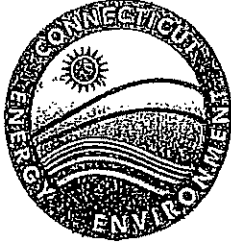
We recognize that incorporating these design features will add additional costs to the project. However, implementing treatment mechanisms while the bridge roadway is under construction is easier and less expensive than retrofitting later. This is our one chance to get this right.

In addition, the expense to plan and build effective filtering devices at the start is cheaper compared to the larger expenses of having to dredge the accumulation of bridge sand, debris, chemicals, and pollution from the River and which threaten the health of active commercial and recreational shellfish beds which contribute greatly to the state's annual economy.

We respectfully request that the design plans be amended to include provisions to capture sediment and debris from the bridge before it discharges to the River below. Without these provisions, we cannot support the plan as presented.

Sincerely,

Clarinda Higgins, Chair
Westport Shellfish Commission



Connecticut Department of
Energy & Environmental Protection
Bureau of Water Protection & Land Reuse
Office of Long Island Sound Programs

ATTACHMENT D: SHELLFISH COMMISSION DEEP PERMIT CONSULTATION FORM

You need to complete and submit this form only if your town has a Shellfish Commission.

To the applicant- Prior to the submission of your permit application to the Connecticut Department of Energy and Environmental Protection- Office of Long Island Sound Programs (DEEP-OLISP), please complete Part I and submit this form to your local shellfish commission (contact the town for the appropriate contact person) with a location map of your site and project plans. Once the commission returns the completed form to you, please submit it along with your permit application to the DEEP.

Part I: To be completed by APPLICANT

1. List applicant information.

Name: Connecticut Department of Transportation

Mailing Address: 2800 Berlin Turnpike

City/Town: Newington

State: CT

Zip Code: 06110

Business Phone: 860-594-2931

ext.

Fax: 860-594-3028

Contact Person: Mark W. Alexander

Title: Trans. Assist. Planning Dir.

Email: Mark.W.Alexander@ct.gov

2. List engineer/surveyor/agent information.

Name: AECOM

Mailing Address: 500 Enterprise Drive, Suite 3B

City/Town: Rocky Hill

State: CT

Zip Code: 06067

Business Phone: 860-990-6841

ext.

Fax:

Contact Person: Jeffrey Keefe

Title:

Service Provided: Engineering Design

3. Site Location:

Street Address or Location Description: The approximate project boundary is along the median of Interstate 95, starting just west of Interchange 16 at the east abutment of the Yankee Doodle Bridge in Norwalk, ending in Westport at the east end of the I-95 bridge over the Saugatuck River.

City/Town: Norwalk & Westport

State: CT

Zip Code: 06851/06880

Tax Assessor's Reference: Map N/A

Block N/A

Lot N/A

4. Are plans attached? Yes No If Yes, provide date of plans: June 2016

5. Provide or attach a brief, but thorough description of the project: See Executive Summary attached for State Project No. 102-295

Part II: To be completed by SHELLFISH COMMISSION

This consultation form is required to be submitted as part of an application for a Structures, Dredging & Fill permit (section 22a-361 of the Connecticut General Statutes (CGS)) and/or Tidal Wetlands permit (CGS section 22a-32) to the DEEP-OLISP. The application has not yet been submitted to the DEEP. Please review the enclosed materials and determine whether the project will adversely impact shellfish beds. You may also provide comments or recommendations regarding the proposal. Should you have any questions regarding this process, please call DEEP-OLISP at (860) 424-3034 to speak with the analyst assigned to the town in which the work is proposed. Please return the completed form to the applicant.

SHELLFISH COMMISSION DETERMINATION:

Project located on (check one): natural bed state bed local bed none
 other, please specify:

If project is located upon a franchised or leased shellfish bed, please provide the owner or lessee's contact information below.

Check one of the following:

- I have determined that the work described in Part I of this form and attachments WILL NOT adversely impact a shellfish area.
- I have determined that the work described in Part I of this form and attachments WILL adversely impact a shellfish area. A summary of the Shellfish Commission's project-specific concerns/comments is described below or attached.

COMMENTS/RECOMMENDATIONS (check the box if attached:):

See attached letter

Clarrinda Higgins
Signature of Commission Representative

Aug 1, 2016
Date

Clarrinda Higgins
Print Name of Commission Representative

Chair, Westport Shellfish Commission
Title