

Minutes of the Regular Meeting of the Inland Wetlands Agency on December 20, 2006.

A. Roll Call

Present: David Casey, Allan Cegan, Jim Connors, Ken Cowden, Steve Munson, Bob Nunno and Phil Fulco.

Absent: Barbara Bell, Joe DellaMonica, Scott Koschwitz and Peter Vita.
Fulco called the meeting to order at 7:30 p.m.

B. Public Comments

None.

C. New Business

1. **Pre-Application IW-PA-06-072: North Street, UI/Northeast** – proposal to create 2.4 acres of mitigation wetlands, remove invasive species and plant native species with work proposed within 150' of wetlands in the Wepawaug River Watershed.

Fulco stated that he is a retiree from Northeast Utilities and worked with Mark Kimball for many years and feels there is no conflict. Everyone agreed.

MaryRose reported that this is a proposal by Northeast Utilities & United Illuminating for a 2.4 Acre wetland creation project and invasives control in Eisenhower Park as mitigation for the Middletown to Norwalk power line plan. The Army Corp has requested that the Utilities mitigate their wetland impacts in one-place rather than numerous small mitigations along the length of the power line. As a response to the Army Corp request, the utilities are proposing to mitigate all 2.4 acres of the wetland impacts on the high-tension power line project in Eisenhower Park. The work is proposed in an upland area adjacent to wetlands in an open meadow and a berm and the Wepawaug River in the Park. The proposal is to create wetlands between the River and existing wetlands, remove invasives in the area, and replant with native species. The proposal is to do the typical ACOE 5 year monitoring - which is called out on the plans that were sent to members. Jeff Bourne and Mark Kimball who represent the Power Company and Bob Jontos from Land Tech are here this evening to answer any questions on the project.

Mark Kimball, Project Manager with NE Utilities submitted plans for the project and stated that the entire project is approximately 75 miles of transmission lines with 46 miles overhead from Middletown to Milford and 24 miles underground from Milford to Norwalk. Foundations are needed throughout the project and some are in the wetlands. The Army Corps. is requiring mitigation for this and

creating one location for mitigation will have greater advantages rather than many small areas throughout.

Jeff Bourne, Senior Scientist with NE Utilities stated that MaryRose gave an excellent description of the proposal and that there are 2.23 acres of wetlands to be filled for the whole 75 mile line and this must be mitigated and Eisenhower Park seemed to present the greatest opportunity for creating a resource. They have spoken to the town and they are generally in favor of the plan and NE Utilities then contacted Land Tech, which is familiar with the site.

Bob Jontos, Professional Wetland Scientist with Land Tech submitted and reviewed the plans. He worked on and did research for the entire park plan and they are looking to mitigate in the model airplane flying area (the land strip). This area was reviewed. Testing for hydrology was done. Test pits and monitoring wells were done and a water profile was created. This was reviewed on the plans and it was noted that area H is designated as the mitigation area. The drainage on the site was reviewed. The Army Corps. requested expansion of the riparian habitat. The vegetation/planting plan was reviewed. Jontos stated that this is an opportunity to create potential vernal pools based on his research. The area that is currently filled with woodchips was reviewed. The plan is to remove this and plant the area with a combination of vegetative community. The large landing strip area will be preserved. MaryRose noted that Mark Lofthouse of P & Z reviewed the plans and the larger area is what is most used.

Casey asked who did the wetlands delineation. Jontos stated that Land Tech did in 2005 as part of the Park Plan. Casey asked if this was based on soil type. Jontos stated that it was and documents have been submitted. MaryRose noted that the flags on the maps are federal wetlands. Fulco stated that the plan is to connect the little pockets of wetlands and create one contiguous area. Jontos reviewed the different criteria for CT wetlands verses Federal wetlands delineation. All of Eisenhower Park was delineated for CT regulations. The proposal is for the review area per CT regulations which requires identification by soil type only. Munson asked where the wood chips came from. Jontos stated that he did not know but that they do not look like a trail, they appear to have been dumped. Munson asked what effect this proposal will have on the river. Jontos stated that it will provide more flood storage. Munson stated that there was a sod farm here years ago and they use many chemicals and he asked if testing was done. Jontos stated that there is no indication of chemicals on the property based on his testing and soil profile. Casey asked about the time line for the project. Bourne stated that the Army Corps. permit is needed first and then a schedule will be worked on. Kimball stated that they are looking to start fairly soon at the right of way and this will not interfere with this proposal. They are two separate places. Possible start of the project would be fall of 2007. Jontos stated that once approvals are received, it can begin anytime. Bourne stated that approval from the town is needed in order to get the Army Corps. permit then there can be a schedule of construction. Fulco stated that MaryRose contacted the

DEP and they deferred to the MIWA. Then the City Attorney was consulted and it was deemed that the best course of action was a pre-application. This project will be a benefit to Milford with 2.5 acres of wetlands creation. Cowden asked if it would be fenced in to prevent intrusion. MaryRose stated that it would as per the split rail fence on the plans. Fulco stated that a five year monitoring plan is part of the project. The following motion was made by Connors, seconded by Cegan:

Mr. Chairman, I move that the Designated Agent issue a Jurisdictional Ruling for pre-application IW-PA-06-072, North Street for the creation of 2.4 areas of wetlands and associated invasive removal and native plantings based on the information in the file and presented this evening and the report entitled "Middletown-Norwalk 345-KV Transmission Line Project, CL&P Right-of-Way, Enhancement and Mitigation and Wetland Creation in South Meadow, Eisenhower Park, Milford, Connecticut" by Vollmer Associates, LLP, dated 11/27/06 with conditions including:

- Proper soil erosion and sedimentation controls must be installed and maintained while the site is disturbed with reports to the MIWA office weekly and within 24 hours of a significant rain event,
- A bond to be calculated must be posted with the MIWA for S&E controls, plantings, wetland boundary markers and an asbuilt showing finished 2' contours and locating all site structures.
- A five year monitoring plan as outlined in the proposal.

This action will not have a significant negative impact or effect on the physical characteristics of the adjacent wetlands and watercourses. That is my motion. The motion carried unanimously.

D. Minutes

A motion was made by Connors, seconded by Munson to accept the minutes of the 12/6/06 meeting as presented. Nunno noted that he would have liked to walk the site from the last meeting, which is why he voted the way he did. The motion carried unanimously.

E. Subcommittee Reports

None.

F. Staff Report

- Our next meeting is January 10, if you are not going to be available for the meeting please call or email and let me know.
- Members whose terms expire this year should let the Mayor's office, or your Alderman know if you are interested in re-appointment: Bell, Casey, Cegan, DellaMonica, and Nunno. If you would like I can contact them for you. Those that

are re-appointed at the 1/8/06 Aldermanic meeting need to be sworn in before you can act as a Commissioner.

- There are no new projects.

G. Chairman's Report

- Fulco asked that members with terms expiring to please make sure you are sworn in before the next meeting.
- Fulco thanked everyone for their work/commitment to the IWA and wished everyone a happy holiday.

The next regular meeting will be on 1/10/07.

There being no further business to discuss, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

Lisa Streit

These minutes have not been accepted or approved.