

January 4, 2021

Ms. Alison Kapushinski, P.E.  
Town Engineer  
Town of Wallingford  
45 South Street  
Wallingford, CT 06492

**Re: Response to Comments**  
Replacement of Northford Road Bridge over Muddy River  
Wallingford, Connecticut  
(ConnDOT Bridge No. 04832)  
WMC Reference No. 16022.10

Dear Ms. Alison Kapushinski:

Please find the response to comments received from Ms. Erin O'Hare, Town of Wallingford Environmental Planner, dated December 21<sup>st</sup> 2020.

Application & attachments (spiral binder)

- 1) 'DEEP Fisheries Consultation Form', included in application report submitted indicates the following recommendation: *DEEP Fisheries staff should be contacted and be present during the installation of the rock vane downstream of the bridge*". This will be suggested as a Condition of Approval to underscore its importance.
  - Response: Noted. Currently in Contractors work
- 2) The referenced attachment to the 'DEEP Fisheries Consultation Form' submitted was omitted. Provide this office a copy.
  - Response: As discussed, the submitted narrative portion and attachments will be forwarded to you.
- 1) "Project Overview", page 3 & 4 indicates Contractor will provide an Erosion Control Plan for several items including "*plans for flood contingency*". The IWWC typically reviews flood contingency plans for construction next to rivers and wetlands. I believe, the entire bridge work area lies within the FEMA Floodway and the road work area lies within the floodplain area. Is this aspect addressed anywhere in the current submittal as I could not locate same? If not, it is suggested that basic flood contingency plan measures, e.g. sandbagging, removal of floatable materials stored on site, etc., should be provided for the IWWC application review (which the Contractor can tailor later).
  - Response: The Contractor is to submit these in accordance with the required documents for "Section 1.10 Environmental Compliance". The plans will be reviewed by the Town or Town's agent during construction, prior to approval. The Engineering Department will provide a copy to the Environmental Planner for review. As discussed, this procedure will be presented to the commission.

### All Plan Sheets

- 1) Upland Review Area (50 feet) was omitted from plans and drawings - except it was depicted on the (color) 'Wetland and Watercourse Impact Plan' in the application booklet. Provide on plans and other drawings.
  - Response: The Upland Review Area was only included on the impact plan and omitted from the construction drawings.
  
- 2) Unnamed stream that discharges to the Muddy River in the vicinity of the proposed 'rock vane' installation was omitted from plans and drawings. (It was depicted in Soil Scientist's report.) Provide.
  - Response: The approximate limits of the unnamed river was shown on the impact plan. This area is outside the survey and outside the soil scientists flagging. As discussed, the approximate. limits were extended on the impact plan and watercourse colored.
  
- 3) Ordinary High Water mark is depicted on Sheet 10 but it is not depicted on other sheets. OHW was referenced in the Soils Scientist's report. Provide on other sheets where may apply.
  - Response: Submitted plans depict the OHW on all applicable sheets. (4,5, 6, 10 and 11).
  
- 4) Wetland soils identified in the Soils Scientist's report are omitted from any plan sheet. Provide.
  - Response: Added soil type (numbers) to the impact plan.

### Detour Plan Sheet 3

- 1) Appears to have omitted Tyler Mill Road from detour. "Road Closed ahead" signage could be installed at the intersection of Tamarac Swamp Road and Tyler Mill Road.
  - Response: The Town will review the existing detour and recommend revisions. Signs will be added at the intersection of Tyler Mill Road and Northford Road.

### NDDDB Issues & Protocols

- 1) The Wallingford Conservation Commission has played an integral role in the recent improvements (over the last ten years) to the Main Entrance to the Tyler Mill Preserve, off Tyler Mill Road at Northford Road: name sign, trail kiosk, parking area with signage for horse trailering, installation of a second parking area and improvements to the original parking area, implementation of a eight-year long invasive plant species eradication program (Phragmites & Japanese knotweed), plant installations, botanical studies, etc.. As a result of its involvement, the Commission has gained specific knowledge of the area – its flora and fauna and park use issues – and, consequently, is invested in the area. The Commission will be submitting comments particularly in regard to the NDDDB identified turtle populations in the vicinity and the Commission's work on turtle protection in the area. This office is interested in working with your office

to see how the Commission's recommendations can best be accommodated in the application plan. (Also, see next entry.)

- Response: Currently, this is included in the Contractor's work. As discussed, the Town is agreeable with working with an outside herpetologist to include additional measures into the contract documents.
- 2) The DEEP Natural Diversity Data Base information /correspondence included in your submittals recommended protection protocols relative to two turtle species reported in the vicinity of the Project. The Plan indicates that these protections are to be overseen by a herpetologist who you indicated would be retained by the chosen Contractor and that protections would commence at the start of the Project, i.e., April 2022. It is imperative that protections be designed as soon as possible so that they can be considered by the Consultant and accommodated in the proposal while there is time to affect such changes. There may be seasonal considerations as turtle life history moves from spring egg laying to wandering to find mates, to fall hatching, to cold weather hibernation, with foraging for food throughout. That said, this office recommends that a herpetologist be brought in soon – rather than in April 2022 - to prescribe site-specific measures and timing recommendations. The Conservation Commission contracted in recent years with an expert herpetologist who completed surveys in Tyler Mill Preserve and specific work in the Bridge Project area. It is recommended that this particular herpetologist be retained to review the application and prepare recommendations for protection of turtles in this vicinity as soon as possible. I understand the Project budget would not allow for such an expense however the Commission has indicated that the review work may be able to be funded under the Commission's professional services account. Would you let this office know how this effort can best be coordinated?
- Response: Same as above.
- 3) Information was provided concerning "Section 1.10 – Environmental Compliance – In Article 1.10.03 – Water Pollution Control". Provide explanation of the reference to this section and which Agency regulation this pertains to.
- Response: ConnDOT Form 818. All Federal, State and Municipal. The attached Section 1.10, in the application, is the supplemental portion which includes additional measure for the species of concern.
- 4) This office awaits receipt of a copy of DEEP correspondence and changes to plan, if necessary, regarding Special Concern species, False mermaid weed. Provide.
- Response: Plant survey is scheduled for the Spring 2021. Report and findings will be forwarded to the Environmental Planner.
- 5) The DEEP or the Consultant – unsure which - included with correspondence relative to the bridge work an image entitled "Public Water Supply Watersheds" which calls out the bridge area but this image does not include the Muddy River below Northford Road in the blue "watershed". The image does include, however, a large watershed area to the east and south. Clarify. Technically, I believe the public drinking water supply watershed ends at the Mackenzie

Reservoir spillway and that portion of the Muddy River drainage area located below the spillway is designated a ‘Future Public Drinking Water Supply Watershed’ Water Division can verify.

- Response: Both DEEP APA and Local drinking water watersheds are outside or upstream. This was included in the application for environmental reference. If the project area was within the watershed additional water pollution control requirements would be added to Section 1.10. The area was confirmed with the water department as a future public drinking water supply watershed.

#### Existing Plan – Sheet 4:

- 1) Omits depiction of unnamed stream and its discharge at the Muddy River. Provide.
  - Response: Only a portion of that tributary is shown the remainder is outside survey. Approximate location shown on the impact plan. Flagged OHW and wetlands limits stop prior to confluence.
- 2) Omits depiction (and the call-out) of the 50-foot Upland Review Area boundary. Provide.
  - Response: Shown on the impact plan with all limits and activities.
- 3) The Water Division mains/pipes that cross the Muddy River south of the road were omitted. Perhaps they are located further south off drawing’s area? One pipe depicted appears to stop near the river bank on the east side. Revise if needed.
  - Response: Water main downstream of the bridge are shown within survey limits.
- 4) It is noted that “*State Wetlands*” as called-out on plans to distinguish from Federal wetlands are the wetlands as defined by Connecticut law administered locally by Wallingford IWWC. To clarify for the IWWC: sometimes DEEP takes jurisdiction, but in this instance there is local jurisdiction.
  - Response: Both wetland limits are shown. ACOE and DEEP permits will also be necessary for this project.

#### Roadway Plan – Sheet 5

- 1) Drain pipes associated with the proposed catch basin appear to be omitted. Provide or explain.
  - Response: No outfall pipes were found during survey. Either the CB is full of sediment or it is a dry well. Plans call to clean out the existing CB and raise to proposed grade.
- 2) Tyler Mill Preserve name sign (located halfway between Northford Road and the unnamed stream on the south of the road) was omitted. Provide depiction.
  - Response: Approximate location has been added and callout added to maintain.
- 3) Make provisions for protecting and/or removing and re-installing after work is completed (by Contractor and/or by DPW) for the above existing sign and for the

existing “Parking for Horse Trailers” signage – which the Conservation Commission provided.

- Response: Approximate location has been added and callout added to maintain. Please refer to signing notes. All existing signs to be removed and reset.
- 4) Existing timber guardrails appear to have been omitted from plan drawing. They line both sides of Tyler Mill Road extending northward several feet beyond where it crosses over the unnamed stream. Provide.
- Response: Approximate location has been added.

Staging Plan –Sheet 10:

- 1) Omits depiction of unnamed stream and its discharge at the Muddy River. Provide.
- Response: See response above.
- 2) Is ‘Stockpile’ depicted for fill brought in to raise roadway, other road construction materials, and for material taken out from bridge area – or is there another spot proposed? Is a stockpile needed on the opposite side (east side) of the bridge crossing?
- Response: Yes, stockpiles will be needed for construction activities. As discussed, the roadway area to the east would be more ideal for these, since it is outside flooding areas and traffic operations. The location was moved on this sheet.
- 3) Parking for bridge construction-related equipment and vehicles for crew is not depicted. This may be important in regards to URA impact area, fuel leaks and/or re-fueling, and in particular with regard to areas to be protected for turtle conservation (areas anticipated to be identified by Conservation Commission) Provide.
- Response: As discussed, the existing parking lots will not be used by the contractor. A note has been added to the impact plan and construction plans.
- 4) Explanation of the purpose of ‘rock vane’ installation and how it is proposed to function in this location was omitted. Provide.
- Response: Noted in narrative “provides thermal refuge” as requested by DEEP Fisheries.
- 5) The ‘Hydraulic Report’, page 9, indicates the installation of rock vane is not ‘unconfined work in the stream’ and therefore the time restriction of June 1 - Sept. 1 does not apply. Is it not ‘unconfined’ because the cofferdams are proposed? Explain.
- Response: TOY unconfined restriction applies; however, no unconfined work is proposed for any construction activities. The work areas will be confined by temporary cofferdams.

- 6) No in-stream erosion control measures appear to be provided, e.g. turbidity curtain. As the rock vane is proposed to be installed in Phase I where Muddy River flows are anticipated to be high, how can sediment from this excavation for the rock vane installation best be mitigated? Provide.
- Response: In-stream confinement is proposed with the temporary cofferdams.
- 7) Silt fencing was omitted below the proposed bituminous driveway opening proposed east of bridge on south side of road. Perhaps this stretch needs to be easily removed so that this filed may be accessed by water Division.. Provide suitable measure.
- Response: Access will be maintained to property. Moveable protection callout added to construction plans.
- 8) Time Restrictions:
- a) *“Unconfined In-stream Activities must be limited to the time period June 1 through Sept. 30”*. Noted. This will be re-iterated as a Condition of Approval to underscore.
- Response: Noted
- b) *“Species of Special Concern - Construction Activities shall be in accordance with Section 1.10- Environmental Compliance” and occur between April 1 through Sept. 30.”* Noted. This may possibly be revised per biologist’s recommendations (see above) and final wording will be re-iterated as a Condition of Approval to underscore.
- Response: See above.
- 9) Water Handling Notes:
- a) “Water-handling cofferdams” – the type of cofferdams are indicated to be per Contractor’s choice, however would you provide the likely type anticipated to be used, e.g. driven steel sheet cofferdams?
- Response: No specific temporary cofferdams system is proposed. The contractor submits the system for approval. We anticipate the use of sand bag cofferdams at this site, due to shallow excavation depths.
- b) Dewatering plan and location of dewatering basin are indicated to be submitted by Contractor later for approval by Engineering Dept. Change to per review and approval of Engineering Dept. and Environmental Planner. This is important in terms of wetlands/upland review area impact, erosion control of sedimented dewatering discharge, and sensitivity of certain locations vis a vis identified turtle habitat.
- Response: Included.
- c) Water-handling cofferdams are proposed (and depicted) for Phase I with the rock vane slated to be installed in spring? Why wouldn’t it be better to install it in low flow, e.g. August? If the reason was to provide immediate flow temperature mixing, then, perhaps a temporary water deflection

measure can be installed in this location in spring for that purpose and the rock vane installation – which will release sediment to the current - later during low flow.

- Response: Do not disagree, however we would like to perform this early on before June to avoid potential nesting sites. The plan is only suggested sequence.

10) No restoration planting plan is proposed. Can native shrubs, saplings, and ground cover be added to plan in regards to stream side areas disturbed by the activities?

- Response: Rounded riprap is proposed at the bridge embankments. As discussed, native plantings and conservation seed mixes will be added to the plans. Plantings will be chosen that are native to CT and currently exist at the site.

11) Regarding the area proposed to be disturbed to access Muddy River for installation of the ‘rock vane’, can this accessway be narrowed somewhat for less disturbance of a riverbank?

- Response: Providing 14’ for excavation equipment.

12) What is proposed for restoration of the above disturbed area?

- Response: Grass establishment will be proposed for areas maintained. Native plantings and conservation mixes will be proposed elsewhere.

13) What does the dashed line depicted represent (currently drawn alongside the silt fencing line depicted)?

- Response: There is a callout labeling this line as “Approximate Grade Limits”.

#### Other

1) Note: Invasive plant species Japanese knotweed occurs in a few spots in the work area. The Conservation Commission intends to chemically treat these plants at the optimal time for efficaciousness before Spring 2022 to insure that the rhizomes (roots-like structures) do not become unearthed and get carried downstream to settle and grow as they are known to do.

- Response: Noted