

NOREAST MANAGEMENT LLC

**241 WHITE OAK SHADE ROAD
NEW CANAAN, CT 06840
203-594-2092**

January 14, 2014

Ms. Alexis Cherichetti
Senior Environmental Officer
Conservation Department
City of Norwalk
125 East Avenue
Norwalk, CT 06851

Dear Ms. Cherichetti

This is to formally register our opposition to the City's intention to dismantle the Flock Process dam at approximately 353 Main Avenue along the Norwalk River.

I am writing as minority owner of the Zero Degrees Hotel as well as a concerned citizen. Several comments in the Norwalk Hour suggested my concerns were that the removal of the dam would impede the ambience of the restaurant view. This is not the issue. A river with rapids running through the gorge without the dam would be just as majestic.

Our issues are fourfold....

1) The State can ill afford to spend \$1.0MM plus costs for environmental remediation against an objective of creating a unobstructed transit upriver for alewives and striplings. The State is running close to a billion dollar budget deficit with the highest per capita debt in the nation; other options are available to accomplish the same results at minimal or no cost.

2) The environmental condition of the dam and waters around it are suspect. When your department was queried as to the environmental impact on sediment behind the dam, I was told this data would be released in due course, which led me to believe that sediment contamination lay behind the dam as well as downstream. In an email last May, 2013 from Christopher Malik of the State's Watershed Management Division to our Norwalk legislative representatives, Mr. Malik advised,

"Sediment quality is likely to affect the overall cost of the project.... both cost and feasibility of the final project may be critically affected. ConnDOT has also done sediment sampling both above and below the dam site. Construction access may be difficult due to steep banks and limited rights of way. More sampling and analysis will

likely be required. It is estimated that 6,000 yd³ of sediment may need to be removed under the full dam removal option.”

3) No information has been released as to the alewife and stripling census in the river and the cost of the alternative to breach the dam with fish ladders. On that subject, an upstate engineering firm submitted a proposal to construct a micro hydroelectric facility to power adjacent business's including the hotel and upholstery firm whose property the dam is on. In the project proposal were the construction of fish ladders. It is my understanding your office turned this proposal down, a proposal which would have cost the State nothing and added to the State's mandate that 15.5% of its energy needs come from renewable or clean energy sources by 2017.

4) Access to the dam for heavy construction equipment is problematic and would be destructive to the hotel's and abutting neighbors' operations. Also, on the opposite riverbank is the Danbury spur of Metro North Railway whose tracks would have to be crossed, a problematic access, indeed.

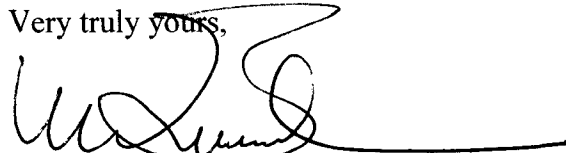
5) The argument that the dam's removal will reduce the incidence of flooding and the potential of dam failure. In 2010, FEMA's flood maps reduced the area around the river as flood zones. Also, it is interesting to note that the dam survived the historic 1955 floods that devastated downtown Norwalk.

We would ask that the Norwalk Department of Conservation cease further study of the dam's removal and engage in discussion with the abutting property owners, the Norwalk Watershed Initiative Committee, independent engineers and the general public. We also ask that you release any and all information gathered to date regarding engineering studies to remove the dam, alternatives to such action and the environmental and economic impact for such options. Furthermore, we are asking for the reasons why you turned down the micro hydroelectric power generating proposal. Finally,

The Flock Process dam has been in place for over 175 years and it's water flow was once controlled by a system of gates providing hydroelectric power to a small gauge railroad (managed by the still standing fieldstone station house which is now Georgio's Upholstery) that transported munitions from a gunpowder factory that is now the hotel. Why can't we return the dam to its original use while satisfying your objective of unimpeded upstream fish migration. What was fine 175 years ago should be fine today. The construction of a new micro hydroelectric facility will replace carbon fueled electrical power with sustainable energy and return \$1MM or more back to our State budget.

It is hoped that a more informed public would lead to a more constructive solution rather than simply dismantling of the dam.

Very truly yours,



William W. Burnham

cc: Senator Bob Duff
Seeley Hubbard, Vice Chairman, Conservation Commission
William Nightingale, Member, Conservation Commission