

Kathy S. King

11 Killingworth Tpk

From: KENNETH NAVARRO <kennethnavarro@comcast.net>
Sent: Monday, February 10, 2020 3:56 PM
To: Kathy S. King
Subject: Fwd: Fish Ladder

Wanted to keep you in the loop.....see below.

Kenneth F. Navarro

860.918.3600

kennethnavarro@comcast.net

33 Cromwell Place

Old Saybrook, CT 06475

----- Original Message -----

From: KENNETH NAVARRO <kennethnavarro@comcast.net>
To: William R Sweeney <wrsweeney@tcors.com>
Cc: steve.gephard@ct.gov, kkilduff@clintonct.org, John Guskowski
<jguskowski@cmeengineering.com>
Date: February 10, 2020 at 3:36 PM
Subject: Fish Ladder

Hi Steve

I am following up re your correspondence with Bill below. The final ownership of the Dam (along with the upstream ponds) will be owned by either the town, land-trust or the developer. In all three cases, the fish ladder would be a great idea so please proceed and let us know what we can do to help?

Thank you!

Ken

Kenneth F. Navarro

860.918.3600

kennethnavarro@comcast.net

33 Cromwell Place

Old Saybrook, CT 06475

----- On February 10, 2020 at 3:03 PM William R Sweeney <wrsweeney@tcors.com> wrote:

See below to see my conversation with Steve Gephard on the fish ladder. Might be worthwhile to reach out to him to discuss.

William R. Sweeney, Esq. | Partner

Tobin, Carberry, O'Malley, Riley & Selinger, P.C.

43 Broad Street | P.O. Box 58 | New London, CT 06320

Tel: 860-447-0335 | Fax: 860-442-3469

Email: WRSweeney@tcors.com | www.tcors.com

From: Gephard, Steve [mailto:Steve.Gephard@ct.gov]
Sent: Tuesday, February 04, 2020 2:46 PM
To: William R Sweeney <wrsweeney@tcors.com>
Cc: 'kkilduff@clintonct.org' <kkilduff@clintonct.org>
Subject: FW: Clinton Property

Bill,

Thanks for your prompt response. Let me just outline our basic plan here for both the Town and the Developer's information.

- It would be our plan to apply for a grant from the National Fish and Wildlife Foundation (NFWF) to pay for the design of the fishway (and, later, another grant application for construction).
- The applicant would probably be a non-profit conservation group that we routinely work closely with.
- The grant round is typically announced in March or April. The applicant must include a letter of support from the dam owner. At this time, we don't know who will own the dam in the future but we will ask for a letter of support from whoever owns the dam at the time we submit the application. It may be the Town, which is why I copied Karl. The grants awards are announced in the fall and by that time, we should know who will own it. We can then confirm the new owner's support. If the new owner does not support it, we don't have to accept the grant.

- The design phase will take over a year so the fishway construction won't be right away. If the fishway is designed under one owner but the eventual owner does not want the fishway, we are not obligated to build it.
- The fishway will be a steppass style similar to what was built in Darien but much smaller since the dam is much lower. The fishway will be owned by whoever owns the dam and my program with the DEEP will help operate and maintain it.
- The fishway should be a compatible if not complementary feature for whoever owns the dam, as outlined in Bill's email, especially if it is a Town Park or Land Trust preserve. But even if the developer retains it, it could be an interesting feature for watchable wildlife that could add uniqueness to the development.

On one hand, this email may seem a bit premature since ownership decisions are yet to be made. On the other hand, announcing our intentions may help inform the decision making. I will be happy to meet and discuss our ideas with any/all at any time. In the meantime, please keep me up to date on decisions that are made but you will hear back from me when NFWF announces their 2020 round of grants and we need to determine if we can have a letter of support and from whom.

Thanks,

Steve

Stephen Gephard

Supervising Fisheries Biologist

Diadromous Fisheries *and* Habitat Conservation and Enhancement programs

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www.ct.gov/deep

From: William R Sweeney <wrsweeney@tcors.com>
Sent: Tuesday, February 4, 2020 2:25 PM
To: Gephard, Steve <Steve.Gephard@ct.gov>
Subject: RE: Clinton Property

Hey Steve:

That is not determined at this time. The dam is proposed to be part of a parcel that is designated for conservation purposes. Our plan is to offer the parcel to the town with a public park parcel that is being carved out of the development. If the town does not want to accept it, we would then offer it to a local land trust. If that is not an option, we would continue to hold it and likely put it into some type of association or holding company.

Those decisions are likely to be made over the next 60 days or so. If you would like to speak to the developer, his name is Ken Navarro and he can be reached at 860-918-3600.

William R. Sweeney, Esq. | Partner

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Email: WRSweeney@tcors.com | www.tcors.com

From: Gephard, Steve [<mailto:Steve.Gephard@ct.gov>]

Sent: Tuesday, February 04, 2020 2:20 PM

To: William R Sweeney <wrsweeney@tcors.com>

Subject: Clinton Property

Bill,

I got your name from the folks at the Clinton Town Hall. I am a fish biologist with the State and seek opportunities to restore runs of migratory fish to historic habitat, which has often been blocked by dams. One of the things we do is build fishways at dams to let the fish get over the dams and continue upstream. There is a small dam behind the old Morgan High School, which your client is proposing to buy and develop. We have been looking at that dam for some time and even discussed it with a former First Selectman of Clinton, but now we're getting serious. So my question involves future ownership. It is my understanding that some of the Town property will be given to the Clinton Land Trust and most of it will go to the new owner for the development. My question is: who gets the dam? Whoever that is, I'd like to work with them to build a fishway at the dam. Whoever that will be can expect a call from me to set up a friendly exploratory meeting.

Steve

Stephen Gephard

Supervising Fisheries Biologist

Diadromous Fisheries *and* Habitat Conservation and Enhancement programs

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