

Appendix H: Public Comments to the DRAFT Report

A DRAFT report was published on February 11, 2020, and the public was invited to comment through March 13, 2020. An online comment form was used to collect responses, and 393 comments were received through the form. Additionally, written comment letters were received from a NETRA representative and an American Motorcyclist Association representative. A summary of the comments, and project team responses are presented herein.

Response to Public Comments on the Final Draft NRG Trail Torrington to Thomaston Routing Feasibility DRAFT Report

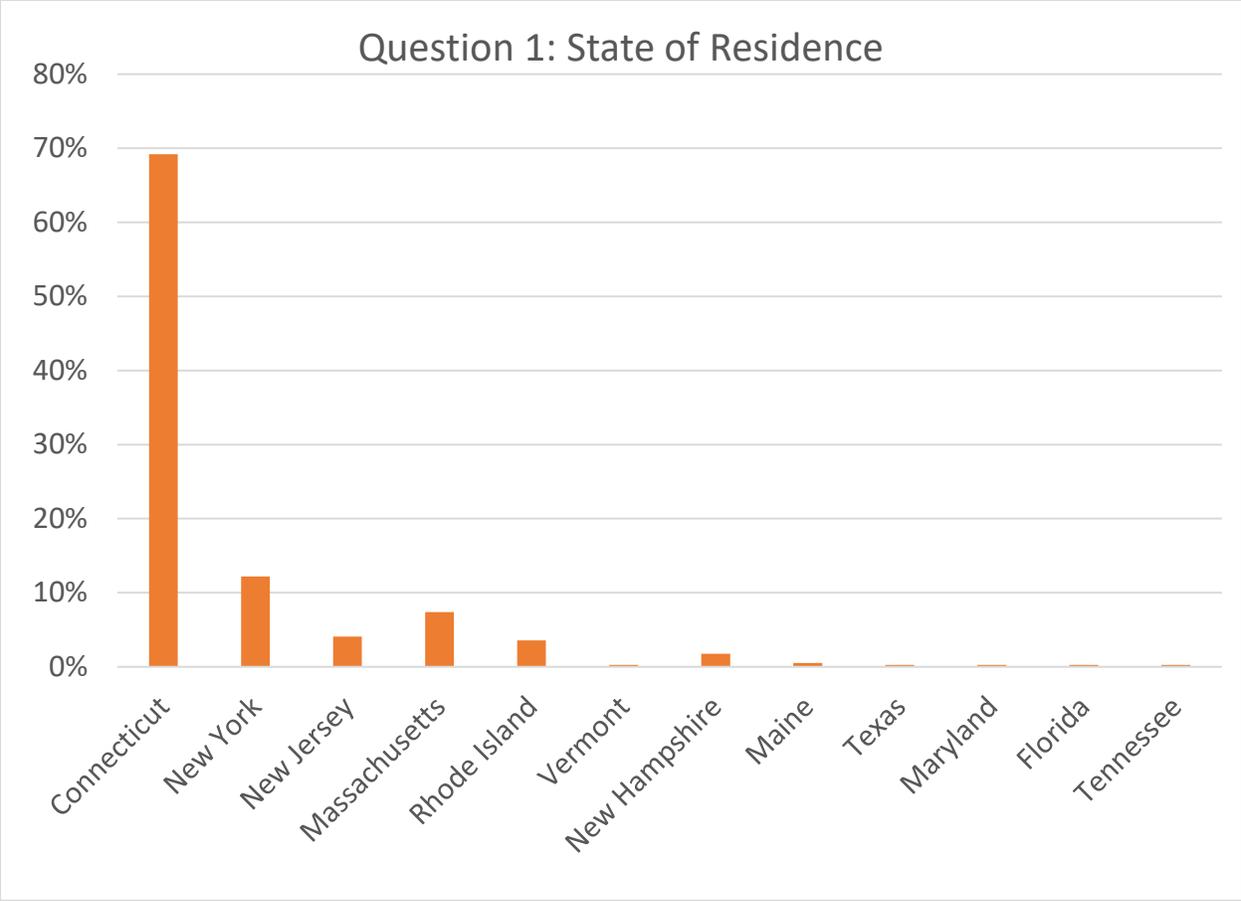
Summary of Comments

The Naugatuck Valley Council of Governments (NVCOG) released the final draft report on the recently completed routing study (NRG Trail Torrington to Thomaston Routing Study) on February 12, 2020. The report presented the preferred alignment of the Naugatuck River Greenway Trail (NRG Trail) between Torrington and Thomaston. To facilitate the tabulations of comments, the Project Team prepared an on-line survey form. The comment period extended at least 30 days from the release date, closing on March 13, 2020. A total of 393 people completed the on-line survey and submitted comments on the final draft report. Detailed and specific comments were received from Steve Patchkofsky the USACE Project Manager at Thomaston Dam in the online comment form, and from Tony Gasper, President of the New England Trail Riders Association (NETRA), and Steve Salisbury, Government Affairs Manager, American Motorcyclist Association (AMA) in separate letters to NVCOG. The Project Team responded directly to those three detailed comments, and the comments and responses are included in this appendix.

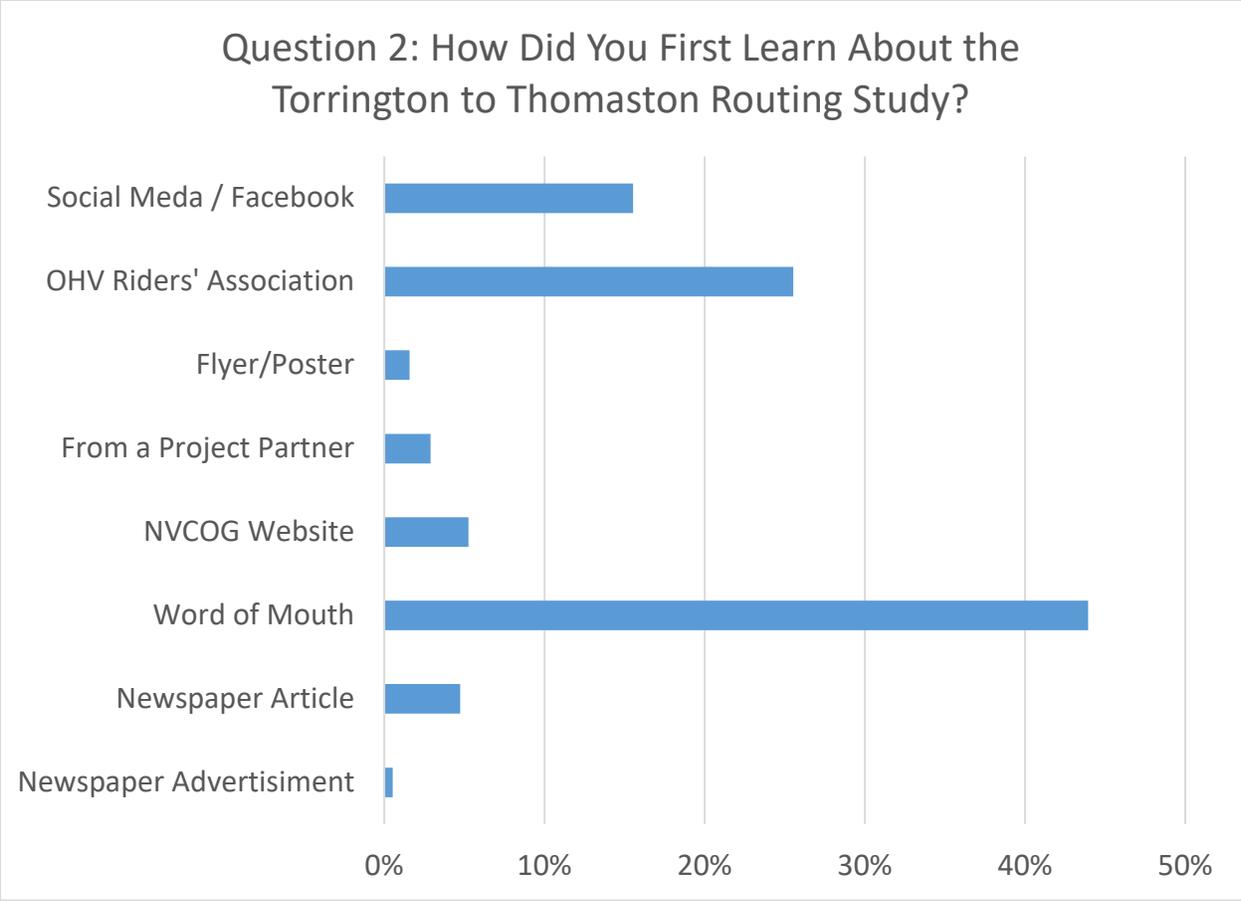
While the intent of the outreach on the draft report was to solicit opinions on the entire proposed route, the majority of people who completed the on-line survey form focused their comments only on the section through the Thomaston Dam area. These respondents generally voiced concern that building the NRG Trail through that area would negatively impact Off-Highway Vehicle (OHV) riders' ability to continue to ride in the Thomaston Dam site. Only about 5% of the respondents submitted comments relating to other sections of the subject corridor or on the entire report in general. All other comments focused solely on the impact the proposed trail would have on OHV riders' use of the Thomaston Dam site. Most of these respondents were not opposed to the development of the NRG Trail, but expressed the opinion that, if built through the Thomaston Dam area, it should be aligned on the east side of the Naugatuck River and avoid direct alignment within the area predominately used by OHV riders.

The on-line survey consisted of four questions. The first section requested contact information, including person's name, address, place of residence and email address. All respondents completed this section and provided the required contact information.

Responses were received from people living in 12 different states, including all New England states, and 203 cities, towns and villages. Nearly 70% of the respondents live in Connecticut. A relatively large number of respondents live in New York (48), New Jersey (29), Massachusetts (16) and Rhode Island (14). Seventy-five (19%) of the respondents from Connecticut live in cities and towns located in the Naugatuck Valley planning region.



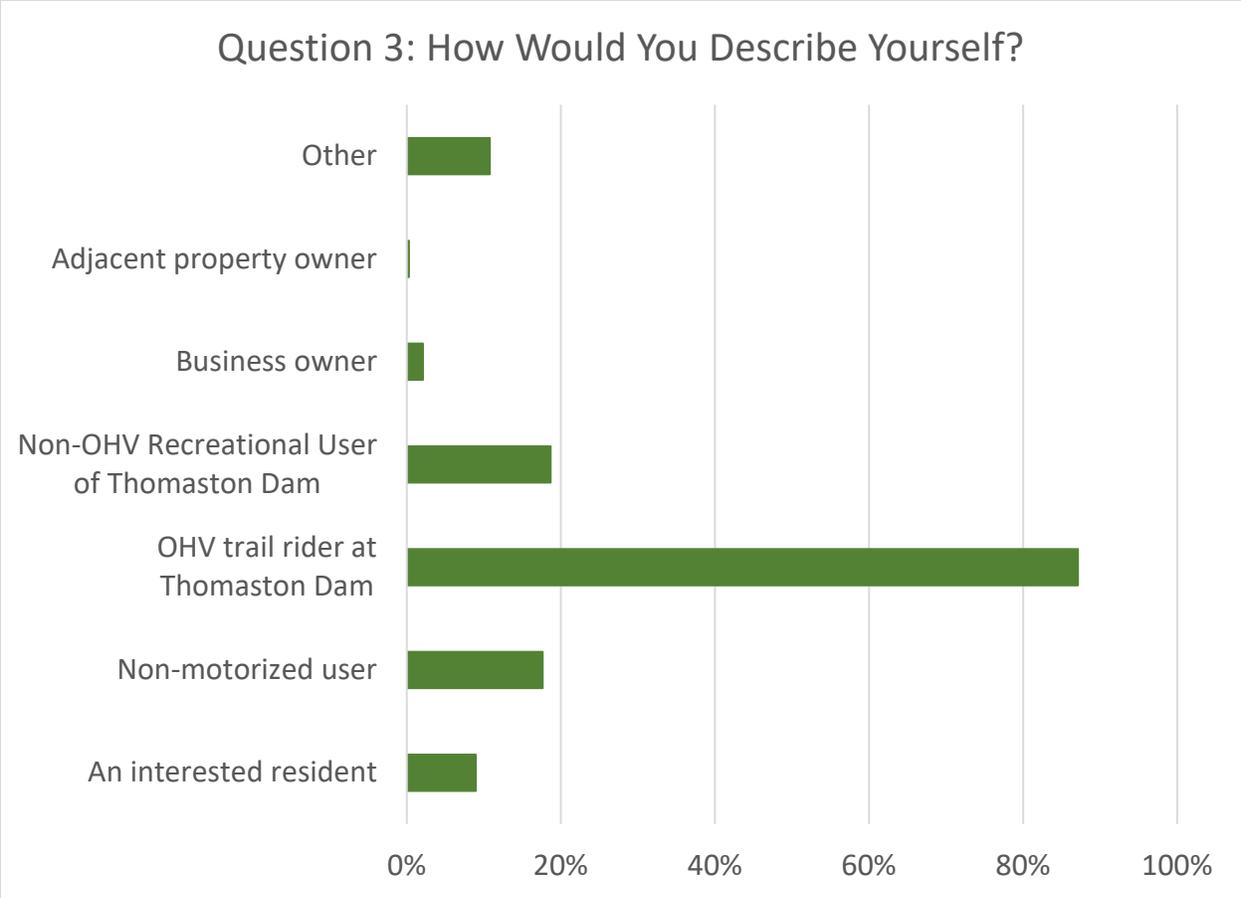
Question 2 asked respondents how they first learned about the NRG Trail Torrington to Thomaston Routing Study. The Project Team was interested in understanding how respondents learned about the project and provide insights into where they were getting their information. The most common method was “Word of Mouth.” This category includes hearing about the study from family or organizations with an interest in the study. Hearing about the study through social media and posts on Facebook was also a common way people learned about the study, with about 15.5% of the respondents indicating that this was how they learned about the study. Several OHV rider associations became interested in the study and made concerted efforts to inform their members about the project. Over one-quarter of the respondents learned about the project through their affiliation with an OHV organization, including the New England Trail Riders Association (NETRA), Connecticut Off Road Enthusiasts Coalition (COREC), American Motorcyclist Association (AMA), and Pathfinders Motorcycle Club of Connecticut. Also, a review of individual surveys listed NETRA, COREC or Pathfinder Facebook posts as the source of information. Many of these responses were categorized as “Social Media” or “Word of Mouth” even though the information originated from an OHV association. Few learned about the project from the NVCOG website or more traditional media sources, such as newspaper articles or advertisements.



Question 3 asked respondents to describe themselves. Five possible descriptions were provided.

- An interested resident of Torrington, Litchfield, Harwinton or Thomaston
- A non-motorized trail user – bicyclist, hiker/walker, runner, etc
- An Off-Highway Vehicle rider at Thomaston Dam
- A recreational (non-OHV) user of the Thomaston Dam
- A local business owner
- An adjacent property owner

Respondents could describe themselves in more than one way and were also able to write-in a specific description. Over 170 respondents chose to identify themselves in more than one way. The vast majority (87.1%) of the respondents identified themselves as an OHV trail rider at the Thomaston Dam. Less than 20% of respondents described themselves as either a non-motorized or other non-OHV recreational user of the area. In reviewing individual responses, it is apparent that many respondents described themselves as both an OHV rider at Thomaston Dam and as a non-motorized enthusiast of the outdoors. Only eight respondents indicated they were a local business owner and only one person listed themselves as an adjacent property owner.



The fourth question on the survey was open-ended and asked respondents to provide any comments they wished to make. Almost all chose to provide a comment; there were only a few completed surveys that did not include a comment. Because of the controversial nature of the preferred alignment of the NRG Trail through the Thomaston Dam area, nearly all comments related to the proposal to develop a section of the NRG Trail along a portion of Old Route 8. Less than 5% of the comments focused on an aspect of the report other than the Thomaston Dam corridor. Almost all these comments expressed support of the planning study and expressed the belief that OHV and non-motorized users could safely share the Thomaston Dam area.

Because respondents were able to provide as much or as little detail in the comment box, that is there was no character limit, many individual comments could be categorized under more than one of the common themes. Some comments were short and direct, while others were very detailed and extensive. Each comment was read, and a general theme was determined. Comments with common themes were tabulated. The common themes included:

- No reason to change how the Thomaston Dam area is used
- Don't close Thomaston Dam to OHV riding; don't encroach on the OHV area
- OHV riders need places to ride legally; locate NRG Trail elsewhere
- Thomaston Dam area only place to ride legally

- There are plenty of areas to walk
- It is unsafe and dangerous to share OHV trails with cyclists and walkers; serious injuries and deaths will occur
- OHV riders support local economy; pay taxes and registration fees on bikes
- Other general concerns with locating the NRG Trail through Thomaston Dam
- OHV area should remain for OHV riding only

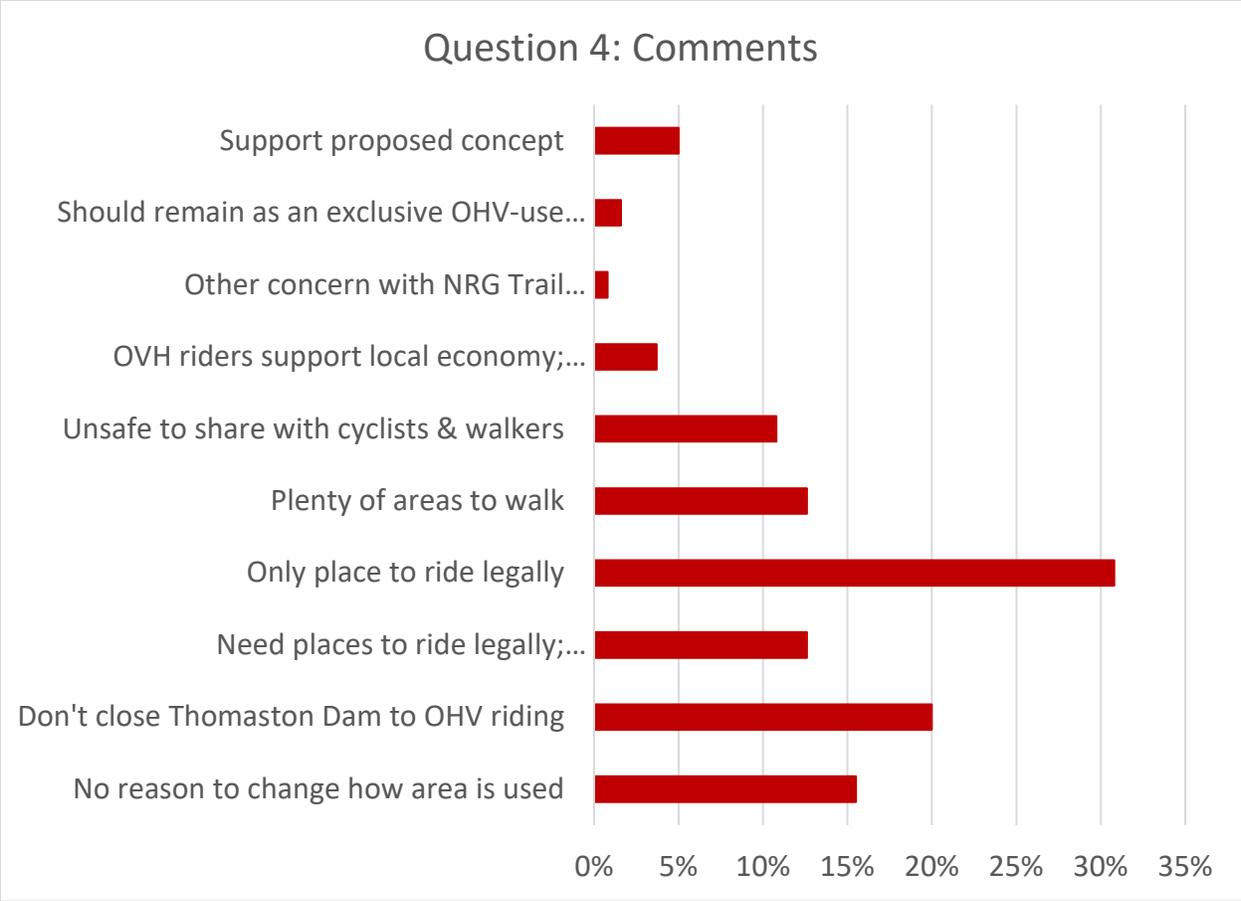
While the comments were organized into the above listed themes, in general, the principal concern voiced by respondents was that building the NRG Trail through the Thomaston Dam area will limit OHV riders' ability to use the area; either the area would be closed to OHV use or limited/reduced significantly. A second common concern was that sharing the area is unsafe. Many stated that the Thomaston Dam area is a special place and they enjoy riding there; it is a unique place, it provides a "hassle-free, family place for outdoor recreation." They fear losing their ability to ride in the area and feel there are alternatives that would avoid the Old Route 8 corridor.

Riders come from all around New England; spend money on registration fees and pay taxes. They feel these funds should be used on OHV trails; they express that "you" are proposing to take away the only legal place for OHV riders to use; they don't want their ability to ride there closed or diminished.

OHV riders also indicated that they spend money when they visit the Thomaston Dam – hotels, restaurants, supplies, gas – and that these expenditures are good for the local economy. There was also a sentiment voiced by many that because they contribute to the local economy, pay taxes, and volunteer to maintain the trails that it "entitles" them to have "exclusive" use the area.

OHV riders say they obey the rules and feel that they are responsible, and their use of the OHV trails helps preserve and protect the environment. Several expressed concern that closing or limiting OHV use at Thomaston Dam will increase the amount of illegal OHV riding throughout the state; closing the area will cause riders to "break the law and start riding illegally."

And finally, many respondents voiced the opinion that the final plan did not consider all of the comments made at the public information meetings and that the plan ignored their requests and comments.



Responses to Comments

The Project Team appreciates the time and effort of everyone who completed the on-line survey and submitted comments. We fully understand the concerns voiced by many OHV enthusiasts and the anxiety they feel about the thought of losing access to the Thomaston Dam area. The Project Team wants to reiterate that we are cognizant of the area’s unique function and it has never been the intent of the project to close or limit OHV use at Thomaston Dam. We remain committed to open dialogue with all stakeholders and want to continue to work with all groups to arrive at mutually beneficial solutions.

The “*NRG Trail Torrington to Thomaston Routing Feasibility Study*” is a high-level planning study to investigate all possible alignments to connect the NRG Trail sections currently being developed in Torrington and Thomaston. The intent was to collect data on the opportunities, strengths, weaknesses and constraints of all possible routes (82 viable route sections along the entire corridor were evaluated) and present all relevant data in a concise planning document to allow decision makers and other project sponsors to make educated recommendations on how to advance the construction of the NRG Trail. The intent of the project was to reach consensus on the most logical and beneficial alignment for the NRG Trail. While it was important to solicit public comment on the proposed project, the selection of a preferred alignment and any

subsequent adjustments were based on an examination of the relevant data and analysis of the facts, not just on public opinion.

The project team worked diligently to include concerns expressed by the OHV community in the report, explain how those concerns were considered and addressed, and present a concept that would not negatively impact the OHV area or infringe on access to it, while ensuring safety and enjoyment of all present and future users of the property. All routing options were investigated comprehensively including those on the east bank of the Naugatuck River. Detailed assessments of all routes are presented in the final draft report and appendices. Wherever there was a feasible route away from the OHV area, that alignment was selected as the preferred route, despite, in many cases, higher costs and greater difficulty to construct. As detailed in the final draft report, it was determined for several reasons, including terrain, land ownership, physical obstacles and cost, that there was not a feasible route between Valley Road and Thomaston Dam on the east bank of the Naugatuck River, and the alignment along Old Route 8 was recommended and selected as the preferred option.

Contrary to popular belief the intent of a public information meeting is not to have a vote on a project; it is intended to solicit comments and then it is up to the project sponsor to decide how to consider and respond to the comments. It is not as simple as who is in favor of an action and who is opposed, and the majority wins. Public information meetings are not referendums on actions. If that were the case, nothing would ever get done. In almost all cases, people who are most directly impacted by an action will come out to a public meeting and voice their opinion. It is necessary to evaluate the merits of comments and concerns and determine how to respond. Often plans are changed to reflect concerns, but it is not done without considering how any change would affect the purpose and needs of the action being considered.

Because of the number of comments received and the fact that nearly all could be categorized into common themes, the Project Team is providing the following general responses:

Comment: *Don't close Thomaston Dam to OHV riding.*

Response: The Project Team at each of the public information meetings, during site visits with the USACE and representatives of the OHV riders, at Advisory Committee meetings, and in the final draft report stated that elimination or curtailment of OHV use within the Thomaston Dam area was never considered or proposed during the study. The intent of the study was to identify a preferred alignment for the NRG Trail between Thomaston and Torrington. The determination of a preferred alignment does not threaten the status of OHV use at Thomaston Dam.

Comment: *The Thomaston Dam area is the only place to legally ride an off-highway vehicle in Connecticut.*

Response: It has been clearly and repeatedly stated that the Project Team understands that the Thomaston Dam is one of only two public areas in Connecticut where OHV riding is legally permitted. The Team acknowledges the rights of OHVs to use the site and agrees that this ability to use the area should not be eliminated or curtailed in any way. This is clearly stated in the draft final report.

Comment: *There are plenty of places for people to walk or ride a bicycle.*

Response: The fact that there are plenty of places in Connecticut for people to walk and bicycle is irrelevant to the study and proposal under consideration. The purpose of this study was not to simply identify a new location for non-motorized recreation. The purpose of the study was to specifically identify a preferred alignment for the NRG Trail between Torrington and Thomaston. As described in the report and on the NVCOG website, the NRG Trail is a planned 44-mile, multiuse trail from Derby to Torrington. A preferred alignment has been identified for much of its proposed length, but there was a gap in the preferred alignment between Thomaston and Torrington. This study was intended to determine the best way to route the NRG Trail between those two municipalities.

Multiuse trails are not intended to be purely recreational, they are linear, provide an alternate transportation connection, and must meet certain design criteria, such as meeting ADA standards, be at least 10 feet wide, and have a smooth surface. Trails within Connecticut's state parks and forest system or the extensive "Blue Blazed" trail network do not meet these criteria. Nearby state parks and other areas offer wonderful recreation opportunities, but they don't provide the linear connections that are a critical element of multiuse trails. It is only by connecting sections into long continuous networks that the full benefit of the trail as a viable transportation option can be realized. The full return on the substantial investment made in developing the NRG Trail north and south of the study area will only be realized once the trail is connected throughout the entire corridor.

Comment: *Why build the trail where it will encroach on the OHV riding area?*

Response: The Project Team determined through the analysis and assessment of the potential routes that the alternative alignment on the east side of the Naugatuck River that would avoid the Old Route 8 corridor was not feasible because of property impacts, grades and cost. The preferred alignment endorsed in the final draft report was determined to be the only viable option. Furthermore, it does not "encroach" on the OHV riding area. Instead, it offers a concept to provide separated paths for motorized and non-motorized visitors to the Thomaston Dam area. Based on mapping of the area, there are about 213 OHV trails throughout the forest areas of the property, totaling about 26.5 miles. Except for the Old Route 8 section, and former railbed, these trails are single-track, narrow, have a rough surface, have variable grades, and operate in a one-way flow. These trails cross Old Route 8 at 48 locations. The concept avoids

the OHV riding area along the old railroad bed at the north end of the site and stays away from the single-track trails, the primary OHV riding area. The only section the proposal affects is a two-mile stretch of Old Route 8. It also rationalizes how OHV riders cross Old Route 8 and minimizes potential conflict points.

Comment: *Don't mix OHV riders with bikes and walkers; it is dangerous to share trails, it will cause accidents and serious injuries*

Response: As has been stated throughout the process and confirmed by USACE staff, the Thomaston Dam area is managed as a multi-purpose recreational property. It is open to hikers, bicyclists, walkers, runners, fishermen, hunters, and any other recreationalists that want to use the property. This fact is discussed in the *"Thomaston Dam Operations Management Plan."* OHVs are permitted in the area, but they DO NOT have the exclusive use of the property. There already is a mixing of users. While the number of non-motorized recreational users is low, it does not alter the fact that they are permitted anywhere within the site. The proposed concept does not promote or even suggest the widespread mixing of motorized vehicles, walkers and bicyclist.

The proposed concept is intended to provide separate paths for motorized and non-motorized users and install controls at conflict points. During the outreach process, the Project Team met with OHV representatives and discussed how the area functions. We were told that Old Route 8 is used as sort of a main thoroughfare to connect the single-track trails and provide a way to quickly return to the parking area near the Dam. It operates in a bi-directional manner, as opposed to the one-way flow designated along the single-track trails, and there are many points at which the single-track trails cross Old Route 8. The Project Team identified 48 uncontrolled crossings or intersections of Old Route 8. The Project Team was also told that speed on Old Route 8 is sometimes a problem. Because Old Route 8 is paved, wide and relatively flat, it induces higher travel speeds.

To address these concerns, the proposed concept suggests installing one-way, parallel OHV-only paths along both sides of Old Route 8 that would be more appropriate to trail bike use – narrowed trail, curvy, and rough surface. This concept would also mitigate the tendency of higher travel speeds by some. Access to the single-track trails on either side of Old Route 8 would be maintained via a limited number of designated and controlled crossings. Users would be responsible for understanding the rules for safe crossing and knowing who has the right-of-way.

Regarding the opinion that shared access is inherently dangerous, the American Motorcyclist Association (AMA) has issued a policy statement in conflict with that sentiment. The AMA encourages shared use to promote increased OHV access on public land. At a forum about shared use trails at the International Trails Symposium in 2019, Steve Salisbury, an AMA Government Affairs Manager discussed the issue of an increasing number of trail users and uses all vying for a limited number of trails. He read this AMA policy statement: *"The AMA*

recognizes that single recreation type is not appropriate for every setting. There are certainly many places where OHV can exist in harmony with other uses while preserving important natural and cultural resources.” While the Project Team would agree that shared use of heavily used single-track trails is not appropriate, it is eminently reasonable to consider the conversion of a former two-lane highway as a place where OHVs and other uses can, as Mr. Salisbury stated at the Trails Symposium, “exist in harmony.”

Comment: *OHV riders pay taxes and registration fees to the State of Connecticut and visits to the Thomaston Dam area support the local economy.*

Response: The Project Team recognizes their contributions to the state and local economies and understands that OHV riders visiting the area are important to sustaining local businesses. The Team wants those expenditures to continue. As stated previously, the Project Team had no intention of recommending the closure of the Thomaston Dam to OHV use or limiting its use by OHV riders. The purpose of the study has been to enhance the enjoyment of the area by all permitted users.

Comment: *No reason to change; the Thomaston Dam area should remain an OHV area only.*

Response: As stated previously, the Thomaston Dam area is managed as a multi-purpose recreational property and it is not the exclusive domain for OHV riders.

Comment: *Support for the proposed concept; well thought out plan.*

Response: Thank You

The New England Trail Rider Association
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Derry, NH 03038



Rick Dunne, Executive Director
Mark Nielsen, Director of Planning
Aaron Budris, Senior Regional Planner
Naugatuck Valley Council of Governments
49 Leavenworth Street, 3rd Floor, Waterbury, Connecticut 06702

Official Position Statement on DRAFT Report of the Naugatuck River Greenway Routing Study

Messrs. Dunne, Nielsen, and Budris,

This letter will constitute NETRA's official statement on the released DRAFT report for the routing of the Naugatuck River Greenway. **NETRA was, is, and will be staunchly against any routing of the Naugatuck River Greenway that encroaches on the existing trailbike area at Thomaston Dam operated by the Army Corps of Engineers.** There are important, needed changes to the DRAFT document if it is to accurately represent our involvement in the process. While I am thankful for having been invited to attend and contribute to discussions about the route, the report does not represent the statement that I made at each meeting to which I was invited: *"Our position is to maintain the status quo for Thomaston Dam."* The remainder of this letter will outline these needed changes, our rationale for disagreement, and generic concerns about the DRAFT report.

Needed Changes:

1. **The word "preference" must be removed from the sentence on page 14 that refers to NETRA.** It's important that the report reflect NETRA's official position as stated above. That position is that NETRA opposes any change to the Thomaston Dam riding area. Any greenway route that proposes to share space currently dedicated to trailbikes is not acceptable to NETRA. If the report is to avoid misrepresenting my contributions to the conversations, the word "preference" must be changed to "stance".
2. **On page 15, the word "compromise" must be removed.** From NETRA's position, no compromise was reached and "compromise" misrepresents my contributions to the conversations. Again, I repeatedly stated that NETRA's position was to retain the status quo for Thomaston Dam. We have not changed or compromised on this stance. I'm deeply concerned that "compromise" indicates that I would, in any way, agree with the sharing of the Thomaston Dam property with a greenway. NETRA will never support any such plan. If the report must reference the ideas that I contributed, it should be couched properly to indicate that I suggested safety issues with the proposed route and stated that *"IF the greenway is to use Old Route 8, what would be needed were narrow, windy, transit trails that could parallel the paved portion of Old Route 8."* Anything other than a statement similar to this would be inaccurate and a misrepresentation.
3. **Include that NETRA did not hold a voting interest in these decisions.** I would like it noted that, while I was invited to consult with the Steering Committee, I was not a voting member. As written, the casual reader could misunderstand this fact.

Rationale for Our Disagreement:

We remain staunchly opposed to any routing of the Naugatuck River Greenway that encroaches on the trailbike area of Thomaston Dam. Industry estimates from Connecticut motorcycle retailers estimate between 40,000 and 70,000 trailbikes are owned in Connecticut. Thomaston Dam has been the singular legal place in the state where these bikes can be enjoyed on public land. The Connecticut DEEP website indicates 89 locations where hiking, walking, bicycling can take place on public lands. The state is replete with these opportunities when compared to legal trailbiking. Those who participate in the sport are owed at least one, small, family-oriented location to legally enjoy this hobby. This is evidenced by the 16,000 (on average) visitors that there are each year to the trails. In other words, 16,000 times per year, the proposed route for the greenway would infringe on residents' enjoyment of this sport.

Concerns about the Legitimacy of the DRAFT Report:

NVCOG's own documentation outlines the fact that the overwhelming majority of the public response and participation in the process to date (in person, on-line, and via email) has been strongly opposed to any encroachment on the riding area. This naturally begs the question, "How can a report that was funded by taxpayer money so egregiously ignore the overwhelming will of those same taxpayers?" It is difficult to understand, from our perspective, how the concerns and objections of hundreds of meeting visitors, emailers, and survey respondents can be so completely disregarded. We believe that this failure to represent the will of the people **seriously calls into question the legitimacy of the report and the proposed route of the greenway.**

As NETRA President, I strongly encourage you to ensure that the report reflects the will and objections of the vast majority of the public comment that you received.

Respectfully submitted,



Tony Gasper
President, New England Trail Rider Association
Representing lawful trailbike enthusiasts across New England

Cc: Steve Patchkofsky, Army Corps of Engineers
Chris Way, Army Corps of Engineers
Steve Salisbury, American Motorcyclist Association
The office of Senator Chris Murphy
The office of Senator Richard Blumenthal
The office of Representative Jahana Hayes
The office of State Representative John Piscopo
The office of State Senator Henri Martin



Tony Gasper
The New England Trail Rider Association
Post Office Box 1235
Derry, NH 03038

April 6, 2020

Mr. Gasper,

Thank you for your continued input to the Naugatuck River Greenway Thomaston to Torrington Routing Feasibility Study. We will gladly provide responses to your comments and concerns in turn.

This letter will constitute NETRA's official statement on the released DRAFT report for the routing of the Naugatuck River Greenway. NETRA was, is, and will be staunchly against any routing of the Naugatuck River Greenway that encroaches on the existing trailbike area at Thomaston Dam operated by the Army Corps of Engineers. There are important, needed changes to the DRAFT document if it is to accurately represent our involvement in the process. While I am thankful for having been invited to attend and contribute to discussions about the route, the report does not represent the statement that I made at each meeting to which I was invited: "Our position is to maintain the status quo for Thomaston Dam." The remainder of this letter will outline these needed changes, our rationale for disagreement, and generic concerns about the DRAFT report.

Your involvement has been critical to developing an understanding of the OHV operations at Thomaston Dam, and your rational approach to the discussion about routing and the safe separation of motorized and non-motorized users was most welcomed and invaluable to the project team in recommending a preferred concept for separate paths through the Thomaston Dam area. Because of the comments we received during the public information meetings and the strong emotions voiced by many attendees, you were invited to participate in the project because you represent an important stakeholder group. You were invited to and attended a special meeting that focused solely on the issues of aligning the NRG Trail through Thomaston Dam. After that meeting, we prepared and circulated a Report of Meeting (ROM) summarizing the salient points discussed at the meeting and the consensus reached regarding a possible accommodation of the NRG Trail through the Thomaston Dam area. You were provided ample opportunity to review the ROM and offer changes. The ROM reflects our understanding that a separated, shared path was feasible and an acceptable alternative to doing nothing. You were also provided an advanced version of the preliminary draft report and asked to provide comments. All corrections you suggested were implemented and reviewed by you prior to the DRAFT report's release and publication. So, we are quite surprised that you feel the report misrepresents your participation in the study.

Needed Changes:

1. The word "preference" must be removed from the sentence on page 14 that refers to NETRA. It's important that the report reflect NETRA's official position as stated above.

That position is that NETRA opposes any change to the Thomaston Dam riding area. Any greenway route that proposes to share space currently dedicated to trailbikes is not acceptable to NETRA. If the report is to avoid misrepresenting my contributions to the conversations, the word "preference" must be changed to "stance".

The final report will replace the word "preference" with "stance". However, the final report will continue to state that there is no space currently dedicated solely to trailbikes at Thomaston Dam. The property is a public multipurpose recreational area open to various users, and not exclusively dedicated to OHV use.

2. On page 15, the word "compromise" must be removed. From NETRA's position, no compromise was reached and "compromise" misrepresents my contributions to the conversations. Again, I repeatedly stated that NETRA's position was to retain the status quo for Thomaston Dam. We have not changed or compromised on this stance. I'm deeply concerned that "compromise" indicates that I would, in any way, agree with the sharing of the Thomaston Dam property with a greenway. NETRA will never support any such plan. If the report must reference the ideas that I contributed, it should be couched properly to indicate that I suggested safety issues with the proposed route and stated that "IF the greenway is to use Old Route 8, what would be needed were narrow, windy, transit trails that could parallel the paved portion of Old Route 8." Anything other than a statement similar to this would be inaccurate and a misrepresentation.

As it was presented and discussed at the August special stakeholder meeting, the study team agreed to not recommend routing through the majority of the OHV area. Wherever there was a viable alternative, and the OHV area could be avoided, it was, despite higher costs and difficulty. Where there was not a viable alternative, specifically between the southern end of valley road and Thomaston Dam, Old Route 8 would be recommended as the preferred route along with concepts for the safe separation of motorized and non-motorized uses that were discussed and amended at that meeting. The separation concept detailed in the DRAFT report was developed at that meeting with your input, and you agreed that safe separation could be accomplished as discussed without negatively impacting the OHV riding experience. This is detailed in the meeting record which was vetted by all of those present at the meeting, and which all present were given ample opportunity to correct if it mischaracterized the discussion. The concept discussed at the August meeting and included as the preferred alternative in the report is intended to provide a safer riding experience for OHV riders and safely accommodate different users of the area. USACE staff was cited in the meeting record as stating that the approach was a good compromise. While we maintain that the original DRAFT Report text accurately represents the outcome of the August meeting as well as NETRA's clear stated preference for complete avoidance of the OHV area with any NRG Route, the word "compromise" will be removed to avoid any possible confusion.

You state that NETRA will never support any such plan where motorized and non-motorized uses coexist on USACE property, however, you must understand that OHV riders at Thomaston Dam are already operating under such conditions. Thomaston Dam is, and always has been, a multipurpose recreational area. It is open to hikers, bicyclists, walkers, runners, fishermen, hunters, and any other recreationalists that want to use the property. OHVs are permitted, but they DO NOT have the exclusive use of the property. This fact is detailed in the Thomaston Dam Operations Management Plan and has been confirmed by USACE staff. The idea that this study proposes "taking away" the exclusive use of the

property by OHVs has been a common theme of comments from the OHV community, entirely based in misinformation and a misunderstanding of current permitted uses.

3. Include that NETRA did not hold a voting interest in these decisions. I would like it noted that, while I was invited to consult with the Steering Committee, I was not a voting member. As written, the casual reader could misunderstand this fact.

There is nothing in the report or supporting documentation suggesting that you or NETRA had a voting interest. The Project Steering Committee is listed in the report, and there is no reason why a casual reader would misunderstand.

Rationale for Our Disagreement:

We remain staunchly opposed to any routing of the Naugatuck River Greenway that encroaches on the trailbike area of Thomaston Dam. Industry estimates from Connecticut motorcycle retailers estimate between 40,000 and 70,000 trailbikes are owned in Connecticut. Thomaston Dam has been the singular legal place in the state where these bikes can be enjoyed on public land.

As project staff has continually explained in the report, at stakeholder meetings, at public information meetings and in the field, elimination of OHV use was never proposed or considered during the study. This study does not threaten the status of OHV use at Thomaston Dam. It has been clearly and repeatedly stated that the study team understands that the Thomaston Dam is one of the only two public areas in Connecticut where OHV riding is legally permitted, acknowledges the rights of OHVs to use the site, and agrees that this ability to use the area should not be eliminated or curtailed in any way. The continued mischaracterization of the intent of the study as somehow promoting the closure of the OHV area or curtailing of OHV access has served only to create distrust between the OHV rider community and the Study Team and impede rational and informed discussion. Your use of the word “encroaches” furthers that misunderstanding. It suggests that the OHV area is designated for the exclusive use of that group of users, and no other group is permitted to access the trailbike area. Although use of the area by non-trailbike riders is minimal, the fact remains that others are allowed to walk and bike on those trails.

The Connecticut DEEP website indicates 89 locations where hiking, walking, bicycling can take place on public lands. The state is replete with these opportunities when compared to legal trailbiking. Those who participate in the sport are owed at least one, small, family-oriented location to legally enjoy this hobby. This is evidenced by the 16,000 (on average) visitors that there are each year to the trails. In other words, 16,000 times per year, the proposed route for the greenway would infringe on residents’ enjoyment of this sport.

The fact that Connecticut has 110 state parks and 32 state forests that permit all types of outdoor activities, including many miles of hiking trails, some of which are open to mountain biking, is irrelevant to the study and proposal under consideration. The purpose of this study was not to simply identify a new location for non-motorized recreation. It was to specifically identify a preferred alignment for the NRG Trail between Torrington and Thomaston. As described in the report and on the NVCOG website, the NRG Trail is a planned 44-mile, multi-use trail from Derby to Torrington. Multi-use trails are not

intended to be purely recreational, they are linear, provide an alternate transportation connection, and must meet certain design criteria, such as meeting ADA standards, be at least 10 feet wide, and have a smooth surface. Trails within our state parks system do not meet these criteria. Nearby state parks and other areas offer wonderful recreation opportunities, but they don't provide the linear connections that are a critical goal of multiuse trails. It is only by connecting sections into long continuous networks that the full benefit of the trail as a viable transportation option can be realized. The full return on the substantial investment made in developing the NRG Trail north and south of the study area will only be realized once the trail is connected throughout the entire corridor.

Concerns about the Legitimacy of the DRAFT Report:

NVCOG's own documentation outlines the fact that the overwhelming majority of the public response and participation in the process to date (in person, on-line, and via email) has been strongly opposed to any encroachment on the riding area. This naturally begs the question, "How can a report that was funded by taxpayer money so egregiously ignore the overwhelming will of those same taxpayers?" It is difficult to understand, from our perspective, how the concerns and objections of hundreds of meeting visitors, emailers, and survey respondents can be so completely disregarded. We believe that this failure to represent the will of the people seriously calls into question the legitimacy of the report and the proposed route of the greenway.

As NETRA President, I strongly encourage you to ensure that the report reflects the will and objections of the vast majority of the public comment that you received.

Contrary to popular belief the intent of a public information meeting is not to have a vote on a project; it is intended to solicit comments and then it is up to the project sponsor to decide how to consider and respond to the comments. It is not as simple as who is in favor of an action and who is opposed, and the majority wins. Public information meetings are not referendums on actions. In almost all cases, people who are most directly impacted by an action will come out to a public meeting and voice their opinion. It is necessary to evaluate the merits of comments and concerns and determine how to respond. Often plans are changed to reflect concerns, but it is not done without considering how any change would affect the purpose and needs of the action being considered.

As you may recall, most comments from OHV riders amounted to: "Don't close the area to trailbike use" and/or "It is the only legal place in the state to ride." How can we respond to those comments? Most of these comments were seemingly in response to misinformation and a widespread misrepresentation of the purpose of the study to the OHV Community. As stated, there is no intent to close the area to OHV use, no intent to limit access, and we understand it is one of only two places for OHV to be ridden legally. These are not constructive comments, just general statements in response to an apparent misunderstanding of the purpose of the study.

Constructive comments were not ignored. To the contrary, they were fully taken into consideration by the project team, who spent considerable time and effort reviewing them and incorporating OHV users concerns into the final report. Following the first round of public input, additional information about the OHV trails, use patterns, and physical footprint were collected. Additional site walks were conducted with USACE staff and OHV representatives. The additional site walks offered an opportunity for the project teams to talk one-on-one with OHV representatives to better understand impacts that possible

trail options on the west side of the river would have on OHV operations. The additional outreach also served as a way to discuss any alternatives that would enable the trail to be sited away from the OHV area. It was in response to the public input by OHV riders that most of the preferred route was recommended to avoid the OHV area, despite the much higher cost of doing so.

For the two-mile section of the study corridor between the southern end of Valley Road in Harwinton and Thomaston Dam, there was no viable alternative outside of the area where OHVs are permitted on USACE property. The project team consulted with USACE staff and yourself at a special stakeholder meeting to focus on the main area of contention and discuss possible options. At that meeting, we presented a possible concept to separate motorized and non-motorized users along old Route 8 and initiated discussion to understand the efficacy of this proposal. You provided input that was used to improve on the original separation concept. The concept presented in the report was developed with input that you provided as to the physical separation required, trail surface, traffic flow, barrier type, and trail width, to safely separate uses. You agreed that safe separation could be accomplished without negatively impacting the OHV user experience following that concept. The representative of USACE at the meeting voiced support of the concept if it did not negatively impact the OHV area. We included it in the report and explained that NETRA's preference for the status quo with no changes made to the OHV area. The concept was presented to the Project Steering Committee for consideration and subsequently endorsed.

As explained at the public meetings and on the project webpage, this study is a high-level planning study investigating all possible alignments to connect the NRG Trail sections currently being developed in Torrington and Thomaston. The intent was to collect data on the opportunities, strengths, weaknesses and constraints of all possible routes and, based on facts, make an educated decision and reach consensus on the most logical and beneficial alignment for the NRG Trail, and present that route and all relevant data in a planning document. The report presents information that a municipality or other project sponsor would need to advance a project. The project team worked diligently to include concerns expressed by the OHV community in the report, explain how those concerns were considered and addressed, and present a concept that would not negatively impact OHV area or infringe on their access, while ensuring safety and enjoyment of all present and future users of the property.

As discussed and stated many times throughout this process, the USACE is responsible for the management of land under its jurisdiction and will be responsible for determining what, if any, section of the NRG trail will be developed on federal property associated with Thomaston Dam. There is no physical reason why a former two-lane highway corridor cannot carry both motorized and non-motorized traffic while maintaining emergency and maintenance access, which are important needs expressed by the USACE. The concept presented in the report is one potential solution to safe separation, but we do not claim that it is the only solution. As stated in the report, we encourage the OHV community to engage with the USACE to help guide any future development to ensure that OHV riders do not have access diminished. We firmly believe that with input from the OHV community, safe separation of motorized and non-motorized users is not only possible, but if done correctly could improve the riding experience while ensuring the safety of all permitted users.

Doing nothing will only exacerbate conflict potential. The concern with not properly planning the route of the NRG trail through the Thomaston Dam area is that when the trail is completed north and south of the site, there will remain a gap. Since walkers and bicyclists are permitted to pass through the

Thomaston Dam property, more conflicts will be generated. Old Route 8 and the old rail bed on USACE property are the paths of least resistance for anyone wanting to through bike or hike between Thomaston and Campville. These users will be within their rights to pass through the Thomaston Dam property. It would be irresponsible not to consider feasible means to minimize or eliminate potential conflicts by providing safe separation through this corridor.

Finally, many of the comments we received lamented the fact that there are not more places to legally ride in the state, and several noted the state's refusal to open public lands for OHV use. Many also stated that OHV, walking and bicycling are incompatible on the same property, and shared access is inherently dangerous. The American Motorcyclist Association (AMA) seems to have taken a different view, encouraging shared use to promote increased OHV access on public land. At a forum about shared use trails at the International Trails Symposium in 2019, Steve Salisbury, an AMA Government Affairs Manager discussed the issue of an increasing number of trail users and uses all vying for a limited number of trails. He read this AMA policy statement: "The AMA recognizes that single recreation type is not appropriate for every setting. There are certainly many places where OHV can exist in harmony with other uses while preserving important natural and cultural resources." While we would probably agree that shared use of heavily used single-track trails may not be appropriate, it is eminently reasonable to consider the conversion of a former two-lane highway as a place where OHVs and other uses can, as Mr. Salisbury stated at the Trails Symposium, "exist in harmony."

We hope that these explanations, along with a thorough review of the project report, will help NETRA members and the OHV community understand that the routing and concepts presented in the report do not represent a threat to OHV rider enjoyment of Thomaston Dam. Instead, if done correctly in collaboration with all current and future users of the property, development of the NRG Trail could improve safety and enjoyment of Thomaston Dam for all users. We look forward to future collaboration to ensure that future NRG Trail development respects the safety and enjoyment of OHV riders.

Sincerely,



Mark Nielsen

Assistant Director
Director of Planning

Cc: Steve Patchkofsky, Army Corps of Engineers
Chris Way, Army Corps of Engineers
Steve Salisbury, American Motorcyclist Association
The office of Senator Chris Murphy
The office of Senator Richard Blumenthal
The office of Representative Jahana Hayes
The office of State Representative John Piscopo
The office of State Senator Henri Martin



March 12, 2020

Rick Dunne, Executive Director
Mark Nielsen, Director of Planning
Aaron Budris, Senior Regional Planner
Naugatuck Valley Council of Governors
49 Leavenworth St., Third Floor
Waterbury, CT 06702

Misters Dunne, Nielsen and Budris:

The AMA is submitting its comments regarding the February 2020 draft of the proposed Naugatuck River Greenway Trail, Thomaston to Torrington Routing Feasibility Study. The AMA and the New England motorized recreation community are disappointed both with the proposed greenway routing through the trail bike area on the west side of the Naugatuck River and the process through which it was selected.

As we discussed at the Thomaston public hearing at roughly this time last year, the AMA pursues its mission of promoting the motorcycle lifestyle and protecting the future of motorcycling through its own members and state and regional off-highway vehicle organizations. Key among those organizations in Connecticut is the New England Trail Rider's Association.

Our Connecticut and New England members, many of whom enjoy both nonmotorized recreation and the Thomaston Dam Trailbike area as the only legal dirt-bike riding on public land in the state, remain opposed to the proposed west side greenway routing.

The AMA fully supports the points in NETRA's submitted comments on the draft proposal. The AMA finds most troubling the draft's misrepresentation of NETRA's involvement in the routing discussions and the obvious discounting of the majority of public comments received on the project. Admissions beginning on Page 12 of the draft show that the majority of public comments were in opposition to co-locating the greenway and trailbike area. But that route was chosen anyway, signaling a clear disregard for the public-comment process.

It is clear to the AMA and its members that further study of routing the greenway on the east side of the Naugatuck River is needed to properly answer public comments, before any discussion of a final route or its funding occurs.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Salisbury', is written over the word 'Sincerely' and extends downwards and to the right.

Steve Salisbury
Government Affairs Manager, Off-Highway

CC: Tony Gasper, President, NETRA
Steve Patchovsky, Army Corps of Engineers
U.S. Sen. Chris Murphy
U.S. Sen. Richard Blumenthal
Connecticut State Rep. Jahana Hayes



Steve Salisbury
Government Affairs Manager, Off-Road
444 North Capitol Street, NW
Suite 837
Washington, D.C. 20001

April 6, 2020

Mr. Salisbury,

Thank you for your continued input to the Naugatuck River Greenway Thomaston to Torrington Routing Feasibility Study. We will gladly provide responses to your comments and concerns in turn.

The AMA fully supports the points in NETRA's submitted comments on the draft proposal. The AMA finds most troubling the draft's misrepresentation of NETRA's involvement in the routing discussions and the obvious discounting of the majority of public comments received on the project. Admissions beginning on Page 12 of the draft show that the majority of public comments were in opposition to co-locating the greenway and trailbike area. But that route was chosen anyway, signaling a clear disregard for the public-comment process.

We will direct you to the response we sent to NETRA's submitted comments for a more detailed point by point response to their concerns. We disagree with your assertion that NETRA's involvement in the study was misrepresented. Mr. Gasper was provided numerous opportunities to correct the record prior to publication of the DRAFT report. Records of all meetings held during this study were circulated to all in attendance and edited as requested prior to finalization. An advance copy of the DRAFT Report was also provided to Mr. Gasper, whose suggested changes were implemented and cleared by Mr. Gasper himself before publication. We believe that we have taken every step to be transparent and honest in the reporting of the proceedings of all meetings and processes.

Comments submitted in writing and at the public information meetings were not discounted. To the contrary, they were fully taken into consideration by the project team, who spent considerable time and effort reviewing them and incorporating OHV users concerns into the final report. Following the first round of public input, additional information about the OHV trails, use patterns, and physical footprint were collected. Additional site walks were conducted with USACE staff and OHV representatives. The additional site walks offered an opportunity for the project teams to talk one-on-one with OHV representatives to better understand impacts that possible trail options on the west side of the river would have on OHV operations. The additional outreach also served as a way to discuss any alternatives that would enable the trail to be sited away from the OHV area. It was in response to the public input by OHV riders that most of the preferred route was recommended to avoid the OHV area, despite the much higher cost of doing so.

It is clear to the AMA and its members that further study of routing the greenway on the east side of the Naugatuck River is needed to properly answer public comments, before any discussion of a final route or its funding occurs.

As explained at the public meetings, in the report, and on the project webpage, this study is a high-level planning study to investigate all possible alignments to connect the NRG Trail sections currently being developed in Torrington and Thomaston. The intent was to collect data on the opportunities, strengths, weaknesses and constraints of all possible routes and, based on facts, make an educated decision and reach consensus on the most logical and beneficial alignment for the NRG Trail, and present that route and all relevant data in a planning document. The report presents information that a municipality or other project sponsor would need to advance a project. The project team worked diligently to include concerns expressed by the OHV community in the report, explain how those concerns were considered and addressed, and present a concept that would not negatively impact the OHV area or infringe on access to it, while ensuring safety and enjoyment of all present and future users of the property.

All routing options were investigated comprehensively including those on the east bank of the River, and detailed assessments of all studied routes are presented in the DRAFT Report and Appendices. Wherever there was a feasible route away from the OHV area, a route outside the OHV area was selected as the preferred route, despite higher costs and difficulty in many cases. As detailed in the DRAFT Report, it was determined for several reasons including terrain, land ownership, physical obstacles and cost, that there was not a feasible route between Valley Road and Thomaston Dam on the east bank of the River. Through input from the USACE and Mr. Gasper, a concept was developed for the safe separation of motorized and non- motorized users along Old Route 8, a former two-lane highway that is presently open to many types of recreation including OHV riding.

As was discussed and stated many times throughout this process, the USACE is responsible for the management of land under its jurisdiction and will be responsible for determining what, if any, section of the NRG trail will be developed on federal property associated with Thomaston Dam. There is no physical reason why a former two-lane highway corridor cannot carry both motorized and non-motorized traffic while maintaining emergency and maintenance access, which are important needs expressed by the USACE. The concept presented in the report is one potential solution to safe separation, but we do not claim that it is the only solution. As stated in the report, we encourage the OHV community to engage with the USACE to help guide any future development to ensure that OHV riders do not have access diminished. We firmly believe that with input from the OHV community, safe separation of motorized and non-motorized users is not only possible, but if done correctly could improve the riding experience while ensuring the safety of all permitted users.

In a forum about shared use trails at the International Trails Symposium in 2019, you discussed the issue of an increasing number of trail users and uses all vying for a limited number of trails. You read this AMA policy statement: *“The AMA recognizes that single recreation type is not appropriate for every setting. There are certainly many places where OHV can exist in harmony with other uses while preserving important natural and cultural resources.”* While we would probably agree that shared use of heavily used single-track trails may not be appropriate, it is eminently reasonable to consider the conversion of a former two-lane highway as a place where OHVs and other uses can, as you stated *“exist in harmony.”*

We hope that these explanations, along with a thorough review of the project report and appendices, will help the OHV community understand that the routing and concepts presented in the report do not represent a threat to OHV rider enjoyment of Thomaston Dam. Rather, if done correctly in collaboration with all current and future users of the property, development of the NRG Trail could improve safety and enjoyment of Thomaston Dam for all users. We look forward to future collaboration to ensure that future NRG Trail development respects the safety and enjoyment of OHV riders.

Sincerely,



Mark Nielsen

Assistant Director
Director of Planning

CC: Tony Gasper, President, NETRA
Steve Patchkofsky, Army Corps of Engineers
U.S. Sen. Chris Murphy
U.S. Sen. Richard Blumenthal
Connecticut State Rep. Jahana Hayes



Steven Patchkofsky
Thomaston Dam
331 Hill Road
Thomaston, CT 06787

April 6, 2020

Mr. Patchkofsky,

Thank you for your comments and your ongoing involvement in the NRG Thomaston to Torrington Routing Feasibility Study. It appears there may still be some confusion about the purpose of the study and of the NRG Trail in general. As is laid out in the DRAFT report, and has been repeatedly explained, this study is a high-level planning study to investigate all possible alignments to connect the NRG Trail sections currently being developed in Torrington and Thomaston. The intent was to collect data on the opportunities, strengths, weaknesses and constraints of all possible routes and, based on facts, make educated recommendations and reach consensus on the most logical and beneficial alignment for the NRG Trail, presenting that route and all relevant data in a planning document to enable a municipality or other project sponsor to advance projects to develop the NRG Trail.

NVCOG, through the NRG Steering Committee, is serving to facilitate studies and generally help municipalities develop trail sections by providing guidance on funding opportunities. NVCOG is not itself building or managing trail sections. The 44-mile NRG Trail is being developed locally. Design and management decisions along the trail have to date been made at the municipal level. While consistent rules and management strategies would be ideal, it is understood that this is not possible in all circumstances, and that is reflected on the open sections of trail. Some sections do not allow dogs, others do. Some sections are plowed after snowstorms, others are not, etc. We assume that any trail developed, managed or maintained on USACE managed land would be the responsibility of the USACE, either directly or through future agreements with outside agencies or groups. The USACE would ultimately have the discretion to develop whatever rules or management strategies they see fit to ensure the safety and enjoyment of all visitors.

Most of your comments are directed at design and management issues that this study was not intended to address. We will nonetheless respond in kind to your concerns to the best of our ability.

1. Page13 comments that the OHV area at Thomaston Dam is currently a multi-use area. While correct, there is a difference in the current volume of multiuse users (possibly 4 walkers a week) as compared to the proposed volume of users which would increase exponentially. The statement should reference land classification only, and not that it is significantly used as a multi-use area by walkers. The area, for all intent and purposes is solely used as an OHV area by motor bikes.

As is presented in the Thomaston Dam Operations Management Plan, and USACE Staff has confirmed, the Thomaston Dam is a multipurpose recreation area. OHV users do not have exclusive rights to the OHV area. USACE staff also made clear that there are no plans to alter the permitted uses at Thomaston

Dam. Current use by non-motorized users during riding season is likely curtailed due to perceived safety issues. The current volume of non-motorized users, however, is irrelevant to the discussion; walkers, runners, bicyclists and all other non-motorized users are allowed on site and have access to all trails, even the single track paths frequented by OHV riders. We discussed at length the ability to separate motorized and non-motorized users safely, and USACE staff and OHV representatives provided valuable input to the discussion that led to the agreement by USACE staff that safe separation of motorized and non-motorized uses could be accomplished along Old Route 8.

As sections of NRG Trail are developed north and south of Thomaston Dam, traffic through the property will increase whether proper separation is planned for and implemented or not. Old Route 8 and the old rail bed on USACE property are the paths of least resistance for anyone wanting to through bike or hike between Thomaston and Campville. Since walkers and bicyclists are permitted to pass through the Thomaston Dam property, these users will be well within their rights to pass through the area where OHVs are permitted. It would be irresponsible not to consider feasible means to minimize or eliminate potential conflicts through this corridor.

2. The area of Thomaston Dam, west side of the river is an avid hunting area during the closed OHV season. This area is stocked by the state with roughly 750 to 1000 pheasants and can see approximately 75 hunters a week for the firearms small game upland season. The area is heavily used by deer hunters (archery only) which has a season of September 15th to December 31st. The area is also popular during the upland game and waterfowl season. The report does not address hunting in this area, or the potential conflicts that the greenway will cause by inviting users who may not agree with the sport of hunting. a. How will NVCOG address the "multiuse" area during hunting season? What signage or education will be used to inform the public? What notices will be placed? Who will be responsible for this information/education/signage? b. Hunters will have a right to carry firearms into that area during these seasons. How will NVCOG address a conflict between hunters and non-hunters over the visual site of firearms? c. Hunters will now be accessing the area by walking down the greenway with a firearm or compound bow. They may also prospectively be removing game on the same pathway. How can the NVCOG realistically believe that no conflict will occur as a hunter removes game he has harvested? d. For the purpose of hunting, the area is classified to allow dogs off of leash. However, visitors not engaged in hunting are required to follow Title 36 CFR, part 327, section 11A, Control of Animals. How will NVCOG address the issue of dogs off the leash for hunting with walkers who are required to keep their pet restrained?

This study was not intended to design a trail or develop a management strategy for the USACE at Thomaston Dam. We would assume that federal rules and regulations would continue to apply to any recreationalists on federal land. Increased visitation would be expected once the NRG Trail is built and changes to management strategies may be required. With respect to concern of visitors to the area during hunting season, however, we assume that people using the Thomaston Dam area for hunting must abide by state Department of Energy and Environmental Protection rules and regulations, and will be required to adhere to those rules whether or not the NRG Trail is aligned through the area. Today,

hunting is allowed in numerous wildlife management areas, state parks and forests, and flood control areas where public access is allowed. These areas allow multiple uses and these uses can and do co-exist. As NVCOG is not a land management agency, we would defer to the USACE on how best to provide for the safety of users of public land that it manages. However, the posting of the rules and regulations, education of all parties of these rules, and the explicit advertisement of expected behavior of all users, along with conditions users could likely encounter on the property, will ensure safe use of an area opened for hunting and that all users approach the property and other recreationalists with deserved respect. Since the area remains accessible to the public during hunting season, we would expect that there are currently signs or postings at Thomaston Dam informing visitors that hunting is permitted, lists the rules, and informing all visitors, hunters and non-hunters of their respective responsibilities. Implementation will, as with anything else on USACE land, be the responsibility of the USACE, either directly or through agreement with outside agencies or groups.

3. Safety. The draft report for the Thomaston Dam section of the greenway shows dirt bikes operating in close proximity to the proposed Greenway. The authorized speed limit for the main road (old route 8) is 20 mph. The report shows two options which offer some trees and sparse vegetation as a barrier, while another shows wooden guardrail as the barrier. If a dirt bike hits the guardrail, either the bike will abruptly stop and the rider will become ejected off the bike, or the bike and rider will over-top the low guardrail and potentially hit a pedestrian on the greenway. The vegetation will be labor intensive to maintain, but also may have a high kill rate due to the area being submerged often. Also of concern is that the stone pathway along the paved portion will become full of "woops" after heavy trail bike use. "Woops" are mounds that are created in the trail and may add to the out of control safety hazard. This report fails to address maintenance or cost.

As you know, the separation concept presented in the report was developed in consultation with USACE staff and a NETRA representative to take the safety of riders into account. Physical separation measures, including with natural vegetation, horizontal distance whenever possible, and guardrails (only where necessary) were all discussed, as was speed control through meandering, narrow single-track trails. In fact, the original concept presented to the USACE avoided use of guardrails, but the NETRA representative and USACE staff asked that they be included to depict cases where there might not be adequate other means of physical separation. The OHV surface in the concept typical sections are clearly labeled as "natural surface, gravel or riprap as per OHV rider preference and local conditions". We assume they would be maintained in the same manner that existing OHV Trails are to address safety issues. The concept included in the DRAFT report was sent to USACE staff to review, and USACE staff was given ample opportunity to make changes if there were concerns. It was agreed on by USACE staff and the NETRA representative that that concept could safely separate motorized and non-motorized uses along Old Route 8. We are not suggesting that the concept presented is the only way to safely separate uses, but it is a viable option that would safely separate motorized and non-motorized uses without negative impact to the OHV traffic flow.

Again, the routing study should not be misconstrued as a "design." As part of a design project, a survey would be completed to determine grades, physical features and cross slopes. Separation, and the type

thereof, surface treatments and setbacks will be determined at that time. The most sustainable approach would be to provide a natural barrier that could withstand periodic flooding, be low maintenance and provide a wide space between the motorized and non-motorized paths. The concept presented in the DRAFT Report includes converting a portion of old Route 8 as the multi-use trail. The path would be paved and sufficiently wide to accommodate USACE maintenance vehicles and allow personnel to continue access the area between the dam and the former Castle Bridge, as is done now. The converted path would require no additional maintenance responsibilities than what are provided today to ensure old Route 8 is accessible. As has been stated often, the design and implementation of the NRG Trail will take place at the discretion of the USACE. We recommend working in close consultation with the OHV users to determine proper surface material and separation measures to ensure the safe enjoyment of the property for all users.

4. The report mentions several bridges to be designed, built and installed on USACE property so that users are able to cross the Naugatuck River. In discussion with one of USACE structural engineers responsible for the bridge program, there are many unanswered questions to these structures. Any bridge on USACE property is required to meet specific criteria and inspection frequencies. USACE would need to review and approve that design to include an analysis of abutments to make certain whatever bridge placed there won't destabilize them. The greenway report also incorrectly assumes that USACE will be responsible for these structures, with no funding increase to the Thomaston Dam O&M budget.

Once more, this study is not a design or management plan for the NRG trail. Specific structural, hydrological and environmental assessments that would be part of a future design were not within the scope of this study. Proposed bridge locations were determined based on available existing conditions data and visual inspection in order to present approximate routing and estimate structure costs. A visual assessment was conducted by a BSC structural engineer on the location of the former Castle Bridge, and based on his inspection and previous experience, he concluded that the remnant piers could likely be repurposed to carry a pedestrian span. Additional engineering study and environmental assessment that would satisfy additional questions would need to be conducted as part of a future design. We assume that any structure built on USACE property will be constructed and maintained to USACE standards. Whether that is done internally or through agreements made in the future with outside agencies or groups is entirely at the discretion of the USACE. Also, please note that the bridges over the Naugatuck River proposed on USACE land were made necessary in order to avoid the OHV area to the greatest extent practicable in response to public concern and USACE input about potential impact to OHV operation.

5. Users of the greenway will be negatively impacted by the noise created by dirt bikes as they pass pedestrians, joggers and cyclist along the greenway. The greenways attraction is the ability to walk quietly and enjoy undeveloped environments. Most (not all) factory bikes are below a range of 96 dB. With regard to loud sounds, a sound level of 120 decibel (dB) causes pain, and a level of 140 dB can causes deafness. In the draft greenway report produced by NVCOG, the proposed route of the greenway through the

current OHV trail area has several nice (but unrealistic) depictions of the greenway with bikes traveling on stone paths and joggers on the center paved portions. The close proximity of exhaust and muffler sound which will be exposed to pedestrians can and most likely will cause conflicts from users as well as potential hearing issues.

Please do not confuse nature trails and linear multiuse trails. While some sections of the NRG Trail will be constructed in natural settings, that is not the main goal of multiuse trails. Multiuse trails are linear paths creating long distance connections to destinations all along the trail's route. Multiuse trails are not only intended to be used for recreation, but also as a non-motorized transportation corridor. In fact, it is only by connecting sections into long continuous networks that the full benefit of the trail as a viable transportation option can be realized. The NRG Trail will ultimately, and sections already do, traverse a wide range of forested, suburban and urban landscapes including many that would not be appropriate for a nature trail.

From a long-distance multiuse trail user's perspective, the periodic noise from OHVs along a short section of the overall NRG Trail would be a minor annoyance at most, especially when compared to the alternative: a 2 mile gap in the NRG trail where no feasible routing alternative exists. Clearly posted signage about permitted uses and prospective noise should provide fair warning to non-motorized users about conditions that may be encountered. Implementing and enforcing noise limits, if not already in place, could eliminate issues from extreme cases.

6. Old Route 8 is the main access for USACE trucks, emergency vehicles, equipment, supplies and materials to access the reservoir area. Throughout the year, contractors using tri-axle 20 yard dump trucks provide earth materials to repair and improve infrastructure and maintenance of the OHV trail system. Additionally USACE construction grade equipment, patrol trucks and other equipment (quads, UTV's) use old route 8 as a main thorough fair to access sections of the reservoir. The reconstructed greenway will need to be able to support the weight and width of these vehicles while safely addressing the pedestrian use issue. While there is a slight reference to this in the report, there has been no mention of the proposed solution to it in the report.

As you mention, the fact that Old Route 8 is the main access for maintenance, patrol and emergency access is discussed in the DRAFT report. Access to all types of vehicles was considered when developing the concepts presented in the report. The twelve-foot minimum paved multiuse trail width is equal to FHWA recommended travel lanes on freeways and major roads, providing more than enough clearance for any type of road legal vehicle. It is suggested in the report that parallel OHV trails be separated horizontally as far as possible. Any narrowing of the current paved roadbed would only need to take place where a parallel OHV trail cannot be constructed away from the roadbed. The presented concept with the roadbed shared by two OHV trails and the paved multiuse trail was presented to demonstrate the availability of space needed to support the worst case scenario, where OHV trails could not be developed on either side of Old Route 8 removed from the roadbed. Furthermore, the concept presented in the DRAFT report suggests reusing, not replacing, old Route 8 for the multiuse trail; no change in the base and structure of the paved roadway is suggested. Therefore, if the road can accommodate USACE maintenance vehicles today, it will be able to do so if the trail is installed. Again, design, construction and management of the NRG Trail on USACE property will be done at the discretion

of the USACE. If the USACE needs to maintain a certain level of access, that should be considered during design. There is no physical reason why the Old Route 8 roadbed could not allow for all the access needs mentioned and carry the NRG Trail.

To summarize, this study was intended to look at all options to connect the NRG Trail between sections being developed in Torrington and Thomaston, using data about existing conditions to assess all potential routing options, and working with stakeholders, including the USACE, determine the most feasible and beneficial route for the NRG Trail. Through intensive field work and public and stakeholder engagement, including with the USACE, we fulfilled that intent. The preferred routing and concepts presented in the DRAFT report accurately reflects what the project steering committee (again, including the USACE) determined was the preferred route for the Naugatuck River Greenway Trail. USACE staff served on the Project Steering Committee but turned down an invitation to participate in the committee meeting in September when the preferred route was determined. In an e-mail on August 19th, 2019, Basin Manager Chris Way wrote *"Since we ironed out what the Corps is comfortable with at our meeting a week or so ago, I will most likely not attend. I've far too many irons in the fire as we approach the end of our fiscal year."* That e-mail cites the meeting held on August 7th with USACE staff and NETRA representative Tony Gasper, where the routes and concepts for NRG Trail development around Thomaston Dam were discussed in detail. The routing and separation concepts that were ultimately agreed upon by the Project Steering Committee, and which are presented in the DRAFT Report, are the very same concepts that Mr. Way expressed comfort with, and they take public concerns and USACE input into account to provide for all current and future uses of the property.

In addition to providing flood risk reduction for the Naugatuck Valley, we understand that Thomaston Dam is already an important recreational destination for residents and visitors. The addition of the NRG Trail could, however, greatly improve the availability and safety of public recreation opportunities at Thomaston Dam, without curtailing current uses of the property. The routing, concepts and recommendations presented in the report are meant to be used as a guide for future development of the NRG. NVCOG staff will be more than happy to provide whatever assistance we can to the USACE as the connections along the NRG Trail are designed and developed.

Sincerely,



Mark Nielsen

Assistant Director
Director of Planning

Aaron Budris

From: Way, Christopher D CIV USARMY CENAE (USA) <Christopher.D.Way@usace.army.mil>
Sent: Friday, April 10, 2020 3:26 PM
To: Aaron Budris
Cc: Patchkofsky, Steven D CIV USARMY CENAE (USA); Durando, Adam J CIV USARMY CENAE (USA); Kennelly, John R CIV USARMY CENAE (USA); Hatfield, Christopher L CIV USARMY CENAE (USA); Russell, Kimberly A CIV USARMY CENAE (USA); Mark Nielsen; Rick Dunne
Subject: RE: NRG Trail Thomaston to Torrington Routing Study (UNCLASSIFIED)

Hi Aaron,

All is well, thank you. Hope all of you and your families are well, too.

Funding will have to come from somewhere; from where I have no idea but as far as I'm aware the Corps has no intention of requesting funding for this effort.

Yes, I gather that should the greenway be constructed there would need to be some type of agreement for some entity to maintain it and such a plan would need to be approved by the Corps. On my end I am quite leery of this, as we have entered into agreements with various entities over the years for a variety of purposes. Unfortunately when the supporting group dissolves or is unable to hold up their end of the bargain, the Corps is left holding the bag -- maintaining the greenway is going to be a tremendous expense, especially since there are such things as bridges and walkways involved. I just wonder where all that funding is going to come from in order to provide continual run-of-the-mill maintenance, let alone any big dollar items.

I'll defer to NAE Operations on the language but from my standpoint I would replace, "The USACE may enter into a cooperative agreement....", with "The USACE will require a cooperative agreement....".

NAE folks???

Thanks,
Chris

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

From: Aaron Budris [mailto:abudris@nvcogct.gov]
Sent: Thursday, April 2, 2020 11:12 AM
To: Way, Christopher D CIV USARMY CENAE (USA) <Christopher.D.Way@usace.army.mil>
Cc: Patchkofsky, Steven D CIV USARMY CENAE (USA) <Steven.D.Patchkofsky@usace.army.mil>; Durando, Adam J CIV USARMY CENAE (USA) <Adam.Durando@usace.army.mil>; Kennelly, John R CIV USARMY CENAE (USA) <John.R.Kennelly@usace.army.mil>; Hatfield, Christopher L CIV USARMY CENAE (USA) <Christopher.L.Hatfield@usace.army.mil>; Russell, Kimberly A CIV USARMY CENAE (USA) <Kimberly.A.Russell@usace.army.mil>; Mark Nielsen <MNIelsen@nvcogct.gov>; Rick Dunne <rduenne@nvcogct.gov>
Subject: [Non-DoD Source] RE: NRG Trail Thomaston to Torrington Routing Study (UNCLASSIFIED)

Chris,

We are currently addressing comments we received about the NRG Routing Feasibility Study, including your e-mail from Feb 12th (below).

While we understand that the Corps does not currently have any budget or plans to maintain a trail, it is our understanding that whatever happens on USACE owned land is ultimately the responsibility of the USACE. We also assume that if a trail is built, funding for design and construction will have been procured from somewhere, and a plan for maintenance will have been developed. What that maintenance plan for sections on federal land will look like is beyond the scope of this project, and it may well be accomplished through an agreement between the Corps and some outside agency or organization, which is what I think you are suggesting.

Will adding something like the following to the report text on page 71 satisfy your concern?

"The USACE may enter into a cooperative agreement with an outside agency or organization to fulfill maintenance needs. Details about how trail segments will be maintained, by whom, and how that will be funded will be incorporated into maintenance plans that will be developed as part of the future designs of the trail."

Hope you and your family are staying safe!

Best,
Aaron

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

From: Way, Christopher D CIV USARMY CENAE (USA) <Christopher.D.Way@usace.army.mil>

Sent: Wednesday, February 12, 2020 1:28 PM

To: Aaron Budris <abudris@nvcogct.gov>

Cc: Patchkofsky, Steven D CIV USARMY CENAE (US) <Steven.D.Patchkofsky@usace.army.mil>; Durando, Adam J CIV USARMY CENAE (US) <Adam.Durando@usace.army.mil>; Kennelly, John R CIV USARMY CENAE (USA)

<John.R.Kennelly@usace.army.mil>; Hatfield, Christopher L CIV USARMY CENAE (US)

<Christopher.L.Hatfield@usace.army.mil>; Russell, Kimberly A CIV USARMY CENAE (USA)

<Kimberly.A.Russell@usace.army.mil>; Mark Nielsen <MNIelsen@nvcogct.gov>

Subject: RE: NRG Trail Thomaston to Torrington Routing Study (UNCLASSIFIED)

CLASSIFICATION: UNCLASSIFIED

Hi Aaron - On page 71 a paragraph reads as follows: "One reason why multiuse trails are popular is because they are seen as, and generally are, a safe and secure place to walk, bike and recreate. Like any other town park or facility, ongoing maintenance and upkeep is critical to the safety and enjoyment of the trail. That responsibility will fall to the local municipality or, for sections on federal land described in this report, the USACE."

The Corps has no intention of accepting responsibility for maintenance of the trail should it actually be constructed. We do not have funding for construction nor maintenance of the greenway. We made this clear on a number of occasions over the last 10 years. The reference to USACE maintaining the trail should be removed.

Thx
Chris