

**State of Connecticut, Department of Public Health  
Drinking Water Section  
ENVIRONMENTAL ASSESSMENT SUMMARY**

<b>Date:</b>	December 19, 2017	<b>Staff Contact:</b>	Eric McPhee
<b>Applicant Name:</b>	Bittner Park, Town of Guilford		
<b>Project Name:</b>	Mulberry Point Water Main Extension		
<b>Funding Source:</b>	DWSRF		
<b>State Funds:</b>	\$2,716,880.00		

**This assessment is being conducted in conformance to the generic Environmental Classification Document for Connecticut state agencies to determine Connecticut Environmental Policy Act (CEPA) obligations**

**Project Description:** The Town of Guilford is seeking financial assistance under the Drinking Water State Revolving Fund (DWSRF) program for the extension of water main intended to serve approximately 145 residents which are currently served by private wells. Based on the feasibility study report of the project area, a number of private wells have experienced water quality and quantity problems. The results of recent well water sampling conducted by the Town showed that numerous private wells have water containing coliform bacteria and E. Coli. In addition, concentrations of nitrate, sodium and chloride are elevated.

The proposed project will comprise of installation of new water main that will be connected to the existing distribution main of the Connecticut Water Company located near the intersection of Colonial Road and Sachem Head Road. The new main will traverse the open area between Vineyard Point and Lower Road, then runs along Daniel Avenue to Mulberry Point. The water main has been minimally sized to meet the demands for domestic water use and satisfy fire protection requirements specified by the Town Fire Marshall for the intended service area.

**Regulations of Connecticut State Agencies (RCSA) Section 22a-1a-3 Determination of environmental significance (direct/indirect)**

1. Impact on air and water quality or on ambient noise levels
  - a. Air Quality –No adverse impacts are anticipated
  - b. Water Quality - If the water main is to be tested and disinfected, the discharge would be covered by the (DEEP) *General Permit for the Discharge of Hydrostatic Pressure Testing Wastewater* (Hydrostatic GP). The Hydrostatic GP will expire March 29, 2018. If the project occurs before that date then the Southington Water Department is required to register under that General Permit. If the project occurs after that date, it is expected to be covered under a proposed General Permit that has not been issued yet entitled *Comprehensive General Permit for Discharges to Surface and Groundwater*.
  - c. Ambient Noise Levels - The proposed project is not expected to cause significant noise in the immediate area;
2. Impact on a public water supply or serious effects on groundwater, flooding, erosion, or sedimentation

- a. Water Supply – The proposed project is not located within a source water area for a public drinking water source of supply.
  - b. Groundwater – No significant impacts are anticipated.
  - c. Flooding –Portions of the water main route, including Lower Road, Daniels Avenue, Tuttle Point Road and several of the residences to be served by the water main, are within the 100-year flood zone on the community's Flood Insurance Rate Map. The DPH received a Flood Management Certification dated September 19, 2017 for this project. The DPH will ensure that the conditions of the Flood Management Certification are adhered to.
  - d. Erosion or Sedimentation –In order to protect wetlands and watercourses on and adjacent to the site, strict erosion and sediment controls should be employed during construction. The *Connecticut Guidelines for Soil Erosion and Sediment Control* prepared by the Connecticut Council on Soil and Water Conservation in cooperation with DEEP is a recommended source of technical assistance in the selection and design of appropriate control measures. The 2002-revised edition of the Guidelines is available online at [Erosion Control Guidelines](#). The general permit for [Stormwater and Dewatering Wastewaters from Construction Activities](#) may be applicable depending on the size of the disturbance regardless of phasing. This general permit applies to all discharges of stormwater and dewatering wastewater from construction activities.
3. Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows:
- a. The Natural Resources Conservation Service's Soil Survey depicts a band of Wilbraham and Menlo extremely stony soils, a regulated wetland soil, which will be crossed by the water main installation between Sachem Head and Lower Roads. Wetland areas are also crossed by Daniel Avenue and Tuttle Point Road. At these locations, it is unknown whether the main will be installed under the roadway or shoulders, with no direct wetland impacts, or beyond previously filled areas. Existing wetlands and watercourses should be delineated by a certified soil scientist and their functional values should be evaluated.
  - b. Where the pipeline route along roads traverses wetlands or watercourses, the pipe should be installed beneath the roadway to avoid direct impacts. The wetland areas crossed by Daniel Avenue and Tuttle Point Road also include tidal wetlands as defined by section 22a-29 (2) of the CGS. Any work or construction activity within tidal wetlands at the site (whether or not such wetlands have been mapped) will require a permit from the Land & Water Division (LWRD) pursuant to section 22a-32 of the CGS.
  - c. Any work or construction activity within tidal, coastal or navigable waters requires authorization from LWRD pursuant to the Structures, Dredging and Fill Act, section 22a-359 through 22a-363f of the CGS. The regulatory jurisdiction limit is the area up to and including the elevation of the coastal jurisdiction line (CJL) as determined for the State's major tidal waterbodies. The CJL for Long Island Sound in Guilford is 4.0' NAVD88. Certificates of Permission can be issued for certain minor activities involving dredging, erection of structures, or fill in any tidal, coastal or navigable waters of the state in accordance with sections 22a-361 through 22a-363c of the CGS. The specific activities eligible under this program are listed in CGS section 22a-363b and include minor alterations or amendments of authorized or pre-jurisdiction structures, such as the creek crossings of Daniel Avenue and Tuttle Point Road. Installing the pipeline within the existing road footprint would likely be eligible for a Certificate of Permission. Any work outside of the road footprint in the creek or wetland would most likely require review under a full permit application. Additional information concerning coastal permitting programs may be found on-line at: [Coastal Permitting](#).

4. Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings – No comments were received from the State Historic Preservation Office in response to the Scoping Notice, therefore, the proposed project is not expected to cause negative impacts.
5. Effect on natural communities and upon critical species of animal or plant and their habitats or interference with the movement of any resident or migratory fish or wildlife species:
  - a. The Natural Diversity Data Base reports that there are documented records of snowy egret (*Egretta thula*), a species listed by the State pursuant to section 26-306 of the CGS as State threatened, within the proposed project area. The snowy egret is a bird that nests and forages in colonies mixed with other species of wading birds. Foraging habitats preferred by this species include marshes, swamps, ponds, shores, and tideflats with a diet consisting of mainly fish and crustaceans. Its foraging efficiency is greatly reduced if foraging individually. The area of most concern is Lower Road and Daniel Avenue, where the roadway is immediately adjacent to a critical foraging wetland area for snowy egret. The following mitigation measures must be employed to protect this threatened species.
    - i. Do not disturb flocks of foraging herons and egrets.
    - ii. Do not introduce new excessive or unpredictable noise or activity to wetland complexes that will cause birds to flush during April-August, especially before 10am, when largest flocks will form.
    - iii. Any construction that will include explosives needs to be outside of April-August.
    - iv. Apply best practices to protect ecological function and water quality of wetlands to preserve food sources.
    - v. Ensure that all work along roadways adjacent to wetland areas does not encroach on wetland habitat. All staging of equipment, vehicle, and human traffic should be outside of the wetland.
    - vi. An updated NDDB Request for Review must be submitted if the scope of the proposed work changes or if work has not begun by October 3, 2018.
  - b. Natural Diversity Data Base information includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Bureau of Natural Resources and cooperating units of DEEP, independent conservation groups, and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the NDDB should not be substituted for on-site surveys required for environmental assessments. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as, enhance existing data. Such new information is incorporated in the NDDB as it becomes available.
6. Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact - No significant impact expected.
7. Substantial aesthetic or visual effects - The project construction is expected to be completed in a short period of time. Due to the nature and timeframe of the project construction, the project is not expected to cause substantial aesthetic or visual impacts in the area.
8. Inconsistency with the written and/or mapped policies of the statewide Plan of Conservation and Development and such other plans and policies developed or coordinated by the Office of Policy and Management (OPM) or other agency –Refer to the attached Memorandum to Eric McPhee, CT DPH from Mariusz Jedrychowski, P.E., Subject: Response to OPM Comments Concerning the Notice of

Scoping for the Town of Guilford Mulberry Point Water Main Extension, Dated May 3, 2017 and revised on August 15, 2017.

9. Disruption or division of an established community or inconsistency with adopted municipal or regional plans- The project can be considered to be a municipal improvement according to section 8-24 of the CGS. Therefore, a Coastal Site Plan Review, in accordance with sections 22a-105 through 22a-109 of the CGS, must be included in the review by the local planning commission.
10. Displacement or addition of substantial numbers of people - No significant impact expected.
11. Substantial increase in congestion (traffic, recreational, other) – The proposed project is not expected to create substantial traffic congestion in the area. The Town will provide personnel to maintain traffic rules and public safety in the area.
12. A substantial increase in the type or rate of energy use as a direct or indirect result of the action - No significant impact expected.
13. The creation of a hazard to human health or safety –Development plans for utilities in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. A soil management plan should be developed for the project to deal with soils during construction. The Department’s *Guidance for Utility Company Excavation* should be used a guide in developing the plan. The guidance is available on-line at: [Utility Guidance](#).
14. Any other substantial impact on natural, cultural, recreational or scenic resources - No significant impact expected

### **Conclusions:**

Based on the DPH’s environmental assessment of this project which includes a review of the comments provided by the DEEP dated October 21, 2016 and the Office of Policy and Management dated October 21, 2016, and comments received from the public between October 20, 2016 and October 23, 2016, it has been determined that the project does not require the preparation of an Environmental Impact Evaluation (EIE) under CEPA. The DPH will coordinate with the Town of Guilford to ensure that the recommendations provided during the Scoping period are implemented.

### **Recommendations:**

Prior to starting the project construction, the following best management practices should be considered:

1. **Construction Maintenance:** No construction should take place before erosion and sedimentation controls are installed. These controls should be properly installed, maintained, inspected regularly, and remain in place until the project construction is completed. During construction and until a vegetative cover is reestablished, the project area should be inspected daily and after rainfall to verify erosion control measures are properly functioning. Any defects on the structure must be immediately repaired.
2. **Emergency Response Plan:** Develop an Emergency Spill Response Plan before construction begins. Spill response equipment should be available on-site at all times along with personnel trained in the proper use of such equipment.

3. **Hazardous Materials Storage:** Hazardous materials should be removed from the site during non-work hours or otherwise stored in a secure area to prevent vandalism. Place covered trashcans and recycling receptacles around the site. Cover and maintain dumpsters. Check frequently for leaks. Place dumpsters under a roof or cover with tarps or plastic sheeting. Never clean a dumpster by hosing it down on site.
4. **Vehicles and Machinery:** Methods and locations of refueling, servicing, and storage of vehicles and machinery should be addressed and included as notes on the final site plans. All equipment fueling or minor repairs should occur on a fueling pad. Onsite fuel storage for heavy equipment should have containment and be located in a secure area where it will not be vandalized or struck by equipment or vehicles on the job site.