

STATE OF CONNECTICUT
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
INFRASTRUCTURE AND REAL ESTATE PROJECTS

ENVIRONMENTAL ASSESSMENT CHECKLIST

Project ID No: _____ (issued by OPM)

Date: 8/6/2013

Staff Contact: Nelson Tereso

Municipality: Stamford

Project Name: Bridgewater Associates

Funding Source: TBD

State Funds: TBD

Type of State Agency Review

Stage 1 X **Stage 2** _____

This assessment is being conducted in conformance to the department's Environmental Classification Document to determine CEPA obligations

Project Description: Bridgewater Associates is proposing to utilize state funding for construction of a new headquarters building and associated improvements. The proposed activities include the following: construction of new 850,000 s.f. building, parking garage, driveways, public access ways, utilities, grading, landscaping, and appurtenant site improvements. The proposed project may also include installation of a fuel cell, wind, solar powered or other alternative energy systems at the 14-acre Harbor Point parcel. Additional activities may include improvements to the existing stormwater and sewer pumping stations and roadway infrastructure.

Note: environmental remediation is a positive environmental impact, but not a CEPA activity.

RCSA sec. 22a-1a-3 Determination of environmental significance (direct/indirect)

1) *Impact on air and water quality or on ambient noise levels*

a) *Air*— No negatives impacts are anticipated.

b) *Water Quality*— To manage stormwater, the Department of Energy and Environmental Protection (DEEP) typically recommends the use of low impact development (LID) practices. DEEP note's that the conceptual design of the project does include green roofs, on-site collection systems to harvest rainwater for use in irrigation, and sheet flow to landscaped areas. The DEEP will continue to coordinate with the applicant regarding the appropriate implementation of LID practices at the project site.

Interior levels of the parking garage will produce a low volume of runoff with relatively high concentrations of pollutants. In addition, the need for cleaning the garage must be considered and floor washwater cannot be directed to a stormwater sewer system. Runoff from interior areas should be directed to the sanitary sewer system, again with appropriate treatment. An oil separator tank with a capacity of at least 1000 gallons is required. A licensed waste oil hauler must clean the tank at least

once a year. A list of certified haulers can be obtained from the Bureau of Materials Management & Compliance Assurance at 860-424-3366. The discharge of floor washwater is covered under a General Permit for Miscellaneous Discharges of Sewer Compatible Wastewater as building maintenance wastewater. Registration is required for discharges greater than 5000 gallons per day.

c) *Noise*— No negatives impacts are anticipated.

2) *Impact on a public water supply system or serious effects on groundwater, flooding, erosion, or sedimentation*

a) *Water Supply*— The project is not within a public water supply source water area.

b) *Groundwater*— No negatives impacts are anticipated.

c) *Flooding*—

Under Connecticut General Statutes (CGS) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. Since the DECD intends to partially fund the Bridgewater project, which is located within a FEMA designated 100-year floodplain, DECD is required to seek authorization from DEEP. In December of 2012, DECD submitted a Flood Management Certification (FMC) Application to DEEP. During the sufficiency and technical review of the submitted materials, it was determined that the project did not meet CGS Section 25-68d(b)(4), which requires that the proposed activities promote long-term non-intensive floodplain use, and RCSA Section 25-68h-2(d)(1), which prohibits storage of materials which could be injurious to human, animal, or plant life below the base flood for a critical activity. Therefore, DECD applied for an exemption from those specific statutory and regulatory provisions as permitted by CGS Section 25-68d(d). DECD has presented information to DEEP to demonstrate the proposed project qualifies for Exemption from CGS Section 25-68d(b)(4) and RCSA Section 25-68h-2(d)(1).

As part of the exemption a Public Hearing took place on June 19, 2013 at the UConn Stamford Campus which was then followed up with an Evidentiary Hearing on June 24, 2013 at DEEP. A post hearing directive was issued by the DEEP Office of Adjudications on June 24, 2013 and the record has been closed. The DECD and DEEP will be filing a joint findings of fact and conclusion of law on or before July 24, 2013.

3) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings*— No negatives impacts are anticipated.

4) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows*—

OLISP has had preliminary discussions with the applicant concerning creation/restoration of a varied mosaic of upland, high marsh, low marsh, intertidal flat and open water habitats within the estuary east of the building site. Monitoring of tidal elevations is underway to provide baseline data for the design of the estuary enhancement project. The office will continue to coordinate with the applicant regarding the design and permitting of this proposal.

Any aspect of the proposed project that involves dredging or the erection of structures, the placement of fill, and work incidental thereto, in the tidal, coastal or navigable waters of the state waterward of the coastal jurisdiction line (which is elevation 5.5' NAVD88 in Stamford) are regulated by the Office of Long Island Sound Programs, pursuant to Section 22a-359 of the CGS (Structures & Dredging) and potentially under Section 22a-32 (Tidal Wetlands). Any of these elements that are funded by the state within the 100-year flood zone would require another floodplain management certification. As you know, construction of the upper access road, which crosses the hurricane protection barrier, will require a dam safety permit from the Inland Water Resources Division.

- 5) *Effect on natural communities and upon critical species of animal or plant and their habitats: interference with the movement of any resident or migratory fish or wildlife species—*

The Natural Diversity Data Base (NDDDB), maintained by DEEP, contains no records of extant populations of Federally listed endangered or threatened species or species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern in the project area. This information is not the result of comprehensive or site-specific field investigations. 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 into the NDDDB as it becomes available. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEEP for the proposed site.

- 6) *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact—* No negatives impacts are anticipated.
- 7) *Substantial aesthetic or visual effects—* No negatives impacts are anticipated.
- 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 or other agency—*

The proposed project is located in an area designated as a Balanced Priority Funding Area on the Conservation & Development Policies Plan for Connecticut, 2013-2018 (C&D Plan). The proposed project is consistent with Growth Management Principle #1 which is to Redevelop and Revitalize Regional Centers and Areas with Existing or

Currently Planned Physical Infrastructure; and Growth Management Principle #3 which is to Concentrate Development Around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options. The proposed project is consistent with the C&D Plan.

- 9) *Disruption or division of an established community or inconsistency with adopted municipal or regional plans*— No negatives impacts are anticipated.
- 10) *Displacement or addition of substantial numbers of people*— No negatives impacts are anticipated.
- 11) *Substantial increase in congestion (traffic, recreational, other)*— No negatives impacts are anticipated.
- 12) *A substantial increase in the type or rate of energy use as a direct or indirect result of the action*— No negatives impacts are anticipated.
- 13) *The creation of a hazard to human health or safety*—

The property was the subject of a Form III filing under the Property Transfer Act and the Department determined that a Licensed Environmental Professional would oversee the investigation and remediation of the parcel. The ongoing remediation is being conducted under a General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer) and a General Permit for the Discharge of Groundwater Remediation Wastewater Directly to Surface Water.

The Department of Public Health recommends that during construction of the building, radon resistant features should be built into the infrastructure of the building. The facility should be tested for radon after construction is complete. If radon results are at or above 4.0 picocuries per liter, the existing system should be activated by installing an in-line fan.

- 14) *Any other substantial impact on natural, cultural, recreational or scenic resources*—

DEEP indicates a primary coastal management issue for this project is the siting of a non-water-dependent use at a location on an open waterfront peninsula in Stamford Harbor that is physically well suited to maritime and recreational boating use, has been identified for marine commercial use in municipal plans and zoning, and had previously been the site of a sizable full-service marina. Accordingly, any CEPA documentation should evaluate potential alternative sites that might be more suitable for the proposed commercial office development, as well as potential mitigation options in the area, as part of the overall project, for the potential loss of water-dependent use at the site. However the Proposed Action is the result of a funding request for development of a specific project site. It is not “reasonable” to assume that the development team would consider other sites for development. Therefore, at this time, the Proposed Action is the only available reasonable alternative to No Action that meets the project purpose and need.

OLISP had granted a permit (No. 201207377-KB) effective February 25, 2013 to Waterfront Magee, LLC for a pier, floating docks, travel lift and pumpout facility for a marina at 205 Magee Avenue that is intended to replace, in part, the former marina facility at the project site.

In order for the marina amenities on the west side of the peninsula to provide maximum water-dependent benefits, the public access must be meaningful, with the docks and slips available to the general public. Docks and slips reserved for the exclusive use of Bridgewater Associates would be considered to be appurtenant to the upland use and not water-dependent. Similarly, a public access walkway is depicted along the entire periphery of the peninsula, but details concerning the degree of public access, such as hours of operation or allowable uses, have not been specified.

DEEP recommends any CEPA analysis of the project should cover the complete range of project elements, including the viewing platform/helipad, recreational barge, creation/restoration of mixed estuary habitats immediately east of the peninsula, public access walkway crossing at the head of the estuary, a number of docks and slips on the west side of the peninsula and a new off-site marina to partially mitigate the loss of the former marina at this site. DEEP recommends CEPA analysis should particularly cover those elements which serve as mitigation for the displacement of water-dependent use at the site.

In order to comply with DEEP recommendations Bridgewater Associates shall be required to include an analysis of the viewing platform/helipad, recreational barge, creation/restoration of mixed estuary habitats immediately east of the peninsula, public access walkway crossing at the head of the estuary, the docks and slips on the west side of the peninsula and the proposed off-site marina in future required DEEP permits. This analysis shall be submitted to DEEP as a requirement for state assistance for the proposed project.

Comments received from the Connecticut Fund for the Environment indicate the proposal must be consistent with the statutory goals and policies set forth in the Connecticut Coastal Management Act. In a memo dated March 26, 2013, Brian Thompson, DEEP Director of the Office of Long Island Sound Programs (OLISP) indicates if the proposal ultimately provides reasonable mitigation the DEEP considers the prospects of significant employment and economic benefits from Bridgewater to outweigh any unmitigated adverse impacts. Thus, the application would be deemed consistent with the water-dependent use policies of the Coastal Management Act pursuant to CGS §22a-98.

Conclusion:

Bridgewater Associates shall address the following concerns as a requirement for utilization of state funding for the proposed project:

- Bridgewater Associates shall include an analysis of the viewing platform/helipad, recreational barge, creation/restoration of mixed estuary habitats immediately east of the peninsula, public access walkway crossing at the head of the estuary, the docks and slips on

the west side of the peninsula and the proposed off-site marina in future required DEEP permits. The analysis shall be submitted to DEEP as a requirement for state assistance for the proposed project.

- Bridgewater Associates shall provide reasonable mitigation as well as significant employment and economic benefits in order to be considered consistent with the water-dependent use policies of the Coastal Management Act.

Recommendations:

The Environmental Assessment for this project does not trigger an obligation under CEPA for an EIE.