Connecticut Department of
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To: Binu Chandy, Connecticut Department of Economic and Community Development
505 Hudson Street, Hartford CT 06106

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Date: 7/6/2017

Subject: Scoping Notice for Downtown Redevelopment, Derby

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project proposed by the Department of Economic and Community Development (DECD) for utility infrastructure, road and sidewalk construction, and streetscaping associated with downtown redevelopment in Derby. The project is located south of Main Street/ Route 34, between the intersection with Route 8 to the Derby-Shelton Bridge.

The following comments are submitted for your consideration.

Electric Vehicle Planning
The Air Bureau would like the City of Derby to consider laying the foundation for the addition of electric vehicle (EV) charging stations while in the planning process. Assuming a steady growth rate, a report by the Boston Consulting Group found that by 2020 18% of cars in city regions will be electric vehicles. Other studies have shown that builders who have incorporated EV ready designs into their new construction projects have resulted in increased marketability of their developments and have found it to be more cost-effective to include the costs in new construction versus retrofitting a completed project. More information can be found at DEEP's website: EVConnecticut. The contact person for this program is Jennifer Reilly at 860-424-3123.

Hydrostatic Pressure Testing Discharge
If new water lines are installed and hydrostatic pressure testing is required, the City of Derby will need to register under the General Permit for the Discharge of Hydrostatic Pressure Testing Wastewater (Hydrostatic GP). The Hydrostatic GP will expire March 29, 2018. If the project occurs after that date it is expected that the *Comprehensive General Permit for Discharges to Surface and Groundwater* will be in place. Information is available through the Bureau of Materials Management and Compliance Assurance, Water Permitting and Enforcement Division, 860-424-3025.

Erosion and Sedimentation Control
In order to protect the Housatonic River 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 is available online at Erosion Control Guidelines.

Hazardous or Solid Waste
Due to the historic nature of the area, it is likely there are hazardous or solid waste related concerns. DEEP currently recommends the following procedure if contaminated soils are encountered during a utility construction project, and the property is not owned by the utility and the contamination was not created by the utility. The utility may reuse the contaminated soil in the same excavation within the same area of concern without prior approval by DEEP provided: 1) Any condition that would be a significant environmental hazard as defined in CGS Section 22a-6(u) is reported by the utility and that the location is identified on a map submitted to the DEEP Remediation Division; 2) Any excess contaminated material is disposed of in accordance with the solid and hazardous waste regulation as appropriate; and 3) The upper 1 foot of the excavation is filled with the clean fill material or paved. Any sampling required to make a determination as to whether a significant environmental hazard exists or how excess spoils will be disposed of is the responsibility of the entity (public or private) performing the excavation. For further information, contact the Remediation Division at 860-424-3366 The Connecticut Remediation Standard Regulations are available on-line at Guidance for Utility Company Excavation.

Threatened and Endangered Species
DEEP Wildlife Division maintains the Natural Diversity Database (NDDB) maps. These maps represent the approximate locations of species listed by the State, pursuant to section 26-306 of the Connecticut General Statutes, as endangered, threatened or special concern. The maps are a pre-screening tool to identify potential impacts to state listed species. This project is located within one of these areas. The applicant may be required to submit a *Request for Natural Diversity Data Base (NDDB) State Listed Species Review Form* (DEEP-APP-007) and all required attachments, including maps, to the NDDB for further review. Additional information concerning NDDB reviews and the request form may be found on-line at: NDDB Requests.

Water Quality
This site drains to segments of the Housatonic and Naugatuck Rivers on the western and eastern portions of the site. As identified in the 2016 Connecticut Integrated Water Quality Report to Congress, both rivers are listed as "impaired waters" due to high levels of indicator bacteria (*E. coli*). The segment of the Housatonic River has been included on the Priority List of Waters for Action Plan Development, which includes total maximum daily load (TMDL) development by 2018. For the Naugatuck River, a Total Maximum Daily Load Analysis for Recreation Uses of the Naugatuck River Regional Basin was developed in 2008 to address the bacteria impairment affecting this and other segments of the river. Potential sources of *E. coli* may include stormwater, industrial discharges, illicit discharges and upstream sources. If there are current practices associated with the project site that are contributing to the recreation and aquatic life water quality impairment issues, then these sources should be addressed during the redevelopment process. In addition, redevelopment of this area should not create any new sources of bacteria or other pollutants that will contribute to and/or aggravate these existing water quality issues.

Low Impact Development

DEEP recommends that the City consider opportunities to incorporate green infrastructure and/or low impact development (LID) features to the maximum extent feasible into its redevelopment plans. Key strategies for effective LID include: managing stormwater close to where precipitation falls; infiltrating, filtering, and storing as much stormwater as feasible; managing stormwater at multiple locations throughout the landscape; conserving and restoring natural vegetation and soils; preserving open space and minimizing land disturbance; designing the site to minimize impervious surfaces; and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together. Consequently, we typically recommend the utilization of one, or a combination, of the following measures:

- the use of pervious pavement or grid pavers (which are very compatible for parking lot and fire lane applications), or impervious pavement without curbs or with notched curbs to direct runoff to properly designed and installed infiltration areas,
- the use of vegetated swales, tree box filters, and/or infiltration islands to infiltrate and treat stormwater runoff (from building roofs, roads and parking lots),
- the minimization of access road widths and parking lot areas to the maximum extent possible to reduce the area of impervious surface,
- if soil conditions permit, the use of dry wells to manage runoff from the building roofs,
- the use of vegetated roofs (green roofs) to reduce the runoff from buildings,
- incorporation of proper physical barriers or operational procedures to prevent release of pollutants from special activity areas (e.g. loading docks, maintenance and service areas, dumpsters),
- the installation of rainwater harvesting systems to capture stormwater from building roofs for the purpose of reuse for irrigation

The Department has compiled a list of web resources with information about watershed management, green infrastructure and LID best management practices. It may be found on-line at: LID Resources.

Stormwater Discharge

The City of Derby is an MS4 municipality and should review the modified "General Permit for the Discharge of Stormwater from Small Municipal Separate Storm Sewer Systems" (MS4 GP), effective July 1, 2017. Among the relevant provisions in the GP, the project must demonstrate that there is no net increase in loading by the MS4 to the impaired water for the pollutant causing the impairment and that a legal mechanism for contractors to consider Low Impact Development and other runoff reduction site planning be established by MS4 municipalities for redevelopments.

Thank you for the opportunity to review this project. These comments are based on the reviews provided by relevant staff and offices within DEEP during the designated comment period. They may not represent all applicable programs within DEEP. Feel free to contact me if you have any questions concerning these comments.

cc: Robert Hannon, DEEP/ OPPD