

STATE OF CONNECTICUT
CONNECTICUT PORT AUTHORITY

ENVIRONMENTAL ASSESSMENT CHECKLIST

Date: 7/12/17	Staff Contact: Joe Salvatore
Municipality: New London	Project Name: CT State Pier
Funding Source: Public Act	State Funds: \$4,560,000
Type of State Agency Review	Stage 1 <u> X </u> Stage 2

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

Project Description: The Connecticut Port Authority is currently conducting a planning/design study related to the improvements needed at the State Pier Complex. The State Pier facility contains approximately 4,000 linear feet of dockage along its two main piers, on-dock rail connectivity to the New England Central Railroad (now owned by Genesee & Wyoming) system, 200,000 square feet of warehouse space, deep water access, and direct connection to the interstate highway system. The site is generally known as the State Pier Complex, which not only includes waterfront features such as piers and quay walls but also includes upland areas straddling State Pier Road and land north of the Gold Star Bridge.

In 2011, the State Pier Needs and Deficiency Planning Study was commissioned by the Connecticut Department of Transportation (CTDOT) to identify site-related and infrastructure repairs and improvements that would better position the facility to capture emerging East Coast shipping opportunities and accommodate some of the logistics generated by the \$5 billion in cargo flow annually in Connecticut.

The existing physical plant was found generally to be in good condition relative to similar New England ports with some exceptions. Some of State Pier's greatest constraints are the limited near dock surface area available for cargo moves and laydown area and poor surface conditions. Dredging to achieve uniform depths for both piers and the poor structural and overall condition of the Central Vermont Railroad (CVRR) Pier are among the most challenging deficiencies that need to be remedied.

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— DEEP* recommends that the Connecticut Port Authority consider adding Shore Power capability to the list of improvements being considered at the State Pier Complex. Shore Power, which typically produces zero onsite emissions, can be used by marine vessels to plug into local electricity grids and turn off auxiliary engines while at dock; significantly reducing diesel emissions from docked ships. More information can be found on the Environmental Protection Agency's website about Shore Power, and in the Planning and Standards Division of the Bureau of Air Management at DEEP. The contact person is Jennifer Reilly at 860-424-3123.
 - b) *Water Quality* — No negative impacts are anticipated.
 - c) *Noise* — No negative impacts are anticipated.

- 2) *Impact on a public water supply system or serious effects on groundwater, flooding, erosion, or sedimentation*
- a) *Water Supply* — The Drinking Water Section of the Department of Public Health has reviewed the above-mentioned project for potential impacts to any sources of public drinking water supply. This project does not appear to be in a public water supply source water area; therefore, the Drinking Water Section has no comments at this time.
 - b) *Groundwater* – No negative impacts are anticipated.
 - c) *Flooding* — Any state agency proposing an activity within or affecting a floodplain or that impacts natural or man-made storm drainage facilities must submit a flood management certification to DEEP for approval. Such activities include, without limitation: a) any structure, obstruction or encroachment proposed for emplacement within the floodplain area; b) any proposal for site development which increases peak runoff rates; c) any grant or loan which affects land use, land use planning or the disposal of state properties in floodplains; or d) any program regulating flood flows within the floodplain.
- 3) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows* — Any work located within tidal, coastal or navigable waters of the state at or below the coastal jurisdiction line elevation of +2.1 feet NAVD88 requires prior state authorization from DEEP. If the proposed repairs can be confined to the footprint of the existing structure, it may be eligible for a Certificate of Permission (COP) pursuant to CGS Section 22s-363. If the proposed activities will expand or significantly modify the existing structure footprint, a Structures, Dredging and Fill application will be required pursuant to CGS Section 22a-361.

Any work or construction activity within federally regulated wetland areas or watercourses at the site may require a permit from the U.S. Army Corps of Engineers pursuant to section 404 of the Clean Water Act or section 10 of the Rivers and Harbors Act. Further information is available on-line at: Army COE or by calling the Corps Regulatory Branch in Concord, Massachusetts at 978-318-8338.

Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the Permitting & Enforcement Division. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (DEEP-WPED-GP-015) will cover these discharges. The construction stormwater general permit dictates separate compliance procedures for Locally Approvable projects and Locally Exempt projects (as defined in the permit). Locally Exempt construction projects disturbing over 1 acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the Department. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the Department provided the development plan has been approved by a municipal land use agency and adheres to local erosion and sediment control land use regulations and the CT Guidelines for Soil Erosion and Sediment Control. Locally Approvable construction projects with a total disturbed area of five or more acres must submit a registration form to the Department prior to the initiation of construction. This registration shall include a certification by a Qualified Professional who designed the project and a certification by a Qualified Professional or regional Conservation District who reviewed the SWPCP and deemed it consistent with the requirements of the general permit. The SWPCP for Locally Approvable projects is not required to be submitted to the Department unless requested. The SWPCP must include measures such as erosion and sediment controls and post construction stormwater management. A goal of 80 percent removal of

total suspended solids from the stormwater discharge shall be used in designing and installing post-construction stormwater management measures. Stormwater treatment systems must be designed to comply with the post-construction stormwater performance management requirements of the permit. These include post-construction performance standards requiring retention of the water quality volume and incorporating control measures for runoff reduction and low impact development practices. The construction stormwater general permit registrations can now be filed electronically through DEEP's e-Filing system known as ezFile.

- 4) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings* — No negative impacts are anticipated.
- 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 Database (NDDDB) maps represent the approximate locations of species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern. The maps are a pre-screening tool to identify potential impacts to state listed species. The location of this projects falls within one of these areas. The applicant may be required to submit a Request for Natural Diversity Data Base (NDDDB) State Listed Species Review Form (DEEP-APP-007) and all required attachments, including maps, to the NDDDB for further review.
- 6) *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact* — Polychlorinated biphenyls (PCBs) are frequently associated with rail lines and may be a contaminant present in the project area. Federal regulations require that PCB contamination be addressed where present. Many such PCB removal projects will need to include sampling of the substrate and soil, as well as require plans to be approved by EPA in coordination with DEEP.
- 7) *Substantial aesthetic or visual effects* — No negative 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* — Because this action involves improvement of real property in excess of \$200,000, it is subject to the consistency requirement of the State Conservation and Development Plan of 2013-2018 (Plan) and its Growth Management Principles (GMP). The project area is located within an area designated as Priority Funding Area on the 2013-2018 Conservation and Development Policies Plan. In particular, this type of project supports both GMP #1 (Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure) by ensuring the safety and integrity of existing infrastructure over its useful life through the timely budgeting for maintenance, repairs and necessary upgrades. It also supports GMP #5 (Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety) by allowing redevelopment and rebuilding of coastal areas consistent with coastal area management principles and regulations and prevailing federal rules and requirements. In addition, the Plan requires that those projects deemed Growth Related be located in a Priority Funding Area. This project has been determined to be a Growth Related Project as defined in the Plan and is largely located in a Priority Funding Area and is therefore consistent with the Plan.
- 9) *Disruption or division of an established community or inconsistency with adopted municipal or regional plans* — No negative impacts are anticipated.

- 10) *Displacement or addition of substantial numbers of people* — No negative impacts are anticipated.
- 11) *Substantial increase in congestion (traffic, recreational, other)*— No negative 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 negative impacts are anticipated.
- 13) *The creation of a hazard to human health or safety* — No negative impacts are anticipated.
- 14) *Any other substantial impact on natural, cultural, recreational or scenic resources* — DEEP Fisheries staff biologists noted that this area of New London harbor has important fish habitat, especially spawning habitat for winter flounder. If alternatives to be considered include the expansion of the footprint of the pier or dredging around the pier, the Fisheries Division will have concerns. Early coordination and pre-application meetings with DEEP are advised when project has been designed.

Cumulative Impacts: Not aware of any at this time.

Conclusion:

Following are the issues identified by various State agencies:

DEEP:

1. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (DEEP-WPED-GP-015) will cover stormwater discharges from construction sites where one or more acres are to be disturbed.
2. Any work located within tidal, coastal or navigable waters of the state at or below the coastal jurisdiction line elevation of +2.1 feet NAVD88 requires prior state authorization from DEEP.
3. The CT Port Authority may be required to submit a Request for NDDB State Listed Species Review Form (DEEP-APP-007) and all required attachments, including maps, to the NDDB for further review.
4. If alternatives to be considered include the expansion of the footprint of the pier or dredging around the pier, the Fisheries Division will have concerns. Early coordination and pre-application meetings with DEEP are advised when project has been designed.
5. The State Pier is within the 100-year flood zone of the Connecticut River on the community's Flood Insurance Rate Map. Because it is a State action, the project must be certified as being in compliance with flood and stormwater management standards specified in section 25-68d of the CGS and section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies and receive approval from the DEEP.

Recommendations: The EA for this project appears to not trigger an obligation under CEPA for an Environmental Impact Evaluation.