

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

ENVIRONMENTAL ASSESSMENT CHECKLIST

Project ID No: (issued by OPM)

Date: 7/8/2014

Municipality: New Britain

Funding Source: TBD

Type of State Agency Review

Staff Contact: Nelson Tereso

Project Name: New Britain Infrastructure/Roadway
Improvements along Route 71

State Funds: TBD

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:

The City of New Britain is requesting state financial assistance for certain infrastructure/roadway improvements along Hartford Road (CT Route 71) and the Route 9 northbound off-ramp at Hartford Road to support economic development and job creation in the City of New Britain. The City has approved plans for the construction of a new Costco Wholesale facility on a nearby parcel of property owned by the City adjacent to the existing Target store. The identified roadway infrastructure improvements will enable the Costco project to move forward. As part of the project, the State DOT will convey 15.5 acres of unused land located in the Town of Newington to the City of New Britain. Part of this land will be used for golf course improvements and part of it will be protected from development by a conservation easement. This conveyance is authorized by Special Act 13-23, approved by the Connecticut General Assembly and signed by Governor Malloy.

The roadway improvements would fix a long-standing problem of limited left-turn capacity from the Route 9 northbound off-ramp onto Route 71. The construction of an additional left-turn lane will help to alleviate traffic congestion in the area. The construction activity at the Route 9 off-ramp would occur entirely on land owned by the State Department of Transportation. This land was previously graded and improved as part of the overall overpass improvements previously built at Route 71 and Route 9. As part of this project roadway improvements would also be made to Route 71, on land currently owned by the State and the City of New Britain, to safely accommodate traffic in the area.

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* — For large construction projects, the Connecticut Department of Energy and

Environmental Protection (DEEP) typically encourages the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If that newer equipment cannot be used, equipment with the best available controls on diesel emissions including retrofitting with diesel oxidation catalysts or particulate filters in addition to the use of ultra-low sulfur fuel would be the second choice that can be effective in reducing exhaust emissions. The use of newer equipment that meets EPA standards would obviate the need for retrofits.

The DEEP also encourages the use of newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. These on-road vehicles include dump trucks, fuel delivery trucks and other vehicles typically found at construction sites. On-road vehicles older than the 2007-model year typically should be retrofitted with diesel oxidation catalysts or diesel particulate filters for projects. Again, the use of newer vehicles that meet EPA standards would eliminate the need for retrofits.

Additionally, Section 22a-174-18(b)(3)(C) of the Regulations of Connecticut State Agencies (RCSA) limits the idling of mobile sources to 3 minutes. This regulation applies to most vehicles such as trucks and other diesel engine-powered vehicles commonly used on construction sites. Adhering to the regulation will reduce unnecessary idling at truck staging zones, delivery or truck dumping areas and further reduce on-road and construction equipment emissions. Use of posted signs indicating the three-minute idling limit is recommended. It should be noted that only DEEP can enforce Section 22a-174-18(b)(3)(C) of the RCSA. Therefore, it is recommended that the project sponsor include language similar to the anti-idling regulations in the contract specifications for construction in order to allow them to enforce idling restrictions at the project site without the involvement of the DEEP.

In order to reduce the impact to air quality from mobile source emissions, the DEEP encourages developers to provide accommodations for alternative modes of transportation, such as mass transit and bicycles. Options to encourage mass transit could include providing "pull-out" lanes for buses to safely load and unload passengers outside of the main travel lane, providing a central location within the proposed development for transit facilities such as bus shelters. To accommodate bicyclists, the proposed development can include bike storage facilities, bike paths (that may connect to a larger network) or wide shoulders on roadways for added bicycle safety.

- b) *Water Quality* — The DEEP strongly supports the use of low impact development (LID) practices such as water quality swales and rain gardens for infiltration of stormwater on site. 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.

Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the DEEP 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 DEEP. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the DEEP 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 DEEP 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 DEEP 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. The general permit also requires that post-construction control measures incorporate runoff reduction practices, such as LID techniques, to meet performance standards specified in the permit.

The discharge of stormwater from certain commercial areas with more than five acres of contiguous impervious surface is covered by a General Permit for the Discharge of Stormwater Associated with Commercial Activity issued by the DEEP. The commercial activities that are covered by the permit are defined in the regulations by Standard Industrial Classifications and include food, general merchandise, and home furnishing stores as well as wholesale trade and miscellaneous retail establishments. Registration describing the facility and the stormwater discharge must be submitted to the DEEP prior to the initiation of the commercial activity. A stormwater management plan, including measures such as sweeping, controls for outside storage of materials, spill control plan, maintenance and inspection, employee training and recordkeeping, must be prepared.

- 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 Department of Public Health indicates the project does not appear to be in a public water supply source area.
 - b) *Groundwater* — No negative impacts are anticipated.
 - c) *Flooding* — The stormwater collection system for the project should be designed so that there will be no increased peak flows from the site that would exacerbate downstream flooding.
- 3) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings* — No negative impacts are anticipated.
- 4) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows* —

The Natural Resources Conservation Service's soil survey depicts lobes of Wilbraham silt loam on the Costco parcel and further south on the existing golf course as well as an area of Scarboro muck in the southerly portion of the parcel to be conveyed by ConnDOT. It is recommended that a certified soil scientist perform a reconnaissance of the site in order to confirm that there are not any areas which would be regulated as wetlands or watercourses as defined by section 22a-38 (15) and (16) of the Connecticut General Statutes (CGS), respectively. If the reconnaissance identifies regulated areas, they should be delineated. Any development should avoid regulated areas to the maximum extent practicable. Any inland wetlands or watercourses at the site are regulated by the local inland wetlands agency, pursuant to section 22a-42 of the CGS. Many local agencies have established setback or buffer areas and require review and approval of activities within these upland areas adjacent to wetlands or watercourses. The local agency should be contacted regarding permit requirements.

In order to protect wetlands and watercourses 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.

- 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, 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. Also, be advised that this is a preliminary review. 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 negative impacts are anticipated.
- 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* —

The Costco site is a Balanced Priority Funding Area on the Locational Guide Map for the Conservation and Development: The Plan for Connecticut 2013 - 2018, due to the presence of agricultural soils. The proposed project is consistent with Growth Management Principal #3 to “Concentrate Development Around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options”.

- 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)* —
- 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* —

It appears that the Costco facility will include a gasoline station. The installation of underground storage tanks must comply with the provisions of section 22a-449(d)-102 of the Regulations of Connecticut State Agencies. For further information, contact the DEEP Bureau of Materials Management & Compliance Assurance, Underground Storage Tank Program.

Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the Remediation Standard Regulations, that is not hazardous waste, is considered to be special waste. The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA. In addition, the regulations prohibit

the disposal of more than 10 cubic yards of stumps, brush or woodchips on the site, either buried or on the surface.

The Waste Engineering & Enforcement Division has issued a General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer) (DEP-SW-GP-001). It establishes a uniform set of environmentally protective management measures for stockpiling soils when they are generated during construction or utility installation projects where contaminated soils are typically managed (held temporarily during characterization procedures to determine a final disposition). Temporary storage of less than 1000 cubic yards of contaminated soils (which are not hazardous waste) at the excavation site does not require registration, provided that activities are conducted in accordance with the applicable conditions of the general permit. Registration is required for on-site storage of more than 1000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site.

- 14) *Any other substantial impact on natural, cultural, recreational or scenic resources* — In keeping with the DEEP's interest in furthering the use of alternate fuels for transportation purposes, we recommend that Level 2 electric vehicle charging stations be included at 3% of the parking spaces in the project design. Increasing the availability of public charging stations will facilitate the introduction of the electric vehicle technology into the state and serve to alleviate the present energy dependence on petroleum and improve air quality.

Conclusion: The applicant shall address the following concerns as a requirement for utilization of state funding for the proposed project:

- The City of New Britain shall be required to comply with all conditions of Special Act 13-23 associated with conveyance of land as a prerequisite for state funding for the proposed project.
- Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the DEEP Permitting & Enforcement Division.
- The stormwater collection system for the project should be designed so that there will be no increased peak flows from the site that would exacerbate downstream flooding.
- It is recommended that a certified soil scientist perform a reconnaissance of the site in order to confirm that there are not any areas which would be regulated as wetlands or watercourses
- The City of New Britain shall be required to obtain all necessary permits and approvals from ConnDOT.

Recommendations:

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