



Connecticut Council of Trout Unlimited
Trout Unlimited
45 Birchwood Drive,
Middletown, CT 06457

07 February 2020

Leadership

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Christopher Stone, P.E.
Water Permitting and Enforcement Division
Bureau of Materials Management and Compliance Assurance
Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT 06106 5127

Mr. Stone,

Trout Unlimited (TU) representatives have reviewed the proposed changes to the *General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities*. We believe in general, the proposed changes will help protect the State's wetlands and watercourses, however we propose the following additions to the permit for the Department's consideration:

Section 2. Definitions

"Coldwater Fish Resource (CFR)" means a waterbody (stream, river, or tributary thereto) with documented populations of wild brown trout (*Salmo trutta*) or wild brook trout (*Salvelinus fontinalis*) as documented by CT DEEP in the last ten (10) years.

Section 5. Conditions of This General Permit

(a) General Conditions

(4) Impacts to Coldwater Fish Resources (CFRs)

A one-hundred (100) foot buffer shall be maintained between any project and a CFR. The buffer shall consist of undisturbed soil and existing vegetation. Fisheries data is available online through the University of Connecticut (UCONN) Connecticut Environmental Conditions Online (CTECO) or by contacting CT DEEP Fisheries Division.

(b) Stormwater Pollution Control Plan

(2) Stormwater Control Measures

(D) Other Controls

The one-hundred (100) foot buffer adjacent to any CFR must be maintained post-construction and supplemented with additional plantings as necessary to maintain the canopy/stream cover.



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CFRs are particularly sensitive to landscape modifications in riparian corridors. These include decreases in canopy cover and modifications to coldwater seeps and springs that maintain the coldwater CFR species require. It has been documented in discussions with CT DEEP Fisheries Biologists that the trout populations in CFRs are sensitive to changes in water temperature and *“any significant increase (as little as 1C) in water temperature can negatively affect these populations to the point of extirpation.”*

The one-hundred (100) foot buffer proposed in Appendix I is a commendable step forward in reducing the impacts of solar projects on wetland, watercourses, and vernal pools. However, the impacts of clearing and development are not limited to solar projects. All development has the potential to impact wetlands, watercourses, and vernal pools. CFRs are particularly sensitive to landscape modifications along riparian corridors and a single development site has the potential to irreversibly change a watercourse. These impacts to CFRs cannot not be mitigated/replicated elsewhere like a wetland or vernal pool. Once the thermal properties of a watercourse are changed (and the species extirpated), it cannot not be reversed.

The CT Council of Trout Unlimited strongly encourages the above mentioned additions to protect CFRs. These species are increasingly threatened by warming trends and precipitation fluctuations in the Connecticut climate. TU is not opposed to development, but believes that it does not need to come at the cost of unnecessary and irreversible change to our aquatic species. Thank you for your time and consideration of our amendments.

Sincerely,

John Kovach
Connecticut State Council Chair
Trout Unlimited

Sincerely,

Sal DeCarli
Trout Unlimited National
Leadership Council Representative,
State of Connecticut

CC: Pete Aarrested (CT DEEP)
Mike Beauchene (CT DEEP)
Brian Murphy (CT DEEP)
Brian Eltz (CT DEEP)