



To: Mithila Chakraborty, Department of Housing  
From: Linda Brunza, Environmental Analyst  
Telephone: 860-424-3739  
Email: Linda.Brunza@ct.gov

Date: 9/6/2023

Subject: Scoping Notice for Wall Street Place, Norwalk CT

---

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project sponsored the Department of Housing (DOH) located at 61 Wall Street and 17 Isaacs Street in Norwalk. This is a mixed-use project on just over 2 acres, and will include two buildings with new, mixed-income units and a retail. A parking lot with 40 spaces is also proposed. The property at 17 Isaacs Street was already abated in 2022 prior to demolition. The notice states there is no critical habitat in the area, it is not in an aquifer protection area, and not in a floodway.

The following comments are submitted for your consideration. The first section contains information on DEEP's regulatory programs that may require permits for the project. There will be information linked to DEEP's website as well as contact information. The links and contact are there to help guide the applicant and sponsoring agency to determine if permits are required after the project moves closer to design and construction. These comments are meant to provide a high-level analysis of the area, since scoping notices tend to be at the beginning stages of a project with no set design plans. After the list of potential permits, there will be comments from various divisions that are meant for informational purposes and best management practices.

#### Permitting/ Regulatory Programs

Stormwater and Dewatering Wastewaters from Construction Activities General Permit  
Contact: Bureau of Materials Management and Compliance Assurance, Permitting and Enforcement  
Division: [DEEP.stormwaterstaff@ct.gov](mailto:DEEP.stormwaterstaff@ct.gov)

The General Permit for [Stormwater and Dewatering Wastewaters from Construction Activities](#) may be applicable depending on the size of the disturbance regardless of phasing. This general permit was created to address rainfall runoff (i.e., stormwater) from sites under construction in order to reduce or eliminate the discharge of sediment from the site during construction as well as addressing discharges of other stormwater pollutants from the site long term.

The construction stormwater general permit dictates separate compliance procedures for Locally Exempt projects (projects primarily conducted by government authorities) and Locally Approvable projects (projects primarily by private developers). This general permit applies to discharges of stormwater and dewatering wastewater from construction activities where the activity disturbs more than an acre. The requirements of the current general permit include registration to obtain permit coverage and development and implementation of a Stormwater Pollution Control Plan (SWPCP). The SWPCP contains requirements for the permittee to describe and manage their construction activity, including implementing erosion and sediment control measures as well as other control measures to reduce or eliminate the potential for the discharge of stormwater runoff pollutants (suspended solids and floatables such as oil and grease, trash, etc.) both during and after construction. A goal of 80

percent removal of the annual sediment load 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 management performance requirements of the permit. These include post-construction performance standards requiring retention and/or infiltration of the runoff from the first inch of rain (the water quality volume or WQV) and incorporating control measures for runoff reduction and low impact development practices.

Projects that are exempt from local permitting that disturb over one acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the Department at least 60 or 90 days, as identified in the permit, prior to the initiation of construction. 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 and SWPCP to the Department at least 60 days prior to the initiation of construction. Registrations shall include a certification by the 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. In addition to measures such as erosion and sediment controls and post-construction stormwater management, the SWPCP must include a schedule for plan implementation and routine inspections. For further information, contact the division at 860-424-3025 or [DEEP.StormwaterStaff@ct.gov](mailto:DEEP.StormwaterStaff@ct.gov). The construction stormwater general permit registrations must be filed electronically through DEEP's [ezFile Portal](#). Additional information can be found on-line at: [Construction Stormwater GP](#).

Natural Diversity Database

Staff reviewed this location and found that it was not in a Natural Diversity Database Area and has no comments on the project.

#### Information/ Best Management Practices

Watershed Management

Contact: Emma Coffey, Analyst, Water Planning and Management Division, [Emma.Coffey@ct.gov](mailto:Emma.Coffey@ct.gov), 860-424-3344

The redevelopment is located west of the Norwalk River which is an impaired waterbody with a pollutant reduction analysis for bacteria (Total Maximum Daily Load) stated in the [Norwalk Watershed Summary](#) and a [Watershed Based Plan](#). Due to the impairment, proper management measures for stormwater and sediment should be taken as to not further impact downstream surface waters, including Norwalk River.

Remediation

Contact: Ryan Mowrey, Analyst, Remediation Division, [Ryan.Mowrey@ct.gov](mailto:Ryan.Mowrey@ct.gov), 860-424-3283

There are two remediation sites within approximately 500-ft. of this project site. The remediation sites all have known contamination but should pose little impact to the proposed construction project. Soil contamination has either been remediated or will be rendered inaccessible through Environmental Land Use Restrictions on both sites. The locations are 147 Charter Oak Avenue with known contamination contained to the property, and 25 Van Dyke Avenue outside of the 500 ft., also with known contamination contained to the property. All contaminated soils that had exceedances of the Pollutant Mobility Criteria have been excavated.

## Municipal Wastewater

Contact: Ivonne Hall, Assistant Director, Municipal Wastewater Program, [Ivonne.Hall@ct.gov](mailto:Ivonne.Hall@ct.gov)  
860-424-3754

DEEP requests that the proposed development project consider all water conservation best management practices to reduce the volume of sewer discharge into the municipal system, such as installing water-efficient fixtures and toilets. Since Norwalk contains combined sewers in its system, installing green infrastructure and other low impact development techniques to mitigate additional stormwater runoff is also recommended.

## Air Management

DEEP Bureau of Air Management typically recommends the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If 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.

DEEP also recommends 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 to allow them to enforce idling restrictions at the project site without the involvement of DEEP.

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: Eric Hammerling