

STATE OF CONNECTICUT  
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

**ENVIRONMENTAL ASSESSMENT CHECKLIST**

**Date:** 05/09/2016

**Staff Contacts:** Binu Chandy

**Municipality:** New Haven

**Project Name:** Downtown Crossing – Phase II

**Funding Source:** Urban Act & Special Act

**State Funds:** Up to \$21,000,000

**This assessment is being conducted in conformance to the generic Environmental Classification Document to determine Connecticut Environmental Policy Act (CEPA) obligations**

**Project Description:**

State funds will be used to complete Phase II of the Downtown Crossing project, which will convert a section of Route 34 from a limited access highway to urban boulevards. The CT Dept. of Economic and Community Development (DECD) is the sponsoring agency and is working with the CT Dept. of Transportation (DOT) and the City of New Haven to bring the project forward.

The project introduces a new at-grade connection across the former Route 34 Corridor by re-connecting the north and south sections of Orange Street. Five major components of the project include construction of a new at-grade, signalized intersection of Route 34 with South Orange Street and MLK Boulevard and South Frontage Road; pedestrian improvements to the State Street underpass; transition zone improvements intended to slow travel speed along the transition of Route 34 to the new intersection; a bike lane along Water Street from Orange Street to Olive Street; and relocation of utilities and stormwater improvements within the project area.

This Phase II work in part will support the private redevelopment of the Coliseum Site (275 South Orange Street) into a human-scale, mixed-use, community-gathering place centered on an activated public square and laneway, with 719 residential units, 76,900 square feet of retail, 160 hotel rooms, 200,000 square feet of Class A office, 52,620 square feet of public space and 785 parking spaces.

Under the final phase (Phase III) of the Downtown Crossing Project, Temple Street is intended to be re-connected from MLK Boulevard to South Frontage Road, MLK Boulevard and South Frontage Road will be further improved as urban boulevards, and Church Street will be reconstructed between MLK Boulevard and South Frontage Road. Various utility relocations and stormwater management improvements will also be a part of Phase III.

It may be noted that U.S. DOT (FHWA) funds are being used for design/engineering of the project. As such, the project underwent a NEPA review undertaken by CT DOT. CT DOT DOT's environmental review team concluded that the project did not need an Environmental Assessment but rather could qualify for a CATEX (Categorical Exclusion) Analysis focusing on three potential environmental issues - Noise, Air Quality and Archeological Assessment. The

CATEX was approved by FHWA on 5/4/16.

**Regulations of Connecticut State Agencies (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* — The proposed project is not expected to cause significant adverse air quality effects. Roadway improvements will reduce idling vehicles and roadblocks. Improved biking and pedestrian connections and close location to the New Haven Rail Station, would present enhanced opportunities for mass transit usage. All these factors have the potential to reduce air pollutants in the project area generated from vehicular emissions.

All DEEP comments regarding air quality impact mitigation during construction/implementation phase will be observed.

- b) *Water Quality* — No negative impacts are anticipated. The portion of the proposed project area east of the State Street is within Connecticut's coastal boundary as defined by section 22a-94 of the CGS and is subject to the provisions of the Connecticut Coastal Management Act (CCMA), sections 22a-90 through 22a-112. The site is not a waterfront property and does not possess sensitive coastal resources. Coastal management concerns which should be addressed in future phases of the project planning process are the potential mobilization of pollutants in contaminated soils and appropriate use of urban retrofit stormwater best management practices, wherever possible.

The project area is in a portion of New Haven with partially combined storm and sanitary sewers. Historically, wet weather management to eliminate combined sewer overflows (CSO) in combined sewer areas has been achieved through a combination of increased treatment plant capacity, construction of storage tunnels and tanks, or separation of storm and sanitary flows into separate pipe networks, collectively referred to as grey infrastructure. It is now recognized that green infrastructure or low impact development (LID) practices can be a cost-effective and environmentally preferable stormwater management approach when used to support grey infrastructure. In many cases, implementation has relied upon pairing green infrastructure with cost-effective grey infrastructure and identifying opportunities to incorporate green infrastructure elements into other ongoing city projects.

All DEEP comments and best management practices (BMPs) regarding water quality will be taken into account including the use of low impact development (LID) where applicable as the project moves forward.

- 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 project is not in the DPH’s public drinking water supply source water area. But is within the public water supply service area of the South Central Connecticut Regional Water Authority (RWA PWSID# CT0930011). No negative impact to the public water supply system is anticipated. All Department of Public Health’s (DPH) comments regarding mitigation of potential impacts to existing water distribution mains will be followed.
  - b) *Groundwater* — No negative impacts are anticipated.
  - c) *Flooding* — A small portion of the project area is within the 100-year flood zone on the community's Flood Insurance Rate Map. The 100-year flood zone is confined to the area surrounding the Route 34 overpass at the railroad crossing just east of Union Avenue/State Street. The pedestrian improvements and bike lane are within the 100-year flood zone. DECD will be applying for a General Flood Permit Certification for minor activities to confirm compliance with flood and stormwater management standards specified in section 25-68d of the Connecticut General Statutes (CGS) and section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies (RCSA).
- 3) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings* — A Phase 1a cultural resources assessment was conducted by the State Historic Preservation Office and CT DOT’s Office of Environmental Planning. The study concluded that archaeological remains of the original Colonial Period New Haven waterfront commercial district and its subsequent Industrial Era development up through the early 20th Century may exist beneath Route 34 between Orange Street and State Street / Union Avenue within the area of potential effect (APE). The parties involved (DECD, SHPO, CT DOT, FHWA and City) entered into a Programmatic Agreement on January 19, 2016 that enables further research on the project’s archaeological impacts and adequately address effects of the project on eligible National Register of Historic Places resources related to the Original Waterfront. Any potential findings will be used to enhance the information already available regarding the New Haven waterfront during the early 20<sup>th</sup> century.
  - 4) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows* — The project is within an already developed urban setting. 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 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. However, taking into account the urban setting of the area,

- no negative impacts are anticipated.
- 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 impact 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). In particular, this type of project supports both GMP #1 (Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure) and GMP #3 (Concentrate Development Around Transportation Nodes and Along Major Transportation Corridors to Support the Viability of Transportation Options). 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 Balanced 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)* — The project will result in improvements to the road system and will provide biking and pedestrian options. Therefore, there will most probably be a substantial decrease in congestion due to the project improvements.
  - 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. As the project area is a historically urbanized area, it may have existing or potential environmental problems. Requisite site investigations/ environmental site assessments and/or soil or ground water testing should be performed as advised by the DEEP in the implementation phase. If the testing indicates site contamination, proper remediation, including development of a cleanup plan will be undertaken and measures will be implemented that will clean up the site in accordance with applicable criteria in the Connecticut Remediation Standard Regulations adopted pursuant to section 22a-133k of the CGS (see also, the recommendations section)

- 14) *Any other substantial impact on natural, cultural, recreational or scenic resources* — No negative impacts are anticipated.

**Conclusion:** After examining potential environmental impacts and reviewing all comments received from the various resource agencies as well as the public, CTDECD has concluded that the preparation of an Environmental Impact Evaluation will not be required for the Downtown Crossing Phase II Project in New Haven. However, the following mitigation measures, recommended by other agencies will be adopted to minimize any potential impacts that may arise during construction and implementation of the project.

**Recommendations received by various State agencies as a result of the Scoping Process:**

- A. **From Department of Public Health (DPH):** Since the project is within the South Central Connecticut Regional Water Authority’s jurisdiction and since the project involves relocation of utilities, the DPH recommends consultation with RWA on the location and potential relocation or replacement of water distribution mains within the project area (See also letter from DPH dated April 16, 2015.)
- B. **From Department of Energy and Environmental Protection (DEEP):** The DEEP has provided various recommendations to reduce potential adverse impacts, both during construction and implementation of the project. A summary is provided below but details can be found in the Comments letter submitted by DEEP on April 16, 2015.
- a. The DEEP recommends utilizing green infrastructure or Low Impact Development (LID) to the greatest extent practicable in designing the proposed stormwater improvements and the private redevelopment of the Coliseum Site.
  - b. Required stormwater discharge permits will have to be obtained from DEEP.
  - c. DECD as the sponsoring agency has been advised to apply for a General Flood Permit Certification for minor activities to confirm compliance with flood and stormwater management standards.
  - d. In keeping with the DEEPs interest in furthering the use of alternate fuels for transportation purposes, DEEP recommends that Level 2 electric vehicle charging stations be included at 3% of the parking spaces in the project design.
  - e. Since the site is in an historical urbanized area, there may be existing or potential environmental problems. DEEP recommends conducting required environmental site assessments, develop a cleanup plan, and clean up the site in accordance with applicable criteria in the Connecticut Remediation Standard Regulations adopted pursuant to section 22a-133k of the Connecticut General Statutes.
  - f. Excavation and disposal of any contaminated soil and 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. The disposal of demolition waste should be handled in accordance with applicable solid waste statutes and regulations. Construction and demolition debris should be segregated on-site and reused or recycled to the greatest extent possible.

- g. To reduce air quality impacts during construction DEEP suggests either using newer off-road equipment, equipment equipped with controls on diesel/exhaust emissions. DEEP also recommends using newer on-road vehicles that meet either the latest EPA or California Air Resources Board (CARB) standards for construction projects. 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.