

Effective Date: March 2, 2021

**Generic Environmental Classification Document (ECD)
For Connecticut State Agencies**

Prepared Pursuant to Sections 22a-1a-4 and 22a-1a-5
of the Regulations of Connecticut State Agencies (RCSA)

State agencies shall use the Generic ECD for determining CEPA applicability of their proposed actions, unless they have adopted an agency-specific ECD in accordance with [RCSA Sections 22a-1a-4 and 22a-1a-5](#). Note that the criteria in an agency-specific ECD may differ from the comparable criteria in this Generic ECD and may also include criteria that are unique to that agency.

Definitions:

As used in this document, “**action**” is defined in [RCSA Section 22a-1a-1](#).

As used in this document, “**facility**” means one or more existing and/or concurrently planned or envisioned structures on a site.

As used in this document, “**developed land**” means the development footprint, including associated land alterations and fixed infrastructure, on land occupied by or previously occupied by a permanent structure or paving. This does not include portions of land altered only by current or historical agriculture or forestry activities.

- Properties of one acre or less that are occupied or were previously occupied by a permanent structure shall be considered developed land.
- Properties of more than one acre and that are at least 75% developed according to the criteria above shall be considered developed land.

As used in this document, having “**access to existing sewer and water infrastructure**” means that a facility will be served by lateral connection to an existing community water system and municipal wastewater system without the extension of existing mains, and that the sponsoring agency has documented that those systems have the capacity to serve the facility.

I. Typical Actions That Always Require Public Scoping And The Preparation Of An Environmental Impact Evaluation:

- a. Construction of a new sewage treatment plant;
- b. Construction of a new permanent regional waste management facility or site, including but not limited to solid, hazardous, biomedical and radioactive wastes; recycling centers; resource recovery facilities; waste conversion facilities; and transfer stations; as defined in [Connecticut General Statutes \(CGS\) Sec. 22a-207](#).

II. Typical Actions That Require Public Scoping To Determine Whether An Environmental Impact Evaluation Is Required:

- a. Construction of, or addition of, a facility:
 - 1) located on undeveloped land without access to existing sewer and water infrastructure, that exceeds 15,000 gross square feet (GSF) of floor space or 15 residential units; or
 - 2) located on undeveloped land with access to existing sewer and water infrastructure, that exceeds 40,000 GSF of floor space or 40 residential units; or
 - 3) located on developed land with access to existing sewer and water infrastructure, that exceeds 100,000 GSF of floor space or 100 residential units.
- b. Any major reconstruction, rehabilitation, or improvement that would significantly change the use of an existing facility exceeding either 100,000 GSF or 100 residential units;
- c. Construction or expansion of a new rail or bus rapid transit facility; construction of a new public road or a lane addition to an existing public road; construction of a new interchange with a limited access highway or reconstruction of an existing interchange resulting in increased capacity;
- d. Construction of a new parking lot, garage, or additions thereto, that provide for an increase in capacity of 200 vehicles or more;
- e. Construction of a new dam; removal or replacement of an existing dam; or any reconstruction or major alteration of an existing dam resulting in a permanent change in water level of more than four (4) inches, except for emergency repairs deemed necessary by the Commissioner of DEEP pursuant to [CGS 22a-402](#);
- f. Expansion of the hydraulic capacity of an existing sewage treatment plant;
- g. Construction of new wastewater conveyance infrastructure or an increase in the hydraulic capacity of existing wastewater conveyance infrastructure that has the capacity to provide service beyond the existing sewer service area;
- h. Construction of new drinking water distribution infrastructure or increase in the capacity of existing drinking water distribution infrastructure that has the capacity to provide water service beyond the area currently being served;
- i. Demolition or major alteration of any historic landmark or structure as defined in [CGS 10-410](#), or archeological site as defined in [CGS 10-381](#), that is listed or eligible to be listed on the National or State Registers of Historic Places as determined by the State Historic Preservation Office (SHPO)ⁱ;
- j. Any action, other than maintenance or repair of an existing facility, that would convert five (5) or more acres of land from an active agricultural use to a non-agricultural use, or that may significantly affect five (5) or more acres of Prime Farmland Soils, Statewide Important Farmland Soils, and/or Locally Important Farmland Soils as defined in [Title 7 Part 657 of the U.S. Code of Federal Regulations](#), not including developed land underlain by such soil;

- k. Any action, other than maintenance or repair of an existing facility, which may significantly affect core forest, defined in [CGS 16a-3k](#) as unfragmented forest land that is three hundred feet or greater from the boundary between forest land and nonforest land;
- l. Transfer of property from a state agency to a municipality with a requirement that the property will be utilized for a specific purpose different than its existing use;
- m. Increase in the capacity of an existing, permanent regional waste management facility or site, including but not limited to solid, hazardous, biomedical and radioactive wastes; recycling centers; resource recovery facilities; waste conversion facilities; and transfer stations; as defined in [CGS Sec. 22a-207](#);
- n. Development of an energy generation facility that exceeds 100 kW on undeveloped land, or an energy generation facility that exceeds 1 kW located on or in water;
- o. Any other action that may significantly affect the environment in an adverse manner, including consideration of the direct, indirect, and cumulative impacts of those factors identified in [RCSA Section 22a-1a-3](#), and in connection with the proposed action's setting, its probability of occurring, its duration, its irreversibility, its controllability, its geographic scope, its magnitude, and regulatory requirements.

III. Joint Federal/State Actions Undergoing National Environmental Policy Act (NEPA) Review:

- a. Any and all joint federal/state actions for which environmental assessments or environmental impact statements are prepared pursuant to the NEPA, as amended, shall be recognized as meeting the Connecticut Environmental Policy Act (CEPA) requirements provided that such NEPA analysis, documents, and public processes meet the CEPA equivalent requirements.

IV. Actions which do not warrant a review pursuant to CEPA:

- a. Maintenance, repairs, or renovations that would not significantly change the use of an existing facility, including minor or moderate reconstruction, rehabilitation, or improvementsⁱⁱ;
- b. Demolition of a facilityⁱⁱⁱ;
- c. Environmental remediation and/or hazardous building materials abatement of a building, structure, or property;
- d. Energy conservation measures;
- e. Construction or installation of an emergency generator on the site of the facility being served;
- f. Licenses for non facility-related purposes;
- g. Transfer of property as directed by legislation unless CEPA is specifically required;
- h. Maintenance, repair, or in-kind replacement of sewer or water infrastructure that does not provide capacity for service beyond the area currently being served;

- i. Maintenance, repair, or in-kind replacement of transportation infrastructure within the existing right-of-way and without an increase in capacity;
- j. Construction or expansion of bicycle or pedestrian transportation infrastructure within the existing right-of-way.

Note that any proposed state action(s) with the potential to impact a historic landmark or structure as defined in [CGS 10-410](#), or archaeological site as defined in [CGS 10-381](#), is not eligible for the exemptions listed above without first receiving verification^{iv} from SHPO that the action will have *No Historic Properties Affected* or *No Adverse Effect* on those resources. If such verification is not obtained the proposed action shall be subject to public scoping.

After reviewing this ECD, agencies that are still uncertain as to the appropriate level of CEPA review for a proposed action are encouraged to consult with the Office of Policy and Management (OPM).

ⁱ SHPO's criteria for determining the historical significance of a property, including its eligibility for listing on the National or State Registers of Historic Places is based on criteria set forth by the National Historic Preservation Act of 1966, Section 106 (36 CFR Part 800). For additional details, see SHPO's NATIONAL REGISTER OF HISTORIC PLACES FACT SHEET https://portal.ct.gov/-/media/DECD/Historic-Preservation/National_Register_Fact_Sheet.pdf and contact SHPO staff.

ⁱⁱ Examples of such actions include, but are not limited to: replacement of architectural features; interior remodeling or renovations with no significant change in use; additions or renovations to lighting, fire alarm, heating/cooling and mechanical systems; roof repairs; chimney repairs; installation or modification of environmental controls; mechanical systems and/or manufacturing processes to comply with federal and state environmental regulations; energy conservation upgrades such as door and window replacement, lighting replacement, use of low-water use toilets or shower heads, insulation improvement, and installation of Energy Star equipment.

ⁱⁱⁱ Requires notice of intent to DECD in accordance with CT CGS 4b-64: https://www.cga.ct.gov/current/pub/chap_060.htm#sec_4b-64

^{iv} SHPO Project Review Form: https://portal.ct.gov/DECD/Content/Historic-Preservation/01_Programs_Services/Environmental-Review/Environmental-Review-Procedures