

To: Joseph Salvatore, Connecticut Port Authority
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Subject: Notice of Scoping for State Pier Complex Improvements

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project proposed by the Department of Economic and Community Development at the request of the Connecticut Port Authority. The Connecticut Port Authority is conducting a planning/ design study for improvements at the State Pier Complex. A deficiency study done in 2011 showed that some of State Pier's greatest constraints are the limited near dock surface area available for cargo moves and laydown area and poor surface conditions. Dredging to achieve uniform depths for both piers and the poor structural and overall condition of the Central Vermont Railroad Pier are among the most challenging deficiencies that need to be remedied.

The following comments are submitted for your consideration.

Coastal Resources

The Scoping Notice did not contain information about specific activities. Any work located within tidal, coastal or navigable waters of the state at or below the coastal jurisdiction line elevation of +2.1 feet NAVD88 requires prior state authorization from DEEP. If the proposed repairs can be confined to the footprint of the existing structure, it may be eligible for a Certificate of Permission (COP) pursuant to CGS Section 22s-363. If the proposed activities will expand or significantly modify the existing structure footprint, a Structures, Dredging and Fill application will be required pursuant to CGS Section 22a-361. Information can be found on the Land and Water Resources website, [overview of Connecticut's Coastal Permit Program](#), Bureau of Water Protection and Land Reuse.

Any work or construction activity within federally regulated wetland areas or watercourses at the site may require a permit from the U.S. Army Corps of Engineers pursuant to section 404 of the Clean Water Act or section 10 of the Rivers and Harbors Act. Further information is available on-line at: [Army COE](#) or by calling the Corps Regulatory Branch in Concord, Massachusetts at 978-318-8338.

Marine Fisheries

DEEP Fisheries staff biologists noted that this area of New London harbor has important fish habitat, especially spawning habitat for winter flounder. If alternatives to be considered include the expansion of the footprint of the pier or dredging around the pier, the Fisheries Division will have concerns. Early coordination and pre-application meetings with DEEP are advised when project has been designed.

PCB Contamination

Polychlorinated biphenyls (PCBs) are frequently associated with rail lines and may be a contaminant present in the project area. Federal regulations require that PCB contamination be addressed where present. Many such PCB removal projects will need to include sampling of the substrate and soil, as well as require plans to be approved by EPA in coordination with DEEP. Further information about the program can be found on-line at: [DEEP PCB Program](#).

Stormwater

Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the 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 Department. 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 to the Department 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 Department 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. Stormwater treatment systems must be designed to comply with the post-construction stormwater performance management requirements of the permit. These include post-construction performance standards requiring retention of the water quality volume and incorporating control measures for runoff reduction and low impact development practices. The construction stormwater general permit registrations can now be filed electronically through DEEP's e-Filing system known as ezFile. Additional information can be found on-line at: [Construction Stormwater GP](#). More information can be found on the [Stormwater Management](#) webpage or by contacting the Division at 860-424-3018.

Threatened and Endangered Species

The Natural Diversity Database (NDDB) maps represent the approximate locations of species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern. The maps are a pre-screening tool to identify potential impacts to state listed species.

The location of this projects falls within one of these areas. The applicant may be required to submit a *Request for Natural Diversity Data Base (NDDB) State Listed Species Review Form* (DEEP-APP-007) and all required attachments, including maps, to the NDDB for further review. Additional information concerning NDDB reviews and the request form may be found on-line at: [NDDB Requests](#).

Reducing Emissions Planning

DEEP recommends that the Connecticut Port Authority consider adding Shore Power capability to the list of improvements being considered at the State Pier Complex. Shore Power, which typically produces zero onsite emissions, can be used by marine vessels to plug into local electricity grids and turn off auxiliary engines while at dock; significantly reducing diesel emissions from docked ships. More information can be found on the [Environmental Protection Agency's website about Shore Power](#), and in the Planning and Standards Division of the Bureau of Air Management at DEEP. The contact person is Jennifer Reilly at 860-424-3123.

Thank you for the opportunity to review this project. If there are any questions concerning these comments, please contact me.

cc: Robert Hannon, DEEP/ OPPD