STATE OF CONNECTICUT

DEPARTMENT OF HOUSING

**ENVIRONMENTAL ASSESSMENT CHECKLIST**

**Project ID No: (issued by OPM)**

**Date: 10/12/2017** **Staff Contact: Maya Loewenberg**

**Municipality:** Harford **Project Name:** Westbrook Village

**Funding Source:** TBD **State Funds:** TBD

**Type of State Agency Review Stage 1 X Stage 2**

This assessment is being conducted in conformance to the department’s Environmental Classification Document to determine CEPA obligations

**Project Description:** Penrose Properties is seeking state financial assistance for the Westbrook Village project to be located at multiple addresses near 47 Dillon Road, Hartford, CT. The proposed Westbrook Village project consists of demolition of 360 existing housing units with a total development area of approximately 130,000 s.f. and new construction of 360 housing units with a total development area of approximately 180,000 s.f. on 65 acres. The proposed project will include construction of approximately 4,150 linear feet of new road to provide access to the development and would add an additional 344 parking spaces to the existing 250 parking spaces at the site.

Note: environmental remediation is a positive environmental impact, but not a CEPA activity.

**RCSA sec. 22a-1a-3 Determination of environmental significance (direct/indirect)**

1. *Impact on air and water quality or on ambient noise levels*
2. *Air—* The Department of Public Health believes that the new developments should be designed to use water wisely and implements measures that conserve the use of public water.

For large construction projects, the Department of Energy and Environmental Protection (DEEP) typically encourages the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If that 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.

The DEEP also encourages 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 in order to allow them to enforce idling restrictions at the project site without the involvement of the DEEP.

1. *Water Quality*— The Department of Energy and Environmental Protection strongly supports the use of low impact development (LID) practices such as water quality swales and rain gardens for infiltration of stormwater on site. Key strategies for effective LID include: managing stormwater close to where precipitation falls; infiltrating, filtering, and storing as much stormwater as feasible; managing stormwater at multiple locations throughout the landscape; conserving and restoring natural vegetation and soils; preserving open space and minimizing land disturbance; designing the site to minimize impervious surfaces; and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together.

The effectiveness of various LID techniques that rely on infiltration depends on the soil types present at the site. According to the Natural Resources Conservation Service’s Soil Web Survey, the soils at the property consist of urban land. These soils are unrated in their suitability for various stormwater management practices. However, infiltration practices may be suitable at this site. Soil mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas planned for infiltration practices to verify soil suitability and/or limitations. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery. The siting of areas for infiltration must also consider any existing soil or groundwater contamination. Even if infiltration is limited at a site, it is still possible to implement LID practices such as green roofs on buildings or the use of cisterns to capture and reuse rainwater.

1. *Noise—* N/A
2. *Impact on a public water supply system or serious effects on groundwater, flooding, erosion, or sedimentation*
3. *Water Supply—* N/A
4. *Groundwater*— N/A

*Flooding*—

1. A small portion of the site is within the 100-year flood zone of the North Branch Park River on the community's Flood Insurance Rate Map. It cannot be determined whether any residential structure would be located within the 500-year flood zone. If so, residences are a critical activity as defined in section 25-68b(4) of the Connecticut General Statutes (CGS) and the project would have to be certified by the Department of Housing (DOH) as being in compliance with flood and stormwater management standards specified in section 25-68d of the CGS and section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies (RCSA) and receive approval from the Department. DOH should confirm whether residential structures are within the 500-year flood zone. The conceptual plan also depicts a bike and pedestrian trail within the 100-year flood zone. If that project element is State funded, it would also require flood certification.
2. *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows*— Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the DEEP 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 DEEP. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the DEEP 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.
3. *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings*— N/A
4. *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. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern as well as enhance existing data. Such new information is incorporated into the Data Base as it becomes available. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEEP for the proposed site.
5. *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact*— N/A
6. *Substantial aesthetic or visual effects*— The project will have a positive aesthetic and visual effects. DEEP is enthusiastically supports the construction of the bike and pedestrian trail. The Park River was named as an Officially Designated Greenway by the Connecticut Greenways Council in 2002. The Park River is a key natural resource within the City of Hartford, and it has the potential to be revived as a prime recreational, historic, and ecologically vital corridor. The Park River Greenway is designated as a recreational pathway and a commuter route, and has the potential to connect to regional greenway systems.
7. *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*— NA
8. *Disruption or division of an established community or inconsistency with adopted municipal or regional plans*— N/A
9. *Displacement or addition of substantial numbers of people*— N/A
10. *Substantial increase in congestion (traffic, recreational, other)—* N/A
11. *A substantial increase in the type or rate of energy use as a direct or indirect result of the action*— In keeping with the DEEP’s 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. Increasing the availability of public charging stations will facilitate the introduction of the electric vehicle technology into the state and serve to alleviate the present energy dependence on petroleum and improve air quality.
12. *The creation of a hazard to human health or safety*— Much of the Westbrook Village site is built on urban land, which can contain contaminants above Remediation Standard Regulations (RSR) criteria. Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the RSR, which is not hazardous waste, is considered to be special waste. Often such soils can be left in place provided the soil is rendered inaccessible and environmentally isolated and a land use restriction is recorded, both in accordance with the RSRs.

The disposal of special 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. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA .

1. *Any other substantial impact on natural, cultural, recreational or scenic resources*— N/A

**Cumulative Impacts:** Not aware of any at this time.

**Conclusion:** The comments received from DEEP and DOH should be incorporated into the project design. DOH, as the project sponsor, should consider including a contractual language recommended by DEEP on anti-idling regulations, deconstruction and adherences to solid waste regulations, and inclusion of electric vehicle technology.

**Recommendations:**

The Environmental Assessment Checklist for this project does not appear to trigger an obligation under CEPA for an Environmental Impact Evaluation (EIE).