



**CONNECTICUT DEPARTMENT OF
ENERGY & ENVIRONMENTAL PROTECTION**
OFFICE OF ENVIRONMENTAL REVIEW
79 ELM STREET, HARTFORD, CT 06106-5127

To: Mark W. Alexander - Transportation Assistant Planning Director
DOT - Office of Environmental Planning, 2800 Berlin Turnpike, Newington

From: David J. Fox - Senior Environmental Analyst **Telephone:** 860-424-4111

Date: April 4, 2014 **E-Mail:** david.fox@ct.gov

Subject: Valley Service Road Extension, North Haven

The Department of Energy & Environmental Protection (DEEP) has received the Notice of Scoping for proposed construction of a 950' roadway to connect Valley Service Road to an existing perimeter road at 415 Washington Avenue in North Haven. The following comments are submitted for your consideration.

The roadway will cross inland wetlands associated with the Quinnipiac River floodplain. The jurisdiction over inland wetlands depends on the nature of the applicant. For State departments, agencies or instrumentalities, any work or construction activity within the inland wetland areas or watercourses on-site will require a permit from the Inland Water Resources Division pursuant to section 22a-39(h) of the Connecticut General Statutes (CGS). Therefore, if ConnDOT is the applicant, a DEEP permit will be required. Otherwise, inland wetlands are regulated by the North Haven Inland Wetlands Commission, pursuant to section 22a-42 of the CGS.

Any work or construction activity within federally regulated wetland areas or watercourses at the site will require a permit from the U.S. Army Corps of Engineers. Therefore, a Water Quality Certificate will also be required from DEEP pursuant to section 401 of the Clean Water Act. As you know, during the Federal process, the project's purpose and need will be defined and alternatives that avoid or minimize wetland impacts explored. The applicant will be required to justify the need to provide a new access route to the property that already has access to Route 15 in close proximity to two I-91 interchanges.

The proposed roadway crosses the 100-year flood zone on the community's Flood Insurance Rate Map. Unless the project is to be funded under the local transportation capital program established by Public Act 13-239, it will require certification by ConnDOT as being in compliance with flood and stormwater management standards specified in section 25-68d of the CGS and section 25-68h-2 through 25-68h-3 of the Regulations of Connecticut State Agencies. .

The Natural Diversity Data Base has performed a preliminary site assessment for the Valley Service Road Extension. There are records of extant species of species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern, that occur either within or in close proximity to the project area. A list of these species is enclosed. Please be advised that this is a preliminary review and not a final determination. A more detailed

review will be necessary to move forward with any subsequent environmental permit applications submitted to DEEP for the proposed project. This letter cannot be used or submitted with permit applications to DEEP. When submitting a request to the Data Base, it should reference #201402073. This preliminary assessment is good for one year.

The Natural Diversity Data Base response includes all information regarding critical biological resources available at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Consultations with the Data Base should not be substitutes for on-site surveys required for environmental assessments. 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. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

The eastern end of the proposed roadway will tie into the perimeter road of the former Pratt & Whitney facility. Plans that entail soil excavation in this area should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the Remediation Standard Regulations, that is not hazardous waste, is considered to be special waste. 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. In addition, the regulations prohibit the disposal of more than 10 cubic yards of stumps, brush or woodchips on the site, either buried or on the surface. A fact sheet regarding disposal of special wastes and the authorization application form may be obtained at: [Special Waste Fact Sheet](#).

Thank you for the opportunity to review this proposal. If you have any questions concerning these comments, please contact me.

cc: Jeff Caiola, DEEP/IWRD
Robert Gilmore, DEEP/IWRD
Robert Hannon, DEEP/OPPD
Dawn McKay, DEEP/NDDB