



STATE OF CONNECTICUT

COUNCIL ON ENVIRONMENTAL QUALITY

VIA ELECTRONIC MAIL

December 14, 2023

Anthony Poon
Department of Energy and Environmental Protection (DEEP)
79 Elm Street
Hartford, CT 06106
Anthony.Poon@ct.gov

Dear Mr. Poon,

The Council on Environmental Quality (Council) offers the following comments regarding the Environmental Impact Evaluation (EIE) and responses to the issues identified through scoping for Bozrah's Sanitary Sewer Extension.

1. Water Supply

The EIE notes that the "take no action" option was determined to not be acceptable due, in part, to the large number of parcels with private wells and that "private wells located near the proposed sewer will be shown on the project construction plans." The Council questions if the project proponents have quantified how many properties within the project area are serviced by wells and what the potential affect the proposed sanitary sewer project might be on those water supply wells, with regard to groundwater recharge and the required separation distances required pursuant to the Regulations of Connecticut State Agencies (RCSA) Section 19-13-B51(d).

2. Floodplain

The EIE Figure 3, "FEMA FLOODPLAINS AND NWI WETLANDS" depicts portions of the proposed project area within a flood hazard area. Further, the EIE notes that the full extent of the impacts of the current extension project to floodplains will be evaluated during the DEEP Flood Management Certification process. Since the EIE states that "mitigation measures will be required to minimize the impacts" to floodplains, the Council questions to what extent the project proponents have assessed the potential impacts (direct, indirect, and cumulative) of the proposed project on flooding/floodplains and what are the measures proposed during construction and operation of the proposed sanitary sewer project to eliminate/mitigate potential adverse impacts.

3. Historic/Cultural Resources

The EIE notes that one location, the Bozrah Congregational Church and Parsonage, located at 17 and 23 Bozrah Street, is listed on the State Historic Preservation Office (SHPO) database of Connecticut properties designated as National Historic Landmarks and that other historic properties located in the Town of Bozrah are identified in Table 4. While the EIE has identified these historic properties, the Council questions if the project proponents have considered and assessed if there would be any "disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings" and whether the project proponents have or will consult with the SHPO prior to final design and construction.

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Paul Aresta
Executive Director

4. State and Federally Listed Species

The EIE states that “the current extension project area and associated service areas slightly overlap with DEEP mapped Natural Diversity Data Base (NDDB) areas in the southwest corner of the proposed sewer extension project.” The EIE also notes that NDDB did respond and identified one state-listed species, the wood turtle (*Glyptemys insculpta*), as being documented nearby and may occur in the work areas. However, that NDDB determination expired on September 16, 2022, well before the scoping of the proposed project. The Council also notes that the United State Fish and Wildlife Service (USFWS) Information for Planning and Conservation (IPaC) system identified the Northern Long-eared Bat (NLEB) (*Myotis septentrionalis*), a federally listed “Endangered” species, as a species that may potentially occur in the project area. The Council questions if the project proponents will update the assessment of effects upon critical plant and animal species and their habitat.

5. Wetlands and Erosion & Sedimentation (E&S) Controls

The EIE notes that the Stormwater Pollution Prevention Plan (SWPPP) will not be finalized until the wetlands flagging is complete. The Council questions if the flagging or identification of the inland wetlands within the proposed project area has been completed, and have any potential temporary and permanent wetland impacts (direct, indirect, and cumulative) been assessed and quantified? The EIE also notes that adherence to a SWPPP, “which will implement the use of erosion control devices such as silt fence, hay bales and catch basin silt sacks, will limit impact to wetlands” and water quality. The Council notes that certain E&S control products has been found to entangle wildlife, including reptiles, amphibians, birds and small mammals. Given the potential presence of wood turtle in the project area, the Council recommends that the Petitioner avoid/minimize the use of E&S control measures that are made of plastic and/or have the potential for wildlife entanglement.

6. Air Quality

The EIE notes that air quality impacts during construction would be limited to short term increases in fugitive dust, particulates, and localized pollutant emissions from construction vehicles and equipment while excavating. While the EIE notes that erosion control devices such as silt fencing, hay bales, and catch basin silt sacks would be used to limit the presence of fugitive dust, the Council recommends that the SWPPP also include provisions for other measures to control dust associated with the proposed construction activities, such as a) anti-tracking pads at locations where machinery or equipment are stored, as appropriate, b) street sweeping, and 3) the use of water mist/spray.

7. Fisheries Recourses

The Council notes that Fitchville Road at the Yantic River and two other locations along Stockhouse Road, near the Yantic River, which are all within the proposed project area, are active DEEP Trout stocking sites. Consequently, the Council recommends that the project proponents consult with DEEP’s Fisheries Division to identify and assess any potential adverse impacts on fisheries resources.

Thank you for your consideration of the Council’s comments.

Sincerely,



Paul Aresta
Executive Director