**State of Connecticut

Environmental Review Checklist

*Last Updated 02/25/2020*

**Instructions for Use:**

The Environmental Review Checklist (ERC), as defined in Sec. 22a-1a-1(9) of the Regulations of Connecticut State Agencies (RCSA), is intended to assist state agencies in (1) determining whether a proposed action or category of actions requires public scoping, or (2) in recording an agency’s initial assessment of the direct, indirect, and cumulative environmental effects of a proposed action at the completion of public scoping.

For the purposes of CEPA, an Action is defined in Sec 22a-1a-1(2) of the RCSA as an individual activity or a sequence of planned activities initiated or proposed to be undertaken by an agency or agencies, or funded in whole or in part by the state.

Completion of the ERC is only *required* as part of a sponsoring agency’s post-scoping notice in which the agency has determined that it will not be preparing an EIE (Sec. 22a-1a-7(d) of the RCSA).

In all other instances, the sponsoring agency has the option to use this form or portions of it, in conjunction with the applicable Environmental Classification Document (ECD), as a tool to assist it in determining whether or not scoping is required and to document the agency’s review. This can be especially useful for an agency administering a proposed action that is not specifically represented in the ECD or which may have additional factors and/or indirect or cumulative impacts requiring further consideration.

Even if an agency ultimately determines that public scoping is not necessary, as a matter of public record OPM highly recommends that the agency internally document its decision, and its justification.

In completing this form, include descriptions that are clear, concise, and understandable to the general public.

Note that prior to reviewing a proposed action under the Connecticut Environmental Policy Act (CEPA), Connecticut General Statutes (CGS), Section 16a-31 requires agencies to review any proposed actions for the acquisition, development or improvement of real properties, or the acquisition of public transportation equipment or facilities, and in excess of $200,000, for consistency with the policies of the State Plan of Conservation and Development (State C&D Plan).

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**PART I – Initial Review and Determination**

|  |  |
| --- | --- |
| Date: | 01/05/2023 |
| Name of Project/Action: | Seymour Reservoir #4 /Repair Spillway and Raise Dam |
| Project Address(es): | Chestnut Tree Hill Road  |
| Affected Municipalities: | Oxford, CT |
|  |  |  |
| Sponsoring Agency(ies): | CT DEEP |
| Agency Project Number, if applicable: | CT DEEP Dam #10809 |
| Project Funding Source(s)/Program(s), if known: | Enter text. |
|  |  |
| Identify the Environmental Classification Document (ECD) being used in this review:[x]  Generic, or [ ]  Agency-Specific |
|  |  |
| [ ]  An environmental assessment or environmental impact statement is being prepared pursuant to NEPA and shall be circulated in accordance with CEPA requirements. |
|  |  |  |
| [ ]  The proposed action requires a written review by the State Historic Preservation Office (SHPO) and/or Nation Tribal Historic Preservation Office (NATHPO). Include SHPO/NATHPO reviews as an attachment, or indicate the status of those reviews: N/A |
|  |

[x]  Based on the analysis documented in this Environmental Review Checklist (ERC), and in consideration of public comments, this agency has determined that the preparation of an Environmental Impact Evaluation (EIE) for the proposed action is not warranted. Publication of this document to the Environmental Monitor shall satisfy the agency’s responsibilities under [*Section 22a-1a-7 of the Regulations of Connecticut State Agencies*](https://eregulations.ct.gov/eRegsPortal/Browse/RCSA/Title_22aSubtitle_22a-1a/) (RCSA).

Completed by: James Heaven State Dams Civil Engineer 1 Supervisor: William Coleman

*Note**that prior to commencing a CEPA review, Connecticut General Statutes (CGS) Section 16a-31 requires state agencies to review certain actions for their consistency with the policies of the State Plan of Conservation and Development (State C&D Plan). Completion of this ERC assumes the agency has determined this proposed action to be consistent with the State C&D Plan.*

**PART II – Detailed Project Information**

**Description of the Purpose & Need of the Proposed Action:**

The proposed action will replace the existing spillway and raise dam height so that it may pass the ½ PMF design flood.

**Description of the Proposed Action:**

This project will include replacement of the existing spillway with a new drop inlet piper with a 48-inch outlet pipe and a 16-inch low level outlet pipe. The crest of the existing embankment will be raised one foot, the normal reservoir level will be lowered two feet and an auxiliary spillway will be constructed so the dam can safely pass the ½ PMF design flood.

**Alternatives Considered:**

Lowering the spillway level more than the proposed amount to increase capacity would reduce the size of the pond and expose large areas of shoreline. Raising the earthen embankment more than proposed to increase spillway capacity would adversely affect wetlands downstream of the dam. Breaching the dam would be unacceptable because of the extensive recreational use of the reservoir. Leaving the dam as is would have the same effect as breaching, as the dam may be overtopped and fail during a severe storm.

**Public concerns or controversy associated with the proposed action:**

No public concerns or comments were received about this project

**PART III – Site Characteristics (Check all that apply)**

|  |
| --- |
| The proposed action is non-site specific, or encompasses multiple sites; |[ ]
|  |
| Current site ownership: | [ ]  N/A, [x]  State; [ ] Municipal, [ ]  Private,[ ]  Other: Please Explain. |
| Anticipated ownership upon project completion: | [ ]  N/A, [x]  State; [ ] Municipal, [ ]  Private,[ ]  Other: Please Explain. |

**Locational Guide Map Criteria:**

<http://ctmaps.maps.arcgis.com/apps/webappviewer/index.html?id=ba47efccdb304e02893b7b8e8cff556a>

Priority Funding Area factors:

[ ]  Designated as a Priority Funding Area, including [ ]  Balanced, or [ ]  Village PFA;

[ ]  Urban Area or Urban Cluster, as designated by the most recent US Census Data;

[ ]  Public Transit, defined as being within a ½ mile buffer surrounding existing or planned mass transit;

[ ]  Existing or planned sewer service from an adopted Wastewater Facility Plan;

[ ]  Existing or planned water service from an adopted Public Drinking Water Supply Plan;

[ ]  Existing local bus service provided 7 days a week.

Conservation Area factors:

[ ]  Core Forest Area(s), defined as greater than 250 acres based on the 2006 Land Cover Dataset;

[ ]  Existing or potential drinking water supply watershed(s);

[ ]  Aquifer Protection Area(s);

[ ]  Wetland Soils greater than 25 acres;

[ ]  Undeveloped Prime, Statewide Important and/or locally important agricultural soils greater than 25 acres;

[ ]  Category 1, 2, or 3 Hurricane Inundation Zone(s);

[x]  100 year Flood Zone(s);

[ ]  Critical Habitat;

[ ]  Locally Important Conservation Area(s),

[ ]  Protected Land (list type): Enter text.

[ ]  Local, State, or National Historic District(s).

**PART IV - Assessment of Environmental Significance – Direct, Indirect, And Cumulative Effects**

|  |  |
| --- | --- |
| **Required Factors for Consideration (Section 22a-1a-3 of the RCSA)** | **Agency’s Assessment and Explanation** |
| Effect on water quality, including surface water and groundwater; | The drop inlet will allow for more oxygenation of the water in the downstream channel but will have no effect on groundwater. |
| Effect on a public water supply system; | None, since this dam is not in a public drinking water supply area. |
| Effect on flooding, in-stream flows, erosion or sedimentation; | Will have a positive impact on flooding. The construction will allow the reservoir to have enough capacity to store the ½ PMF (probable maximum flood) 100-yr design storm without overtopping. |
| Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings; A. Alteration of an historic building, district, structure, object, or its setting; OR B. Disruption of an archeological or sacred site; | Not Applicable |
| Effect on natural communities and upon critical plant and animal species and their habitat; interference with the movement of any resident or migratory fish or wildlife species; | After consulting with fisheries about the water level being lowered by 2 feet, it was determined there will be no interference with the movement of any resident or migratory fish or wildlife species, as the reservoir will still be large enough and deep enough to maintain habitat since there is a seasonal drop of water level by this amount or more during most summers.  |
| Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment; | Not applicable |
| Substantial aesthetic or visual effects; | None |
| Inconsistency with: (A) the policies of the State C&D Plan, developed in accordance with section 16a-30 of the CGS; (B) other relevant state agency plans; and (C) applicable regional or municipal land use plans; | Not Applicable |
| Disruption or division of an established community or inconsistency with adopted municipal and regional plans, including impacts on existing housing where sections 22a- 1b(c) and 8-37t of the CGS require additional analysis; | Not Applicable |
| Displacement or addition of substantial numbers of people; | Not Applicable |
| Substantial increase in congestion (traffic, recreational, other); | Not Applicable |
| A substantial increase in the type or rate of energy use as a direct or indirect result of the action; | Not Applicable |
| The creation of a hazard to human health or safety; | Not Applicable |
| Effect on air quality; | Not Applicable |
| Effect on ambient noise levels; | Not Applicable |
| Effect on existing land resources and landscapes, including coastal and inland wetlands; | Lowering the water level will allow for more shoreline access and will allow for establishment of more shoreline wetland habitats due to the lowered water level of the impoundment. Since boating is limited to cartop access only at this location, it will lower the likelihood that invasive species will be introduced and will allow native species to populate the newly established wetland and add to flood and erosion protection |
| Effect on agricultural resources; | Not Applicable |
| Adequacy of existing or proposed utilities and infrastructure; | Not Applicable |
| Effect on greenhouse gas emissions as a direct or indirect result of the action; | Not Applicable |
| Effect of a changing climate on the action, including any resiliency measures incorporated into the action; | Not Applicable |
| Any other substantial effects on natural, cultural, recreational, or scenic resources. | Lowering the reservoir by 2 feet may allow for greater recreational access such as boating and fishing since there will be more exposed shoreline without vegetative and woody growth that will allow easier access for cartop boat launching and shoreline anglers. |
| Cumulative effects.  | Dam will be safer and have less chance of failing or overtopping. |

**PART V - List of Required Permits, Approvals and/or Certifications Identified at the Time of this Review**

**CT DEEP Dam Safety Permit, 401 WQC and USACE Self Verification**

**PART VI – Sponsoring Agency Comments and Recommendations**

**The rebuilding of this spillway and raising of the dam will make it safely pass the ½ PMF capacity without risk of overtopping.**

**PART VII - Public Comments and Sponsoring Agency Responses:**

None