



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.

Keith Ainsworth
Acting Chair

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Charles Vidich

William Warzecha

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

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH



Manisha Juthani, MD
Commissioner

Ned Lamont
Governor
Susan Bysiewicz
Lt. Governor

ENVIRONMENTAL HEALTH SECTION

Date: December 7, 2023

To: Anthony Poon, Environmental Engineer I
Water Planning and Management Division
Bureau of Water Protection & Land Reuse
Department of Energy and Environmental Protection
79 Elm Street, Hartford, CT 06106-5127

via E-mail Anthony.Poon@ct.gov

From: Matt Pawlik, PE, RS, Supervising Environmental Engineer
Environmental Engineering Program
Department of Public Health
410 Capitol Avenue, Hartford, CT 06134-0308

RE: Comments from DPH Regarding Bozrah Expansion Plan

Thank you for giving us the opportunity to provide comments on the above referenced matter. The Uncas Health District has noted that the proposed expansion of public sewers to the area in Bozrah (identified in the EIE) would be beneficial due to the age of the existing subsurface sewage disposal systems, small lots sizes, and limited space available for future repairs. Additionally, many of the properties are located in close proximity to the Fitchville Pond and Yantic River. Therefore, we would support the project with the following comments:

1. Once a building is connected to public sewer, the existing subsurface sewage disposal system components shall be pumped out and properly abandoned to eliminate any safety concerns.
2. It appears that the majority of the proposed area is served by public water. However, minimum separation distances must be provided between the proposed sewer lines and any wells that may exist. Plans should be submitted to Uncas Health District for review of well locations relevant to the proposed sewer lines.
3. All work should be performed in accordance with the Bozrah WPCA regulations, and in line with the Growth Management Principles listed in the current State Plan of Conservation and Development.

Should you have any questions, please feel free to contact me at 860-930-2531 or by email at matthew.pawlik@ct.gov.



Phone: (860) 509-7101 • Fax: (860) 509-7111
Telecommunications Relay Service 7-1-1
410 Capitol Avenue, P.O. Box 340308
Hartford, Connecticut 06134-0308
www.ct.gov/dph

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STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Intergovernmental Policy & Planning Division

January 5, 2024

Mr. Anthony Poon
Department of Energy & Environmental Protection
Bureau of Water Protection & Land Reuse
79 Elm St
Hartford, CT 06106

Re: Environmental Impact Evaluation for Bozrah Sanitary Sewer Extension

Dear Anthony –

The Office of Policy and Management (OPM) has reviewed the Environmental Impact Evaluation for the proposed Bozrah sanitary sewer extension and submits the following comments:

1. As described in Bozrah's zoning regulations, current zoning in some of the area proposed to be sewered is based in part on the lot size and spacing needs of onsite wastewater disposal systems. Such zoning prevents the level of density enabled by the introduction of wastewater infrastructure and does not support the housing opportunities envisioned for that area in the Town's 2022 Affordable Housing Plan or the state's general interest in expanding housing opportunities.

As OPM previously noted in scoping comments, OPM recommends proactive planning, in anticipation of this project, for potential infill development in the area to be served by the new sewer system, as well as the zoning changes necessary to facilitate the desired development. That planning should consider the action plan of the Town's Affordable Housing Plan.

Another OPM comment focused on the economics of providing sewer service and recommended a life-cycle cost analysis. The analysis provided with DEEP's post-scoping notice estimated the proposed system will have an annual cost of \$200,000 for the first 20 years, with that cost spread across a potential 160 service connections. Even if all 160 connections materialize and do so immediately, which the town does not expect, the average cost per connection would apparently be \$1,250 per year, more than \$100 per month per connection. That estimate, furthermore, does not appear to cover Norwich Public Utilities' charges to receive the wastewater, debt service on the USDA loan, or funding of a capital account in anticipation of future capital costs. The long-term cost to provide sewer service can be prohibitive if the density of development served by that infrastructure is inadequate. Proactive planning to enable the level of density necessary to support that system is important to the long-term viability of the project.

2. The 10/17/2023 letter DEEP received from Jim Ericson of Haley Ward said Bozrah's sewer regulations for an area having a separate connection to Norwich's system "do not allow sump pump, roof leader or any extraneous sources of water other than sanitary sewage to be discharged into the sewer system" and that those regulations will be reviewed and upgraded if deemed necessary. When considering the adequacy of those regulations for meeting the expectations of this CEPA review, OPM encourages DEEP to consider national best practices for such regulations and for ensuring such discharges are not added following construction.

3. A significant portion of the proposed sewer main passes through areas not identified as Priority Funding Areas on the [CT Locational Guide Map](#). The project is a “growth related project”, as defined in [CGS Chapter 297a](#), and DEEP must follow the exception process specified in Subsec. (b) of [CGS Sec. 16a-35d](#) to allow the funding of such a project outside of a priority funding area.

Thank you for the opportunity to respond to this Environmental Impact Evaluation and please feel free to contact me if you have any questions.

Sincerely:



Bruce Wittchen
Office of Policy & Management
450 Capitol Ave, MS# 54ORG, Hartford, CT 06106
(860) 418-6323, bruce.wittchen@ct.gov

From: [Richard A Orr](#)
To: [Poon, Anthony](#)
Subject: Bozrah Sanitary Sewer Extension Project Information
Date: Wednesday, December 27, 2023 6:32:12 PM

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Bozrah Sanitary Sewer Extension Project Information

Homeowner

My Name and Address:

***Richard* and Linda Orr**

131 Gifford Ln, Bozrah, CT 06334-1318

email: cttimber@gmail.com

Questions I sent to Anthony.poon@ct.gov ...

1) Do you have tentative dates for Gifford Ln?

2) What is the Homeowners Cost for this?

a: This home is owned by myself and my sister. She and her family live in the main house and myself and my wife live in the adjoining apartment over the garage.

3) Do we lose the right to use our well?

4) Will we be required to have town/city water also installed?

Homeowner

My Sister and Address:

***Patti* and William Duerrler**

131 Gifford Ln, Bozrah, CT 06334-1318