

To: Mithila Chakraborty, Department of Housing

From: Linda Brunza, Environmental Analyst

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Subject: Scoping Notice for Oak Woods Development, 9 Scott Road, Terryville (Plymouth)

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project sponsored the Department of Housing (DOH) for the proposed 59-unit development on 8 acres located at 9 Scott Road, Terryville. The development has already attained site plan approval from the town and much of the infrastructure for roads and plumbing have been roughed in by the current owner. The development will serve residents at various rate levels which will enhance affordable housing for this area. The scoping notice indicates there are no floodplain encroachments on the proposed site. There are wetlands on site and the site has received town approvals due to some previous consultation with DEEP that only local level approvals were needed.

The following comments are submitted for your consideration.

Natural Diversity Database

This project location may be close to a Natural Diversity Database area. The applicant should submit an application and all required attachments to the NDDB for further review. The Natural Diversity Database is a record of state or federal listed species maintained by the Wildlife Division that may be found in the project area. Please submit a formal application to the Wildlife Division prior to submitting permit applications. Additional information for utilizing DEEP's ezFile portal form may be found at [Requests for Natural Diversity Data Base Reviews](#). Please contact Robin Blum with any questions at Robin.Blum@ct.gov.

Aquifer Protection

Staff from DEEP reviewed the location of this project and found that it is not in an aquifer protection area and has no comments on the proposed project.

Watershed Management

The site is the headwaters of an unnamed tributary to the Pequabuck River. The Pequabuck River Watershed has a pollutant reduction analysis for bacteria (Total Maximum Daily Load (<https://portal.ct.gov/-/media/DEEP/water/tmdl/CTFinalTMDL/pequabucktmdl>) and a Watershed Based Plan: (https://portal.ct.gov/-/media/DEEP/water/watershed_management/wm_plans/pequabuck/pequabuckwbppdf.pdf). Due to the impairment, appropriate management measures for stormwater and sediment should be taken as to minimize impacts to downstream surface waters, including the Pequabuck River.

Fisheries Division

The site is upstream of the unnamed tributary to the Pequabuck River and of trout management areas and dams. Heavy development and accompanying impervious surfaces within the Pequabuck River watershed have led to the impairment of the river. Concerns over the impairment led to the development of the Pequabuck River Watershed Management Plan. The increase in impervious cover in the project area is perhaps the most concerning issue of this development. The introduction of additional pollutants through runoff is another. Innovative solutions to reduce the effects of impervious surfaces and prevent pollution through runoff are encouraged. Proper stormwater management BMPs, incorporation of green infrastructure if feasible, and consideration of features such as rooftop and rain gardens would help address these concerns.

Stormwater Management during Construction

The General Permit for [Stormwater and Dewatering Wastewaters from Construction Activities](#) may be applicable depending on the size of the disturbance regardless of phasing. The construction stormwater general permit dictates separate compliance procedures for Locally Exempt projects (projects primarily conducted by government authorities) and Locally Approvable projects (projects primarily by private developers). This general permit applies to discharges of stormwater and dewatering wastewater from construction activities where the activity disturbs more than an acre. The requirements of the current general permit include registration to obtain permit coverage and development and implementation of a Stormwater Pollution Control Plan (SWPCP). The SWPCP contains requirements for the permittee to describe and manage their construction activity, including implementing erosion and sediment control measures as well as other control measures to reduce or eliminate the potential for the discharge of stormwater runoff pollutants (suspended solids and floatables such as oil and grease, trash, etc.) both during and after construction. A goal of 80 percent removal of the annual sediment load 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 management performance requirements of the permit. These include post-construction performance standards requiring retention and/or infiltration of the runoff from the first inch of rain (the water quality volume or WQV) and incorporating control measures for runoff reduction and low impact development practices.

Projects that are exempt from local permitting that disturb over one acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the Department at least 60 or 90 days, as identified in the permit, prior to the initiation of construction. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the Department 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 and SWPCP to the Department at least 60 days prior to the initiation of construction. Registrations shall include a certification by the 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. In addition to measures such as erosion and sediment controls and post-construction stormwater management, the SWPCP must include a schedule for plan implementation and routine inspections. For further information, contact the division at 860-424-3025 or DEEP.StormwaterStaff@ct.gov. The construction stormwater general permit registrations must be filed electronically through DEEP's [ezFile Portal](#). Additional information can be found on-line at: [Construction Stormwater GP](#).

Air Management

DEEP Bureau of Air Management typically recommends the use of newer off-road construction equipment that meets the latest EPA or California Air Resources Board (CARB) standards. If 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.

DEEP also recommends 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 to allow them to enforce idling restrictions at the project site without the involvement of DEEP.

Thank you for the opportunity to review this project. These comments are based on the reviews provided by relevant staff and offices within DEEP during the designated comment period. They may not represent all applicable programs within DEEP. Feel free to contact me if you have any questions concerning these comments.

cc: Eric Hammerling