To: Mithila Chakraborty, Department of Housing
From: Linda Brunza, Environmental Analyst
Telephone: 860-424-3739
Email: Linda.Brunza@ct.gov
Date: 9/1/2023

Subject: Scoping Notice for 80 South Road, Farmington CT

The Department of Energy and Environmental Protection (DEEP) has received the Notice of Scoping for the project sponsored the Department of Housing (DOH) located at 80 South Road in Farmington. The project proposed is a 65-unit affordable multifamily development with units set aside for adults with development disabilities. The site is 2.92 acres, made up of three smaller parcels, two previously vacant and the third having had a demolished single-family house on the lot. The site contains wetlands that lead to a watercourse on the western side of the property. Plans are to utilize biofiltration, porous pavement, and other low impact development methods.

The following comments are submitted for your consideration. The first section contains information on DEEP's regulatory programs that may require permits for the project. There will be information linked to DEEP's website as well as contact information. The links and contact are there to help guide the applicant and sponsoring agency to determine if permits are required after the project moves closer to design and construction. These comments are meant to provide an overall analysis of the area, since scoping notices tend to be at the beginning stages of a project with no set design plans. After the list of potential permits, there will be comments from various divisions that are meant for informational purposes and best management practices.

Permitting/ Regulatory Programs

Water Quality Permitting, Army Corps of Engineers and DEEP
Contact: Sue Jacobson, Supervising Analyst, Regulatory Permitting West, Susan.Jacobson@ct.gov

The project description mentions that wetlands are present on the site. If any work is to be conducted within wetlands such as filling portions or requiring a pipe or culvert, permitting may be required. If these activities are taking place, the applicant is advised to contact the Army Corps of Engineers first, to determine if the activities are in federally regulated wetlands or watercourses. If the area is under the federal jurisdiction, determined by soil types, hydrology, and wetland vegetation, then the Corps will require a Section 404 Water Quality permit under the Clean Water Act. This permit triggers the state 401 Water Quality permit, which is administered by DEEP's Land and Water Resources Division. A fact sheet regarding 401 Water Quality Certification is available on-line at: 401 Certification. Pre-application meetings with the Land and Water Resources Division are available to discuss design and permitting information.

Stormwater and Dewatering Wastewaters from Construction Activities General Permit
Contact: Bureau of Materials Management and Compliance Assurance, Permitting and Enforcement Division: DEEP.stormwaterstaff@ct.gov

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.

Natural Diversity Database
Staff reviewed this location and found that it was not in a Natural Diversity Database Area and has no comments on the project.

Information/ Best Management Practices

Watersheds Program, Water Planning and Management
Contact: Emma Coffey, Analyst, Water Planning and Management Division. 860-424-3344 or Emma.Coffey@ct.gov

In reviewing the watershed for this project site, the site is located north of a series of wetlands and an unnamed watercourse which leads to Batterson Park Pond. Although this area is altered by multiple highway development, DEEP is concerned with additional nutrient loading into this system and recommends robust stormwater controls and low impact development practices for this site. Batterson Park Pond is already an impaired waterbody with a pollutant reduction analysis for nutrients. Connecticut was required to identify waters not meeting current state water quality standards due to pollutant loads under the Clean Water Act and to develop maximum daily loads. Please review the Batterson Park Pond Total Maximum Daily Load Analysis. DEEP recommends the following techniques used in combination:

- The use of pervious pavement or grid pavers (which are very compatible for parking lot and fire lane applications), or impervious pavement without curbs or with notched curbs to direct runoff to properly designed and installed infiltration areas,
- The use of vegetated swales, tree box filters, and/or infiltration islands to infiltrate and treat stormwater runoff (from building roofs, roads, and parking lots),
- The minimization of access road widths and parking lot areas to the maximum extent possible to reduce the area of impervious surface,
- If soil conditions permit, the use of dry wells to manage runoff from the building roofs,
- The use of vegetated roofs (green roofs) to reduce the runoff from buildings,
- Incorporation of proper physical barriers or operational procedures to prevent release of pollutants from special activity areas such as dumpster locations.
- The installation of rainwater harvesting systems to capture stormwater from building roofs for the purpose of reuse for irrigation.

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.

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