**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).

**State of Connecticut

Environmental Review Checklist

*Last Updated 02/25/2020*

**PART I – Initial Review and Determination**

|  |  |
| --- | --- |
| Date: | June 26, 2021 |
| Name of Project/Action: | Elm Street Improvements and Public Waterfront Access |
| Project Address(es): | Water St |
| Affected Municipalities: | West Haven |
|  |  |  |
| Sponsoring Agency(ies): | Department of Economic and Community Development |
| Agency Project Number, if applicable: | 2019-155-094-10001 |
| Project Funding Source(s)/Program(s), if known: | Urban Act 4-66c |
|  |  |
| 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: Indicate status of SHPO and/or NATHPO review. |
|  |

[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: Vince Lee, DECD Agent

*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 Department of Economic & Community Development is proposing to provide financial assistance to the City of West Haven to assist with traffic improvements along Elm Street and public waterfront access improvements near Water Street in support of a redevelopment project in the area. The City has been working diligently to support the project developer in order to create a unique upscale shopping experience along the coastline in West Haven.

**Description of the Proposed Action:**

The redevelopment project will consist of an upscale retail outlet shopping center with restaurants located between the shoreline and First Avenue from Elm Street to Main Street. The redevelopment area is approximately 25 acres consisting of 57 individual properties ranging from residential to commercial to former industrial. Water Street is expected to be abandoned and incorporated in the development site along with portions of Center Street, Richards Place and Main Street. The project is expected to include approximately 265,000 square feet of retail and restaurant space along with approximately 1,259 parking spaces and a waterfront pedestrian park within the Waterfront District. The buildings will be predominately located along First Avenue with some restaurant facilities near the shoreline. Roadway improvements such as new traffic signals for the development entrance and widening of Elm Street are also proposed.

**Alternatives Considered:**

An Alternative action currently underway is to provide partial financial assistance for the demolition of blighted buildings on the 25 acres site.  Once the construction of the redevelopment has commenced, the remaining portion of funding would be available for the roadway improvements.

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

Judging from the lack of response to the Scoping Notice, there appears to be not public concern or controversy associated with this Project’s proposed action.

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

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

**Locational Guide Map Criteria:**

[http://ctmaps.maps.arcgis.com/apps/webappviewer/index.ht06/ml?id=ba47efccdb304e02893b7b8e8cff556a](http://ctmaps.maps.arcgis.com/apps/webappviewer/index.html?id=ba47efccdb304e02893b7b8e8cff556a)

Priority Funding Area factors:

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

[x]  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;

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

[x]  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; | Surface Water — According to State of Connecticut Integrated Water Quality Report, Connecticut 305b Assessment Results for Estuaries, the portion of the New Haven Harbor at the project location is classified as impaired. — No negative impacts are anticipated.Groundwater — The project is located within a Class GB groundwater area. Class GB is used where ground water is not suitable for drinking water. No negative impacts are anticipated. — No negative impacts are anticipated. |
| Effect on a public water supply system; | Water Supply — The Drinking Water Section of the Department of Public Health (DPH) has reviewed the project for potential impacts to any sources of public drinking water supply. The proposed project is not within a public drinking water supply source water area; no source protection impacts are anticipated.  |
| Effect on flooding, in-stream flows, erosion or sedimentation; | Flooding — The eastern portion of the site is located within the 100-year flood zone on the Flood Insurance Rate Map (Zone AE). A portion of the site is located within a VE Zone the on the Flood Insurance Rate Map. Under Connecticut General Statutes (CGS) Sections 25-68b through 25-68h, the Connecticut Flood Management Program requires certification or an exemption for all state actions within or affecting floodplains or natural or man-made storm drainage facilities. A floodplain is an area that has frequent or periodic flooding issues. For regulatory purposes, all areas within the limits of the 100-year floodplain as designated on the Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP) are considered as floodplains. For critical activities such as hospitals, housing/residences, and schools the regulations are more stringent and include areas within the 500-year floodplain. The Grantee (City of West Haven) has applied for the State of Connecticut, Department Energy and Environmental Protection Flood Management Certification (FMC), through the State of Connecticut, Department of Economic and Community Development (Licensee). The FMC for the project was granted for the following activities: demolition and removal of existing structures, paving and curbing, construction of new stormwater drainage and treatment system, new waterfront access and promenade, driveways, parking, curbing and pedestrian walkways, new utility systems, new retail and restaurant buildings and landscape features. Activities cannot deviate from the authorized activities without prior written approval from the DEEP Commissioner.  |
| 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; | No negative impacts are anticipated. |
| 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; | The project is not within a DEEP Wildlife Division Natural Diversity Data Base (NDDB) area. No negative impacts are anticipated. |
| Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment; | No negative impacts are anticipated. |
| Substantial aesthetic or visual effects; | No negative impacts are anticipated. |
| 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; | Because this action involves improvement of real property in excess of $200,000, it is subject to the consistency requirement of the State Conservation and Development Plan of 2013-2018 (Plan) and its Growth Management Principles (GMP) and corresponding policies. In particular, this project supports: GMP #1 (Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure)o Focus on infill development and redevelopment opportunities in areas with existing infrastructure, such as in city or town centers, which are at an appropriate scale and density for the particular area In addition, the Plan requires that those projects deemed Growth-Related be located in a Priority Funding Area. This project has been determined to be a Growth-Related Project as defined in the Plan and is located in a Priority Funding Area and is therefore consistent with the Plan. |
| 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; | No negative impacts are anticipated. |
| Displacement or addition of substantial numbers of people; | No negative impacts are anticipated. |
| Substantial increase in congestion (traffic, recreational, other); | Although the traffic in the area will be increased. The impact should be manageable. |
| A substantial increase in the type or rate of energy use as a direct or indirect result of the action; | No negative impacts are anticipated. |
| The creation of a hazard to human health or safety; | No negative impacts are anticipated.  |
| Effect on air quality; | No negative impacts are anticipated. |
| Effect on ambient noise levels; | No negative impacts are anticipated. |
| Effect on existing land resources and landscapes, including coastal and inland wetlands; | The project is located within the Coastal Area Management District of the City of West Haven. The project shall incorporate a waterfront pedestrian park to ensure that coastal access opportunities shall be incorporated into this waterfront site. |
| Effect on agricultural resources; | No negative impacts are anticipated. |
| Adequacy of existing or proposed utilities and infrastructure; | No negative impacts are anticipated. |
| Effect on greenhouse gas emissions as a direct or indirect result of the action; | No negative impacts are anticipated. |
| Effect of a changing climate on the action, including any resiliency measures incorporated into the action; | No negative impacts are anticipated. |
| Any other substantial effects on natural, cultural, recreational, or scenic resources. | No negative impacts are anticipated. |
| Cumulative effects.  | The project is not anticipated to have a negative cumulative effect on the environment when considered with past, present or reasonably foreseeable future actions. |

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

Flood Management Certification CGS Sec. 25-68(b)-(h), issuing authority: DEEP

Local Site Plan Coastal Site Plan and Erosion & Sedimentation Control Plan & Special, issuing authority: City of West Haven

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

After examining potential environmental impacts and reviewing all comments received from the various resource agencies, CTDECD has concluded that the preparation of an Environmental Impact Evaluation will not be required for the West Haven Waterfront Project in West Haven. However, the following measures, recommended by other agencies will be adopted to minimize any potential impacts that may arise during construction and implementation of the project.

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

Department of Public Health (DPH) Environmental Section

Department of Public Health (DPH) Drinking Water Section