



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: 2/22/2022
Name of Project/Action: Riverfront Park Trail & Commercial Development Project
Project Address(es): 228, 590-H, 600-H & 610 Liebert Road, Hartford
73, 100, & 120 Meadow Road, Windsor
Affected Municipalities: Hartford, CT
Sponsoring Agency(ies): DECD
Agency Project Number, if applicable: 2021-064-075-10002
Project Funding Source(s)/Program(s), if known: Municipal Brownfield Grant Program Sec. 32-763

Identify the Environmental Classification Document (ECD) being used in this review:

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.

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 (RCSA).

Completed by: Mark Burno, Project Manager

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 enable a brownfield to be remediated and cleaned up to support redevelopment and economic activity.

Description of the Proposed Action:

Riverfront Recapture, Inc. has been awarded a Municipal Brownfield Grant for the cleanup and capping of the former farming / soil-mining / commercial truck parking areas in the Windsor Meadows State Park and multiple contiguous parcels located around 228 Liebert Road. The project will include excavating approximately 200,000 cubic yards of fill from the riverbank area to create a cove as an outdoor park area. The fill from the riverbank area be reused on site to raise the elevation level above the 100-year flood plain for the commercial development area, which will provide space fit for mixed-use housing, office space, or retail space. The project will also extend the riverfront trail into Windsor.

Alternatives Considered:

No action alternative

Public concerns or controversy associated with the proposed action:

None identified

PART III – Site Characteristics (Check all that apply)

The proposed action is non-site specific, or encompasses multiple sites;

Current site ownership:

- N/A, State; Municipal, Private,
 Other: Nonprofit Regional Economic Development Agency funded by Hartford, East Hartford, and Windsor

Anticipated ownership upon project completion:

- N/A, State; Municipal, Private,
 Other: Nonprofit Regional Economic Development Agency funded by Hartford, East Hartford, and Windsor

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);
- 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 |
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| <p>Effect on water quality, including surface water and groundwater;</p> | <p>The proposed action will not result in any significant adverse impact to groundwater and surface water quality.</p> <p>Groundwater in the area is classified as GB groundwater quality according to the CT DEEP interactive online Water Quality Classification Map indicating that it is presumed to be impacted and not suitable for direct human consumption. Surface water along the eastern property boundary (The Connecticut River) and meadow Brook along the southern property boundary are classified as SB quality (based on the above referenced map) where designated uses include marine fish, shellfish and wildlife habitat, shellfish harvesting for transfer to approved areas for purification prior to human consumption, recreation, industrial and other legitimate uses including navigation and industrial water supply.</p> <p>A brook (Decker’s Brook) traverses Windsor Meadows State Park and is designated “A” quality surface water. Designed uses include habitat for fish and other aquatic life and wildlife, potential drinking water supplies, recreation, navigation and water supply for industry and agriculture.</p> <p>The DEEP indicated that a 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).</p> <p>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</p> |

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| | <p>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.</p> <p>Projects that are exempt from local permitting (such as DOT) 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. 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.</p> |
| <p>Effect on a public water supply system;</p> | <p>According to the Connecticut DEEP Interactive Aquifer Protection Area Map, this project is not located in an aquifer protection area. According to the CT DEEP interactive Water Quality Classification Map, groundwater at the site and surrounding area is classified as “GB” which is not suitable for direct human consumption. As such, redevelopment of this vacant site will not have an adverse effect to public water supply with respect to groundwater.</p> |
| <p>Effect on flooding, in-stream flows, erosion or sedimentation;</p> | <p>The embankment along the Connecticut River and the area along the brook that traverses Windsor Meadow State Park are within a Regulatory Floodway (Zone AE). The remainder of the site is within a Special Flood Area (Zone AE).</p> <p>Plans include excavation of a cove and using this material to raise non-wetland sections of the property to an elevation above the 100-year flood level allowing for redevelopment of 10 acres of the park’s uplands into a commercial parcel supporting missed-use housing, office space and/or retail.</p> <p>For information on creation of the cove and the permitting required, filling of floodplains, and the need for Flood</p> |

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| | Management Certification, the DEEP provided contact information in their letter dated December 7, 2022 |
| <p>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;</p> | <p>The proposed scope of work includes creation of a new public park within an 85-acre study area, including continuation of the Hartford River Walk, creation of a cove, meadows, secondary trails, and scenic overlooks, and demolition of three existing structures. Portions of the project area were previously mined for topsoil and sand, including the riverbank. Additionally, portions of the project parcel contain pesticide contaminants, and will be remediated by capping with fill from the excavated cove.</p> <p>No properties listed on the National Register of Historic Places have been documented within the project parcel. The extant structures, two garages (c. mid-20th century, of concrete block and corrugated metal construction), and an 18th century gambrel-roofed residence, heavily altered, do not appear to possess sufficient integrity to be eligible for listing on the State or National Register.</p> <p>A portion of the project area is situated on well-drained soils and in close proximity to the Connecticut River and Decker’s Brook. This type of environmental setting tends to be associated with pre-contact Native American settlement. Additionally, several archaeological sites have been recorded in the region surrounding the affected parcel.</p> <p>As the proposed scope of work is limited to ground disturbing activity within areas previously disturbed, and because the archeologically sensitive areas of the parcel have been historically used as farmland, the potential to impact intact archaeological deposits is low. Therefore, based on the information provided to this office, no historic properties will be affected. However, should the scope of work change to include ground disturbing activities in undisturbed portions that exceed 18 inches below ground surface, this office should be contacted for additional consultation.</p> |
| <p>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;</p> | <p>DEEP noted that this project is in a Natural Diversity Database Area. DEEP staff report that an application was processed and there is an existing determination from 2021 for this project.</p> <p>The DEEP also indicated that the Fisheries Division provided Riverfront Recapture with a written fisheries consultation on this project on 10/22/20. The information Riverfront Recapture provided at that time was much more detailed than what was provided for the scoping notice. Based on that information the</p> |

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| | <p>Fisheries Division made the following comments and recommendations:</p> <ul style="list-style-type: none"> • All dredging should be prohibited during the spring diadromous fish migration period from April 1 to June 30, inclusive. • Due to the potential for excessive currents on the Connecticut River, all dredging should be contained by type III turbidity curtains. • All in-water work, both confined and unconfined, should be prohibited in Decker’s Brook and Meadow Brook during the spring diadromous fish migration period from April 1 to June 30, inclusive. During this period both brooks must be open to the free passage of fish both upstream and downstream. • Post-spawn and juvenile diadromous fish migrate down Decker’s Brook and Meadow Brook during the period from July 1 to September 30. During this period pumps should not be used to divert water around construction sites on the two brooks. Piping the water around the site via gravity flow is acceptable. • Except at trail crossings, a vegetated buffer of no less than 75’ should be maintained along both Decker’s Brook and Meadow Brook. |
| <p>Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment;</p> | <p>Given the nature of the development, the use of pesticides, toxic or hazardous materials are not anticipated. Any residual impacted from fill and historic activities will be address as part of the site cleanup.</p> <p>DEEP performed a high-level review and found that there are no hazardous waste enforcement concerns for this project.</p> <p>DEEP indicated that demolition waste that is not contaminated with asbestos, PCBs, or other materials that require special handling is subject to Connecticut’s solid waste statutes and regulations, and must be reused, recycled, or disposed of accordingly. Construction and demolition debris should be segregated on-site and reused or recycled to the greatest extent possible. Waste management plans for construction, renovation or demolition projects are encouraged to help meet the State’s reuse and recycling goals. Connecticut’s Comprehensive Materials Management Strategy outlines a goal of 60% recovery rate for municipal solid waste by the year 2024. Part of this effort includes increasing the amount of construction and demolition materials recovered for reuse and recycling in Connecticut. It is recommended that contracts be awarded only to those companies who present a sufficiently</p> |

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| | <p>detailed construction/demolition waste management plan for reuse/recycling.</p> <p>DEEP also explained that one way that certain types of construction and demolition waste can be reused is as clean fill. Clean fill is defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA) and includes only natural soil, rock, brick, ceramics, concrete and asphalt paving fragments. Clean fill can be used on site or at appropriate off-site locations. Clean fill does not include uncured asphalt, demolition waste containing other than brick or rubble, contaminated demolition wastes (e.g., contaminated with oil or lead paint), tree stumps, or any kind of contaminated soils. Land-clearing debris and waste other than clean fill resulting from demolition activities is considered bulky waste, also defined in section 22a-209-1 of the RCSA. Bulky waste is classified as special waste and must be disposed of at a permitted landfill or other solid waste processing facility pursuant to section 22a-208c of the Connecticut General Statutes and section 22a-209-2 of the RCSA.</p> |
| Substantial aesthetic or visual effects; | The project is not expected to cause substantial aesthetic or visual impacts in the area. |
| 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; | Proposed project is consistent with the State C&D Plan Growth Management Principles #4 (Conserve and Restore the Natural Environment, Cultural and Historical Resources, and Traditional Rural Lands and #5 (Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety). |
| 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; | The site has been vacant meadow and wooded land. Disruption of existing communities, municipal/regional plans is not anticipated. |
| Displacement or addition of substantial numbers of people; | Site is vacant. No direct, indirect, or cumulative impacts are anticipated. |
| Substantial increase in congestion (traffic, recreational, other); | The site is vacant. Any potential impacts can be mitigated by adopting best management practices to reduce congestion during remediation and future construction. |

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| <p>A substantial increase in the type or rate of energy use as a direct or indirect result of the action;</p> | <p>There will potentially be an increase in energy use during remediation and future construction since the site is vacant. Impacts will be mitigated during remediation, design and construction.</p> |
| <p>The creation of a hazard to human health or safety;</p> | <p>The proposed action, remediation of the site, will reduce risk associated with existing impact at the site.</p> |
| <p>Effect on air quality;</p> | <p>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.</p> <p>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.</p> <p>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.</p> <p>Use of posted signs indicating the three-minute idling limit is recommended. DECD will be instructing the client to 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 and reduce potential impacts related to idling vehicles.</p> |

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| | DECD will also be advising client to adopt best management practices including those from DEEP to reduce potential air quality impacts. |
| Effect on ambient noise levels; | No significant adverse direct, indirect, or cumulative impacts to ambient noise levels from the redevelopment are anticipated. |
| Effect on existing land resources and landscapes, including coastal and inland wetlands; | Adverse effects to existing land resources and landscapes are not anticipated. Any activity within federally regulated wetland areas or watercourses at the site may require a permit from the U.S. Army Corps of Engineers pursuant to section 404 of the Clean Water Act. If a permit is required from the U.S. Army Corps of Engineers, a Water Quality Certificate will also be required from DEEP pursuant to section 401 of the Clean Water Act. |
| Effect on agricultural resources; | No direct, indirect, or cumulative adverse effects to agricultural resources. |
| Adequacy of existing or proposed utilities and infrastructure; | Existing utilities are present in the area of the site. These utilities will be extended and upgraded to the site during future construction. |
| Effect on greenhouse gas emissions as a direct or indirect result of the action; | Potential impacts will be mitigated by adopting best management practices during remediation, design and construction. |
| Effect of a changing climate on the action, including any resiliency measures incorporated into the action; | Plans include excavation of a cove and using this material to raise non-wetland sections of the property to an elevation above the 100-year flood level allowing for redevelopment of 10 acres of the park's uplands into a commercial parcel supporting missed-use housing, office space and/or retail. |
| Any other substantial effects on natural, cultural, recreational, or scenic resources. | None anticipated |
| Cumulative effects. | The project is expected to improve site conditions and the area. |

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

Flood Management Certification

General Permit for Stormwater and Dewatering Wastewaters from Construction Activities

Fisheries Division provided Riverfront Recapture with a written fisheries consultation on this project on 10/22/20.

PART VI – Sponsoring Agency Comments and Recommendations

After examining any potential environmental impacts and reviewing all comments received, DECD has concluded that the preparation of an Environmental Impact Evaluation (EIE) is not warranted.

PART VII - Public Comments and Sponsoring Agency Responses:

Comment: November 9, 2022: “Due to potential cultural resource sensitivity, these projects may require review by the Connecticut State Historic Preservation Office.”

DECD Response: The State Historic Preservation Office (SHPO) reviewed the project property pursuant to the provisions of Section 106 of the National Historic Preservation Act and the Connecticut Environmental Policy Act and on January 27, 2020, made the following determination: based on the current scope of work, “no historic properties will be affected.”