



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: June 15, 2023
Name of Project/Action: Cedar Heights Water Main Interconnection
Project Addresses: Nabby Road in Brookfield, CT; North Nabby Road and Forty Acres Mountain Road in Danbury, CT
Affected Municipalities: Brookfield and Danbury
Sponsoring Agency: Department of Public Health (DPH)
Agency Project Number, if applicable: N/A
Project Funding Source/Program, if known: Drinking Water State Revolving Fund (DWSRF)

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: Lisette Stone, Environmental Analyst, Source Assessment and Protection Unit, DPH DWS

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:

Aquarion Water Company proposes to implement interconnection between New Milford Regional (New Milford) to Cedar Heights Water System (Cedar Heights) in Danbury, CT. The proposed water system interconnection is being implemented to address the water quality issues within Cedar Heights related to nitrate and PFAs. The existing facilities are small treatment facilities that cannot accommodate PFAs treatment and need to be upgraded to provide a safe work area and meet Aquarion and OSHA standards. New Milford is chlorinated and is capable of serving all customers at Cedar Heights. By consolidating and interconnecting both systems, it will increase system reliability, allow for additional water to Cedar Heights, and prevent PFAS concerns.

Description of the Proposed Action:

The project proposal includes construction of a 38' x 20' pump station located at Old Turnpike Rd, Brookfield which will boost the water pressure to Cedar Heights. The new station is sized to house the necessary pumping, variable frequency drives, and electrical equipment. Additional space within the facility will be available for a future treatment system. A 12 inch water main extension will be connecting the pump station to Cedar Height's existing water main. Aquarion's Water Quality department will adjust the system monitoring schedule and inform DPH on necessary sampling results. Existing Cedar Heights wells will be active to use as emergency until Aquarion files for source-of-supply abandonment.

Alternatives Considered:

No alternatives considered with the exception of non-action.

Public concerns or controversy associated with the proposed action:

DPH received comments from the Connecticut Department of Energy and Environmental Protection (DEEP) on April 5, 2023. DPH did not find DEEPs comments or recommendations, which are assessed in Part IV, to be of concern or controversy.

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: Please Explain.

Anticipated ownership upon project completion:

N/A, State; Municipal, Private,

Other: Please Explain.

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
Effect on water quality, including surface water and groundwater;	The project is not expected to have any adverse effects on surface or groundwater. A Technical Memorandum by Tighe & Bond dated March 31, 2021 demonstrates that New Milford’s available water exceeds Cedar Heights demand with a Margin of Safety (MOS) above 2.0 on average and at or above 1.8 for maximum day demand.
Effect on a public water supply system;	The project will alleviate Cedar Heights nitrate and PFAs concerns while establishing a reliable supply of treated water from New Milford. Existing Cedar Heights treatment facilities are small, cannot accommodate PFAs treatment, and need to be upgraded to provide a safe work area and meet Aquarion and OSHA standards. The New Milford Regional system is chlorinated and capable of serving all customers at Cedar Heights. By consolidating and interconnecting both systems, it will increase system reliability, allow for additional water to the Cedar Height system, and prevent PFAS concerns.
Effect on flooding, in-stream flows, erosion or sedimentation;	The project includes the installation of water mains on previously developed local and state roadways and is not expected to have adverse effects on flooding, in-stream flows, erosion or sedimentation.
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;	The project is not expected to cause negative impacts.
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 Natural Diversity Database (NDDB) is a record of state or federal listed species maintained by the Wildlife Division that may be found in the project area. In a letter dated April 5 th , 2023, DEEP found that the project may be in an NDDB area. In the same letter, DEEP requested that the Aquarion submit a Request for Natural Diversity Data Base State Listed Species Review Form (DEEP-APP-007).

	<p>In a letter of response dated May 19, 2023, Aquarion provided that this request was fulfilled with a submission of Form DEEP-APP-007) under filing #97181.</p> <p>In a DEEP letter dated April 6, 2023, a NDDDB New Determination (#202303135) was issued with the following finding:</p> <p><i>“Based on current data maintained by the Natural Diversity Database (NDDDB) and housed in the DEEP ezFile portal, no extant populations of Federal or State Endangered, Threatened or Special Concern species (RCSA Sec. 26-306) are known to occur within the project area delineated for the Energy and Utility Production Facilities and Distribution Infrastructure / New facility construction, Cedar Heights Pump Station Project.”</i></p>
<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>The project is not expected to cause adverse effects.</p>
<p>Substantial aesthetic or visual effects;</p>	<p>The project is not expected to cause adverse effects.</p>
<p>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;</p>	<p>The project is consistent with the State of Connecticut’s Plan of Conservation and Development (POCD) including Growth Management Principles (GMP):</p> <ul style="list-style-type: none"> • 4.14: <i>“ Support the introduction or expansion of public water and/or sewer services or alternative on-site wastewater treatment systems only when there is a demonstrated environmental, public health, public safety, economic, social, or general welfare concern” – Id. 16</i> • 5.1: <i>“Utilize a multiple barrier approach to ensure the availability of safe and adequate public water supplies that meet or exceed state and federal drinking water standards” – Id. 17</i> • 6.3 <i>“Support the creation of objective and uniform protocols for public water” – Id. 21</i>
<p>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)</p>	<p>The project is not expected to disrupt communities or housing.</p>

and 8-37t of the CGS require additional analysis;	
Displacement or addition of substantial numbers of people;	The project is not expected to displace any people.
Substantial increase in congestion (traffic, recreational, other);	The project is not expected to cause any increase in congestion.
A substantial increase in the type or rate of energy use as a direct or indirect result of the action;	The project is not expected to significantly increase energy use.
The creation of a hazard to human health or safety;	The project is not expected to create a hazard to human health and safety. On the contrary, upon completion the project will provide a safe and adequate water supply to customers currently served by Cedar Heights public water wells, without the need for treatment of nitrate or PFAs.
Effect on air quality;	The project is not expected to affect air quality.
Effect on ambient noise levels;	The project is not expected to affect ambient noise levels.
Effect on existing land resources and landscapes, including coastal and inland wetlands;	The project is not expected to affect land resources, landscapes, coastal or inland wetlands.
Effect on agricultural resources;	The project is not expected to affect agricultural resources.
Adequacy of existing or proposed utilities and infrastructure;	The project will establish new public water system infrastructure to the population currently served by Cedar Heights wells, without the need for treatment of nitrate or PFAs.
Effect on greenhouse gas emissions as a direct or indirect result of the action;	The project is not expected to create greenhouse gas emissions.
Effect of a changing climate on the action, including any resiliency measures incorporated into the action;	The project is intended to increase resiliency by creating redundancy in water supply to those served by the New Milford system.
Any other substantial effects on natural, cultural, recreational, or scenic resources.	The project is not expected to cause negative impacts.
Cumulative effects.	The cumulative impacts of the project are not expected to be significant.

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

Possible Permits include: General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (DEEP-WPED-GP-015); 401 Water Quality Certification; Comprehensive General Permit for Discharges to Surface Water and Groundwater.

Pursuant to [19-13-B102\(d\)](#), Final plans and specifications will be submitted to DPH for approval.

PART VI – Sponsoring Agency Comments and Recommendations

Based on DPH’s review of the documents provided, the project is not one that may significantly affect the environment, and therefore, an Environmental Impact Evaluation (EIE) is not required under CEPA.

PART VII - Public Comments and Sponsoring Agency Responses:

Based on DPH’s environmental assessment of the proposed project, which includes a review of the comments provided by DEEP dated April 5, 2023, DPH has been determined that the project does not require the preparation of an Environmental Impact Evaluation (EIE) under CEPA. DPH will coordinate with Aquarion Water Company to ensure that the recommendations by DEEP are implemented.