Connecticut Department of
ENERGY &
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Subject: Scoping Comments for Reconstruction of Interstate 95 Exit 27A ramp, Bridgeport

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The Department of Energy and Environmental Protection (DEEP) has reviewed the Notice of Scoping for the proposed widening of the Exit 27A ramp from northbound Interstate 95 to Route 8 in Bridgeport. In addition, we attended the October 27 virtual public meeting on this project and conducted a visit to the project site and surrounding area on October 28. Based on these efforts, the following scoping comments are offered on this project.

The project area is highly developed and pretty much devoid of any natural resources. The project itself has a very small footprint, with the additional area over which the Exit 27A ramp will be widened consisting of a grassed embankment adjacent to the northbound side of Interstate 95 and possibly a portion of the intersection of Warren Street and South Frontage Road.

As I have mentioned to Kevin Fleming, one observation from my October 28 field review of the project site that should be addressed in either a post-scoping notice on in an environmental impact evaluation concerns the feasibility of simply restripping the existing Exit 27A ramp to provide a two-lane configuration instead of a single lane. The ramp goes to two lanes in the southeastern quadrant of its circular alignment. Looking at the northeast quadrant of the ramp's circular alignment, where traffic enters from I-95, it appears that the ramp has the same width as in the southeast quadrant's two-lane section. There are wide shoulders on both sides of the ramp. I am sure this is a softball question to traffic engineers, but to the layman observer, it looks like there may be room to simply narrow the shoulders and restripe the ramp to be two lanes, which is what happens when traffic moves to the southeast quadrant of the ramp and beyond. The post-scoping notice should address this option and spell out why it doesn't meet project goals.

Natural Diversity Data Base: Peregrine Falcon

This project does not occur in a NDDB area, but there is a known peregrine nesting site in the vicinity, with the potential for peregrines to be found in the project area. From previous projects, ConnDOT already has BMPs for peregrine falcons; but these are provided below for handy reference.

State-threatened species Peregrine falcon (*Falco peregrinus*) has historically nested in the vicinity of this project. This species is Connecticut's largest falcon, measuring up to 20

inches. Adults are slate gray above and pale underneath with fine bars and spots of black; they have long pointed wings with a narrow tail. Young falcons have the same composition but are darker underneath and browner all over. Peregrine falcons have adapted to life in urban settings. In Connecticut, they sometimes utilize bridges for nesting and brood rearing purposes. Peregrines will actively and aggressively defend the nest. The peregrine will attack anyone or anything that comes within the area of its nest.

The DEEP Wildlife Division recommends that ConnDOT implement the Best Management Practices for this species, as outlined in the ConnDOT Environmental Compliance documentation. That guidance is as follows:

In order to protect this species and project personnel, any construction and/or inspection activities which are within 500 feet of an identified nest shall not be permitted during nesting season (between April 1st and July 31st.). Any change in construction sequencing or timing affecting work within 500 feet of a known nest shall not be permitted.

- The Contractor shall, through the Engineer, at least 10 days prior to the commencement of any construction activities, arrange for a ConnDOT Environmental Inspector from the Office of Environmental Planning (OEP) or their authorized delegate to be available to meet and identify the nest location as well as discuss proper protocol for maintaining environmental commitments made to the protection of this species and habitat.
- This species is protected by State laws which prohibit killing, harming, taking, or keeping them in your possession.
- Workers shall be notified of the existence of peregrine falcons in the area and be apprised of the laws protecting them. Photographs of, and the laws protecting, peregrine falcons shall be posted in the Contractor's and ConnDOT field offices (species ID sheets will be provided by OEP). Any observations of this species are to be immediately reported to the Department.

Coastal Management

The project site is located just outside of the Connecticut Coastal Zone boundary. The proposed action does not involve any change in land use or any impacts to water-dependent uses. Therefore, there are no Coastal Management issues or concerns related to the proposed action.

Potential Soil or Groundwater Contamination

It is unclear if the construction activities for the expansions of the abutments for bridges Nos. 03532 and 00107 would be limited to above-ground work or would also include the addition of support columns and, therefore, some excavation of soils in the project area. If the latter is the case and if the excavation work encounters any evidence of pollution, ConnDOT or its contractors would need to address the source of the contaminations and potentially follow the General Permit for the Discharge of Groundwater Remediation Wastewater.

If soil excavation is required for new support columns or for any other aspect of this project, due to the historic development of the area, it is very possible that there may be hazardous or solid waste related concerns. Development plans in urban areas that entail soil excavation should include a protocol for sampling and analysis of potentially contaminated soil. Soil with contaminant levels that exceed the applicable criteria of the Remediation Standard Regulations (concentration above the specified analytical detection limit) are polluted soil as defined in section 22a-133k-1 of the RCSA. Reuse of polluted soil is governed by requirements found in section 22a-133k-2(h)(3) of the RCSA

and requires written authorization from DEEP unless it is managed at a site that is authorized to accept polluted soil. In addition, the solid waste management regulations prohibit the disposal or indefinite storage of more than 10 cubic yards of stumps, brush or woodchips on the site, either buried or on the surface. For more information see the following fact sheet on DEEP's website: Management of Contaminated Environmental Media FAQ.

The Waste Engineering & Enforcement Division has issued a *General Permit for Contaminated Soil and/or Sediment Management (Staging & Transfer)* (DEP-SW-GP-001). It establishes a uniform set of environmentally protective management measures for stockpiling soils when they are generated during construction or utility installation projects where contaminated soils are typically managed (held temporarily during characterization procedures to determine a final disposition). Temporary storage of less than 1,000 cubic yards of contaminated soils (which are not hazardous waste) at the excavation site does not require registration, provided that activities are conducted in accordance with the applicable conditions of the general permit. Registration is required for on-site storage of more than 1,000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site. A fact sheet describing the general permit, a copy of the general permit and registration forms are available on-line at: Soil Management GP. For further information, contact the RCRA Enforcement Division at 860-424-3366.

Air Quality

For large construction projects, DEEP typically encourages the use of newer off-road construction equipment that meets the latest (EPA) or California Air Resources Board (CARB) standards. If that 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 encourages the use of newer on-road vehicles that meet either the latest EPA or 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 RCSA limits the idling of mobile sources to three (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 in order to allow them to enforce idling restrictions at the project site without the involvement of DEEP.

Rodent Control Plan

DEEP has had experience with other construction projects in urban environments where excavation work affecting underground utilities can cause rats and mice to move out of pipes and drainage basins and go into neighborhoods. Recent mild winters have helped rat populations to more

successfully overwinter. If the proposed Exit 27A ramp widening will involve any excavation work, an integrated pest management plan should be developed prior to beginning work to address the potential for rodents to be disturbed and mobilized by the construction work and to become a nuisance in the community.

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. Best wishes to you and to ConnDOT as you progress this project though design, permitting and construction.

cc: Robert Hannon, DEEP/ OPPD
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