



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: 7/28/2023
Name of Project/Action: Webster Block Project
Project Address(es): 55 Martin Luther King Jr. Drive
Affected Municipalities: Norwalk, CT

Sponsoring Agency: DECD
Agency Project Number, if applicable: 2023-103-075-10001
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 contaminated soil to be remediated and enable redevelopment and economic activity.

Description of the Proposed Action:

The Municipal Brownfield Grant will be used to remediate the contaminated soil beneath a 4.97-acre, city-owned parking lot named Webster Block, located at 55 Martin Luther King Jr. Drive. This remediation will enable the development of 472 mixed-income residential units, 40,000 square feet of commercial space, and 1,159 structured parking spaces. The redevelopment project also includes a 16,500 square foot pedestrian-only alley to be lined with restaurants, cafes, and a 25,000 sq. ft. public park.

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 Special Improvement District
- Anticipated ownership upon project completion: N/A, State; Municipal, Private,
 Other:

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;

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
<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 and beneath the site is classified as GBG groundwater quality according to the CT DEEP interactive online Water Quality Classification Map indicating that it’s designated uses are industrial process water and cooling waters and baseflow for hydraulically connected waterbodies and is presumed not suitable for human consumption without treatment.</p> <p>Surface water to the east (Norwalk River) is 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>From a watershed perspective, water resource concerns regarding the above referenced project revolve primarily around stormwater emanating from the site. The management and treatment of both stormwater quantity and quality are of particular interest with regard to preventing, eliminating, and/or reducing impacts to nearby waterbodies, specifically Norwalk Harbor and Long Island Sound. The property is located within the Norwalk River Regional Drainage Basin and drains to Norwalk Harbor which is approx. 0.25 miles away. Norwalk Harbor is an estuary of Long Island Sound. This segment of Norwalk Harbor has been assessed for water quality and has been found to be not supporting (impaired) for aquatic life, recreation, and shellfish, as listed in the 2022 CT DEEP Integrated Water Quality Report to Congress (see Appendix A, p. 31). CT DEEP developed A Statewide Total Maximum Daily Load (TMDL) Analysis for Bacteria for Impaired Waters (2012) which includes an appendix for Norwalk Harbor: Estuary 1: Norwalk which can be found at: CT Statewide Bacteria TMDL regarding elevated bacteria levels which are impacting recreation and commercial shellfish. In addition, a Norwalk River Watershed-Based Plan (2011 update to 1998 Plan) was</p>

	<p>developed under the leadership of the former South Western Regional Planning Agency, to address potential sources of nonpoint pollution contributing to identified water quality impairments and provide recommendations for addressing these impairments. The City of Norwalk was involved in the formation of this plan which can be found at: norwalkwatershedplanfinalpdf.pdf (ct.gov).</p> <p>According to DEEP, 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).</p> <p>DEEP indicated that 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.</p> <p>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. In addition to measures such as erosion and</p>
--	---

	sediment controls and post-construction stormwater management, the SWPCP must include a schedule for plan implementation and routine inspections.
Effect on a public water supply system;	According to the December 2021 Aquifer Protection Areas Norwalk, Connecticut map, the site is not located in an aquifer protection area. Public water is reportedly available in the area according to the OPM Local Guide Map https://ctmaps.maps.arcgis.com/apps/webappviewer/index.html?id=ba47efccdb304e02893b7b8e8cff556a . Remediation of site conditions will have a positive effect on the underlying groundwater quality. As such, redevelopment of this site will not have an adverse effect to public water supply with respect to groundwater.
Effect on flooding, in-stream flows, erosion or sedimentation;	According to the applicant and FIRMette provided, the site is well outside the 100-year and 500-year flood plain.
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 site consists of an asphalt parking lot. Disruption or alteration of any structure will not occur.
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;	Staff reviewed this location and found that the site is located in a Natural Diversity Database Area. Please review the Requests for Natural Diversity Database webpage for instructions on using DEEP's electronic filing process. A cursory review showed there is an inactive peregrine nesting site in the vicinity, but no issues or concerns are expected from the review process.
Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to cause unreasonable adverse effects on the environment;	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 investigation and cleanup. 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

	<p>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 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 1 (Redevelop and Revitalize Regional Centers and Areas), 2 (Expand Housing Opportunities and Design Choices to Accommodate a Variety of Household Types and Needs, and 3 (Concentrate Development Around Transportation Nodes and Major Corridors).
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 used for public parking since 1974. Disruption of existing communities, municipal/regional plans is not anticipated.

Displacement or addition of substantial numbers of people;	Site is used as a public parking lot. It is anticipated that the site will be redeveloped for residential and parking uses. No direct, indirect, or cumulative impacts are anticipated.
Substantial increase in congestion (traffic, recreational, other);	Any potential impacts can be mitigated by adopting best management practices to reduce congestion during design, permitting and construction phases of project.
A substantial increase in the type or rate of energy use as a direct or indirect result of the action;	There will potentially be an increase in energy use during construction and after completion of the development since the site is currently used as a parking lot. Impacts will be mitigated during permitting and design of project.
The creation of a hazard to human health or safety;	The proposed action, remediation of the site, will reduce risk associated with existing impact at the site.
Effect on air quality;	<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</p>

	<p>specifications for construction to allow them to enforce idling restrictions at the project site and reduce potential impacts related to idling vehicles.</p> <p>DECD will also be advising client to adopt best management practices including those from DEEP to reduce potential air quality impacts.</p>
Effect on ambient noise levels;	No significant adverse direct, indirect, or cumulative impacts to ambient noise levels from the redevelopment are anticipated. Potential temporary impacts typical of construction activities can be mitigated by adopting best management practices during design and construction.
Effect on existing land resources and landscapes, including coastal and inland wetlands;	Adverse effects to existing land resources and landscapes are not anticipated.
Effect on agricultural resources;	No direct, indirect, or cumulative adverse effects to agricultural resources.
Adequacy of existing or proposed utilities and infrastructure;	According to the application, adequate infrastructure to the site exists to support the intended mixed-use development.
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 design and construction.
Effect of a changing climate on the action, including any resiliency measures incorporated into the action;	The site is well outside any designated flood zones.
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

General Permit for the Discharge of Groundwater Remediation Wastewater may be required.

General Permit for Stormwater and Dewatering Wastewaters from Construction Activities may be required.

Electronic filing with DEEP's Natural Diversity Database may be necessary.

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

No public comments provided during scoping notice period.