

STATE OF CONNECTICUT
DEPARTMENT OF HOUSING

ENVIRONMENTAL ASSESSMENT CHECKLIST

Project ID No: (issued by OPM)

Date: 12/20/2016 **Staff Contact:** Edward LaChance
Municipality: New Britain **Project Name:** Columbus Commons
Funding Source: TBD **State Funds:** TBD
Type of State Agency Review **Stage 1** X **Stage 2**

This assessment is being conducted in conformance to the department's Environmental Classification Document to determine CEPA obligations

Project Description: Dakota Partners is seeking state financial assistance for the Columbus Commons project to be located at 125 Columbus Boulevard, New Britain CT. Phase I of project will consist of construction of a six-story structure that will include approximately 105,000 square feet of residential space within 80 units (30 one-bedroom and 50 two-bedroom) and approximately 11,000 square feet of commercial space. Floors 2 through 6 will consist of apartment units. The first floor will be limited to commercial space and common area. Phase I will consist of a total of approximately 116,000 square feet of floor space. Phase II will consist of construction of a second six-story structure that will include approximately 105,000 square feet of residential space within 80 and approximately 11,000 square feet of commercial space. The combined phase I/II project will consist of approximately 210,000 square feet of residential space within 160 apartment units and 22,000 square feet of commercial space as well as approximately 57 parking spaces on a 2.4 acre site.

Note: environmental remediation is a positive environmental impact, but not a CEPA activity.

RCSA sec. 22a-1a-3 Determination of environmental significance (direct/indirect)

1) *Impact on air and water quality or on ambient noise levels*

a) *Air—*

For large construction projects, the Department of Energy and Environmental Protection (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.

The DEEP also encourages 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.

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. 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 the DEEP.

b) *Water Quality*—

The DEEP strongly supports the use of low impact development (LID) practices such as water quality swales and rain gardens for infiltration of stormwater on site. Key strategies for effective LID include: managing stormwater close to where precipitation falls; infiltrating, filtering, and storing as much stormwater as feasible; managing stormwater at multiple locations throughout the landscape; conserving and restoring natural vegetation and soils; preserving open space and minimizing land disturbance; designing the site to minimize impervious surfaces; and providing for maintenance and education. Water quality and quantity benefits are maximized when multiple techniques are grouped together.

The effectiveness of various LID techniques that rely on infiltration depends on the soil types present at the site. According to the Natural Resources Conservation Service's Soil Web Survey, the soils at the property consist of urban land. These soils are unrated in their suitability for various stormwater management practices. However, infiltration practices may be suitable at this site. Soil mapping consists of a minimum 3 acres map unit and soils may vary substantially within each mapping unit. Test pits should be dug in areas planned for infiltration practices to verify soil suitability and/or limitations. Planning should insure that areas to be used for infiltration are not compacted during the construction process by vehicles or machinery. The siting of areas for infiltration must also consider any existing soil or groundwater contamination. Even if infiltration is limited at a site, it is still possible to implement LID practices such as green roofs on buildings or the use of cisterns to capture and reuse rainwater.

c) *Noise*— N/A

2) *Impact on a public water supply system or serious effects on groundwater, flooding, erosion, or sedimentation*

a) *Water Supply*—

The proposed project is not within a public drinking water supply source water area; therefore the Department of Public Health (DPH) Drinking Water Section (DWS) has no source protection comments to offer. The DWS believes that new developments should be designed to use water wisely. The DWS recommends that the proposed development implements measures that conserve the use of public drinking water.

b) *Groundwater*— N/A

c) *Flooding*— N/A

3) *Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows*—

Stormwater discharges from construction sites where one or more acres are to be disturbed, regardless of project phasing, require an NPDES permit from the DEEP Permitting & Enforcement Division. The General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities (DEEP-WPED-GP-015) will cover these discharges. The construction stormwater general permit dictates separate compliance procedures for Locally Approvable projects and Locally Exempt projects (as defined in the permit). Locally Exempt construction projects disturbing over 1 acre must submit a registration form and Stormwater Pollution Control Plan (SWPCP) to the DEEP. Locally Approvable construction projects with a total disturbed area of one to five acres are not required to register with the DEEP provided the development plan has been approved by a municipal land use agency and adheres to local erosion and sediment control land use regulations and the CT Guidelines for Soil Erosion and Sediment Control. Locally Approvable construction projects with a total disturbed area of five or more acres must submit a registration form to the DEEP prior to the initiation of construction. This registration shall include a certification by a Qualified Professional who designed the project and a certification by a Qualified Professional or regional Conservation District who reviewed the SWPCP and deemed it consistent with the requirements of the general permit. The SWPCP for Locally Approvable projects is not required to be submitted to the DEEP unless requested. The SWPCP must include measures such as erosion and sediment controls and post construction stormwater management. A goal of 80 percent removal of total suspended solids 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 performance management requirements of the permit. These include post-construction performance standards requiring retention of the water quality volume and incorporating control measures for runoff reduction and low impact development practices.

- 4) *Disruption or alteration of an historic, archeological, cultural or recreational building, object, district, site or surroundings— N/A*
- 5) *Effect on natural communities and upon critical species of animal or plant and their habitats: interference with the movement of any resident or migratory fish or wildlife species—*

The Natural Diversity Data Base, maintained by DEEP, contains no records of extant populations of Federally listed endangered or threatened species or species listed by the State, pursuant to section 26-306 of the CGS, as endangered, threatened or special concern in the project area. This information is not the result of comprehensive or site-specific field investigations. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern as well as enhance existing data. Such new information is incorporated into the Data Base as it becomes available. Also be advised that this is a preliminary review and not a final determination. A more detailed review may be conducted as part of any subsequent environmental permit applications submitted to DEEP for the proposed site.

- 6) *Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact— N/A*
- 7) *Substantial aesthetic or visual effects— N/A*
- 8) *Inconsistency with the written and/or mapped policies of the statewide Plan of Conservation and Development and such other plans and policies developed or coordinated by the Office of Policy and Management or other agency—*

The proposed project is located within an area designated as Priority Funding Area on the 2013-2018 Conservation and Development Policies Plan.

- 9) *Disruption or division of an established community or inconsistency with adopted municipal or regional plans— N/A*
- 10) *Displacement or addition of substantial numbers of people— N/A*
- 11) *Substantial increase in congestion (traffic, recreational, other)— N/A*
- 12) *A substantial increase in the type or rate of energy use as a direct or indirect result of the action—*

In keeping with the DEEP's interest in furthering the use of alternate fuels for transportation purposes, DEEP recommends that Level 2 electric vehicle charging stations be included at 3% of the parking spaces in the project design. Increasing the availability of public charging stations will facilitate the introduction of the electric vehicle technology into the state and serve to alleviate the present energy dependence on petroleum and improve air quality.

13) *The creation of a hazard to human health or safety—*

The DEEP Remediation Division reports that they have no listing for this property in their data base. Information in Requests for Proposals (RFP) on the City of New Britain website indicates that funding for demolition and environmental clean-up has been provided by two Department of Economic & Community Development Municipal Brownfield Grants. In addition, the RFP for legal services to prepare an Environmental Land Use Restriction (ELUR) anticipates that the site will be enrolled in the Voluntary Remediation Program under section 22a-133x of the Connecticut General Statutes (CGS). Prior to submitting an ELUR, the City should hire a Licensed Environmental Professional (LEP) to enter the property into that program.

Much of the Columbus Commons site is built on urban fill, which contains contaminants above Remediation Standard Regulations (RSR) criteria. Remedial action plans (RAPs) 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 RSR, which is not hazardous waste, is considered to be special waste. Often such soils can be left in place provided the soil is rendered inaccessible and environmentally isolated and a land use restriction is recorded, both in accordance with the RSRs.

The disposal of special wastes, as defined in section 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA), requires written authorization from the Waste Engineering and Enforcement Division prior to delivery to any solid waste disposal facility in Connecticut. If clean fill is to be segregated from waste material, there must be strict adherence to the definition of clean fill, as provided in Section 22a-209-1 of the RCSA.

The DEEP 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 1000 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 1000 cubic yards for more than 45 days or transfer of more than 10 cubic yards off-site.

14) *Any other substantial impact on natural, cultural, recreational or scenic resources—*
N/A

Cumulative Impacts: Not aware of any at this time.

Conclusion:

Following are the issues identified by various State agencies:

DEEP:

In general, the Department of Energy and Environmental Protection supports efforts to increase the demand for public transportation through transit-oriented development. The increased use of public transit will reduce vehicle miles traveled and highway congestion, thus decreasing vehicular emissions that contribute to ozone formation, particulate matter levels and climate change. Redevelopment and revitalization of urban centers, expansion of housing opportunities and concentrating development around transportation nodes are three growth management principles of *Conservation & Development Policies: The Plan for Connecticut 2013 - 2018*.

DPH:

The Department of Public Health (DPH) Drinking Water Section (DWS) has reviewed the subject Notice of Scoping. Columbus Commons is proposed to ultimately create approximately 160 new apartment units in 210,000 square feet of residential space, 22,000 square feet of commercial space and 57 parking places within the public drinking water service area of the New Britain Water Department (PWSID# CT0890011) (NBWD). The DWS believes that new developments should be designed to use water wisely. This is especially true today, considering the existing drought watch issued by the Governor and NBWD's Water Supply Emergency—Phase II requiring activation of a supplemental drinking water source of supply (interconnection with the Metropolitan District Commission) and voluntary conservation measures from its customers. The DWS recommends that the proposed development implements measures that conserve the use of public drinking water. The Environmental Protection Agency's Water Sense program and numerous voluntary green building standard model codes are available as references to assist designers in achieving sustainable developments.

Recommendations:

The Environmental Assessment Checklist for this project does not appear to trigger an obligation under CEPA for an Environmental Impact Evaluation (EIE).