



FINAL REPORT

Appendix G
Evaluations, Permitting, and Compliance

APPENDIX G

Several evaluations, permitting and compliance activities will need to be considered as the concept plan moves into the design and implementation stages.

Engineering Evaluations

Intersection Control Evaluation

The CTDOT has developed the Intersection Control Evaluation (ICE) Policy, a data-driven, performance-based framework to screen intersection alternatives and identify an optimal solution. This can provide consistent documentation to support transparency of decisions, increase awareness of innovative solutions, and provide objective performance metrics for decision making. Completing the ICE Applicability Checklist will be necessary for all signalized intersections. For each intersection, a week will be needed to complete the checklist and two weeks will be needed for CTDOT review.

Environmental Permitting

The following sections detail the various permitting and compliance activities that need to be considered as the concept plan moves into the design and implementation stages. Each section describes the purpose and need for the permitting/compliance activity as well as the locations where they may be required. Included are sections on environmental permitting, Federal funding and Preservation Compliance, construction stormwater permitting, and CTDOT Construction and Development Permitting.

Threatened and Endangered Species and Critical Habitats

The Connecticut Department of Energy and Environmental Protection's Natural Diversity Data Base (NDDB) does not currently identify any locations with threatened or endangered species in the study area. These maps are updated annually, so rescreening is recommended in the future. Preparation of a NDDB form submittal is estimated to take approximately two weeks, including a field visit to collect data on habitat, with an estimated agency review time of one to three months.

Floodplains

Areas of 100-year and 500-year floodplains only exist within the study area in the immediate vicinity of Keelers Brook and Five Mile River, south of Route 1 proximate to the I-95 underpasses. Improvements proposed within the 100-year floodplains must obtain a Flood Management Certification approval. The new pedestrian-bicycle bridge proposed over Keelers Brook adjacent to the Rampart Road intersection may be impacted by this permit.

Preparation of a Flood Management permit package is estimated to take approximately six weeks, with an estimated agency review time of four to six months, but is highly dependent on

the type of permit required. If CTDOT is the permit applicant, there would be no municipal floodplains permits required.

Wetlands

The same location at Keelers Brook appears to intersect a wetland. To determine if the bridge would require a wetlands permit, a professional soil scientist must delineate the wetland.

In addition to the US Army Corps of Engineers (USACE) Section 404 permit, a Water Quality Certification (WQC) approval under Section 401 of the Federal Clean Water Act would be needed. If authorization under GP 18 is sought, WQC approval would be granted as part of the Self-Verification (SV) approval process, if SV applies to the project.

If the Pre-Construction Notice (PCN) is being sought and the project has under 0.5 acres of impact, the CTDEEP Connecticut Addendum Army Corps of Engineers General Permit State of CT (CT Addendum) would be required for the WQC. If impacts are over 0.5 acres, an individual WQC through CTDEEP would be required. If USACE Section 404 approval were through a GP other than GP 18, then Section 401 WQC thresholds may change. If a USACE Section 404 permit is needed, the CTDEEP General Permit for Water Resource Construction Activities will also apply as long as the project has under one acre of wetland and watercourse impacts. In addition to the USACE Section 404 permit, a Water Quality Certification (WQC) approval under Section 401 of the Federal Clean Water Act would be needed. If authorization under GP 18 is sought, WQC approval would be granted as part of the SV approval process, if SV applies to the project.

If the PCN is being sought and the project has under 0.5 acres of impact, the CTDEEP Connecticut Addendum Army Corps of Engineers General Permit State of CT (CT Addendum) would be required for the WQC. If impacts are over 0.5 acres, an individual WQC through CTDEEP would be required. If USACE Section 404 approval were through a GP other than GP 18, then Section 401 WQC thresholds may change. If a USACE Section 404 permit is needed, the CTDEEP General Permit for Water Resource Construction Activities will also apply as long as the project has under one acre of wetland and watercourse impacts. If CTDOT is the permit applicant, there would be no municipal wetlands permits required, as CTDOT coordinates with the municipalities during the design process.

Preparation of the SV form submittal is estimated to take approximately two weeks, with no agency review time. Preparation of the PCN, General Permit for Water Resource Construction Activities permit, and/or CT Addendum packages are estimated to take approximately six weeks, with an estimated agency review time of four to six months. Preparation of Individual USACE and/or Individual WQC permit packages are estimated to take approximately twelve weeks, with an estimated agency review time of eight to twelve months.

Stormwater

The CTDEEP will require a General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities if more than one acre of soil is disturbed. Without

knowing funding and the final phasing of projects, it is uncertain if this would be required. It is unknown which concepts and segments will be constructed together, however if the soil disturbance proposed for a project is over one acre, a CTDEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (Stormwater GP) would be required. With CTDOT as the applicant, this project would be classified as a locally exempt project.

Compliance

In addition to permits, implementing corridor improvements may activate the need for environmental and historic documentation.

It is likely that some of the projects on this corridor will need federal funding, which may activate the need for environmental documentation. A Categorical Exclusion would likely satisfy the federal requirements, assuming the impacts are minimal. If additional impacts are found or if the project is combined with a larger project, an Environmental Assessment may be required.

If State funding is involved, a Post Scoping Notice or Environmental Impact Evaluation may be required to satisfy the Connecticut Environmental Policy Act.

There are no buildings or districts identified on the National Register of Historic Places. If this changes, Section 106 of the National Historic Preservation Act and the Connecticut State Historic Preservation Office should be consulted.