

M. Toledano



**STATE OF CONNECTICUT**  
**DEPARTMENT OF ENVIRONMENTAL PROTECTION**



October 31, 2008

Robert DeSista, Chief  
Regulatory and Enforcement Branch  
U.S. Army Corps of Engineers  
New England District  
696 Virginia Road  
Concord, MA 01742-2751

Re: PGP Screening for Section 401 Water Quality Certification

Dear Mr. Desista:

The following projects submitted under the Connecticut Programmatic General Permit have been reviewed by staff of the DEP Inland Water Resources Division (the "Division").

**Category II Eligible**

The Division has determined that the following projects are eligible for section 401 water quality certification under Category II of the PGP subject to any special conditions specified herein and that an individual application to the DEP is not required, provided that said projects receive approval from the U.S. Army Corps of Engineers under Category II of the PGP and that the authorized activities proceed as described in the project documentation.

1. PGP-200702460 – Town of Middlebury, Middlebury – (14,900 square feet of inland waterway/wetland fill and secondary impacts).

Replacement of an existing 24.8 foot single-span bridge with a reinforced concrete box culvert with a single span length of 24 feet and 8 foot height. The top elevation of the hydraulic opening will be raised by up to 8 inches. 12 inches of streambed material will be placed along the bottom of the culvert. The project also includes 1,025 feet of associated roadway work, to improve roadway geometry. The proposed roadway will be moved to the southwest by approximately 12 feet. As a result the southwesterly embankment of the new roadway will encroach into the existing limits of the pond.

This project shall be constructed in accordance with the application materials and plans entitled, "Replacement of Long Meadow Road Bridge No. 05035

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**Middlebury, CT**, dated September 27, 2007, prepared by Wengell, McDonnell & Costello Consulting Engineers.

**Special Condition:**

All unconfined in-water activity must be restricted to the time period of June 1<sup>st</sup> through September 30<sup>th</sup>.

2. PGP-200702535- **Storrs Center Alliance, LLC**, Mansfield- (0.29 acres of inland wetland/waterway fill and secondary impacts)

Construction of an expanded downtown "Storrs Center", a mixed-use development on a 47.7 acre parcel located on Storrs Road in Mansfield, CT.

This project shall be constructed in accordance with the application materials and plans entitled, "**Storrs Center, U.S. Army Corps of Engineers State of Connecticut Category 2 Programmatic General Permit Application, Mansfield, CT**", dated November 2, 2007, prepared for Storrs Center Alliance, LLC, prepared by BL Companies.

**Denial of Coverage under Category II**

The following projects are not eligible for coverage under the PGP because the proposed activities do not meet the terms or conditions of the PGP and/or the Division has determined that the proposed activities are reasonably likely to have more than minimal impact on waters of the state. As said, such projects/activities require an individual Section 404 permit from the USACE and an individual Section 401 Water Quality Certification from the CT DEP.

1. PGP-200802385- **Town of Torrington**, Torrington- (6,764 square feet of inland waterway/wetland fill and secondary impacts)

Reconstruction of Pinewoods Road in Torrington to improve flooding conditions. The plans propose replacing the twin corrugated metal pipe culverts with a 6' by 22' precast reinforced concrete box culvert. This box culvert will be placed in the Still River which has a FEMA established floodway.

The Programmatic General Permit states that projects with fill placed in a FEMA established floodway and projects with fill placed in a FEMA established floodplain that would adversely affect the hydraulic characteristics of the floodplain not eligible under category II of the PGP. IWRD staff has determined that this project not eligible under category II the PGP.

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The applicant can contact DEP Inland Water Resources Division staff for any administrative questions on how to proceed.

2. PGP-200801259- Town of Fairfield, Fairfield- (3,951 square feet of inland waterway/wetland fill and secondary impacts)

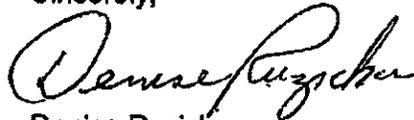
Reconstruction of two bridges on Mill Plain Road over the Mill River in Fairfield. The plans propose replacing the two bridges with a single bridge that that contains a single pier on an island in the middle of the river.

The Programmatic General Permit states that projects with fill placed in a FEMA established floodway not eligible under category II of the PGP. IWRD staff has determined that this project is not eligible for review under category II of the PGP.

The applicant can contact DEP Inland Water Resources Division staff for any administrative questions on how to proceed.

If you have any questions or need additional information, please call Sara Radacsi at the Inland Water Resources Division at (860) 424-3941.

Sincerely,



Denise Ruzicka  
Director  
Bureau of Water Protection and Land Reuse

DR:SER:MS

cc: ~~Greg Munnich~~ US Fish and Wildlife Service  
Michael Marsh, US Environmental Protection Agency  
Jeff Caiola, DEP IWRD  
Bill Mullen, US ACOE  
Carol Ladue, DEP IWRD