

**Federal Transit Administration  
FINDING OF NO SIGNIFICANT IMPACT**

**Federal Requirements for Project Construction and Operation**

<b>Federal Regulation</b>	<b>Issuing Agency</b>	<b>Approval/Permit</b>
National Environmental Policy Act (42 USC 4321 et seq)	FTA	Review and Finding
Section 4(f), U.S. Department of Transportation Act (49 USC 303)	FTA	Individual Evaluation and Finding for potential use of Section 4(f) properties
Executive Order 11988, Floodplain Protection, as amended by Executive Order 13690, Federal Flood Risk Management	FTA	Review for impact to floodplain
Executive Order 11990, Wetlands Protection	FTA	Review for impact to wetlands
Executive Order 12898, Environmental Justice	FTA	Review for assessment of impact to EJ communities
Clean Air Act (42 USC 7401 et seq)	FTA	Conformity Determination
Section 106, National Historic Preservation Act (36 CFR 800)	FTA	Memorandum of Agreement
Section 7, Endangered Species Act (16 USC 1531 et seq)	NOAA/NMFS	Biological Evaluation
Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801 et seq)	NOAA/NMFS	Essential Fish Habitat Assessment
Coastal Zone Management Act/Connecticut Coastal Management Act (16 USC 1451 et seq)	CTDEEP	Consistency Review
Section 9 of the Rivers and Harbors Act (33 USC 491)	USCG	Permit for construction of new bridge
Section 10 of the Rivers and Harbors Act (33 USC 403)	USACE	Permit for dredging and filling in navigable waters/ impacts to waters and wetlands of the U.S.
Section 404 of the Clean Water Act (33 USC 1344)		
Section 14 of the Rivers and Harbors Act (33 USC 408)	USACE	Permit for impact to federal navigation channel (USACE civil works project)
49 CFR 77: Safe, Efficient Use and Preservation of the Navigable Airspace	FAA	Notice of Proposed Construction or Alteration

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**State Requirements for Project Construction and Operation**

<b>Federal/State Regulation</b>	<b>Issuing Agency</b>	<b>Approval/Permit</b>
Connecticut Environmental Policy Act (CGS Section 22a-1-22a-1h)	CTDOT/CT Office of Policy and Management	Record of Decision/Review and Concurrence
Title VI Program/FTA Circular 4702.1B of October 1, 2012	CTDOT	Environmental Equity Review
Connecticut Endangered Species Act (CGS Section 26-303)	CTDEEP	Natural Diversity Database Review
Connecticut Coastal Management Act; and Tidal Wetlands Regulations (CGS Section 22a-30-1)	CTDEEP	Structures, Dredge and Fill, and Tidal Wetlands Permit
Section 401 of the Clean Water Act (33 USC 1341); Connecticut Surface Water Quality Standards (CGS Section 221-426)	CTDEEP	Water Quality Certification
Connecticut Flood Management Program (CGS Sections 25-68b - 25-68h)	CTDEEP	Flood Management Certification
CGS Section 22a-36 to 22a-45	CTDEEP	Inland Wetlands General Permit
Section 402 of the Clean Water Act (33 USC 1342); General Conditions Applicable to Water Discharge Permits and Procedures and Criteria for Issuing Water Discharge Permits(CGS Section 22a-430b)	CTDEEP	General Permit for Discharge of Stormwater and Dewatering Wastewaters from Construction Activity
Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 (42 USC 4601 et seq); Uniform Relocation Assistance Act (CGS Section 8-266 et seq)	CTDOT	Review/relocation assistance
CGS Section 22a-134, Hazardous Materials	CTDEEP	Review of potential for hazardous material impacts, including identification of high-risk sites, site investigations, and environmental audits
CGS Section 22a-133z and 22a-208a	CTDEEP	General Permit for Contaminated Soil and/or Sediment Management
CGS Chapter 446d and 446k, RCSA Sections 22a-208a-1, 22a-209-1, and 22a-209-8	CTDEEP	Authorization for Disposal of Special Waste
CGS Section 22a-430(b)	CTDEEP	General Permit for the Discharge of Groundwater Remediation Wastewater




# STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

OFFICE OF THE SECRETARY

**TO:** James Redeker  
Commissioner  
Department of Transportation

**FROM:** Susan Weisselberg, Deputy Secretary  
Office of Policy and Management 

**DATE:** July 6, 2017

**SUBJECT:** Environmental Impact Evaluation (EIE) for the Replacement of Walk Bridge and Record of Decision (ROD)

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Based on a review of the subject environmental impact evaluation conducted pursuant to C.G.S. 22a-1e, I am herewith advising you of my finding that this evaluation satisfies the requirements of the Connecticut Environmental Policy Act (CEPA).

OPM notes that, in proceeding from CEPA Scoping to the EIE, DOT chose to elevate maritime access above other economic and social considerations. OPM challenged that decision in its EIE comments and a number of commenters continued to raise other concerns. In reviewing this ROD, OPM considered DOT's interest in maritime access to carry no more weight than other concerns.

OPM's determination of adequacy is based on a finding that the cost and benefits of maintaining or even improving maritime access by means of a new movable bridge can justify other local impacts, particularly the new bridge structure's aesthetic impacts, but DOT must make every effort to mitigate such impacts.

Given the very limited amount of maritime activity impacted by the choice of bridge for this location, DOT's determination that it can complete the movable bridge project at a cost comparable to rehabilitating and locking the existing bridge in place, with long-term operational costs not being higher, played a key role in OPM determining the environmental review to be adequate.

The state and its infrastructure face various economic, environmental and other challenges, so it is important that potentially reasonable and cost-effective alternatives are considered prior to committing state funding.

Please contact Bruce Wittchen (860-418-6323) if there are any questions with regard to this finding.

cc: Paul Potamianos, OPM  
Frederick Riese, DEEP  
Karl Wagener, CEQ