



# STATE OF CONNECTICUT DEPARTMENT OF ENVIRONMENTAL PROTECTION



August 10, 2001

Mr. Nelson Walter  
Harding Lawson Assoc.  
P.O. Box 7050  
Portland ME 04112-7050

Post-It® Fax Note	7671	Date	8-10-01	# of Pages	3
To	Ed Pendleton	From	M. Welch		
Co./Dept	Harding LSA	Co.	DEP-OLISF		
Phone #		Phone #	860-424-3034		
Fax #	1-207-332-4762	Fax #			

HARD COPY TO FOLLOW

Subject: Phase II – 90 % Design  
Causeway Non-time Critical Removal Action Design  
Stratford Army Engine Plant  
CBDCOM Contract No. DAAAM-02-97-D-0005  
(Your Delivery Order No. 0003)

cc: John Burlesox  
G. Rustad  
B. Johnson  
N. Walter  
File

Dear Mr. Walter:

Thank you for the opportunity to review and comment on the document noted above. In general, the plans reflect coastal management concerns that have been discussed over the past several months; however, we have identified two related plan modifications that must be made to render the project fully consistent with the applicable enforceable policies of the Connecticut Coastal Management Program and two clarifications that should be provided. We are also taking this opportunity to reiterate the need for federal coastal zone management consistency concurrence and provide some additional guidance towards that end.

### REQUIRED MODIFICATIONS

The work is proposed to be conducted in an unconfined manner (i.e., there will be no continuous top-to-bottom barrier impervious to fine silt and sediment between the intertidal work area and the Housatonic River). However, it is proposed that the project will occur during the season when such unconfined work is allowable (i.e., between October 1<sup>st</sup> and March 31<sup>st</sup>). Although allowable during the late fall and winter months, unconfined work should proceed in such a way that minimizes the exposure of any disturbed area to wind and wave action. Accordingly, the work plan should specify, at a minimum, that those portions of the project below the upland sedimentation fencing (proposed to be installed along the 6' contour) will proceed in daily increments small enough that each area of disturbance can be completed and stabilized with the proposed final cover within a single workday. We note that there are three distinct types of final cover proposed: 1) the side slopes of the causeway will be covered with a polymeric marine mattress; 2) the upper portion will be a relatively flat area of interlocking concrete blocks with vegetative cover; and 3) the transition zone between these two surface treatments will be riprap.

From a coastal management perspective, it does not matter whether the project is split up such that the area that will be covered with the polymeric marine mattress is worked in segments that can be

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completed within a day and then the upper portions of the causeway are worked in similar segments, or whether each daily segment includes a manageable portion of both the side slope and the upper part of the causeway. In either event, the disturbed area should be limited to the extent necessary to ensure that each project segment is completed by the end of each day. Although this approach was discussed in concept during the meeting held at the Army Corps of Engineers Concord headquarters on March 21, 2001, it does not appear to be reflected in the Phase II documents. Unless the Army can provide compelling documentation that the water quality of the Housatonic River and its associated resources will be sufficiently protected from the potential adverse impacts of this major excavation and fill project without this plan modification, the documents must be amended to include this work methodology to render the project consistent with the water quality policies and standards of the Connecticut Coastal Management Act.

As previously discussed, this Office is concerned that the proposed floating silt curtain will be both ineffective in the control of siltation as it is not designed to fully contain or capture silt coming off the site and it has the potential to harm the intertidal flat in the vicinity of its installation. Although the intent behind the use of this item is appreciated, it appears that it will actually do more harm than good. Moreover, it does not appear that any siltation control beyond the "upland" erosion control measures, will be necessary as all land disturbance planned outside of that area will occur during the "open" window for dredging, when no in-water siltation control is required. Accordingly, the proposed floating silt curtain must be eliminated from the project. To this end, the narrative should be updated to delete all references to the silt curtain and it should also be eliminated from the plans including removal of Notes 3-8 on Sheet C-103 and Note #3 on Sheets C-104 and C-105.

#### CLARIFICATIONS NEEDED

The plans state that "no excavation or backfilling [is] to be performed under tidal waters, unless approved by the Contracting Officer." [Sheets C-104, C-105, Note #2]. What criteria will the Contracting Officer use to determine when such activities will be allowable? These criteria should be submitted for review by this Office either independently or as part of the federal consistency concurrence request discussed below.

Loose hay mulch is proposed as erosion control for disturbed areas above elevation 6' (Phase I Technical Specifications Part 3.1.1.h. and 3.1.4. and Phase II Technical Specifications Part 3.1.1.h. and 3.1.4.). We are concerned that this treatment may not be effective in the control of erosion at this location and may, in fact, add to the floating vegetative debris in the adjacent river. As background, the actual high tide elevation varies from day to day, in general, with the higher high tides usually occurring during the autumn season, when the Phase II work is proposed. Additionally, the high tide line, as defined by the Connecticut General Statutes, may be as high as 7' NGVD at this site. Thus, it appears that there is the potential for at least a portion of the mulched area to be subject to tidal action. Please identify what method(s) will be used to keep the mulch in place in the event of a high tide that exceeds elevation 6' NGVD.

#### FEDERAL CONSISTENCY

Please be aware that, as noted in our previous comments, the Phase II portion of this project will require a formal federal consistency determination and submission of such for review. I have brought this to John Burleson's attention and anticipate the submission of a formal federal consistency determination concurrence request in the near future. Phase II construction cannot proceed without

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our concurrence on that determination in accordance with the Federal Coastal Zone Management Act and associated regulations found in 15 CFR Part 930. The regulations require, in part, that the federal coastal consistency concurrence be received by this Office at least 90 days before the final approval by the Army of the activity.

As part of the federal consistency review process, we are required to publish notice of the Army's federal coastal consistency determination and request for concurrence along with a description of the project sufficient to notify the general public of the project's location and scope. To facilitate that process, please either provide an abbreviated summary of the proposed work along with copies of the plans in 8" x 11" format for distribution with the notice or identify where within the Town of Stratford interested citizens can review the plans and supporting documents. Please also be reminded that, in accordance with our letter of July 26, 2001, these review and timing requirements do not apply to the Phase I activities provided they are to proceed as previously described since it has been determined that they do not require federal coastal consistency review.

Finally, we understand that Phase II of the project may be modified to include placement of appropriate infrastructure (electrical wiring conduits, waterlines, etc.) to allow for the Town's anticipated reuse of the causeway area. While it appears unlikely that these items will prove to be a coastal management concern, the specific details of such infrastructure should be included in the formal federal consistency request as they are considered part and parcel of the overall work at the site.

Should you have any questions regarding this letter, or any other coastal management matter, please do not hesitate to call me at 860-424-3034.

Sincerely,



Margaret L. Welch  
Senior Coastal Planner  
Office Of Long Island Sound Programs

MLW/w

cc: John Burleson, BRAC Environmental Coordinator  
Ken Feathers, DEP-PERD  
Richard LoPresti, DECD, Bridgeport  
Peter Simmons, DECD, Hartford  
Mark Trinkley, DECD, Bridgeport  
Rick Norris, Town of Stratford  
Bill O'Beirne, OCRM

FACSIMILE TRANSMISSION

To: Michelle Clements  
 Fax Number: 978-318-8663  
 From: Rod Perdleton  
 Date: 8/10/2001  
 Subject: SAEP - Causeway 90% Phase II Design  
OLISP Comments  
 Project Number: \_\_\_\_\_  
 Number of pages (including this cover sheet): 4  
 Original to follow by mail:  Yes  No

Remarks:

Michelle,  
 I forwarded these to John B. and discussed briefly - we will be preparing Federal consistency review request for John next week.

Rod

cc: \_\_\_\_\_

Transmitted by: \_\_\_\_\_

If you do not receive all pages, please call \_\_\_\_\_ at (207) 775-5401.

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