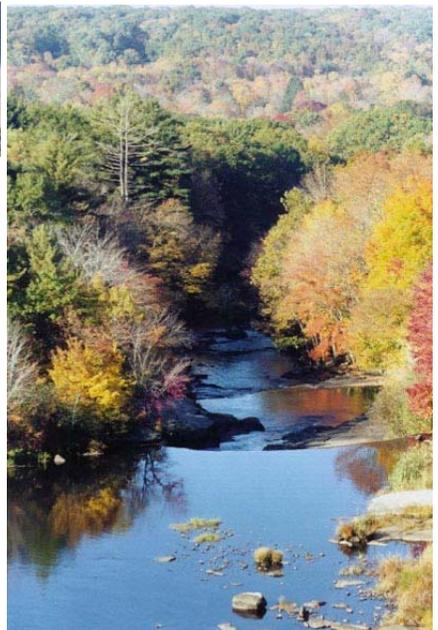


**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC WORKS**

**CONNECTICUT ENVIRONMENTAL
POLICY ACT MANUAL**



Prepared by:

CONNECTICUT DEPARTMENT OF PUBLIC WORKS
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RAEANNE CURTIS
Commissioner

JUNE 2008

Department of Public Works Mission Statement

To be the leader in providing quality facilities and in delivering cost-effective, responsive, and timely services to state agencies in the areas of planning, design, construction, facilities management, leasing and real property disposition. With our diverse and competent workforce, to partner with our customers and industry providers to make the best use of the State's resources.

Organization of the Department of Public Works (DPW)

The Department of Public Works consists of bureaus that cover Facilities Planning and Management, Leasing Services, and Design and Construction.

Bureau of Design and Construction

The DPW has responsibility for the majority of the State's building construction- both new and renovation. This includes statewide services for early planning and budgeting and design oversight for minor and major projects. Design, bid, build is the most common delivery system. Design build is used for some major projects. DPW is responsible for the Building Code compliance process for non-threshold state construction projects. DPW has the primary state responsibility for hiring architects, engineers, environmental professionals, and construction contractors related to building and facility projects. DPW handles Energy Management as a statewide service, for all agencies and includes technical advice and oversight on energy projects and policy, in a joint effort with the Office of Policy and Management (OPM). This includes performance energy contracting, utilities joint savings project and Life Cycle Cost Analysis (LCCA) administration. DPW also provides Technical Services, for all state agencies related to buildings design and improvements; and the management of several statewide programs – such as all Underground tank replacements, ADA support, and Asbestos and Lead Removal.

State of Connecticut
Department of Public Works
Connecticut Environmental Policy Act Manual
June 2008

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ABBREVIATIONS

CEPA Connecticut Environmental Policy Act
CEQ Council on Environmental Quality
CGS Connecticut General Statutes
DECD Department of Economic and Community Development
DEP Department of Environmental Protection
DOT Department of Transportation
DPW Department of Public Works
EA Environmental Assessment
ECD Environmental Classification Document
EIE Environmental Impact Evaluation
FONSI Finding of No Significant Impact
GIS Geographic Information Systems
IER Initial Environmental Review
MMC Mitigation Measures Checklist
NEPA National Environmental Policy Act
OPM Office of Policy and Management
PM Project Manager
RCSA Regulations of Connecticut State Agencies
REC Record of Environmental Consideration
ROD Record of Decision
SHPO State Historic Preservation Office
SPM Supervising Project Manager
USDA US Department of Agriculture

I. INTRODUCTION

The purpose of this *Connecticut Environmental Policy Act (CEPA) Manual* (manual) is to provide guidance, procedures, and standards for projects that are administered by the Department of Public Works (DPW) which are subject to CEPA. In addition, this manual is designed to assist DPW Project Managers (PM), state agencies (client agencies) that work in corporation with DPW, and consultants in understanding DPW's CEPA procedures and standards, and to serve as a centralized source for CEPA information.

The purpose of CEPA is to identify and evaluate the impacts of proposed state actions, which may significantly affect the environment. This evaluation provides the decision maker (a state agency) with information necessary for deciding whether or not to proceed with the project.

Sections 22a-1 through 22a-1h of the Connecticut General Statutes (CGS) establishes the environmental policy for Connecticut and a process for evaluating the environmental impacts of state agency actions. The CEPA process is further defined by Sections 22a-1a-1 through 22a-1a-12 of the *Regulations of Connecticut State Agencies* (RCSA). The purpose of the regulations is to specify an environmental review process and to assist an agency in complying with CEPA. The regulations also identify in detail the procedures for the preparation of a CEPA document and the review of that document. *(Note: no DPW policy or guidance contained within this Manual shall take precedent over the CEPA statutes and regulations.)*

In 2002, the CEPA statutes were significantly changed as a result of Public Act 02-121, followed by some minor technical changes in 2003 as a result of Public Act 03-123. Subsequently, the current CEPA regulations have not been amended to reflect the changes that occurred to the statutes. As a result, the procedures for the preparation of a CEPA document will need to follow the CEPA statutes and where applicable, CEPA regulations. As with all relationships between statutes and regulations, statutes take precedence over regulations when there is a conflict between the two.

This Manual may be revised to reflect any changes in statutes, regulations, procedures, or standards that may occur after the publication date on the cover. As a result, users of this Manual should contact DPW CEPA Administrator to determine if there have been any changes.

CEPA Statutes:

<http://www.ct.gov/ceq/cwp/view.asp?a=987&Q=249024&PM=1&ceqNav=1>

CEPA Regulations:

<http://www.ct.gov/ceq/cwp/view.asp?a=987&q=249022&ceqNav=1>

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II. DESCRIPTION OF THE CEPA PROCESS

The Process in General

Prior to Public Act 02-121, state agencies routinely conducted Environmental Assessments (EAs) and Findings of No Significant Impact (FONSI), and Environmental Impact Evaluations (EIEs). However, in light of the Public Act, the Office of Policy and Management (OPM) advised state agencies to only submit EIEs, which under CEPA, are detailed environmental studies instead of EAs/FONSIs. An EIE examines in detail the environmental impacts of a proposed action and describes reasonable alternatives and compares the impacts of the alternatives. Based on the advice from OPM and until new regulations have been adopted, the following is the CEPA process in general.

1. The CEPA process should begin as close as possible to the time an agency formulates a proposal to ensure that it can contribute substantively to the planning and decision-making process. As part of this early process, agencies should initiate an environmental review to determine if an action is subject to CEPA. To assist agencies in making this determination, the sponsoring agency or participating agency compares the proposed action with the agency's Environmental Classification Document (ECD). An ECD categorizes the type of actions an agency normally undertakes and is used to help determine whether a CEPA document is needed. (A copy of the generic ECD is included in Section VI of this Manual.)
2. When the sponsoring agency determines a proposed action is subject to further CEPA review, the sponsoring agency conducts an Early Public Scoping Process (CGS § 22a-1b[b][1]) prior to preparing an EIE. This public scoping process is mandatory. The sponsoring agency must publish a notice of scoping in the *Environmental Monitor*. A 30-day review period starts on the day after the *Environmental Monitor* notice.

There are two main components to the Early Public Scoping Process:

- First, the sponsoring agency initiates the early public scoping process by giving notice about the proposed action to the Council on Environmental Quality (CEQ), the Office of Policy and Management (OPM), and to any other state agency, such as the Department of Environmental Protection (DEP) and the State Historic Preservation Office (SHPO) (Connecticut Culture and Tourism, formally the Connecticut Historical Commission). CEQ will post this notice on its on-line *Environmental Monitor* publication (<http://www.ct.gov/ceq>). The *Environmental Monitor* is published every first and third Tuesday of every month. The review agencies and public may comment on any environmental impacts of the proposed action within 30 days following the date of publication in the *Environmental Monitor*.
- Second, the sponsoring agency must hold a public meeting (not a hearing) if requested by at least 25 people, an association having at least 25 members, or at the discretion of the sponsoring agency. The meeting can not be held within the first ten days following notice in the *Environmental Monitor*. Also, the public comment period shall remain open for at least five days following the meeting.

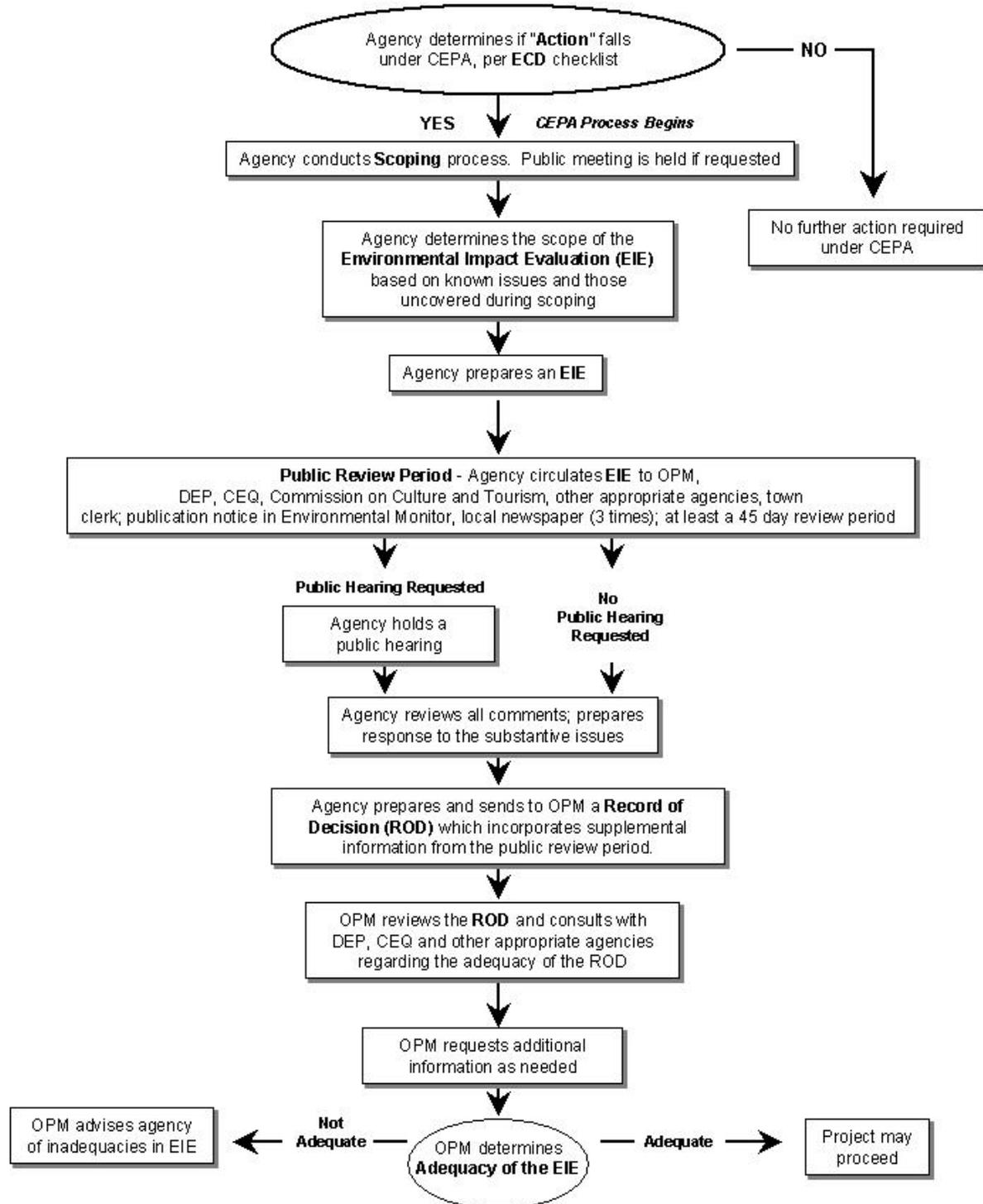
If a scoping meeting is held, the sponsoring agency must provide the following information, to the extent possible, at the meeting:

- a description of the proposed action;
 - a description of the purpose and need of the proposed action;
 - a list of the criteria for site selection;
 - a list of potential sites for the proposed action;
 - the resources of any proposed site of the proposed action;
 - the environmental limitations of such sites;
 - potential alternatives to the proposed action; and
 - any information the sponsoring agency deems necessary.
3. As a result of the public scoping process, the sponsoring agency can begin preparing an EIE. The EIE is to address any comments or information received during this process and to evaluate any substantive issues raised.
 4. Upon completion of the EIE, the sponsoring agency submits the EIE for review and comment to CEQ, DEP, SHPO, OPM, the Department of Economic Community Development in the case of a proposed action affecting existing housing, other appropriate agencies, and the town clerk of each municipality affected by the proposed action. The sponsoring agency must publish a notice of availability of the EIE and a summary of it in a newspaper of general circulation in the municipality at least once a week for three consecutive weeks and in the *Environmental Monitor*.

The public review period typically starts on the day the notice of availability is published in the *Environmental Monitor*. Any agency or person may comment on the EIE in writing during a forty-five day review period or sixty days if a proposed project is very complex. Public hearings on the EIE may be requested by 25 persons or an association having more than 25 persons within ten days of the publication of the notice. The sponsoring agency may at its discretion schedule a public hearing and notice the hearing along with the notice of availability.

5. After the EIE public review period, the sponsoring agency reviews all comments received on the EIE and prepares responses to the substantive issues raised during the review period and amends the EIE if necessary. Afterwards, the sponsoring agency prepares a Record of Decision (ROD). The ROD is submitted to OPM.
6. OPM determines (in consultation with DEP and CEQ) whether the EIE is adequate and whether the EIE satisfies the requirements of CEPA. If the document is determined to be inadequate, OPM recommends changes. If found to be adequate, the sponsoring agency may proceed with the project.

Generalized CEPA Process Flow Chart



Source: OPM

III. DPW CEPA PROCEDURES

Project Initiation

State capital improvement projects are generally initiated or recommended by a specific state agency and as a result, the agency is considered the *sponsoring agency* under CEPA. The DPW has the statutory authority to administer the planning and construction of all state capital improvement projects (CGS § 4b-1), except for University of Connecticut, Departments of Transportation and Economic and Community Development, and some DEP projects. Since DPW has a significant role in implementing and constructing the project and technical expertise, in addition to statutory authority to hire environmental professionals, DPW serves as the *participating agency* under CEPA. In some cases there can be other participating agencies, however, one agency can only be the sponsoring agency.

When a sponsoring agency initiates a project, depending on the type of project, the agency can submit a B-100 supplemental form to DPW to implement the project. In some cases, the sponsoring agency can request to administer the project itself. However, and in most cases, particularly with new construction, DPW takes on the project administration. Part of this administration includes providing technical services in environmental planning and hiring environmental consultants to prepare an environmental document under CEPA.

When a project becomes a DPW administered project it is assigned to the appropriate DPW team supervisor. The Supervising Project Manager (SPM) then assigns the project to a DPW PM. The DPW PM meets with the sponsoring agency to scope the project. When the project is sufficiently scoped, the PM initiates the selection process for a design consultant. During these early stages of the project, the DPW PM contacts DPW CEPA Administrator to review the project scope with CEPA and/or other environmental concerns.

For projects involving repairs and renovations of state facilities, replacements of a structure's architectural features, interior construction and/or renovations, additions and/or renovations to lighting, fire alarm, heating/cooling and mechanical systems, roof repairs, chimney repairs, etc. the project is excluded from CEPA review. For these types of projects, the DPW PM does not need to contact DPW CEPA Administrator for CEPA review.

Depending on the project, DPW CEPA Administrator will notify the DPW PM whether further CEPA review is required for the project. In some cases, DPW CEPA Administrator may conduct an Initial Environmental Review (IER) for the project to assist in making a determination. Independent of whether an IER has been conducted, if the project warrants an EIE, then DPW CEPA Administrator should complete an IER for the project or have a CEPA consultant prepare one.

Initial Environmental Review

At the discretion of DPW CEPA Administrator or at the request of the DPW PM or sponsoring agency, an IER may be conducted to determine whether the project is applicable to CEPA or to assist in scoping out the environmental issues to be covered in an EIE. The IER is an internal cursory review or screening process that looks at issues in broad terms. It is not meant to be a detailed review process nor is it required for every project.

Part of the IER uses the generic version of the ECD and the issues identified under Section 22a-1a-3 of the RCSA (Determination of Environmental Significance) to assist in this review process. As a result, the IER serves these primary functions:

- to assist in determining if an EIE is needed;
- to document the review of potential issues that are determined not to be significant;
- to identify the significant issues to be analyzed in detail if an EIE is needed; and
- to assist in determining potential permits, certifications, and approvals for the project.

(Note: an IER does not replace the design consultant's obligation to continually assess what permits, certifications, or approvals the project may require as the project progresses or from submitting DPW's Checklist for Permits, Certifications, and Approvals with each phase of the project.)

After a review of the project, a determination is made whether the project warrants further CEPA review and therefore, an Early Public Scoping Process should be initiated, or no further action under CEPA is necessary.

No Further Action

After a review and it has been determined that no further action is necessary under CEPA, DPW CEPA Administrator can issue, if requested, a Record of Environmental Consideration (REC) form that documents the review and the conclusions. Any REC documentation should be kept with sponsoring agency and in the DPW project file.

In cases where an IER was completed and no further action under CEPA is necessary, the IER shall be given to the design consultant for the project, since it will contain useful information, such as site characteristics, areas to avoid, or special environmental concerns to be taken into consideration during the planning and design of the project, and potential permits, certifications, and approvals.

Early Public Scoping Process and Hiring a Consultant

When it is determined that the project requires further CEPA review, DPW CEPA Administrator, along with the sponsoring agency and DPW PM, will begin the Early Public Scoping Process under CEPA. For complex or major projects, the scoping process should not begin until a CEPA consultant has been selected and is under contract for the project.

In general, when a CEPA consultant is needed, DPW CEPA Administrator or PM will request that an on-call firm be selected from the DPW on-call NEPA/CEPA list. When selected, the consultant will meet with the DPW PM, sponsoring agency representative, and DPW CEPA Administrator for a *consultant scoping meeting*. If an early public scoping meeting is anticipated then part of the scope of work for the consultant will be to assist in the early public scoping process. As part of the consultant's proposal submittal, it shall include a signed original Consultant Disclosure Statement form (DPW Form 815F see Appendix E), indicating that neither the consultant nor any of its shareholders, principals, partners, or employees, as the case may be, has any financial interest in the outcome of the project and will not have such interest at any time during the duration of this contract or task letter.

The DPW CEPA Administrator will coordinate and initiate the public scoping process by placing a Scoping Notice in the *Environmental Monitor*. The *Environmental Monitor* is published on the first and third Tuesday of every month (except when the first Tuesday is the first day of the month, the notice will be placed in the *Environmental Monitor* the following Tuesday and fourth Tuesday). To limit confusion and for DPW projects, the 30-day public comment period starts on the day after the publication date for 30 days. The public and review agencies can submit any comments during this period.

Prior to placing the notice in the *Environmental Monitor*, the project team will discuss whether or not a public scoping meeting should be held for the project. The final decision is made by the sponsoring agency. However, if the sponsoring agency decides not to hold a public scoping meeting, then there is an opportunity for the public or agencies to request one within 10 days of the publication of the notice in the *Environmental Monitor*. If a public scoping meeting is held, the public comment period must remain open for at least 5 days following the meeting.

If a public scoping meeting is held, the following items shall be provided to the extent possible using readily available information and data:

- a description of the proposed action
- a description of the purpose and need of the proposed action
- a list of the criteria for site selection
- a list of potential sites for the proposed action
- the resources of any proposed site of the proposed action
- the environmental limitations of such sites
- potential alternatives to the proposed action
- any information the sponsoring agency deems necessary

Should the consultant assist with the public scoping meeting, then the consultant shall assist in developing the above bulleted items and giving a presentation on the bulleted items and the CEPA process.

The sponsoring agency, DPW, and the CEPA consultant will review and considered any comments received during the public scoping process. The substantive comments, in addition to other information gathered during the early stages of the process, are used in selecting the proposed actions, alternatives, or sites to be addressed in the EIE, including eliminating topics or issues determined not to be significant.

Environmental Impact Evaluation Preparation

Data Collection

The CEPA consultant needs to request or obtain all relevant project data generated and gathered by the project design consultant, DPW, the sponsoring agency, federal or other state agencies, and all other applicable sources. The CEPA consultant is required to obtain or research, and when applicable, but not limited to, the following data or information:

- topographic mapping of the site and surrounding environment;
- current conceptual site plan for the project;
- anticipated project phasing;
- aerial photography of the project area (DEP, DOT, USDA, i.e., free sources);
- available water supply, pressure data to serve the proposed facility, and if applicable, wells and aquifer protection areas;
- available capacity of the sewage and wastewater treatment system to serve the proposed facility;
- available capacity at the municipal's solid waste disposal facility to serve the expanded development;
- soil boring data, including logs and groundwater observation well readings, if available;
- all necessary traffic data to assess level of significance, local accident reports with the project area, and any recent traffic studies within the project area;
- significant traffic generators within the project area and identify intersections and potentially affected state routes to be studied;
- existing public mass transit service to the area, including routes and schedules;
- air quality and noise data and criteria within the vicinity of the site;

- cultural resources review by SHPO;
- designated wetland areas (in some cases, DPW may have surveyed wetland limits; also when necessary, the CEPA consultant may have to assess wetlands for their function and values);
- prime agricultural areas (aerial photography and soils that are prime or statewide importance);
- state or federal endangered, threatened, or special concern species (DEP Natural Diversity Data Base [NDDB] and U.S. Fish and Wildlife Service);
- vegetation/habitat types;
- water resources (streams, water bodies, floodplains, stream channel encroachment lines, surface and groundwater water quality classifications);
- coastal resources;
- local and regional plans of conservation and development;
- local zoning map;
- local geographical information systems (GIS) or CAD data (planimetric);
- state plan of conservation and development;
- U.S. Census population and socioeconomic data;
- potential hazardous material or contamination review (environmental site assessment reports and DEP records review); and
- other existing pertinent data useful in the preparation of the environmental document or analysis.

The CEPA consultant shall review and incorporate the above data into the environmental document/analysis, as appropriate. The consultant shall also use standard or widely accepted methodologies in collecting and analyzing the data.

The majority of the above data should be obtained in a GIS format to the extent possible. Any unique GIS data obtained by the CEPA consultant shall be forward to the DPW CEPA Administrator.

Internal and Public Review Process

In preparing an EIE for a project, DPW has three internal review stages to prepare the EIE for public review. The purpose of these internal review stages is to ensure the work adequately addresses or analyzes the project's impacts and any substantive comments received during the early public scoping period. In addition, these stages are used to develop any potential mitigation measures that are warranted.

The following is a description of DPW's internal review stages:

- **Working Copy EIE:** The goal at this stage is for the CEPA consultant to submit a complete EIE to the DPW CEPA Administrator. The DPW CEPA Administrator will distribute the Working Copy to the project team. The DPW PM is responsible for submitting the Working Copy to the design consultant for its review and comment. The Working Copy EIE is generally submitted 60 days following the end of the public scoping process, however, a different time line can be discussed with the DPW CEPA Administrator and the DPW PM.

A review meeting generally follows two weeks after the Working Copy has been submitted to and reviewed by DPW and sponsoring agency. The purpose of the review meeting is to discuss and provide comments from the project team. The CEPA consultant is required to incorporate the comments for the next revision.

- **Revised Working Copy EIE:** The goal at this stage is for the consultant to submit a revised EIE incorporating the comments that were received from the Working Copy stage. The DPW CEPA Administrator will distribute the Revised Working Copy to the project team. The DPW PM is responsible for submitting the Revised Working Copy to the design consultant for its review and comment. The Revised Working Copy EIE is generally submitted 30 days following the acceptance of the Working Copy.

A review meeting generally follows two weeks after the Revised Working Copy has been submitted to and reviewed by DPW and the sponsoring agency. The purpose of the review meeting is to discuss and provide comments from the project team. The CEPA consultant is required to incorporate the comments for the next revision.

- **Proof Draft EIE:** The goal at this stage is for EIE to be near-ready for the public review stage. Generally, this stage is a "last minute" review to ensure minor issues have been taken care of. The Proof Draft EIE is generally submitted 14 days following the acceptance of the Revised Working Copy.

Generally, a review meeting is not required at this stage.

- **EIE (public review):** Upon approval of the Proof Draft by the sponsoring agency and DPW, the CEPA consultant is requested to prepare hardcopies of the EIE. Under CEPA statutes and regulations, there is only an Environmental Impact Evaluations stage. There is no "Draft" or "Final" stage of the EIE process. Therefore, the cover of the public review EIE should not reference the document as a "Draft" or "Final."

The CEPA consultant shall submit the number of specified copies to the DPW CEPA Administrator. The DPW CEPA Administrator will take care of distributing the EIE to the appropriate review agencies and places. In most cases, the CEPA consultant will be required to also submit an electronic revision of the EIE for posting on an agency's web site.

When an EIE is ready for public review, the DPW CEPA Administrator will place a notice in the *Environmental Monitor*. DPW will also place a notice of the availability of the EIE

in a newspaper of general circulation in the municipality at least once a week for three consecutive weeks.

Environmental Impact Evaluation Topics

The purpose of this section of the Manual is to provide guidance in completing and adequately evaluating impacts for the proposed project. Since this is a guidance document and each project is different, there should be some reasonable judgment as to how well a topic is adequately covered. Essentially, the level of effort should be commensurate with the magnitude of the project and its impacts.

The following are the topics to be covered within a DPW EIE document (an example of the DPW EIE format is in Appendix A):

Description of the Proposed Action

The description of the proposed action or project should begin with a sentence stating what exactly the proposed action is, such as expanding a state facility, relocating a new facility, constructing a new facility, etc. The parameters of the proposed action scope should also be described, such as approximate square footage of the facility, any specific utility or infrastructure needs, and any other associated improvements or auxiliary uses (i.e. parking).

Figures and maps should be used to clearly depict the existing site or project location, along with a conceptual layout of the proposed project (if available).

There should also be a brief and concise discussion about the background of the proposed action. For example, cite any previous reports, plans, or legislation that led to the development of the proposed action.

Purpose and Need

The purpose and need to a degree is the most important part of an EIE. A clear, well-defined purpose and need justifies impacts by clearly demonstrating the need for the proposed action. In most cases, the CEPA consultant should be able to utilize existing material or contact the appropriate sponsoring agency representatives in order to develop a complete purpose and need. However, in some cases, the sponsoring agency and DPW will work with the CEPA consultant to define the purpose and need.

The goal of the purpose and need section is to be brief, to the point, and reasonable – they should not be imprecise, long, or confusing. The *purpose* should state why the project is being proposed and articulate the positive outcomes that are intended; the *need* should describe the key problem or problems that are being addressed.

In developing the purpose and need statements, the CEPA consultant should use the following guidelines:

- the purpose and need should be concise, easy to read, and readily understandable;

- they should focus on essential needs and goals for the project, which generally relate to the sponsoring agency's mission or its program(s); other desirable elements or outcomes (e.g., environmental protection, mitigation, scenic improvements, etc.) should be separate from the purpose and need);
- they should be supported by data that justifies the need, such as major assumptions concerning growth and population; and
- they should focus on the problems that need to be addressed, and for which a proposed action is being considered and should not be written in a way that focuses on the solution or too narrowly constrains the range of alternatives.

Following the purpose and need statements, a section on desirable outcomes that are not the central purpose can be identified. The discussion of secondary goals and objectives should be distinct from the purpose and need. These attributes should not be used as the main factor in determining which alternatives should be analyzed or carried forward but can be used in order to support selection of a preferred alternative.

Alternative Analysis

The alternative analysis section must discuss and describe the range of alternatives, specifically all *reasonable alternatives under consideration* (RCSA Sec. 22a-1a-7[g][4]). The alternative analysis section should clearly focus on alternatives that are viable, meaning, they could be reasonably acted upon by the sponsoring agency. In order words, past alternatives, such as a site previously available to the sponsoring agency that is no longer available because it was sold, should not be considered a reasonable alternative. This will help avoid review agencies or the public from assuming an alternative is still viable, when in fact it is not.

However, and in most cases, this past information is useful to the reviewer of the EIE and in some cases, may be part of the need for the project. Therefore, it is best to include previous alternatives that are no longer under consideration in the Background section of the Introduction.

The primary purpose of the alternatives analysis is to look at the range of alternatives in more detail and determine if they warrant full evaluation in the EIE.

The following are standard alternatives that should be considered in the EIE; however, the no-action/build and sites available or controlled alternatives are mandatory:

- **Actions**

Since the majority of DPW projects involve state facilities/buildings, there should be at least the three actions which the EIE should evaluate alternative actions, these are:

- **No-Action (no-build) Alternative**

The no-action or no-build alternative, the "do nothing" alternative.

➤ **Significant Upgrades/Renovations Alternative**

Discuss the possibilities or limits of either upgrading or renovating existing facilities.

➤ **Build Alternative**

The build alternative is basically the preferred alternative.

▪ **Sites Reasonably Available or Controlled**

For most DPW projects, the sponsoring agency must have care, control, and custody over the project site in order for it to be considered “controlled.” For DPW projects, “sites available” means other state property that has been offered to the sponsoring agency by another state agency or private/municipal property that has been offered to the sponsoring agency or DPW as part of a solicitation process. The use of eminent domain is not considered a reasonable method in determining whether a site is reasonably available.

▪ **Major Alternative Design Concepts**

Reasonable major design concepts should be discussed in terms of relocating the project within the subject site, size, scale, architecture element, etc. In most cases, the project designer has considered various design alternatives.

▪ **Others**

If during the public scoping process a reasonable alternative was made that has been determined to have substance, then a discussion on the alternative needs to be included within this section of the EIE.

Existing Environment and Impact Evaluation

After the public scoping process is complete, the CEPA consultant, the DPW CEPA Administrator, and the sponsoring agency should assess which environmental topics warrant detailed discussion and evaluation of project impacts. In the cases where a topic is completely not relevant, (i.e. coastal resources), the related topic can be eliminated from discussion in the EIE. Furthermore, if a particular topic is affected in only a minor way, very briefly state that fact. Furthermore, impacts should be tied to information presented in the existing setting section. This will help reduce or eliminate unnecessary topic background information that is irrelevant to an impact. In other cases where the project is located in an area with little to no resources, a brief introductory paragraph can be made, documenting which resources were eliminated from further discussion and analysis based on comments received during scoping, review of documents, or data. Otherwise, the topics listed below should be incorporated into the part of the EIE.

Each of the topics listed below (excluding Cumulative Impacts and Construction Related Impacts) must include subheadings entitled: Existing Setting, Impact Evaluation, and Mitigation Measures.

Example:

3.1 TRAFFIC (AND BIKE & PEDESTRIAN ACCESS)

Existing Setting

Impact Evaluation (this sub-section is to analyze direct and indirect impacts)

Mitigation Measures

Both direct and indirect impacts are to be assessed for each topic. The impact analysis discussion is to occur under the *Impact Evaluation* heading. Under CEPA, direct and indirect impacts are:

- **Direct** effects are the primary environmental consequences which would result from the implementation of a proposed action. (RCSA Sec. 22a-1a-3[a]); and
- **Indirect** effects are the secondary consequences on local or regional social, economic or natural conditions or resources which could result from additional activities (associated investments and changed patterns of social and economic activities) induced or stimulated by the proposed action, both in the short-term and in the long-term. (RCSA Sec. 22a-1a-3[a])

Mitigation measures should be identified under the Mitigation Measures heading. Under CEPA, the definition of mitigation measures is:

- limiting the degree or magnitude of the action; rectifying by repairing, rehabilitation or restoring the impacted environment; reducing or eliminating the impact over time by preservation and maintenance operations; compensating for the impact by replacing or providing substitute resources or environments. (RCSA § 22a-1a-7[g][6][F])

The following are the environmental topics to be covered in the body of the EIE:

- Traffic (and Bike & Pedestrian Access)
- Air Quality
- Noise
- Water Resources (include floodplains, floodways, stream channel encroachment lines)
- Wetlands
- Water Quality (include erosion and sedimentation)
- Groundwater Quality and Resources (i.e. Aquifer Protection Area, Public/Private wells)

- Coastal Resources (if applicable)
- Endangered, Threatened, or Special Concern Species or Habitats
- Fish and Wildlife, Habitats, and Ecosystems (natural areas i.e. ecologically significant/sensitive areas)
- Historic Sites, Districts, and Archeologically Sensitive Areas
- Visual Resources (aesthetic and scenic resources)
- Agricultural Lands and Soils
- Pesticides, Toxic or Hazardous Materials
- Energy (Use and Conservation)
- Public Health and Safety
- Consistency with State Environmental Equity Policy (see Public Act 08-94)
- Consistency with Adopted Municipal and Regional Plans (Existing/Proposed Land Use)
- Consistency with State Plan of Conservation and Development
- Consistency with Connecticut Coastal Management Act (if applicable)
- Cumulative Impacts

Under CEPA, cumulative impacts are defined as the impacts on the environment which result from the incremental impact of the action when added to other past, present or reasonably foreseeable future actions to be undertaken by the sponsoring agency. For the purposes of these regulations, cumulative impacts include the incremental effects of similar actions with similar environmental impacts and the incremental effects of a sequence of actions undertaken pursuant to an ongoing agency program which may have a significant environmental impact, whereas the individual component actions would not. (RCSA § 22a-1a-3[b])

- Construction Related Impacts

Construction related impacts will only cover environmental issues that are directly or indirectly related to just construction phase impacts of the project. Therefore, there should not be any construction-related impacts discussed in the individual topic sections.

Unavoidable Adverse Environmental Impacts

Irreversible and Irretrievable Commitment of Resources

Under CEPA, *resources* means *materials devoted to the proposed action and the natural and cultural resources that would be committed to loss or destruction by the action.* (RCSA § 22a-1a-7[g][6][E])

Summary of Mitigation Measures

Mitigation measures should briefly be summarized using a matrix/table identifying the environmental topics that were identified in the Impact Evaluation section of the EIE with specific mitigation.

Here's an example of a Mitigation Measure Matrix:

RESOURCE TOPIC	PROPOSED MITIGATION MEASURES
Water Resources	Best Management Practices; development of a stormwater pollution control plan.
Wetlands	No adverse impact; no mitigation proposed.
Air Quality	No adverse impact; no mitigation proposed.

Cost Benefit Analysis

Under CEPA, the cost benefit analysis is described as, *an analysis of the short-term and long-term economic, social and environmental costs and benefits of the proposed action. A comparison of benefits and costs shall be made for reasonable alternatives. The comparative analysis shall explicitly state and evaluate nonquantifiable benefits and costs as well as quantitative benefits and costs.* (RCSA § 22a-1a-7[g][6][H])

Potential Certificates, Permits, and Approvals

The DPW "Permit Checklist" is included in Appendix C to assist in determining potential certificates, permits and approvals for the project. The instruction guide to the Checklist is available upon request.

Conclusion

While the Conclusion is not to state a decision or make predictions of a final decision, the conclusion should however, summarize whether there will be a significant impact on the environment as a result of the proposed action and any mitigation measures necessary. It should also include a brief statement that public comments received during the public review period of the EIE will be considered in making a final decision on the proposed action.

References

Cite all referenced material in the EIE. Use standard citation protocol for all publications, websites, and verbal communication.

Appendices

The following is a general list of appendices typically including with an EIE; however, discretion should be used in determining what is included in the appendix:

- A. Special Studies (traffic, biological, etc.)
- B. Site Photographs
- C. Early Public Scoping Notices and Related Material (CEQ Notice and reviewer responses, including, if any, early public scoping meeting minutes)
- D. Consultant Disclosure Form (included in Appendix D of this manual.)

Public Hearing

A public hearing can be held at the discretion of the sponsoring agency and DPW. However, a public hearing can be requested if 25 persons or an association having not less than 25 persons requests such a hearing within 10 days of the publication of the notice in the *Environmental Monitor*.

DPW and the sponsoring agency will review all comments submitted on an EIE and any other pertinent information it obtains following circulation of the EIE, and conduct further environmental study and analysis or amend the evaluation if it determines appropriate. In all cases, the sponsoring agency and DPW or in case when a CEPA consultant has prepared an EIE, will prepare responses to the substantive issues raised during the public review of the EIE.

When a CEPA consultant prepares the response to comments, the consultant will be required to submit at least one draft of the response to comments to DPW and the sponsoring agency for review and comment. When the responses to comments are accepted by DPW and the sponsoring agency, the CEPA consultant may be required to also prepare a Record of Decision (ROD) and a Mitigation Measures Checklist (Appendix E).

Record of Decision

Record of Decision Topics

For the specific outline of a Record of Decision (ROD), refer to Appendix A. The following is an explanation what the ROD needs to contain:

Sponsoring Agency Cover Letter: A signed letter by head of agency or by a person authorized to sign for the head of the agency requesting a Determination of Adequacy from the Secretary of OPM. A courtesy copy of the letter and Record of Decision is sent to DEP, CEQ, any interested agency, and any interested person.

Decision: The sponsoring agency's decision relative to proceeding with the proposed action.

Statement of Environmental Impact: A brief statement as to whether all practical means to avoid or minimize environmental harm have been adopted, and if not, why they were not. Include any major mitigation measures proposed in order to compensate for significant-adverse impacts.

Summary of Consultation with Agencies and Other Persons: Briefly state the consultation that took place during the Early Public Scoping Process, during the preparation of the EIE, and during and after the EIE public review period.

Notices and Advertisements: Copies of all required early public scoping notices and EIE notice of availability (e.g., *Environmental Monitor* and newspapers, for newspaper notices, a copy of the affidavit is required).

Early Public Scoping Comments: Include all comments received as a result of the early public scoping process.

EIE Public Review Period Comments: This section needs to briefly summarize the public review process and if a hearing was held, a summary of the public hearing record and include all comments received, including public hearing transcripts.

Response to Comments: The response to comments will be on the substantive issues raised during the public review period.

DPW CEPA Mitigation Measures Checklist

As part of the competing the CEPA process and after a determination of adequacy from OPM has been made, the DPW CEPA Administrator or the CEPA consultant may fill out and complete the DPW CEPA Mitigation Measures Checklist (MMC), see Appendix E. The MMC is intended to be a quick reference summarizing the mitigation measures that were recommended or committed to in the EIE or ROD. The purpose of the MMC is to assist in reviewing the project as it progresses through the DPW design and construction phases and at the completion of the project.

IV. DPW CEPA DOCUMENT STANDARDS

1. The document must be clear, concise, and easily understood. If there is little or no impact for a given issue, the consultant shall state that fact as briefly as possible (in one sentence or paragraph). Unnecessary verbiage should be eliminated during the consultant's own proof reading efforts.

In order to reduce or eliminate unnecessary verbiage, the consultant shall use maps, figures, or tables to convey the point to be made.

2. Public review documents shall be twelve-point font size, Times New Roman font, letter quality type, on 8½ x 11 white bond paper with one-inch margins on both sides. Working Copy, Revised Working Copy, Proof Draft and the public review document shall be single-spaced and double sided. The point is to produce a quality document based on the content, not the number of pages.
3. The CEPA consultant's name should appear only on the cover of the EIE as the preparer and may be listed once more in the executive summary. The consultant's name is not to be referenced again within or on the document; the consultant's letterhead is not to be used for the document stationary; the consultant's name is not to appear on maps, figures, tables, etc. Maps, figures, tables, etc. not prepared by the consultant should cite the preparer or the source. If a preparer or source is not noted, it is naturally assumed that the CEPA consultant was the preparer.

Other project consultants or the environmental consultant's subconsultant(s) should be given credit once upon first mentioning their report, design, plan, etc. Therefore, the subconsultant's work is referenced by the title of that work only. For example: "The Campus Master Plan, dated January 2004, prepared by Smith and Jones Associates states..."

Everyone responsible in any way for the information contained within the document should be given due credit once. The document, however, is not to become an advertisement for any firm and should not be cluttered with information that distracts from the work itself.

4. Reference to individuals should be by their title, whenever possible, and not by their personal name. For example, "The City of Hartford Planner stated..."
5. Table titles appear above the table. Figure titles appear below the figure.
6. Maps should always strive to depict both the proposed project and the specific resource that is being discussed.
7. The executive summary must be fully detailed and capable of standing along, as it may be the only portion of the document read. This includes applicable figures and maps.
8. The document shall include a list of abbreviations used within the document.
9. Use some method, such as: dividers, separately numbered pages, and/or different colored paper, to make the appendices easier to identify.

10. The cover page of the EIE or ROD is to conform to the DPW format as shown in Appendix A.
11. Provide the project number and the document type (Working Copy, Revised Working Copy, Proof Draft, Environmental Impact Evaluation, or Record of Decision) in the lower left hand corner of every page (footer) along with the page number in the lower right corner.
12. There should not be any unnecessary "white" space in the document, unless a new chapter is to follow.
13. A figure or map and more than a page long table should immediately follow on the same page or the next page after they have been referenced in the text.
14. The last appendix of the EIE shall be labeled, "Consultant Disclosure Form" and will include a copy of the signed DPW Consultant Disclosure Form (see form in Appendix E of this manual).

V. CEPA GENERAL STATUTES

Sec. 22a-1. Policy of the state

The General Assembly finds that the growing population and expanding economy of the state have had a profound impact on the life- sustaining natural environment. The air, water, land and other natural resources, taken for granted since the settlement of the state, are now recognized as finite and precious. It is now understood that human activity must be guided by and in harmony with the system of relationships among the elements of nature. Therefore the General Assembly hereby declares that the policy of the state of Connecticut is to conserve, improve and protect its natural resources and environment and to control air, land and water pollution in order to enhance the health, safety and welfare of the people of the state. It shall further be the policy of the state to improve and coordinate the environmental plans, functions, powers and programs of the state, in cooperation with the federal government, regions, local governments, other public and private organizations and concerned individuals, and to manage the basic resources of air, land and water to the end that the state may fulfill its responsibility as trustee of the environment for the present and future generations.

Sec. 22a-1a. Declaration of policy: Coordination of state plans and programs

(a) In furtherance of and pursuant to sections 22a-1 and 22a-15, the General Assembly, recognizing the profound impact of man's activity on the interrelations of all components of the natural environment, particularly the profound influence of population growth, high-density urbanization, industrial expansion, resource exploitation, and new and expanding technological advances, and recognizing further the critical importance of restoring and maintaining environmental quality to the overall welfare and development of man, declares that it is the continuing policy of the state government, in cooperation with federal and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Connecticut residents.

(b) In order to carry out the policy set forth in sections 22a-1a to 22a-1f, inclusive, it is the continuing responsibility of the state government to use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate state plans, functions, programs, and resources to the end that the state may: (1) Fulfill the responsibility of each generation as trustee of the environment for succeeding generations; (2) assure for all residents of the state safe, healthful, productive, and esthetically and culturally pleasing surroundings; (3) attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences; (4) preserve important historic, cultural, and natural aspects of our Connecticut heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice; (5) achieve an ecological balance between population and resource use which will permit high

standards of living and a wide sharing of life's amenities; (6) enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources; and (7) practice conservation in the use of energy, maximize the use of energy efficient systems and minimize the environmental impact of energy production and use.

Sec. 22a-1b. Evaluation by state agencies of actions affecting the environment. Public scoping process. Environmental monitor

The General Assembly directs that, to the fullest extent possible:

(a) Each state department, institution or agency shall review its policies and practices to insure that they are consistent with the state's environmental policy as set forth in sections 22a-1 and 22a-1a.

(b) (1) Each sponsoring agency shall, prior to a decision to prepare an environmental impact evaluation pursuant to subsection (c) of this section for an action which may significantly affect the environment, conduct an early public scoping process.

(2) To initiate an early public scoping process, the sponsoring agency shall provide notice on a form that has been approved by the Council on Environmental Quality, which shall include, but not be limited to, the date, time and location of any proposed public scoping meeting and the duration of the public comment period pursuant to subdivision (3) of this subsection, to the council, the Office of Policy and Management and any other state agency whose activities may reasonably be expected to affect or be affected by the proposed action.

(3) Members of the public and any interested state agency representatives may submit comments on the nature and extent of any environmental impacts of the proposed action during the thirty days following the publication of the notice of the early public scoping process pursuant to this section.

(4) A public scoping meeting shall be held at the discretion of the sponsoring agency or if twenty-five persons or an association having not less than twenty-five persons requests such a meeting within ten days of the publication of the notice in the Environmental Monitor. A public scoping meeting shall be held not less than ten days following the notice of the proposed action in the Environmental Monitor. The public comment period shall remain open for at least five days following the meeting.

(5) A sponsoring agency shall provide the following at a public scoping meeting: (A) A description of the proposed action; (B) a description of the purpose and need of the proposed action; (C) a list of the criteria for a site for the proposed action; (D) a list of potential sites for the proposed action; (E) the resources of any proposed site for the proposed action; (F) the environmental limitations of such sites; (G) potential alternatives to the proposed action; and (H) any information the sponsoring agency deems necessary.

(6) Any agency submitting comments or participating in the public scoping meeting pursuant to this section shall include, to the extent practicable, but not be limited to, information about (A) the resources of any proposed site for the proposed action, (B) any plans of the commenting agency that may affect or be affected by the proposed action, (C) any permits or approvals that may be necessary for the proposed action,

and (D) any appropriate measures that would mitigate the impact of the proposed action, including, but not limited to, recommendations as to preferred sites for the proposed action or alternatives for the proposed action that have not been identified by the sponsoring agency.

(7) The sponsoring agency shall consider any comments received pursuant to this section or any information obtained during the public scoping meeting in selecting the proposed actions to be addressed in the environmental impact evaluation and shall evaluate in its environmental impact evaluation any substantive issues raised during the early public scoping process that pertain to a proposed action or site or alternative actions or sites.

(c) Each state department, institution or agency responsible for the primary recommendation or initiation of actions which may significantly affect the environment shall in the case of each such proposed action make a detailed written evaluation of its environmental impact before deciding whether to undertake or approve such action. All such environmental impact evaluations shall be detailed statements setting forth the following: (1) A description of the proposed action which shall include, but not be limited to, a description of the purpose and need of the proposed action, and, in the case of a proposed facility, a description of the infrastructure needs of such facility, including, but not limited to, parking, water supply, wastewater treatment and the square footage of the facility; (2) the environmental consequences of the proposed action, including cumulative, direct and indirect effects which might result during and subsequent to the proposed action; (3) any adverse environmental effects which cannot be avoided and irreversible and irretrievable commitments of resources should the proposal be implemented; (4) alternatives to the proposed action, including the alternative of not proceeding with the proposed action and, in the case of a proposed facility, a list of all the sites controlled by or reasonably available to the sponsoring agency that would meet the stated purpose of such facility; (5) an evaluation of the proposed action's consistency and each alternative's consistency with the state plan of conservation and development, an evaluation of each alternative including, to the extent practicable, whether it avoids, minimizes or mitigates environmental impacts, and, where appropriate, a description of detailed mitigation measures proposed to minimize environmental impacts, including, but not limited to, where appropriate, a site plan; (6) an analysis of the short term and long term economic, social and environmental costs and benefits of the proposed action; (7) the effect of the proposed action on the use and conservation of energy resources; and (8) a description of the effects of the proposed action on sacred sites or archaeological sites of state or national importance. In the case of an action which affects existing housing, the evaluation shall also contain a detailed statement analyzing (A) housing consequences of the proposed action, including direct and indirect effects which might result during and subsequent to the proposed action by income group as defined in section 8-37aa and by race, and (B) the consistency of the housing consequences with the long-range state housing plan adopted under section 8-37t. As used in this section, "sacred sites" and "archaeological sites" shall have the same meaning as in section 10-381.

(d) (1) The Council on Environmental Quality shall publish a document at least once a month to be called the Environmental Monitor which shall include any notices the council receives pursuant to sections 22a-1b to 22a-1i, inclusive, and shall include notice of the opportunity to request for a public scoping meeting. Filings of such notices received by five o'clock p.m. on the first day of each month shall be published in the Environmental Monitor that is issued not later than ten days thereafter.

(2) The Council on Environmental Quality shall post the Environmental Monitor on its Internet site and distribute a subscription or a copy of the Environmental Monitor by electronic mail to any state agency, municipality or person upon request. The council shall also provide the Environmental Monitor to the clerk of each municipality for posting in its town hall.

**Sec. 22a-1c. Actions which may significantly affect the environment.
Definition.**

As used in sections 22a-1 to 22a-1i, inclusive, "actions which may significantly affect the environment" means individual activities or a sequence of planned activities proposed to be undertaken by state departments, institutions or agencies, or funded in whole or in part by the state, which could have a major impact on the state's land, water, air, historic structures and landmarks as defined in section 10-320c, existing housing, or other environmental resources, or could serve short term to the disadvantage of long term environmental goals. Such actions shall include but not be limited to new projects and programs of state agencies and new projects supported by state contracts and grants, but shall not include (1) emergency measures undertaken in response to an immediate threat to public health or safety; or (2) activities in which state agency participation is ministerial in nature, involving no exercise of discretion on the part of the state department, institution or agency.

Sec. 22a-1d. Review of environmental impact evaluations. Notification to municipalities and agencies

(a) Environmental impact evaluations and a summary thereof, including any negative findings shall be submitted for comment and review to the Council on Environmental Quality, the Department of Environmental Protection, the Connecticut Historical Commission, the Office of Policy and Management, the Department of Economic and Community Development in the case of a proposed action that affects existing housing, and other appropriate agencies, and to the town clerk of each municipality affected thereby, and shall be made available to the public for inspection and comment at the same time. The sponsoring agency shall publish forthwith a notice of the availability of its environmental impact evaluation and summary in a newspaper of general circulation in the municipality at least once a week for three consecutive weeks and in the Environmental Monitor. The sponsoring agency preparing an environmental impact evaluation shall hold a public hearing on the evaluation if twenty-five persons or an association having not less than twenty-five persons requests such a hearing within ten days of the publication of the notice in the Environmental Monitor.

(b) All comments received by the sponsoring agency and the sponsoring agency's responses to such comments shall be forwarded to the Secretary of the Office of Policy and Management.

(c) All comments and responses so forwarded to the Secretary of the Office of Policy and Management shall be available for public inspection.

Sec. 22a-1e. Review and determination by Office of Policy and Management

The Office of Policy and Management shall review all environmental impact evaluations together with the comments and responses thereon, and shall make a written determination as to whether such evaluation satisfies the requirements of this part and regulations adopted pursuant thereto, which determination shall be made public and forwarded to the agency, department or institution preparing such evaluation. Such determination may require the revision of any evaluation found to be inadequate. Any member of the Office of Policy and Management which has prepared an evaluation and submitted it for review shall not participate in the decision of the office on such evaluation. The sponsoring agency shall take into account all public and agency comments when making its final decision on the proposed action.

Sec. 22a-1f. Exceptions

(a) Environmental impact evaluations need not be prepared for projects for which environmental statements have previously been prepared pursuant to other state or federal laws or regulations, provided all such statements shall be considered and reviewed as if they were prepared under sections 22a-1a to 22a-1f, inclusive.

(b) Environmental impact evaluations shall not be required for the Connecticut Juvenile Training School project, as defined in subsection (l) of section 4b-55, and the extension of such project otherwise known as the Connecticut River Interceptor Sewer Project, or a project, as defined in subdivision (16) of section 10a-109c, which involves the conversion of an existing structure for educational rather than office or commercial use.

(c) A constituent unit of the state system of higher education may provide for environmental impact evaluations for any priority higher education facility project, as defined in subsection (f) of section 4b-55, or for any higher education project involving an expenditure of not more than two million dollars, by (1) reviewing and filing the evaluation for such project with the Office of Policy and Management for its review pursuant to section 22a-1e, or (2) including such project in a cumulative environmental impact evaluation approved by the Office of Policy and Management.

Sec. 22a-1g. Regulations

Within six months of October 1, 1977, the Commissioner of Environmental Protection shall adopt regulations to implement the provisions of sections 22a-1a to 22a-1f, inclusive. Such regulations shall include: (1) Specific criteria for determining whether or not a proposed action may significantly affect the environment; (2) provision for enumerating actions or classes of actions which are subject to the requirements of this part; (3) guidelines for the preparation of environmental impact evaluations, including the content, scope and form of the evaluations and the environmental, social and economic factors to be considered in such evaluations; and (4) procedures for timely and thorough state agency and public review and comment on all environmental impact evaluations required by this part and for such other matters as may be needed to assure effective public participation and efficient implementations of this part.

Sec. 22a-1h. Environmental impact evaluations

Until the adoption of regulations in accordance with the provisions of section 22a-1g, each state agency, department and institution shall prepare environmental impact evaluations in accordance with sections 22a-1b, 22a-1c and 22a-1d.

VI. CEPA REGULATIONS

The following regulations were adopted by the Department of Environmental Protection in 1972 to guide Connecticut state agencies in the preparation of Environmental Impact Evaluations (as required by Section 22a-1g of the Connecticut Environmental Policy Act). Because of changes made to the Connecticut Environmental Policy Act in 2002, these regulations will need to be amended. At this time, these regulations, while still in effect, do not reflect the changes made to the Act in 2002.

Sec. 22a-1a-1. Definitions

As used in Secs. 22a-1a-1 through 22a-1a-12, inclusive:

1. **Act** means Secs. 22a-1 to 22a-1f of the Connecticut General Statutes.
2. **Action** means an individual activity or a sequence of planned activities initiated or proposed to be undertaken by an agency or agencies, or funded in whole or in part by the state. Actions include, but are not limited to, capital improvements, alterations, repairs, or additions to the real property of the state; acquisition of real property for the purpose of capital improvements; lease/purchase agreements; grants-in-aid or financial assistance for housing, business, industry, restoration or demonstration projects; or other proposed activity for which an agency exercises judgment or discretion as to the propriety of that action.
3. **Environment** means the physical, biological, social, and economic surroundings and conditions which exist within an area which may be affected by a proposed action including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance and community or neighborhood characteristics.
4. **Environmental Assessment** means a process to determine if a proposed action listed under Section 22a-1a-4(b)(2) may have a significant impact on the environment.
5. **Environmental Classification Document** means a document used by a sponsoring agency in conjunction with these regulations to determine which of its actions may have significant impacts.
6. **Environmental Impact Evaluation** means a detailed written document concerning the environmental impacts of a proposed action.
7. **Finding of No Significant Impact** means a written document concerning the environmental impacts of a proposed action listed in an environmental classification document which would not have a significant environmental impact.
8. **Sponsoring Agency** means an agency responsible for the preparation of environmental classification documents, environmental impact evaluations, and findings of no significant impact.

Sec. 22a-1a-2. Determination of sponsoring agency

(a) Each agency responsible for the primary recommendation or initiation of actions is considered a sponsoring agency for the purpose of preparing environmental classification documents, environmental impact evaluations, and findings of no significant impact. When more than one agency is involved in the primary recommendation or initiation of an action, one of those agencies shall act as the sponsoring agency. The participating agency which is determined not to be the sponsoring agency shall share the responsibility for the scope and content of documents prepared pursuant to these regulations.

(b) The determination of sponsoring agency shall be based on:

1. Magnitude of agency's involvement;
2. Activity approval/disapproval authority;
3. Expertise concerning the action's environmental effects;
4. Duration of agency's involvement;
5. Sequence of agency's involvement.

(c) The sponsoring agency may delegate the task of preparing environmental impact evaluations and findings of no significant impact. When such a document is prepared under contract for the sponsoring agency, the contractor shall execute a disclosure statement specifying that it has no financial interest in the outcome of the action. If an environmental document is prepared by contract, the sponsoring agency and other participating agencies shall furnish guidance and participate in the preparation and shall independently evaluate the document prior to its general circulation.

Sec. 22a-1a-3. Determination of environmental significance

Significant effect means substantial adverse impact on the environment. The significance of a likely consequence should be assessed in connection with its setting, its probability of occurring, its duration, its irreversibility, its controllability, its geographic scope, and its magnitude. The following factors shall be considered by agencies in preparation of environmental classification documents and in determining whether a proposed action may be expected to have a significant environmental effect.

(a) **Direct and indirect effects.** Direct effects are the primary environmental consequences which would result from the implementation of a proposed action. Indirect effects are the secondary consequences on local or regional social, economic or natural conditions or resources which could result from additional activities (associated investments and changed patterns of social and economic activities) induced or stimulated by the proposed action, both in the short-term and in the long-term. For the purposes of determining environmental significance, direct and indirect effects on the environment shall be considered, including but not limited to the following potential or actual consequences:

- (1) Impact on air and water quality or on ambient noise levels;

- (2) Impact on a public water supply system or serious effects on groundwater, flooding, erosion or sedimentation;
- (3) Effect on natural land resources and formations, including coastal and inland wetlands, and the maintenance of in-stream flows;
- (4) Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings;
- (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;
- (6) Use of pesticides, toxic or hazardous materials or any other substance in such quantities as to create extensive detrimental environmental impact;
- (7) Substantial aesthetic or visual effects;
- (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;
- (9) Disruption or division of an established community or inconsistency with adopted municipal and regional plans;
- (10) Displacement or addition of substantial numbers of people;
- (11) Substantial increase in congestion (traffic, recreational, other);
- (12) A substantial increase in the type or rate of energy use as a direct or indirect result of the action;
- (13) The creation of a hazard to human health or safety;
- (14) Any other substantial impact on natural, cultural, recreational or scenic resources.

(b) **Cumulative Impacts.** Cumulative impacts are the impacts on the environment which result from the incremental impact of the action when added to other past, present or reasonably foreseeable future actions to be undertaken by the sponsoring agency. For the purposes of these regulations, cumulative impacts include the incremental effects of similar actions with similar environmental impacts and the incremental effects of a sequence of actions undertaken pursuant to an ongoing agency program which may have a significant environmental impact, whereas the individual component actions would not.

Sec. 22a-1a-4. Environmental classification documents

- (a) Each sponsoring agency shall prepare an environmental classification document.
- (b) The agency environmental classification document shall include:

(1) A list of typical agency actions which may have significant impacts on the state's land, water, air or other environmental resources, or which could serve short-term to the disadvantage of long-term environmental goals, thereby requiring the preparation of an environmental impact evaluation.

(2) A list of typical agency actions whose degree of impact is indeterminate, in the absence of information on the proposed location and scope of a specific action, but which could have significant environmental impacts. For each of these listed actions, when one is proposed, the sponsoring agency shall undertake an environmental assessment, using the criteria set forth in Section 22a-1a-3, to determine whether it shall prepare an environmental impact evaluation or a finding of no significant impact.

(3) A list of typical federal/state actions for which environmental impact statements are prepared pursuant to the National Environmental Policy Act, and for which the agency is the cognizant or sponsoring agency in the state.

Sec. 22a-1a-5. Review of agency environmental classification documents

(a) Each sponsoring agency shall file its environmental classification document with the Office of Policy and Management not later than sixty (60) days after the effective date of these regulations.

(b) Each environmental classification document shall be made available to the Department of Environmental Protection, the Council on Environmental Quality, and other appropriate governmental agencies as determined by the sponsoring agency. The sponsoring agency shall also make it available to interested persons.

(c) The sponsoring agency shall publish a notice of the availability of its environmental classification document in the Connecticut Law Journal and such other newspapers, journals, and periodicals as it deems adequate to insure adequate public notice.

(d) Any person may comment, in writing, on any environmental classification document within forty-five (45) days of the date of its availability. All comments should be forwarded to the Office of Policy and Management, which shall distribute them to the Department of Environmental Protection, the Council on Environmental Quality, and the sponsoring agency.

(e) The Office of Policy and Management, following consultation with the Department of Environmental Protection, the Council on Environmental Quality and the sponsoring agency shall approve each environmental classification document, or disapprove it with recommendations for change. Upon approval, each environmental classification document shall be filed with the Office of Policy and Management and shall be the basic criterion for the agency's determination whether or not to prepare an environmental study.

Sec. 22a-1a-6. Revision of environmental classification documents

Each environmental classification document shall be amended by the sponsoring agency to reflect significant changes in the agency's programs or operations. Each sponsoring agency shall review and revise as necessary its environmental classification

document at least every two years following initial approval by the Office of Policy and Management.

Sec. 22a-1a-7. Environmental impact evaluations

(a) Environmental impact evaluations shall be prepared for those proposed actions listed in an environmental classification document which may have significant environmental impacts. They shall provide full and fair discussions of environmental impacts, inform decision makers and the public of all reasonable alternatives, and compare the impacts of the alternatives on the environment.

(b) An environmental impact evaluation shall be prepared as close as possible to the time an agency proposes an action. The evaluation shall be prepared early enough so that it can practically serve as an important contribution to the decision-making process and shall not be used to rationalize or justify decisions already made. Preparation of an environmental impact evaluation shall not prevent an agency from conducting contemporaneous engineering, economic, feasibility and other studies which do not otherwise commit the agency to commence or engage in such action or limit the choice of reasonable alternatives.

(c) The sponsoring agency shall conduct an early and open process for determining the scope of issues to be addressed in an environmental impact evaluation. Through the process, the sponsoring agency shall identify the significant issues to be analyzed in detail, and eliminate from detailed study the issues which are not significant or which have been covered by prior environmental review. The agency shall invite the participation of federal, state and local agencies with special expertise or jurisdiction by law with respect to any relevant environmental impact, and other interested or affected persons. Such consultation may be integrated with any other early planning meetings or early participatory process the agency has.

(d) If an agency is proposing an action which is an interdependent part of a sequence of planned activities which may have a significant environmental impact and depends on the entire sequence for its justification, or which is part of a program of similar activities, the cumulative impact of which may have a significant environmental impact, a single environmental impact evaluation shall be prepared for that sequence or program. Such an environmental impact evaluation shall cover future component actions of a program or sequence of activities provided that there is no substantive change in the action's environmental setting, environmental impacts or alternatives which would merit a revision to the environmental impact evaluation. Subsequent environmental impact evaluations shall be prepared by the sponsoring agency when such actions have environmental impacts not adequately discussed in the initial evaluation.

(e) An environmental impact evaluation shall be clear, concise, and to the point, and written in plain language so that it may be understood by the general public. Impacts shall be discussed in proportion to their significance and the magnitude of the action.

(f) Environmental impact evaluations shall be prepared in a manner which will encourage clear presentation and independent evaluation of the proposed action and reasonable alternatives to it. Summary technical data, maps and diagrams should be presented as to be understandable to the general public. An agency may incorporate material by reference into an environmental impact evaluation when to do

so will cut down on bulk without impeding agency and public review of the action. Appendices and referenced documents shall be reasonably available for review, except those materials based on proprietary data.

(g) The environmental impact evaluation shall include:

(1) A brief summary which adequately and accurately summarizes the focus and conclusions of the evaluation. The summary shall include the appropriate agency contact person and an environmental impact evaluation distribution list.

(2) A description of the proposed action, a statement of its purpose and need and a justification for the action. Major assumptions concerning growth and population used to justify the action shall be clearly identified. The location and boundaries of the proposed action, if applicable, shall be indicated on a map of appropriate scale.

(3) A description of the environment of the area which would be affected by the proposed action, as it currently exists prior to commencement of the action. This description shall include the cultural, economic, recreational and ecological characteristics and activities, both in the immediate location of the proposed action and areas that would be affected by the action.

(4) A description and analysis of the reasonable alternatives to the proposed action, particularly those which might enhance environmental quality or avoid some or all of the adverse environmental effects. This discussion shall include but not be limited to alternatives such as taking no action or substituting an action of a significantly different nature which would provide similar benefits with different environmental impacts.

(5) A list of the necessary licenses, permits, certifications or other approvals required to implement the action from government agencies, boards or commissions having relevant regulatory jurisdiction.

(6) A discussion of the potential environmental impact of the proposed action. This discussion shall include:

(A) Direct environmental effects. The primary consequences for the environment during and subsequent to the activity as set forth in Section 22a-1a-3 with emphasis on the most significant effects.

(B) Indirect environmental effects. The secondary consequences for the environment as set forth in Section 22a-1a-3 which result from changes in the pattern of land use, population density, and related effects on air and water or other natural resources.

(C) The relationship of the proposed action to approved land use plans, policies and controls for the affected areas.

(D) Any probable adverse environmental effects which could not be avoided if the proposed action were implemented.

(E) Any irreversible and irretrievable commitments of resources which would occur should the proposed action be implemented. Resources means materials devoted to the proposed action and the natural and cultural resources that would be committed to loss or destruction by the action.

(F) Mitigation measures to the proposed action including: limiting the degree or magnitude of the action; rectifying by repairing, rehabilitation or restoring the impacted environment; reducing or eliminating the impact over time by preservation and maintenance operations; compensating for the impact by replacing or providing substitute resources or environments.

(G) The effects of the proposed activity on energy consumption and energy conservation.

(H) An analysis of the short-term and long-term economic, social and environmental costs and benefits of the proposed action. A comparison of benefits and costs shall be made for reasonable alternatives. The comparative analysis shall explicitly state and evaluate nonquantifiable benefits and costs as well as quantitative benefits and costs.

Sec. 22a-1a-8. Notice, distribution, and review of environmental impact evaluations

(a) The sponsoring agency shall publish notice of the availability of environmental impact evaluations in accordance with Section 22a-1 (d) of the Act and shall utilize such other newspapers, journals and periodicals as it deems necessary to insure adequate public notice.

(b) The sponsoring agency shall distribute environmental impact evaluations in accordance with Section 22a-1 (d) of the Act. In addition, the sponsoring agency shall distribute environmental impact evaluations to persons who have demonstrated an interest or concern in the proposed action, and other persons it deems necessary to insure effective public participation.

(c) Any person may comment, in writing, on an environmental impact evaluation. The initiating agency shall provide a time period of not less than forty-five (45) days for review and comment. If the proposed action is of unusual scope or complexity, the review period may be extended to sixty (60) days.

Sec. 22a-1a-9. Determination of adequacy

(a) A sponsoring agency shall review all comments submitted on an environmental impact evaluation and any other pertinent information it obtains following circulation of an environmental impact evaluation, and conduct further environmental study and analysis or amend the evaluation if it determines appropriate. In all cases, the sponsoring agency shall prepare responses to the substantive issues raised in review of the environmental impact evaluation, and shall forward such responses, as well as any supplemental materials or amendments and all comments received on the evaluation to the Office of Policy and Management.

(b) The sponsoring agency shall prepare a concise public record of decision, taking into consideration its findings in the environmental impact evaluation, and comments

received on that evaluation which it shall forward to the Office of Policy and Management. The record of decision shall state:

- (1) The agency's decision relative to proceeding with the proposed action.
- (2) Whether all practicable means to avoid or minimize environmental harm have been adopted, and if not, why they were not.

(c) To insure the sponsoring agency has complied with the procedural requirements of the Act and these regulations, it shall forward to the Office of Policy and Management;

- (1) Copies of required notices and other advertisements of the availability of an environmental impact evaluation;
- (2) A brief summary of the public hearing record, in those cases when one is conducted in accordance with Section 22a-1a-11;
- (3) A brief summary of consultation with agencies and other persons prior to and during the preparation of the environmental impact evaluation as required by Section 22a-1a-7(b).

(d) The Office of Policy and Management shall make a determination as to the adequacy of an environmental impact evaluation in accordance with Section 22a-1(e) of the Act. If the Office of Policy and Management determines that the environmental impact evaluation is inadequate it shall make such determination specifying the areas of inadequacy with reference to the Act and these regulations.

Sec. 22a-1a-10. Finding of no significant impact

(a) If an agency, in the course of an environmental assessment, finds that a proposed action listed in its environmental classification document would not have a significant environmental impact, it shall prepare a finding of no significant impact.

(b) The finding of no significant impact shall include:

- (1) A description of the proposed action;
- (2) A description of the environment of the area which would be affected by the proposed action, as it currently exists;
- (3) The probable impact of the proposed action on the environment, including both primary and secondary effects.

In the finding of no significant impact, the agency shall include information in reasonable detail to support its belief that the environmental impact which would ensue from the proposed action would not be significant.

(c) The finding of no significant impact shall be submitted by the sponsoring agency to the Office of Policy and Management, the Department of Environmental Protection, the Council on Environmental Quality, and other appropriate agencies as determined by the sponsoring agency. It shall also be submitted to the town clerk of each

municipality affected by the action, and shall be made available to any interested persons.

(d) Any agency or person may comment, in writing, on a finding of no significant impact within thirty (30) days of the date of its availability. All comments shall be sent to the sponsoring agency, which shall forward them to the Office of Policy and Management.

(e) If no dissenting comments regarding the environmental significance of the proposed action are filed during the comment period, the sponsoring agency may proceed with implementation of the action following notification to the Office of Policy and Management. If one or more dissenting comments are filed during the comment period, the Office of Policy and Management shall recommend, following consultation with the Department of Environmental Protection, the Council on Environmental Quality, and the sponsoring agency, within fifteen (15) days following the end of the comment period, whether an environmental impact evaluation should be prepared for the proposed action. If the Office of Policy and Management determines that a finding of no significant impact is appropriate, the agency may proceed with implementation of the action. If the Office of Policy and Management determines that an environmental impact evaluation is appropriate, one shall be prepared, considered and reviewed in accordance with these regulations.

Sec. 22a-1a-11. Public hearings

Public hearings held pursuant to the Act should be conducted, by the sponsoring agency, no sooner than thirty (30) days following the date of availability of an environmental impact evaluation. Public hearings held pursuant to other statutes on proposed actions shall be considered to fulfill the requirements of the Act provided:

- (1) Notification of the hearing states the hearing is being held in accordance with the Act and;
- (2) The environmental impact evaluation has been in public circulation for at least thirty (30) days prior to the date of the hearing.

The sponsoring agency shall consider all oral and written comments received at that public hearing in making a final decision on the proposed action.

Sec. 22a-1a-12. Application of these regulations to federal/state actions

Environmental impact statements prepared for federal/state actions may be submitted in lieu of environmental impact evaluations required by these regulations, in order to avoid unnecessary duplication of effort. Such federally required environmental impact statements shall be circulated for review and comment in accordance with Section 22a-1a-8 of these regulations, and shall be considered by the Office of Policy and Management in accordance with Section 22a-1a-9 of these regulations.

Statement of Purpose

To provide specific criteria for determining which state actions require environmental impact evaluations under the Connecticut Environmental Policy Act; a procedure for

enumerating classes of actions subject to the requirements of the Act; guidelines for the preparation of environmental impact evaluations; procedures for review and comment on environmental impact evaluations; and procedures for effective public participation and effective implementation of the Act.

VII. ENVIRONMENTAL CLASSIFICATION DOCUMENT

The following is the Generic ECD of certain state agencies (excluding DOT, DPH, DEP, and DECD) prepared pursuant to Section 22a-1a-4 of the Regulations of Connecticut State Agencies (revised in 1993):

I. Typical actions for which environmental impact evaluations will always be prepared:

None.

II. Typical actions whose degree of impact is indeterminate but that could have significant environmental impacts. For each of these actions, when one is proposed, an environmental assessment shall be undertaken to determine whether an environmental impact evaluation or a finding of no significant impact shall be prepared:

a. Construction of, addition to or major alteration involving a change in use of a State leased/purchased or owned facility involving 100,000 sq. ft. of floor space if the facility is located in an urban center or urban conservation area and does not encroach upon any existing preserved open space, preservation area or conservation area as defined by the locational guide map and definitional criteria of the Conservation and Development Policies Plan for Connecticut, or 25,000 sq. ft. or more of floor space if the facility is located outside such areas. A facility is defined as one or more concurrently planned or envisioned structures on a site, the sum total of which would equal or exceed the applicable figure for the given location.

b. Construction of new paved roads or lane additions to existing roads at any state facility, the cost of which would equal or exceed \$500,000.

c. Construction of new State leased/purchased or owned parking lots, garages, or additions thereto, that provide for a capacity of 200 vehicles or more.

d. Construction of new State-owned dams or dam changes resulting in a permanent change in water level.

e. Construction of new or expanded sewage treatment plants, hazardous waste or low level radioactive disposal facilities and coal fired heating plants at State facilities.

f. Demolition or major alteration of any building, structure, or site listed on the State Register of Historic Places unless certification is obtained from the State Historical Commission that there will be either no significant adverse historical impact or no feasible or prudent alternative to the proposed action.

g. Any other action that may significantly affect the environment in an adverse manner. The significance of a likely consequence should be assessed by the agency in connection with its setting, its probability of

occurring, its duration, its irreversibility, its controllability, its geographic scope and its magnitude.

Actions that have no environmental impact and for which environmental assessments are not required, except as noted in f above, include repairs and renovations of state facilities, replacements of a structure's architectural features, interior construction and/or renovations, additions and/or renovations to lighting, fire alarm, heating/cooling and mechanical systems, roof repairs, chimney repairs, etc.

III. Any and all joint federal/state actions for which environmental impact documents are prepared pursuant to the National Environmental Policy Act shall be recognized as meeting CEPA requirements provided that such environmental impact documents are circulated in accordance with CEPA regulations.

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX A:
DPW CEPA Document Formats**

DPW Environmental Impact Evaluation Cover Example

When submitting the internal drafts (Working Copy, Revised Working Copy, and Proof Draft), include these text on the cover. However, the public review version will look like this:

ENVIRONMENTAL IMPACT EVALUATION

*Prepared in accordance with the
Connecticut Environmental Policy Act*

Project Title
Town/City, Connecticut

DATE



Sponsoring Agency:
State of Connecticut

Participating Agency:
*State of Connecticut
Department of Public Works*

*DPW Project No.
DPW Contract No.*

Prepared by:
Consultant's Name

EIE Document Outline

Cover (See Cover Example)

Table of Contents

List of Abbreviations

Executive Summary

Proposed Action Description

Purpose and Need

Alternatives Considered

Benefits and Impacts

Potential Certificates, Permits, and Approvals

Conclusion (brief statement on the environmental impacts and process after public review period)

Public Involvement (Early public scoping process and EIE public review period, include name and address of sponsoring agency contact person)

EIE Distribution List

1. Introduction

- 1.1 Description of the Proposed Action
- 1.2 Purpose and Need (Justification for the Action)
- 1.3 Background

2. Alternatives Considered

- 2.1 Alternative Actions (No Action/No Build, programmatic alternatives, etc.)
- 2.2 Alternative Sites Controlled or Reasonably Available
- 2.3 Alternative Design Concepts (Significant Design Alternatives)

3. Existing Environment and Impact Evaluation

- 3.1 Traffic (and Bike & Pedestrian Access)
- 3.2 Air Quality
- 3.3 Noise
- 3.4 Water Resources (include floodplains, floodways, stream channel encroachment lines)
- 3.5 Wetlands
- 3.6 Water Quality (include erosion and sedimentation)
- 3.7 Groundwater Quality and Resources (i.e. Aquifer Protection Area, Public/Private Wells)
- 3.8 Coastal Resources (if applicable)
- 3.9 Endangered, Threatened, or Special Concern Species or Habitats

- 3.10 Fish and Wildlife, Habitats, and Ecosystems (natural areas i.e. ecologically significant/sensitive areas)
- 3.11 Historic Sites, Districts, and Archeologically Sensitive Areas
- 3.12 Visual Resources (aesthetic and scenic resources)
- 3.13 Agricultural Lands and Soils
- 3.14 Pesticides, Toxic or Hazardous Materials
- 3.15 Energy (Use and Conservation)
- 3.16 Public Health and Safety
- 3.17 Consistency with State Environmental Equity Policy
- 3.18 Consistency with Adopted Municipal and Regional Plans (Existing/Proposed Land Use)
- 3.19 Consistency with State Plan of Conservation and Development
- 3.20 Consistency with Connecticut Coastal Management Act (if applicable)
- 3.21 Cumulative Impacts
- 3.22 Construction-Related Impacts

4. Unavoidable Adverse Environmental Impacts

5. Irreversible and Irretrievable Commitment of Resources

7. Summary of Mitigation Measures

8. Cost Benefit Analysis

9. Potential Certificates, Permits, and Approvals

10. Conclusions

11. References

Cite all referenced material in the EIE. Use standard citation protocol for all publications, websites, and verbal communication.

APPENDICES (to include, but limited to:)

- E. Special Studies (traffic, biological, etc.)
- F. Site Photographs
- G. Early Public Scoping Notices and Related Material (CEQ Notice and reviewer responses, including any early public scoping meeting minutes)
- H. Consultant Disclosure Form (included in Appendix C of this Manual.)

DPW Record of Decision Cover Example

STATE OF CONNECTICUT
SPONSORING AGENCY

RECORD OF DECISION

Prepared in accordance with the Connecticut Environmental Policy Act

Project Title
Town/City, Connecticut



DATE

PARTICIPATING AGENCY:
State of Connecticut
Department of Public Works

Record of Decision Outline

Cover/Title Page (See Cover Example)

Sponsoring Agency Cover Letter

Table of Contents

I. Decision

II. Statement of Environmental Impact

III. Summary of Consultation with Agencies and Other Persons

Appendix A: Notices and Advertisements

Appendix B: Early Public Scoping Comments

Appendix C: Public Review Period Comments

Appendix D: Response to Comments

Appendix E: EIE Executive Summary

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX B:
DPW Initial Environmental Review Form**

SECTION B: POTENTIALLY IMPACTED RESOURCES

Check all resource categories to determine if the proposed project/action may or may not have the potential to directly or indirectly affect the following resources:

Resources	Potential Impacts			Comments
	Yes	No	Unknown	
Wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Water bodies	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Water quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Groundwater resources (Aquifer Protection Areas & wells)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Floodplains (100-year)*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Base flood elevation is ft. (NGVD).
Floodways*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Floodway elevation is ft. (NGVD).
Stream channel encroachment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Fish habitats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Wildlife habitats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Endangered, threatened, and special concern species and habitats (NDDDB)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Coastal resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Agricultural lands and/or soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Historic sites and districts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Archeologically sensitive areas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Aesthetic / scenic resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Designated open space and recreational uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Surrounding land uses / neighborhood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Transportation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Utilities and Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

* Based on the community's Flood Insurance Study

Comments or remarks:

SECTION C: DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

Using the information in Sections A and B as a guide in determining environmental significance, qualitatively assess the potential level of significance of the proposed project/action taking into account the direct and indirect effect on the environment.

Potential or Actual Consequences	Potentially Significant with Mitigation	Not Significant with Mitigation	No Anticipated Significant Effects	Effects Undetermined at this time
Impact on air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Impact on ambient noise levels	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Impact public water supply system	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Serious effects on groundwater	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Serious effects on flooding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Serious effects on erosion or sedimentation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effects on natural land resources and formations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effects on tidal wetlands or other coastal resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effects on inland wetlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effects on maintenance of in-stream flows	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disruption or alteration of an historic, archeological, cultural, or recreational building, object, district, site or its surroundings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Effects on natural communities and critical species of animal or plant and their habitats	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Interference with fish and wildlife movement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of pesticides, toxic or hazardous materials or any substance in such quantities as to create extensive detrimental environmental impact	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substantial aesthetic or visual effects	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inconsistency with written and/or mapped policies of the State Conservation and Development Policies Plan or other state plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disruption or division of an established community or inconsistency with adopted municipal and regional plans	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substantial increase in congestion (traffic, recreational, other)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Substantial increase in the type or rate of energy use as a direct or indirect result of the action	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Create a hazard to human health or safety	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other substantial impact on natural, cultural, recreational or scenic resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cumulative Impacts (RSCA Section 22a-1a-3[b])		Potential Impacts <input type="checkbox"/>	No Anticipated Impacts <input type="checkbox"/>	Undetermined at this time <input type="checkbox"/>
MITIGATION MEASURES:				

SECTION D: POTENTIAL ENVIRONMENTAL PERMITS, CERTIFICATIONS, OR APPROVALS

In the absence of detailed project information, such as a developed site layout, detailed plans, field verification of resources, etc., the following is a preliminary assessment of potential environmental permits, certifications, or approvals for the proposed project. This assessment does not replace or eliminate the A/E consultant's obligation to identify and obtain any applicable permits, certifications, or approvals necessary as the project progresses.

Agency and Permit Name	Potentially Applicable	Not Applicable	Undetermined at this time
DEPARTMENT OF ENVIRONMENTAL PROTECTION			
Air Management			
Title V Operating Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Source Review Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Limit Potential to Emit From Major Stationary Sources of Air Pollution (Title V General Permit)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Radiation Division			
X-Ray and Ionizing Radiation Source Registration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Protection and Land Reuse			
Discharge of Domestic Sewage Permit (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Food Preparation Establishment Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Food Processing Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Groundwater Remediation Wastewater Directly to Surface Water (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Groundwater Remediation Wastewater to Sanitary Sewer (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Hydrostatic Pressure Testing Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Minor Boiler Blowdown Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Minor Non-Contact Cooling and Heat Pump Water (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Minor Photographic Processing Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Minor Printing and Publishing Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Minor Tumbling or Cleaning of Parts Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Stormwater and Dewatering Wastewater Associated with Construction Activities (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Stormwater Associated with Commercial Activity (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Stormwater Associated with Industrial Activity (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Swimming Pool Wastewater From a Public Pool (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Vehicle Maintenance Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Discharge of Water Treatment Wastewater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inland Water Resources			
Inland Wetlands & Watercourses Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stream Channel Encroachment Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water Diversion Permit (Detention/Retention Ponds)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inland 401 Water Quality Certification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam Construction Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Flood Management Certification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
De/Retention Pond Review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Authorization for Diversion of Water for Consumptive Use (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dam Safety Repair and Alteration (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Habitat Conservation (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lake, Pond and Basin Dredging (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minor Grading (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Minor Structures (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Utilities and Drainage (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Authorization for Diversion of Remediation Groundwater (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Agency and Permit Name (continued)	Potentially Applicable	Not Applicable	Undetermined at this time
Office of Long Island Sound Programs			
Structures, Dredging & Filling Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tidal Wetlands Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Coastal 401 Water Quality Certification	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Certificate of Permission (Short Permit Process)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consistency with the Coastal Management Act	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Materials Management and Compliance Assurance			
Wastewater Discharge: Ground Water Discharge Permit	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wastewater Discharge: Surface Water Discharge Permit (NPDES)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wastewater Discharge: Pre-treatment Permit (Sewer Permit) for Discharges to Publicly Owned Treatment Works	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Waste Treatment, Storage, & Disposal Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Solid Waste Facilities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
CGS Section 22a-454 Waste Facility	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Special Waste or Asbestos Disposal Authorization	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Storage Tank Registration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aerial Pesticide Application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Aquatic Pesticide Application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Contaminated Soil and/or Sediment Management (GP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Natural Diversity Database (Endangered Species) Review			
NDDB Review Request (<i>endangered, threatened, and special concern species and habitats</i>)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
COMMISSION ON CULTURE AND TOURISM / STATE HISTORIC PRESERVATION OFFICE			
Art in Public Spaces Program	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Impact to Cultural Resources (three part review: new construction [site work/archeological], rehabilitation, and demolition)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEPARTMENT OF PUBLIC WORKS			
Acquisitions/Takings/Municipal Negotiations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Easements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Site Assessment Phase I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Site Assessment Phase II, III, RAP	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Connecticut Environmental Policy Act	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
National Environmental Policy Act	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Life Cycle Cost Analysis (LCCA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Transfer Act Site Assessment (TASA)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground Storage Tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Material Inspection/Abatement Request (asbestos, lead, or indoor air quality)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
DEPARTMENT OF TRANSPORTATION			
State Traffic Commission Review Determination	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
State Traffic Commission Major Traffic Generator Certificate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U. S. ARMY CORPS OF ENGINEERS			
Individual Permit <i>For new fill/excavation discharges greater than 1 acre</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Programmatic General Permit * with review (5,000 SF – 1 acre) * without review (less than 5,000 SF)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U. S. ENVIRONMENTAL PROTECTION AGENCY			
Sole Source Aquifer Review	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments or remarks:

SECTION E: SIGNATURE

THIS INITIAL ENVIRONMENTAL REVIEW WAS CONDUCTED BY:

SIGNATURE OF THE REVIEWER

DATE

NAME AND TITLE OF REVIEWER

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX C:
DPW Record of Environmental Consideration Form**



State of Connecticut

RECORD OF ENVIRONMENTAL CONSIDERATION



Department of Public Works

PROPOSED PROJECT/ACTION INFORMATION:

- Project Title:
- Project Address:
- Sponsoring Agency:
- Sponsoring Agency Representative:
- DPW Project Manager:
- DPW Project Number:
- Project/Action Description:

CONNECTICUT ENVIRONMENTAL POLICY ACT (CEPA) APPLICABILITY:

Environmental Classification Document (ECD):

Determination of Environmental Significance:

Was early public scoping conducted?
If yes, list date:

Was the proposed project/action covered under an existing CEPA document?
If yes, list project title, project number, and date:

BASED ON THE ABOVE INFORMATION THE PROPOSED PROJECT:

- is excluded or exempt from the requirements of CEPA; or
- has been adequately assessed in existing documents (environmental review) and has been determined not to be environmentally significant; therefore, an Environmental Impact Evaluation is not necessary at this stage of the project. However, if the project scope should significantly change, then an updated review should be conducted.

Prepared by:

Date

Environmental Analyst
DPW Technical Services – Environmental Planning

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX D:
DPW Checklist for Permits, Certifications, and Approvals**



Checklist for Permits, Certifications, and Approvals



Project No.:	DPW Project Manager:	
Project Name		
and Location:		
INSTRUCTIONS		
<p>This Checklist shall be submitted with the Consultant's proposal and revised and resubmitted with each design submittal to the DPW Project Manager for all DPW Design-Bid-Build and Design-Build Projects. Copies of the Checklist are to be sent to DPW Environmental Planning and DPW Code Services. The Consultant shall submit drafts of all applications as part of the Design Development submission.</p> <p>For standard-conventional DPW Design-Bid-Build Projects, the Consultant (or in the case of a Design-Build Project, the design-build firm) shall ensure all the required permits, certificates, and/or approvals are obtained for the project. The Consultant shall review all prior environmental documents for the project to determine required permits.</p> <p>The Consultant shall review each permit, certification, or approval to determine if it is applicable to the project. For supplemental information about an individual permit, certification, or approval, contact the appropriate agency or agency website for specific information. Furthermore, as specified in the Consultant's Procedure Manual, the Consultant shall coordinate with the appropriate agency(ies), complete all necessary application forms, and submit the permit(s), certification(s), and/or approvals for the project, EXCEPT FOR DEP Inland Water Resources and State Traffic Commission approvals, the Consultant shall coordinate with DPW Environmental Planning.</p> <p>If additional study is required by the permitting agency, then an additional scope of work can be negotiated with the DPW Project Manager for such services. DPW is responsible for all application fees, except for the "General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities," which shall be submitted and paid for by the General Contractor. However, in the case of the stormwater general permit, the Consultant shall complete all of the required information and include it in the construction contract documents for use by the general contractor.</p> <p>The Consultant must select the appropriate answer from the dropdown menus for each permit, certification, and approval.</p>		
Project Type:	<input type="checkbox"/> Design-Bid-Build Project	<input type="checkbox"/> Design-Build Project
Submitted with:	<input type="checkbox"/> Proposal Phase (preliminary applicable review) <input type="checkbox"/> Schematic Design Phase <input type="checkbox"/> Design Development Phase (include completed drafts of all applicable permit applications) <input type="checkbox"/> Contract Documents Phase <input type="checkbox"/> Tracings and Masters Phase <input type="checkbox"/> Environmental Phase	
Type of Project (<i>new facility; addition; major alteration; renovation, etc.</i>):		
Existing Gross Square Footage (GSF):		
Proposed GSF:		
Proposed GSF to be Demolished:		
Existing Parking Spaces:		
Proposed Parking Spaces:		
Proposed Parking Spaces to be Demolished:		

FEDERAL AGENCIES	
ARMY CORPS OF ENGINEERS (ACOE)	
Programmatic General Permit (PGP) <i>(Category I - without review [less than 5,000 sf]) (Category II - with review [5,000 sf – 1 acre])</i>	978 318-8338
Individual Permit <i>(Does not meet Category II - greater than 1 acre of fill/excavation)</i>	978 318-8338
ENVIRONMENTAL PROTECTION AGENCY (EPA)	
Sole Source Aquifer Review <i>(CT has two Sole Source Aquifers: the Pootatuck Aquifer (Newtown, Monroe, and Easton) and the Pawcatuck River Aquifer (Stonington and North Stonington))</i>	617 565-1665
FEDERAL AVIATION ADMINISTRATION (FAA)	
Notice of Proposed Construction or Alteration	781 238-7520
FEDERAL COMMUNICATIONS COMMISSION (FCC)	
General Mobile Radio Service License	888 225-5322
UNITED STATES ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)	
Americans with Disabilities Act	800 872-2253
STATE AGENCIES	
CONNECTICUT COMMISSION ON CULTURE AND TOURISM (CCT)	
Art in Public Spaces Program	860 256-2800
State Historic Preservation Office (SHPO): Impact to Cultural Resources <i>(Three part review: New construction [site work / archeological], Rehabilitation, and Demolition)</i>	860 566-3005
CONNECTICUT SITING COUNCIL (CSC)	
Certificate of Environmental Compatibility & Public Need <i>(Towers, Transmission Lines and Hazardous Waste Storage Facilities)</i>	860 827-2935
DEPARTMENT OF AGRICULTURE (DOA)	
Farmland Preservation Program <i>(25 plus acres of prime or statewide farmland soils) Contact DPW Environmental Planning</i>	860 713-2511
DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP)	
Permits Assistance Office	860 424-3003
Central Permit Processing Unit	860 424-4004
Bureau of Air Management (Individual Permits)	
Title V Operating Permit	860 424-4152
New Source Review Permit <i>(Permit to Construct/Operate)</i>	860 424-4152
Bureau of Air Management (General Permits)	
Limit Potential to Emit from Major Stationary Sources of Air Pollution (Title V General Permit)	860 424-4152

Bureau of Air Management, Radiation Division

X-Ray and Ionizing Radiation Source Registration	860 424-3029			
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Bureau of Materials Management and Compliance Assurance (Individual Permits)

Surface Water Discharge Permit (NPDES)	860 424-3018			
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Ground Water Discharge Permit	860 424-3018			
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Pre-treatment Permit (Sewer Permit) for Discharges to Publicly Owned Treatment Works	860 424-3018			
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Aerial Pesticide Application	860 424-3369			
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Aquatic Pesticide Application	860 424-3369			
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Asbestos Disposal Authorization	860 424-3366			
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Hazardous Waste Treatment, Storage, and Disposal Facilities	860 424-3372			
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Solid Waste Facilities	860 424-3366			
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Special Waste Disposal Authorization	860 424-3567			
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Underground Storage Tank Registration	860 424-3374			
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CGS Sec. 22a-454 Waste Facility	860 424-3372			
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Bureau of Materials Management and Compliance Assurance (General Permits)

Contaminated Soil and/or Sediment Management (Staging and Transfer)	860 424-3372			
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Bureau of Water Protection and Land Reuse (General Permits)

Domestic Sewage	860 424-3003			
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Food Preparation Establishment Wastewater	860 424-3755			
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Food Processing Wastewater	860 424-3003			
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Groundwater Remediation Wastewater Directly to Surface Water	860 424-3003			
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Groundwater Remediation Wastewater to a Sanitary Sewer	860 424-3003			
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Hydrostatic Pressure Testing Wastewater	860 424-3003			
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Minor Boiler Blowdown Wastewater	860 424-3003			
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Minor Non-Contact Cooling and Heat Pump Water	860 424-3003			
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Minor Photographic Processing Wastewater	860 424-3003			
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Minor Printing and Publishing Wastewater	860 424-3003			
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Minor Tumbling or Cleaning of Parts Wastewater	860 424-3003			
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Miscellaneous Discharges of Sewer Compatible (MISC) Wastewater	860 424-3003			
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Stormwater and Dewatering Wastewater Associated with Construction Activities	860 424-3003			
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(Greater than 1-acre of site disturbance)

Stormwater Assoc. w/ Commercial Activity	860 424-3003			
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Agency / Permit	Telephone No.	Is the permit required?	Who's responsible to obtain the permit?	Permit status
Stormwater Assoc. w/ Industrial Activity	860 424-3003			
Swimming Pool Wastewater (Public Pool)	860 424-3003			
Vehicle Maintenance Wastewater	860 424-3003			
Water Treatment Wastewater	860 424-3003			
<i>Inland Water Resources Division (Individual Permits) (Contact DPW Env. Planning for DEP Coordination 860-713-5706)</i>				
Dam Construction Permit	860 424-3706			
De/Retention Pond Review	860 424-3706			
Flood Management Certification	860 424-3706			
Inland 401 Water Quality Certification	860 424-3019			
Inland Wetlands & Watercourses Permits	860 424-3019			
Stream Channel Encroachment	860 424-3019			
Water Diversion Permit <i>(Detention/Retention Ponds)</i>	860 424-3019			
<i>Inland Water Resources Division (General Permits) (Contact DPW Env. Planning for DEP Coordination 860-713-5706)</i>				
Dam Safety Repair and Alteration	860 424-3019			
Diversion of Remediation Groundwater	860 424-3019			
Diversion of Water for Consumptive Use	860 424-3019			
Habitat Conservation	860 424-3019			
Lake, Pond and Basin Dredging	860 424-3019			
Minor Grading	860 424-3019			
Minor Structures	860 424-3019			
Utilities and Drainage	860 424-3019			
<i>Office of Long Island Sound Programs</i>				
Structures, Dredging & Filling Permit	860 424-3034			
Tidal Wetlands Permit	860 424-3034			
Coastal 401 Water Quality Certification	860 424-3034			
Certificate of Permission <i>(Short Permit Process)</i>	860 424-3034			
Consistency with Coastal Management Act	860 424-3034			
<i>Natural Diversity Database Review</i>				
NDDB Review Request <i>(Endangered, threatened, and special concern species and habitats)</i>	860 424-3589			

DEPARTMENT OF PUBLIC HEALTH (DPH)

Asbestos Abatement Notification	860 509-7367
Asbestos Alternative Work Practice Approvals	860 509-7367
Asbestos Management Plan	860 509-7367
Child Day Care Licensing Program	860 509-8045
Demolition Notification Form	860 509-7367
Environmental Laboratory Certification	860 509-7389
Lead-Based Paint	860 509-7299
Public Water System Approval	860 509-7333
Subsurface Sewage Disposal System (Septic tanks)	860 509-7296
Swimming Pools	860 509-7296

FOR THRESHOLD LIMIT PROJECTS

The following procedure is required for all DPW administered state construction projects that **DO EXCEED statutory threshold limits.**
For non-threshold limit projects go to DPW Technical Services – Codes Section of the Checklist.

DEPARTMENT OF PUBLIC SAFETY (DPS)**Division of Fire, Emergency and Building Services**

Office of the State Building Inspector (OSBI) (Do not contact OSBI initially, first contact DPW Code Services)	860 685-8310
Building Permit Application (Do not contact OSBI initially, first contact DPW Code Services)	
ICC Plan Review Record Forms	
Connecticut State Demolition Code	
Certificate of Compliance	
Certificate of Occupancy	
Statement of Special Inspections	
Third Party Structural Review	
Building Code Modification Request (Do not contact OSBI initially, first contact DPW Code Services)	
Accessibility Exemption Waiver Request (Do not contact OSBI initially, first contact DPW Code Services)	
Chair Lifts, Wheelchair, and Limited Elevators Application Request (Do not contact OSBI initially, first contact DPW Code Services)	
Office of the State Fire Marshal (OSFM) (Do not contact OSFM initially, first contact DPW Code Services)	860 685-8380
Fire Code Modification Request (Do not contact OSFM initially, first contact DPW Code Services)	860 685-8350

DEPARTMENT OF PUBLIC UTILITY CONTROL (DPUC)

Note: The Consultant shall not contact the Department of Public Utility Control (DPUC) unless requested to do so by the DPW-Project Manager. In the event that the utility company and DPW are unable to reach an agreement with regard to utility services for the project the Consultant may be instructed to contact the DPUC.

Utility Service: 860 827-2629

DEPARTMENT OF PUBLIC WORKS (DPW)**Leasing and Property Transfers**

Acquisitions/Takings/Municipal Negotiations 860 713-5682

Legal Services

Easements 860 713-5662

Technical Services – Environmental and Energy

Connecticut Environmental Policy Act (CEPA) 860 713-5706

Environmental Site Assessments: 860 713-5705

Phase I

Phase II

Phase III

Remedial Action Plan (RAP)

Hazardous Material Inspection/Abatement Request (asbestos, lead, or indoor air quality) 860 713-5709

Life Cycle Cost Analysis (LCCA) 860 713-5705

National Environmental Policy Act (NEPA) 860 713-5706

Transfer Act Site Assessment (TASA) 860 713-5705

Underground Storage Tanks 860 713-5705

FOR NON-THRESHOLD LIMIT PROJECTS

The following procedure is required for all DPW administered state construction projects that **DO NOT EXCEED statutory threshold limits**. For threshold limit projects go to DPS Section of the Checklist.

Technical Services - Codes 860 713-5705

Building and Fire Safety Codes Review

Schematic Design Submittal

Design Development Submittal

Contract Documents Submittal

Tracings & Masters Submittal

ICC Plan Review Record Forms

Certificate of Compliance

Statement of Special Inspections

Third Party Structural Review

Building Code Modification Request
(DPW Code Services Unit reviews all building and fire safety code requests, as the authority having jurisdiction, & sends requests to DPS.)

Accessibility Exemption Waiver Request

Chair Lifts, Wheelchair, and Limited Elevators Application Request

Fire Code Modification Request
(DPW Code Services Unit reviews all building and fire safety code requests, as the authority having jurisdiction, & sends requests to DPS.)

Connecticut State Demolition Code

Construction Project Close-out:	
Certificate of Substantial Completion	
Certificate of Compliance	
Certificate of Acceptance	
Certificate of Completion	
Certificate of Compliance Requirements for Fire Alarm System Inspection Testing Certification for all Protective signaling Systems.	

DEPARTMENT OF SOCIAL SERVICES (DSS)

Certificate of Need (<i>Nursing home facilities</i>)	860 424-5105
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DEPARTMENT OF TRANSPORTATION (DOT) / STATE TRAFFIC COMMISSION (STC)

(Contact DPW Environmental Planning for STC Coordination 860-713-5706)

STC Review Determination	860 594-3020
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STC Major Traffic Generator Certificate	860 594-3020
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OFFICE OF HEALTH CARE ACCESS (OHCA)

Certificate of Need (<i>Non-nursing home facilities</i>)	860 418-7038
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MUNICIPAL

CITY OF HARTFORD

Greater Hartford Flood Certificate of Approval	860 722-6206
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MUNICIPALITIES

Planning and Zoning

(Note: State agencies are exempt from local planning and zoning regulations. However, where possible the goal is to be consistent with local regulations.)

Building Demolition Permit

UTILITY SERVICE COMPANIES

Energy Conservation Programs	
Energy Conscious Construction Northeast Utilities (NU)	860 665-2711
Energy Blueprint <i>United Illuminating Company (UI)</i>	860 499-2032

UTILITY SERVICES

(A copy of the specific project data from the utility company including the date of the agreement shall be sent to the design engineer.)

Date of Agreement

- Cable TV
- Closed Circuit TV (Agency System)
- Electric (NU, UL etc.)
- Fire Alarm (Connected to Fire Dept.)
- Gas (CNG, YES etc.)
- Security Systems
- Septic - (Dept. of Health/DEP)
- Sewer (town, MDC, agency-owned systems, etc.)
- Telephone
- Water Supply (Utility)
- Other:

OTHER PERMITS, CERTIFICATIONS, OR APPROVALS

COMMENTS

SIGNATURE

At this submission phase, I/we have reviewed each permit, certification, and approval to determine if it is applicable to the project and will prepare all necessary permit, certification, or approval applications, as well as all required documentation for each application, for the project.

Signed: _____

Date:

Architect/Engineer

Print Name:

Firm Name:

Phone Number:

Attach comments to this Checklist if needed. In addition to submitting this Checklist to the DPW Project Manager, submit a copy of just the Checklist to:

Department of Public Works
Environmental Planning
165 Capitol Avenue, Room 275
Hartford, Connecticut 06106
Or via fax: (860) 713-7250

AND

Department of Public Works
Codes Services
165 Capitol Avenue, Room 280
Hartford, Connecticut 06106
Or via fax: (860) 713-7251

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX E:
DPW CEPA Mitigation Measures Checklist Form**



State of Connecticut

Mitigation Measures Checklist



Department of Public Works

This Mitigation Measures Checklist (MMC) shall be submitted with the Consultant's *Final* Environmental Impact Evaluation (EIE) to DPW Environmental Planning for all DPW Design-Bid-Build and Design-Build Projects.

The MMC is intended to summarize the conditions or mitigation measures that were recommended in the EIE in order to minimize adverse environmental impacts and restore or enhance environmental quality. The MMC, however, does not replace the A/E Consultant's obligation to continually assess what conditions or mitigations measures the project may require as the project progresses. If multiple sites apply to the project, then an MMC will be filled out for each site.

Is this a revised MMC? Yes No If yes, date of previous MMC: _____ Are multiple sites involved? Yes No

SECTION A: PROPOSED PROJECT/ACTION INFORMATION

Project Title:

Project Address:

Sponsoring Agency:

Sponsoring Agency Representative:

DPW Project Manager:

DPW Project Number:

Project/Action Description:

SECTION B: MITIGATION MEASURES CHECKLIST

Review the EIE to determine the significance of the effects of the proposed project or action on the character, features and resources of the project area. If it is determined that the proposed project or action will have an adverse impact on the environment, then describe the conditions or mitigation measures that are recommended in order to minimize adverse environmental impacts and restore or enhance environmental quality. If additional space is necessary, attach a separate piece of paper and note the "Environmental Impact" to which the "Recommended Mitigation Measures" apply.

Environmental Impact	Mitigation Necessary? (Y/N)	Recommended Mitigation Measures
Traffic (include bike and pedestrian access)		
Air Quality		
Noise		
Water Resources (include floodplains, floodways, stream channel encroachment lines)		

Environmental Impact	Mitigation Necessary? (Y/N)	Recommended Mitigation Measures
Wetlands		
Water Quality (include erosion and sedimentation)		
Groundwater Quality and Resources (i.e., Aquifer Protection Area, public/private wells)		
Coastal Resources (if applicable)		
Endangered, Threatened, or Special Concern Species or Habitats		
Fish and Wildlife, Habitats, and Ecosystems (natural areas i.e., ecologically significant/sensitive areas)		
Historic Sites, Districts, and Archeologically Sensitive Areas		
Visual Resources (aesthetic and scenic resources)		
Agricultural Lands and Soils		
Pesticides, Toxic or Hazardous Materials		
Energy (use and conservation)		
Public Health and Safety		
Consistency with State Environmental Equity Policy		
Consistency with Adopted Municipal and Regional Plans		
Consistency with State Plan of Conservation and Development		
Consistency with Connecticut Coastal Management Act (if applicable)		
Cumulative Impacts		

Environmental Impact	Mitigation Necessary? (Y/N)	Recommended Mitigation Measures
Construction-Related Impacts		

SECTION D: SIGNATURE

THIS MITIGATION MEASURES CHECKLIST WAS PREPARED BY:

SIGNATURE OF THE PREPARER

DATE

NAME AND TITLE OF PREPARER

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX F:
DPW Consultant Disclosure Statement Form**



State of Connecticut

Environmental Consultant Disclosure Statement



Department of Public Works

PROPOSED PROJECT/ACTION INFORMATION:

Project Title:

Project Address:

Sponsoring Agency:

Sponsoring Agency Representative:

DPW Project Manager:

DPW Project Number:

Project/Action Description:

ENVIRONMENTAL CONSULTANT DISCLOSURE STATEMENT:

I, _____, hereby declare that neither, _____
 (Name of Officer or Principal of Firm) (Name of Corporation or Firm)
 nor any of its shareholders, principals or partners, as the case may be, has any financial interest in the outcome of the environmental assessment or the use of the property described above, and will not have such interest at any time during the term of the contract or task letter, which is later.

Authorized Signature:

Typed Name:

Date

Name of Firm:

Address of Firm:

Copies To:

Environmental Analyst: J. Bolton, DPW

Project Manager:

Project File:

*Connecticut Department of Public Works
Connecticut Environmental Policy Act Manual*

**APPENDIX G:
Copy of Standard DPW CEPA/NEPA Contract**

**STATE OF CONNECTICUT
DEPARTMENT OF PUBLIC WORKS**

**ENVIRONMENTAL CONSULTANT'S CONTRACT FOR NEPA/CEPA ENVIRONMENTAL SERVICES
ON-CALL TASKS**

CONTRACT NUMBER:

This contract is entered into this _____ day of _____, _____, by and between the State of Connecticut, hereinafter called the "State," acting herein by its Commissioner of the Department of Public Works (DPW), under the provisions of Sections 4-8 and 4b-1 of the Connecticut General Statutes, as revised, and

hereinafter called the "Consultant."

WITNESSETH

Whereas the State is desirous of having the Consultant provide environmental services for various projects throughout the State, and

Whereas the Consultant is experienced as to such work, and

Whereas the Consultant is desirous of performing such work;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, the parties hereto do hereby agree as follows:

I. GENERAL

For each specific task assigned under this contract, the Consultant shall furnish a project manager, engineers, environmental specialists, and other personnel to do work when directed as hereinafter provided. For all such tasks, the Consultant agrees to follow specific provisions as may be required by the DPW and set forth in the two (2) DPW documents entitled "Consultants Procedure Manual," dated March 24, 2005, and "Connecticut Environmental Policy Act (CEPA) Procedure Manual" prepared by the State of Connecticut, Department of Public Works, and in the Department of Environmental Protection document entitled "Transfer Act Site Assessment Guidance Document," copies of which three (3) documents were given to the Consultant prior to this contract being entered into, and which may be modified from time to time. The relevant portions of these three (3) documents are incorporated herein by reference and made a part hereof as though fully set forth herein.

II. SCOPE OF WORK

For each task assigned under this contract, the Consultant shall perform the following services when directed in writing:

A. Environmental impact evaluations:

1. The Consultant shall undertake environmental impact evaluations in accordance with Sections 22a-1 through 22a-1h of the Connecticut General Statutes and Sections 22a-1a-1 through 22a-1a-12 of the Regulations of Connecticut State Agencies, as applicable.
2. The Consultant shall submit for review and approval the number of documents as specified in the task letter, as herein provided in Article III. The documents shall be twelve-point font size, Times New Roman font, letter quality type, on 8 1/2" X 11" white bond paper, with one-inch margins on both sides. The documents shall be single-spaced and double-sided. The Consultant shall include an electronic version of the documents with each submission. The electronic documents shall be in a format approved by DPW.

B. Transfer act site assessment:

1. The Consultant shall undertake Phase I, Phase II, and Phase III site assessments.
2. The Consultant shall submit for review and approval the number of documents as specified in the task letter, as herein provided in Article III.
3. Documents shall be twelve-point font size, Times New Roman font, letter quality type, on 8 1/2" X 11" white bond paper, with one-inch margins on both sides. Each document shall be single-spaced and double-sided.

C. Other environmental services:

1. The Consultant shall provide environmental services in accordance with the specific directions in the task letter. Documents to be provided shall conform to the format stated in subsection (3) of Section B of this article.
2. The task might include but not be limited to: traffic studies, State Traffic Commission (STC) permit applications, archeological surveys, biological assessments (flora, fauna, wetland soils), site remediation plans, pollution prevention plans, regulatory compliance audits (air, water, solid waste, RCRA, health), environmental permit applications (CTDEP, ARCOE, EPA), water supply plan updates and upgrades, waste water treatment plant engineering analyses, and other environmental studies as required by the State.

D. Drawings:

Should the Consultant develop drawings for the tasks under this contract, then the Consultant shall use computer aided drafting software fully compatible with an AutoCAD version as approved in writing by the Department of Public Works in the individual task letters. After the documents to be provided are approved by the Department of Public Works, and at a time specified by the Department of Public Works, the Consultant shall submit an electronic copy of all drawings in a format approved by DPW. Should the work described in this subsection be required for a specific project, the Consultant shall be notified of such in the task letter prepared for the project, as hereinafter provided in Article III. All AutoCAD documentation related to a project shall be of a single media type. All the work called for in this subsection shall be provided by the Consultant at no cost to the State.

III. TASK LETTER

The services specified in Article II herein shall be performed in accordance with the provisions noted in each task letter prepared by the DPW for each task. Each task letter shall detail the scope of the task and shall specify the total fixed-fee compensation, when applicable, for the aforesaid services. The compensation shall be a reasonable amount determined by the Commissioner of the DPW, hereinafter called the "Commissioner." Such letters shall be issued during the time period of the contract as set forth in Article IV and shall specify a time frame for completion of each task. Each task letter shall reference both a DPW project number and a task number specific to the task. No work shall be performed until the Consultant receives the approved task letter.

IV. TIME PERIOD

This contract shall commence with the date this contract was entered into and shall expire on . No new projects may be assigned on or after the expiration date, but all projects assigned prior to the expiration date will be allowed to continue to completion with all the terms and conditions of this contract herein set forth remaining in full force and effect. The term of this contract may be extended in writing by the Commissioner.

V. COMPENSATION

- A. The maximum total cumulative fee allowed the Consultant under this contract shall not exceed **Three Hundred Thousand Dollars (\$300,000.00)**. The Consultant shall be entitled to a payment of ten dollars (\$10.00) at the termination of this contract if at such time the Consultant had not received any fee under this contract.
- B. When approximately 75% of the fee set forth in Section A of this article has been expended, the Consultant shall notify the DPW A/E Contracts Administrator in writing of the amount of work completed to that date

under this contract. Said notification shall include an itemization of all fees that have been paid to the Consultant pursuant to the work.

- C. If for reasons of incomplete scope, complexity, etc., a fixed fee cannot be determined by the Commissioner, the State shall compensate the Consultant for services rendered under this contract on the basis of pre-approved hourly rates for the personnel assigned to perform the services. The hourly rates shall be determined in accordance with the provisions set forth in the Office of Policy and Management General Letter No. 97-1 dated November 21, 1996, which letter is incorporated herein by reference and made a part hereof as though fully set forth herein. Notwithstanding the preceding sentence, a pre-approved hourly rate shall not exceed a reasonable rate, as determined by the Commissioner, taking into consideration the skills and experience of the person providing the services. When pre-approved hourly rates are applicable, the State shall be responsible for payment for overhead and profit, as set forth in OPM General Letter 97-1. Hourly rate payments shall be made in accordance with the terms and conditions of each task letter. Monthly requests for payment shall be submitted on properly prepared invoice forms with attachments showing actual hours worked, pre-approved hourly rates applied, and any allowable additional direct costs included in the statement. The Consultant shall certify that each amount invoiced is both accurate and commensurate with the work performed for the State under this contract. The State reserves the right to periodically audit the Consultant's financial records. It is specifically understood that these hourly rate payments shall only apply for the period of time that the person is actually employed on projects assigned under this contract.
- D. The State agrees to pay the Consultant, for the services described in each task letter, the total fee set forth in the letter. It is understood that no changes or adjustments shall be made in said fee unless the scope of the work performed or to be performed by the Consultant has substantially changed as determined by the Commissioner. In addition, said fee includes all costs of living, travel, and communication, whether within or without the State of Connecticut, connected with the discharge of the Consultant's duties under this contract unless express written notification to the contrary is received from the State.
- E. No payments shall be made until the materials submitted have been reviewed and approved by the DPW.

VI. SUB-CONSULTANTS

- A. Should the Consultant require the services of registered sub-consultants at any time during the duration of this contract, their names and qualifications shall be submitted to the State. Such sub-consultants shall provide evidence of their competence by affixing their seals on any documents prepared by them or under their supervision. The Consultant shall not receive any additional payment from the State in regard to such sub-consultants unless their services relate to hourly-rate assigned work of the Consultant. In such event, the State shall reimburse the Consultant for the cost of such services and in addition shall also pay the Consultant ten percent (10%) of such cost, or such other percentage deemed reasonable by the Commissioner, for overhead and profit.
- B. Should it be necessary for the Consultant to engage the services of a test boring firm for the purposes of this contract, the State shall reimburse the Consultant for the cost of such services and in addition shall also pay the Consultant ten percent (10%) of such cost, or such other percentage deemed reasonable by the Commissioner, for overhead and profit.
- C. Should the Consultant personally wish to perform the services described in Section B of this article, the Consultant shall submit to the State a written quotation of the cost of performing such services. The quotation shall not include, nor shall the Consultant be paid for, an additional percentage of the cost for overhead and profit. The State shall decide whether to allow the Consultant to perform the work with the Consultant's own forces based on the Consultant's quotation, and shall notify the Consultant accordingly.

VII. CHANGES IN SCOPE OF WORK

- A. If at any time during the term of any task assigned under this contract the State should require the Consultant to make any substantial change in the size or scope of the work, including any document already approved, or upon which substantial work had been done pursuant to instruction to proceed, then, and in such event, the Consultant shall make changes as required and shall be entitled to reasonable compensation therefor. The Commissioner shall determine the amount of such compensation and the manner of payment thereof.

- B. In addition, if at any time during the duration of this contract the State should request the Consultant to reduce the scope of services originally agreed upon for any task assigned under this contract, the Consultant shall then reduce said scope of services, as requested, and the Consultant's fee for such task shall be reduced by a fair and equitable amount determined by the Commissioner.

VIII. DISCLOSURE DECLARATION

By acceptance of this contract, the Consultant hereby declares that neither the Consultant nor any of its shareholders, principals, partners, or employees, as the case may be, will have during the duration of this contract any financial interest in the outcome of any task that the Consultant is asked by the State to perform. If, at the time the Consultant is requested to perform a task, such financial interest exists, the Consultant shall immediately disqualify itself in a written notice to the Commissioner.

IX. INSURANCE

The Consultant for the duration of this contract, including any extension of the original contract term, must carry insurance to protect the interest of the State. The Consultant must obtain statutory workers' compensation and employers' liability insurance, comprehensive automobile liability insurance, commercial general liability insurance, and professional services liability insurance, including pollution liability coverage, at not less than the minimum limits as required in this article, all at no cost to the State.

1. Statutory Workers' Compensation and Employers' Liability:

a. Workers' Compensation:	Statutory Limits
b. Employers' Liability:	\$500,000 policy limit
Bodily injury by accident:	\$100,000 each accident
Bodily injury by illness:	\$100,000 each employee

2. Commercial General Liability:

Combined single limit:	\$1,000,000 each occurrence
	\$2,000,000 annual aggregate

3. Comprehensive Automobile Liability:

(to include owned, non owned, and hired vehicles):

Combined single limit:	\$1,000,000 each occurrence
	\$1,000,000 annual aggregate

4. Professional Services Liability Insurance: The Consultant shall furnish evidence by way of a certificate of insurance that it has obtained a professional services liability insurance policy, including pollution liability coverage, with \$ _____ minimum coverage for negligence and errors and omissions. If any claims are paid against its professional services liability insurance policy, the Consultant agrees to purchase additional insurance in order to maintain the minimum coverage of \$ _____. The insurance shall remain in effect during the entire duration of this contract and for five years after substantial completion of the project. For policies written on a "Claims Made" basis, the Consultant agrees to maintain a retroactive date prior to or equal to the effective date of the contract. The Consultant's policy shall provide that it shall indemnify and save harmless the State and its officers, agents and employees from claims, suits, actions, damages and costs of every name and description resulting from negligence and errors and omissions in the work performed by the Consultant under the terms of this contract.

Each of the policies for such kinds of insurance mentioned above shall be issued by an insurance company or companies satisfactory to the DPW and shall contain a provision that coverages will not be changed, cancelled, or non-renewed until at least sixty (60) calendar days' prior written notice has been given to the DPW. Each insurance policy shall state that the insurance company agrees to investigate and defend the insured against all claims for damages to the extent that all alleged damages might be covered by insurance. Such insurance policies shall name the State as an additional insured, except that the State shall not be named as an additional insured with respect to the coverage for the statutory workers' compensation, automobile liability, and employers' liability insurance and to the coverage for professional services liability insurance. Certificates of

insurance showing such coverages as required in this article shall be filed with the DPW prior to the time this contract is executed on behalf of the State.

X. OWNERSHIP OF DOCUMENTS

It is mutually agreed and understood that all finished and unfinished documentation prepared pursuant to this contract shall become the exclusive property of the State, and that the State shall have the right to immediate possession and use thereof. The State agrees that all such documentation is not to be altered by others and is to be used only in conjunction with the project for which it was prepared unless written consent is obtained from the Consultant. Such consent will not be withheld provided the State agrees that upon any alterations of the Consultant's documents by others, or upon reuse of the documents for any other project, the Consultant will be relieved by the State of any and all responsibility arising out of such alterations or reuse in connection therewith. The provisions of this article shall survive the termination of this contract and shall thereafter remain in full force and effect.

XI. PROFESSIONAL STANDARDS

- A. The Consultant covenants and agrees to perform the services called for under this contract in accordance with the standards and practices of the Consultant's profession.
- B. The Consultant, at its expense, shall indemnify and hold harmless the State of Connecticut, its officers, agents, and employees from and against all claims, causes of action, legal proceedings, suits, losses, damages, and expenses initiated, suffered, or claimed to have been suffered by third parties not involved by contract in the project, but only to the extent that they arise out of, or result from, noncompliance with applicable statutes, codes and regulations, or the negligence, errors, or omissions of the Consultant in the performance of this contract; provided, however, that the Consultant shall not be liable by reason of indemnification for any loss caused by the fault or negligence of the DPW or others who are not the responsibility of the Consultant.

XII. SUSPENSION OF THE WORK

- A. The State, at any time, may suspend all or any part of the services of the Consultant. In such event, the Consultant shall be given three (3) days' notice of such suspension in writing by registered or certified mail to the Consultant's address as given for correspondence purposes. The mailing of such notice shall preclude any claim on the part of the Consultant as to failure to receive notice of such suspension.
- B. In the event of suspension by the State as noted above, the Consultant shall be entitled to such compensation as the Commissioner shall deem reasonable.
- C. Should the State reactivate any assigned work covered by this contract, in whole or in part, within one year from the time the work was suspended, any fees paid to the Consultant pursuant to this contract shall be applied as payment on the fees for the work as set forth in this contract at the time of reactivation. Should reactivation occur after a period of suspension exceeding one (1) year, the Consultant and the State may renegotiate the fees for the work based on current conditions or either may unilaterally elect to terminate the remaining work.
- D. In the event the State decides to suspend any work under this contract, the State shall become entitled, after payment of outstanding fees, to all finished and unfinished documents prepared pursuant to this contract.
- E. If the Consultant should be unwilling or unable to perform the services required by this contract at the time the State desires to reactivate the work after a period of suspension, then all finished or unfinished documents prepared pursuant to this contract shall become the property of the State and the State shall have the right to immediate possession and use thereof.

XIII. TERMINATION OF CONTRACT

- A. Notwithstanding any provisions or language in this contract to the contrary, the Commissioner may terminate the contract whenever he determines in his sole discretion that such termination is in the best interest of the State. Any such termination shall be effective by delivery to the Engineer of a written notice of termination. The notice of termination shall be sent by registered or certified mail to the Consultant's address as furnished

to the State for purposes of correspondence, or by hand delivery. Upon receipt of such notice, the Consultant shall both immediately discontinue all services affected (unless the notice directs otherwise) and deliver to the State all data, drawings, specifications, reports, estimates, summaries, and such other information and materials as may have been accumulated by the Consultant in performing its duties under this contract, whether completed or in progress. All such documents, information, and materials shall become the property of the State.

- B. If the termination is for the convenience of the State, the Consultant shall be entitled to receive reasonable compensation for services already satisfactorily performed and accepted, but no amount shall be allowed for anticipated profit on unperformed services. The Commissioner shall determine the amount of such compensation.
- C. If the termination is for reason of failure of the Consultant to fulfill its contract obligations, the State may take over the work and prosecute the same to completion by contract or otherwise. In such event, the Consultant shall be liable to the State for any additional costs occasioned to the State thereby.
- D. If after notice of termination for failure of the Consultant to fulfill its contract obligations it is determined that the Consultant had not so failed, the termination shall be deemed to have been effected for the convenience of the State. In such event, the Consultant shall be entitled to reasonable compensation as provided in Section B of this article.
- E. If the Consultant is a sole proprietor and the Consultant should die during the term of this contract, this contract shall be considered terminated. In the event of such termination, the Consultant's estate shall be entitled to a reasonable payment for any uncompensated work performed to the date of death, and the State shall have title to, and shall have the right to immediate use and possession of, all finished and unfinished documents prepared under this contract. The Commissioner shall determine the amount of such payment.
- F. The rights and remedies of the parties provided in this article are in addition to any other rights and remedies provided by law or under this contract.

XIV. CONFIDENTIALITY OF DOCUMENTS

- A. The Consultant agrees on behalf of the Consultant and the Consultant's principals, employees, agents, heirs, successors and assigns that they shall only utilize drawings, specifications, maps, reports, records or other documents to the extent necessary for the performance of the Consultant's work and duties under this contract. This limitation on use applies to those items produced by the Consultant, as well as to those items received by the Consultant from the Department of Public Works or others in connection with the Consultant's work and duties under this contract.
- B. The Consultant further agrees that said drawings, specifications, maps, reports, records and other documents may not be released to any other entity or person except for the sole purpose of the work described in this contract. No other disclosure shall be permitted without the prior written consent of the Department of Public Works.
- C. The Consultant further agrees that the following provision will be included in its contracts with sub-consultants:

Any and all drawings, specifications, maps, reports, records or other documents associated with the contract work shall only be utilized to the extent necessary for the performance of the work and duties under this contract. Said drawings, specifications, maps, reports, records and other documents may not be released to any other entity or person except for the sole purpose of the work described in this contract. No other disclosure shall be permitted without the prior written consent of the Department of Public Works. When any such drawings, specifications, maps, reports, records or other documents are no longer needed, they shall be destroyed.

XV. NONDISCRIMINATION AND AFFIRMATIVE ACTION PROVISIONS, NONDISCRIMINATION PROVISIONS REGARDING SEXUAL ORIENTATION, EXECUTIVE ORDERS, SEXUAL HARASSMENT POLICY, SUMMARY OF STATE ETHICS LAWS AND CAMPAIGN FINANCE LAWS

For the purposes of this article, the word "contractor" is substituted for and has the same meaning and effect as if it read "Consultant." Section A of this article is inserted in connection with subsection (a) of Section 4a-60 of the Connecticut General Statutes, as revised. Section B of this article is inserted in connection with subsection (a) of Section 4a-60a of the Connecticut General Statutes, as revised.

A. (a) For the purposes of this section, "minority business enterprise" means any small contractor or supplier of materials fifty-one percent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) who are active in the daily affairs of the enterprise, (2) who have the power to direct the management and policies of the enterprise, and (3) who are members of a minority, as such term is defined in subsection (a) of Conn. Gen. Stat. Section 32-9n; and "good faith" means that degree of diligence which a reasonable person would exercise in the performance of legal duties and obligations. "Good faith efforts" shall include, but not be limited to, those reasonable initial efforts necessary to comply with statutory or regulatory requirements and additional or substituted efforts when it is determined that such initial efforts will not be sufficient to comply with such requirements.

For the purposes of this section, "Commission" means the Commission on Human Rights and Opportunities.

For the purposes of this section, "public works contract" means any agreement between any individual, firm, or corporation and the State or any political subdivision of the State other than a municipality for construction, rehabilitation, conversion, extension, demolition or repair of a public building, highway or other changes or improvements in real property, or which is financed in whole or in part by the State, including, but not limited to, matching expenditures, grants, loans, insurance, or guarantees.

(b) (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved, in any manner prohibited by the laws of the United States or of the State of Connecticut. The contractor further agrees to take affirmative action to insure that applicants with job-related qualifications are employed and that employees are treated when employed without regard to their race, color, religious creed, age, marital status, national origin, ancestry, sex, mental retardation, or physical disability, including, but not limited to, blindness, unless it is shown by such contractor that such disability prevents performance of the work involved; (2) the contractor agrees, in all solicitations or advertisements for employees placed by or on behalf of the contractor, to state that it is an "affirmative action-equal opportunity employer" in accordance with regulations adopted by the Commission; (3) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (4) the contractor agrees to comply with each provision of this section and Conn. Gen. Stat. Sections 46a-68e and 46a-68f and with each regulation or relevant order issued by said commission pursuant to Conn. Gen. Stat. Sections 46a-56, 46a-68e, and 46a-68f; (5) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records, and accounts concerning the employment practices and procedures of the contractor as they relate to the provisions of this section and Conn. Gen. Stat. Section 46a-56. If the contract is a public works contract, the contractor agrees and warrants that it will make good faith efforts to employ minority business enterprises as subcontractors and suppliers of materials on such public works project.

(c) Determination of the contractor's good faith efforts shall include, but shall not be limited to, the following factors: The contractor's employment and subcontracting policies, patterns and practices; affirmative advertising, recruitment and training; technical assistance activities and such other reasonable activities or efforts as the Commission may prescribe that are designed to ensure the participation of minority business enterprises in public works projects.

(d) The contractor shall develop and maintain adequate documentation, in a manner prescribed by the Commission, of its good faith efforts.

(e) The contractor shall include the provisions of subsection (b) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor, or manufacturer unless exempted by regulations or orders of the Commission. The contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Conn. Gen. Stat. Section 46a-56; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

(f) The contractor agrees to comply with the regulations referred to in this section as they exist on the date of this contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

B. (a) (1) The contractor agrees and warrants that in the performance of the contract such contractor will not discriminate or permit discrimination against any person or group of persons on the grounds of sexual orientation, in any manner prohibited by the laws of the United States or of the State of Connecticut, and that employees are treated when employed without regard to their sexual orientation; (2) the contractor agrees to provide each labor union or representative of workers with which such contractor has a collective bargaining agreement or other contract or understanding and each vendor with which such contractor has a contract or understanding, a notice to be provided by the Commission on Human Rights and Opportunities advising the labor union or workers' representative of the contractor's commitments under this section, and to post copies of the notice in conspicuous places available to employees and applicants for employment; (3) the contractor agrees to comply with each provision of this section and with each regulation or relevant order issued by said commission pursuant to Section 46a-56 of the Connecticut General Statutes; (4) the contractor agrees to provide the Commission on Human Rights and Opportunities with such information requested by the Commission, and permit access to pertinent books, records, and accounts concerning the employment practices and procedures of the contractor that relate to the provisions of this section and Section 46a-56 of the Connecticut General Statutes.

(b) The contractor shall include the provisions of subsection (a) of this section in every subcontract or purchase order entered into in order to fulfill any obligation of a contract with the State and such provisions shall be binding on a subcontractor, vendor, or manufacturer unless exempted by regulations or orders of the Commission. The contractor shall take such action with respect to any such subcontract or purchase order as the Commission may direct as a means of enforcing such provisions including sanctions for noncompliance in accordance with Section 46a-56 of the Connecticut General Statutes; provided, if such contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the Commission, the contractor may request the State of Connecticut to enter into any such litigation or negotiation prior thereto to protect the interests of the State and the State may so enter.

(c) The contractor agrees to comply with the regulations referred to in this section as they exist on the date of this contract and as they may be adopted or amended from time to time during the term of this contract and any amendments thereto.

C. Executive Orders. The Contract is subject to the provisions of Executive Order No. Three of Governor Thomas J. Meskill, promulgated June 16, 1971, concerning labor employment practices, Executive Order No. Seventeen of Governor Thomas J. Meskill, promulgated February 15, 1973, concerning the listing of employment openings and Executive Order No. Sixteen of Governor John G. Rowland promulgated August 4, 1999, concerning violence in the workplace, all of which are incorporated into and are made a part of the Contract as if they had been fully set forth in it. At the Contractor's request, the Client Agency shall provide a copy of these orders to the Contractor. The Contract may also be subject to Executive Order No. 7C of Governor M. Jodi Rell, promulgated July 13, 2006, concerning contracting reforms and Executive Order No. 14 of Governor M. Jodi Rell, promulgated April 17, 2006, concerning procurement of cleaning products and services, in accordance with their respective terms and conditions.

1. The contractor agrees to abide by such Executive Orders.

2. The State Contracting Standards Board may review this contract and recommend termination of the contract for a violation of the State Ethics Code (Chapter 10 of the general statutes) or section 4a-100 of

the general statutes, or wanton or reckless disregard of any state contracting and procurement process by any person substantially involved in such contract or state contracting agency.

3. This contract may be cancelled, terminated or suspended by DPW or the State Labor Commissioner for violation of or noncompliance with Executive Orders No. Three or Seventeen or any State or federal law concerning nondiscrimination, notwithstanding that the State Labor Commissioner is not party to this contract. The State Labor Commissioner shall have continuing jurisdiction regarding contract performance concerning nondiscrimination and listing all employment openings with the Connecticut State Employment Service until the contract is completed or until the contract is terminated prior to completion.

4. The contractor agrees, as part consideration hereof, that this contract is subject to the Guidelines and Rules issued by the State Labor Commissioner to implement Executive Order No. Three, and that the contractor will not discriminate in its employment practices or policies, will file all reports as required, and will fully cooperate with the State of Connecticut and the State Labor Commissioner.

5. This contract may be cancelled, terminated, or suspended by DPW or the State for violation of or noncompliance with Executive Order Sixteen. In addition, the contractor agrees to include a copy of Executive Order Sixteen, and the requirement to comply with said order, in all contracts with its contractors, subcontractors, consultants, subconsultants and vendors.

D. This contract is subject to the provisions of the Department of Public Works Sexual Harassment Policy ("Policy") and, as such, the contract may be cancelled, terminated, or suspended by the State in the event that the contractor, its employees, contractors, subcontractors, consultants, subconsultants, or vendors engage in behavior prohibited by the provisions of the Policy (a copy of the Policy is attached hereto as Exhibit A). The contractor agrees to include a copy of the Policy, and the requirement to prevent behavior as defined in such Policy, in all contracts with its contractors, subcontractors, consultants, subconsultants, and vendors.

E. The Summary of State Ethics Laws posted on the DPW home page (<http://www.ct.gov/dpw/site/default.asp>), and as may be revised from time to time, is incorporated herein by reference as if fully set forth herein. This Summary may be found by clicking on "Affidavits."

F. Campaign Contribution Restriction Provisions

For all State contracts as defined in P.A. 07-1 having a value in a calendar year of \$50,000 or more or a combination or series of such agreements or contracts having a value of \$100,000 or more, the authorized signatory to this Agreement expressly acknowledges receipt of the State Elections Enforcement Commission's notice advising state contractors of state campaign contribution and solicitation prohibitions, and will inform its principals of the contents of the notice. See Attachment [SEEC Form 11].

XVI. LARGE STATE GOVERNMENT CONTRACTS

If the Consultant is a large state contractor, the Consultant shall comply with the provisions of Section 4-61dd of the Connecticut General Statutes, as may be revised.

- A. "Large state contract" and "Large state contractor" shall have the same meanings as set forth in Section 4-61dd(g) of the Connecticut General Statutes, as may be revised.
- B. Each contract between a state or quasi-public agency and a large state contractor shall provide that, if an officer, employee, or appointing authority of a large state contractor takes or threatens to take any personnel action against any employee of the contractor in retaliation for such employee's disclosure of information to the Auditors of Public Accounts or the Attorney General under the provisions of subsection (a) of Section 4-61dd of the Connecticut General Statutes, the contractor shall be liable for a civil penalty of not more than five thousand dollars for each offense, up to a maximum of twenty per cent of the value of the contract. Each violation shall be a separate and distinct offense and in the case of a continuing violation each calendar day's continuance of the violation shall be deemed to be a separate and distinct offense. The executive head of the state or quasi-public agency may request the Attorney General to bring

a civil action in the Superior Court for the judicial district of Hartford to seek imposition and recovery of such civil penalty.

- C. Each large state contractor shall post a notice of the provisions of Section 4-61dd relating to large state contractors in a conspicuous place that is readily available for viewing by the employees of the contractor.

XVII. ANNUAL CERTIFICATION

If the aggregate value of this contract is \$50,000.00 or more, including all amendments and/or commission letters, then the Consultant shall annually submit, on or within two (2) weeks of the anniversary date of the execution of this contract, a completed annual contract certification to Room 437, 165 Capitol Avenue, Hartford, CT 06106, to the attention of the Contracts Secretary. For the purposes of this article, the execution date of the contract shall be the date the Commissioner of DPW signs the contract.

XVIII. CONNECTICUT LAW

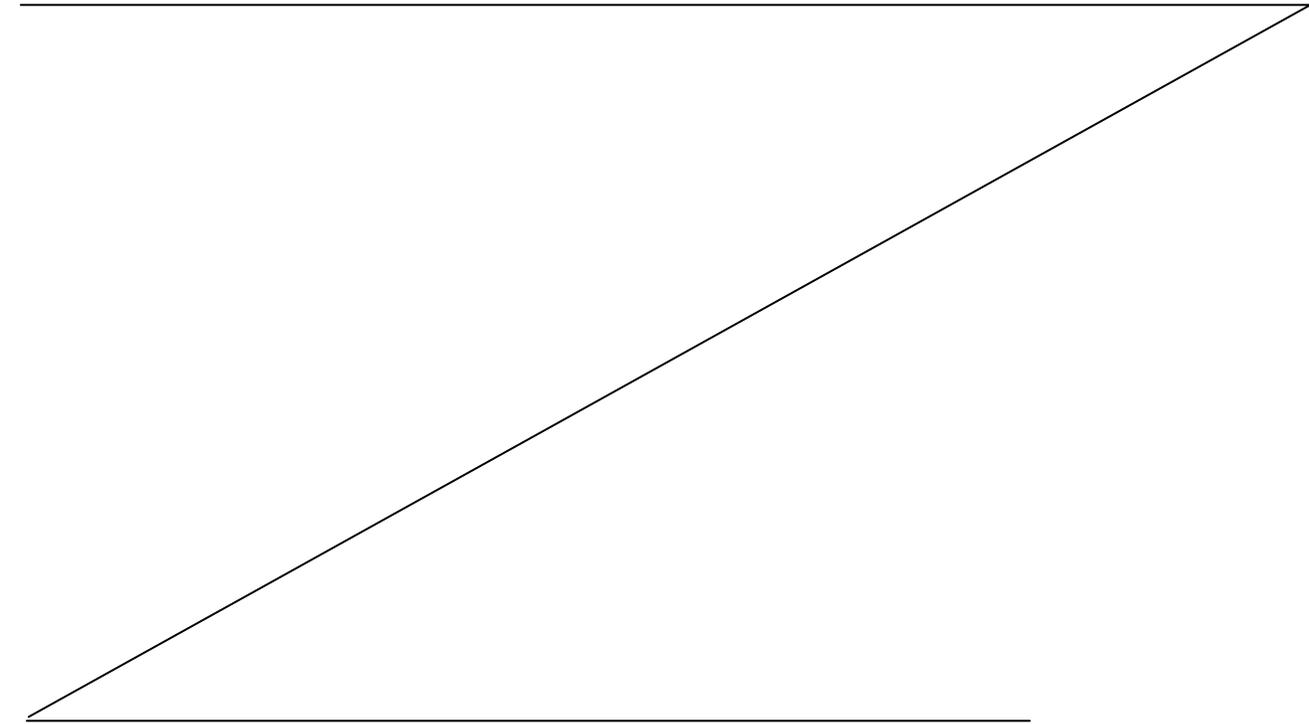
It is agreed that this contract shall be governed by, construed, and enforced in accordance with the laws of the State of Connecticut.

XIX. APPROVAL BY STATE PROPERTIES REVIEW BOARD

As provided in Connecticut General Statutes Section 4b-23(i), it is essential for the Consultant contracting with the Department of Public Works to understand that the approval of the State Properties Review Board must be granted before the Consultant's task can begin. By providing service without a properly executed task letter under this contract, the Consultant accepts the risk that payment will not be made by the State of Connecticut.

XX. EFFECTIVE DATE

This contract shall become effective when it is approved as to form by the Attorney General of the State of Connecticut, the Deputy Attorney General of the State of Connecticut, an Associate Attorney General of the State of Connecticut, or an Assistant Attorney General of the State of Connecticut.



IN WITNESS WHEREOF, the State, acting herein by its Commissioner of the DPW, and the Consultant have executed this contract.

Attested by:

State of Connecticut

Witness

By: _____
Raeanne V. Curtis
Its Commissioner of the
Department of Public Works

Witness

Date signed: _____

Attested by:

Witness

By: _____
Print name:
Its _____, Duly Authorized

Witness

Date signed: _____

Approved as to form:

Attorney General

Date signed: _____

Exhibit A

SEXUAL HARASSMENT POLICY STATEMENT

All personnel of the Department of Public Works have the responsibility for maintaining high standards of honesty, integrity, impartiality and conduct to assure proper performance and maintenance of public trust. Sexual harassment violates these standards, especially with regards to principles of equal opportunity, and specific acts of such misconduct will result in the severest of disciplinary action that can be taken.

Acts of sexual harassment are illegal and prohibited by the Civil Rights Act, Title VII as amended and Connecticut General Statutes 46a-60 as a discriminatory practice.

As the Commissioner of the Department of Public Works, I will under no circumstances tolerate any incidents of this type of behavior. Specifically, any supervisors, who use implicit or explicit sexual behavior to control, influence, or affect the career, pay or job of an employee is engaging in sexual harassment. Similarly, any employee who makes deliberate or repeated offensive verbal comments, gestures, or physical contact of a sexual nature in the work environment is also engaging in sexual harassment.

Sexual harassment can include verbal abuse such as sexual insults, lewd or suggestive comments, or unwelcome jokes of a sexual nature. Sexually suggestive objects or sexually explicit posters, calendars, photographs, cartoons, drawings or other explicit materials are inappropriate in a state workplace and can contribute to creating a hostile or offensive work environment.

Individuals who are sexually harassed by supervisors, co-workers, or peers should make it clear that such behavior is offensive. Individuals can file a sexual harassment complaint to the appropriate source(s) for investigation of the matter, so that action can be taken to ensure a work environment free of sexual harassment.

Sexual harassment is totally unacceptable conduct; it undermines the integrity of the employment relationship, debilitates morale, and interferes with the work productivity of the organization.

I shall expect every manager and supervisor to ensure that any instance of sexual harassment is dealt with swiftly, fairly, and effectively. All substantiated complaints will result in the strongest disciplinary action available to the Department.

SEXUAL HARASSMENT NARRATIVE

Sexual harassment is a particular type of sex discrimination. Like all sexual discrimination, it is illegal. It violates high standards of honesty, integrity, impartiality and conduct required of all sections of the Department of Public Works. It also interferes with and impedes work productivity.

Sexual harassment is defined as "any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by any individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment."

You may file a complaint with your supervisor, the Human Resources Office at (860) 713-5304 or the Office of Diversity Programs at (860) 713-5308.

Signed by Commissioner James T. Fleming on February 4, 2004.