TOWN OF MANSFIELD
OFFICE OF THE TOWN COUNCIL

ELIZABETH C. PATERSON, Mayor

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3336
Fax: (860) 429-6863

September 10, 2013

Office of Adjudications
Department of Energy and Environmental Protection
79 Elm Street, 3rd Floor
Hartford, Connecticut 06106-5127

Re: UConn North Hillside Road Extension Project

Dear Hearing Officer:

In February 2009 and in January 2012, the Town of Mansfield submitted comments regarding the Environmental Impact Statement (EIS) for the University of Connecticut's proposed North Hillside Road extension project (see attached). The town's understanding is that the scope of the project has not changed. Consequently, our Town Council has not moved to modify its previous comments or its concurrence with the conclusion of the EIS that the project could be implemented without significant environmental impact.

As detailed in our 2009 communication on the Draft EIS, the Town of Mansfield has long supported the project, for several key reasons. In the town's view, the extension project would provide relief from traffic congestion; promote vehicular and pedestrian safety; and facilitate the development of the UConn North Campus area. In 2009, we also noted that the project was fully consistent with the Connecticut Policies Plan for Conservation and Development, the Windham Region Land Use and Transportation Plans and Mansfield's Plan of Conservation and Development. Our 2012 communication noted that the preferred alternative identified in the Final EIS included several changes to reduce the environmental impact of the project, most notably eliminating development on parcel A, preserving an additional 76 acres of land through a new conservation easement, and using bridges instead of culverts to reduce wetland impacts and to improve wildlife habitat connectivity.

I appreciate the opportunity to comment at today's public hearing and wish to reiterate the town's previous request to provide Mansfield residents and representatives adequate notice and opportunity to review and comment on construction plans prior to their approval and implementation.

If you have any questions regarding this testimony or the town's previous correspondence regarding the North Hillside Road extension project, please contact Matt Hart, Mansfield Town Manager, at (860) 429-3336.

Sincerely,

Elizabeth C. Paterson

Elizabeth C. Paterson
Mayor

CC: Mansfield Town Council
Mansfield Planning and Zoning Commission/Inland Wetlands Agency
Matt Hart, Town Manager
Linda Painter, Director of Planning and Development

Enc: (2)

TOWN OF MANSFIELD
OFFICE OF THE TOWN MANAGER

Matthew W. Hart, Town Manager

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
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January 23, 2012

Transmitted via Email

Ms. Amy Jackson-Grove
Division Administrator-FHWA
628-2 Hebron Avenue, Suite 303
Glastonbury, CT 06033
Email: Amy.Jackson-Grove@dot.gov

Mr. Richard A. Miller
Director of Environmental Policy
University of Connecticut
31 LeDoyt Road U-3055
Storrs, CT 06269-3055
Email: rich.miller@uconn.edu

Re: Final Environmental Impact Study (FEIS) for North Hillside Road

Dear Ms. Jackson-Grove and Mr. Miller:

Thank you for providing the opportunity to comment on the Final Environmental Impact Study for North Hillside Road. As was noted in the Town's comments on the 2008 Draft EIS (DEIS), the Town Council and Planning and Zoning Commission agreed with the conclusion of the DEIS that the North Hillside Road Extension project and associated development of UConn's North Campus could be implemented without significant environmental impact. The only request made as part of our DEIS comments was that Mansfield residents and representatives be given adequate notice and opportunity to review and comment on construction plans prior to their approval and implementation.

The FEIS maintains the preferred roadway alignment identified in the DEIS and incorporates several new mitigation measures to further reduce the environmental impact of the project, including:

- Significant measures to protect wetlands along the roadway alignment through the construction of two bridges where previously culverts had been proposed.

- Further reduction in wetland impacts through changes to the preferred North Campus Development by replacing development Parcel A with a ±76 acre conservation easement and reallocating development previously proposed for Parcel A to Parcel B.
- Incorporation of additional measures to further mitigate impacts on wetlands and water quality, including:
  - Use of Low Impact Development (LID) techniques as part of the overall stormwater management plan for the roadway construction and the development of the North Campus
  - Measures to reduce impacts of deicing and anti-icing activities
  - Measures to mitigate impacts of lighting on night skies and nocturnal habitats
  - Implementation of a monitoring program to control invasive species
  - Timing of construction to maximum extent possible to minimize impacts on impacts to amphibian habitats.
- Acknowledgement of impacts on Greenhouse Gas Emissions (GHG) and measures to mitigate those impacts.
- Acknowledgement of the potential secondary and cumulative impacts that may occur to various environmental resources in Mansfield and the region through the development of housing and other services to support the anticipated growth in employment resulting from the development of North Campus.

Based on the above summary, staff has found the FEIS to be consistent with the comments provided by the Town Council and Planning and Zoning Commission in 2008. Additionally, we provide the following comments for your consideration:

- While the response to our 2008 comments included in Appendix N indicated that opportunities for review and comment on construction plans would be provided during subsequent stages of the design and permitting process, we would like to take this opportunity to reiterate that request for the record.
- To ensure that the change from culverts to bridges as referenced above meets the desired goals of reducing wetland impacts and protecting wildlife habitat connectivity, specific measures should be put in place during construction such as restricted laydown areas and location of 'no equipment' areas, etc. to minimize impacts on those areas during construction.
- While no significant changes were made to the assessment of traffic impacts and mitigation measures, it is important to note that the intersection of South Eagleville Road and Separatist Road/Sycamore Drive has been of ongoing concern to the Town due to the number of accidents at the intersection and resident complaints. The FEIS recognizes that the Separatist Road approach will operate at a LOS F during PM Peak hours under both the 2010 and 2030 No Build Conditions. As such, we respectfully request that signalization of this intersection be made a priority and installed prior to full build-out of the North Campus area.
- As with any document of this magnitude and duration, there are projects referenced whose status has changed since the drafting of the document, including:
  - Water Reclamation Facility. This project is referred to in various places as being under consideration or design. These references should be updated to reflect current construction status and anticipated completion date. (Pages ES-12, 95)

- Storrs Center. References should be updated to reflect that the project is under construction.
- University Water Supply Plan. References should reflect completion date of May 2011 instead of 'anticipated completion date.' (Page 98)

- It appears that the reference at the bottom of page 30 to 'Alternative 2B' should be revised to 'Alternative 2C' to correctly reflect the new number for the plan being described in the following parcel descriptions.

In closing, we look forward to your continued cooperation regarding the review and implementation of construction plans for the North Hillside Road extension and the associated development of UConn's north campus. If you have any questions regarding the comments included in this letter, please contact Linda Painter, Director of Planning and Development.

Sincerely,

Matthew W. Hart
Town Manager

Enclosure: February 10, 2009 Letter from Town Council and PZC

C: Town Council
Planning and Zoning Commission
Conservation Commission
Linda Painter, Director of Planning and Development
Lon Hultgren, Director of Public Works

TOWN OF MANSFIELD
Planning and Zoning Commission

AUDREY P. BECK BUILDING
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February 10, 2009

Richard A. Miller, ESQ
Director, Office of Environmental Policy
University of Connecticut
31 LeDoyt Road
Unit 3055
Storrs, CT 06269-3055

Bradley D. Keazer
Division Administrator, Federal Highway Administration
628-2 Hebron Avenue
Suite 303
Glastonbury, CT 06033-5007

Re: Draft Environmental Impact Study, North Hillside Road Extension

Dear Messers Miller and Keazer:

Mansfield's Town Council and Planning and Zoning Commission, with staff assistance, have reviewed the December 2008 draft Environmental Impact Statement for the North Hillside Road Extension project. The following comments are presented for your consideration:

1. The North Hillside Road Extension project and associated development of UConn's North Campus have been studied extensively for over ten years, with numerous opportunities for public review and comment. The December 2008 draft Environmental Impact Statement further refines the analysis of these inter-related projects and Mansfield's Town Council and Planning and Zoning Commission are in agreement with the EIS conclusion that these projects can be implemented without significant environmental impact.
2. Mansfield's Town Council and Planning and Zoning Commission support the subject projects for many reasons including the following:
   A. The extension of North Hillside Road will facilitate traffic movements on state and local roads and will reduce vehicular traffic on many local roadways that were not designed for current traffic volumes. This roadway project, and associated walkway and bicycle lanes, will promote both vehicular and pedestrian safety for all Mansfield residents and visitors, including UConn students and staff. This project has been a high priority transportation improvement for decades.
   B. The extension of North Hillside Road will facilitate the development of the UConn North Campus and provide regionally significant economic development opportunities. The North Campus development

will enhance research opportunities for UConn students and staff, job creation and collaborative public/private partnerships.

C. The extension of North Hillside Road and associated public sewer and water utility extensions will facilitate the coordination of needed utility extensions to Mansfield's Four Corners area which has documented ground water contamination and private well and septic system problems.

3. The subject project is fully consistent with the Connecticut Policies Plan for Conservation and Development, the Windham Region Land Use and Transportation Plans and Mansfield's Plan of Conservation and Development. Many specific goals, objectives, policies and recommendations contained in these plans would be promoted by the extension of North Hillside Road and the associated development of North Campus.

4. The draft Environmental Impact Statement appropriately identifies comprehensive mitigation measures that need to be incorporated into construction plans. It is essential that in association with the listed permits that need to be obtained, Mansfield residents and representatives be given adequate notice and opportunity to review and comment on construction plans prior to their approval and implementation.

Mansfield officials are available to discuss any of the comments contained in this letter. We anticipate continued cooperation regarding the review and implementation of construction plans for North Hillside Road extension and the associated development of UConn's North Campus. If you have any questions regarding this letter, please contact Mr. Gregory J. Padick, Mansfield's Director of Planning at 860-429-3329.

Very truly yours,

Gregory Haddad

Gregory Haddad, Deputy Mayor
Mansfield Town Council

Rudy Favretti

Rudy Favretti, Chairman
Mansfield Planning and Zoning Commission

Cc: Thomas A. Harley, CT Department of Transportation
Corey M. Rose, U.S. Army Corp of Engineers, N.E. District

Public Hearing, Sept. 10, 2013
For the Extension of North Hillside Road in Mansfield

The completion of North Hillside Road, first proposed in a UConn Master Plan 13 years ago, will benefit not only the University, but also residents of the Town of Mansfield. Completion of the road was backed by the Mansfield Town Council in a statement read by Mayor Paterson at the earlier public hearing in Mansfield in 2009.

As a town resident for 43 years, my reasons for speaking in favor of this project are the following.

1) The 1/2-mile road extension, by finally connecting to Rt. 44, will greatly reduce the impact of traffic on local Mansfield roads such as Birch road, Hunting Lodge, North Eagleville and Rt. 195. Much of this traffic comes from student cars at the 960-bed Charter Oak housing complex at the now dead-end of North Hillside Road. These cars are unable to enter from or exit to Rt. 44, only a short 1100 yds. to the north. Instead, to reach state highways such as Routes 32, 44 or 195, all these cars must first detour south on Hillside Road and then fan out through the UConn campus and the town of Mansfield. With hundreds of cars at the Charter Oak housing complex, this traffic diversion adversely impacts the air quality and environment of our town.

2) Heavy night-time traffic to and from UConn basketball games and entertainment events at Jorgensen Auditorium has always been a burden to Mansfield residents. A completed North Hillside Road will allow campus visitors to drive *directly* to the North Parking Garage from Rt. 44. The long, slow lines of UConn event traffic on local roads will be eliminated.

3) Besides these traffic benefits, there will also be safety improvements for children at one of our grade schools. Currently, heavy UConn traffic passes by the Goodwin Elementary School on Hunting Lodge Road, one of the local roads mentioned above. The North Hillside extension will eliminate much of this daytime traffic which can block the school's driveway, and the safety of school buses entering and leaving the grade school will be greatly improved.

Given the new road's obvious benefits to the Town of Mansfield, I urge that it be completed without more delay. Thirteen years of study is enough!

Respectfully,

James R. Knox
146 Birch Road
Storrs, CT 06268
860-429-8288

September 10, 2013

RE: Public Hearing
University of Connecticut
North Hillside Road Extension

To: Brendan Schain, Hearing Officer
From: Betty Wassmundt
54 Old Turnpike Road
Storrs, Ct 06268

I request that Attorney Schain investigate further the adequacy of the material presented to verify the presence or absence of endangered species living on the Uconn site in question. The documents I saw which reported on endangered species date several years back and some of the reports were based on observations made by the investigator as he had walked the area previously just on a recreational basis.

I live not far from this site on class A Fenton River watershed land. My property is enclosed on three sides by Uconn forest land. The general environment is the same as the site in question. There is forest land and wetlands. I've lived there for over 31 years. A recreational hobby for me is to observe wildlife: plants, birds and animals. I've walked dogs both day and night in this area. I've observed many cottontail rabbits. On at least two occasions in the very recent past, I've observed the **New England Cottontail Rabbit,** an endangered species. Can I prove that? Of course not, but anyone who has observed as many Eastern Cottontails as I have, would directly see the difference when a little New England Cottontail shows up. He faces possible extinction due to loss of habitat. This little fellow just may live on the Uconn site; it is the same environment and very close to my property.

I submit to you that this application is inadequate in that there is not **current and sufficient** documentation regarding endangered species living on this site.

I request that all documentation regarding plant and animal life on this site be made current. The effect of global warming has been evident in this area only within the last few years. Possibly plant life and animal life has changed in the very recent past due to climate change and the documentation presented is from many years ago.

Thank you.

From: Emile Poirier
8 Valley view dr.
Date: September 10, 2013
Re: Social Impact of Water issues on Rolling Hills Mobile Home Park

Much has been discussed and written about the water and sewer lines coming to The University of Connecticut and the Four Corners area. However, there has not been much discussed regarding the impact of these changes to the residents in the four corners, particularly those in Rolling Hills.

It is my understanding that Jensen's is one of the biggest sources of revenue for the town. So I believe that it is imperative that the impact on those residents be taken in account. It is not clear from the August 24, minutes what rights the town will have vs. the University's rights. I feel very strongly that the town should have more control over the water, sewer and development of the North Hillside road extension because of the Jensen's Rolling Hills 55 and older community located adjacent to the site. I realize that Storrs/Mansfield is a University town, but the University is not the sole consideration here.

One of the major concerns for residents of Rolling Hills is the probable increase of land value and the attendant rise of taxes on both the Rolling Hills property and the individual homes. Another tax rise would adversely affect a large portion of residents. Many would be forced out or be in need of town assistance to remain in their homes

Another concern is the possibility of growth along the access road, as this would negatively impact the quiet, rural lifestyle that we now enjoy. There is also concern about noise. During Homecoming and Spring weekend the noise is overwhelming. How much worse would it be if more apartments were ever constructed along the access road?

The Route 44 terminus of the access road will impact our seniors, making it difficult to get into and out of our community due to increase traffic flow.

We will all (hopefully) grow old and after a lifetime of work we should be allowed to enjoy our remaining years in peace. We would like to see that access road remain as open and rural as possible.

Thank You
Emile Poirier
8 Valley View Dr.
Storrs/Mansfield ct. 06268

Michael W. Klemens, PhD
POB 506
Salisbury, CT 06068
September 10, 2013

Ms. Cheryl A. Chase
Director, Inland Water Resources Division
c/o Office of Adjudications
CT-DEEP 3rd floor 79 Elm Street
Hartford, CT 06106

Dear Ms. Chase:

I wish to enter the following comments into the public record concerning the proposed University of Connecticut Tech Park (Diversion of Water Application No. DIV-201205385 and Inland Wetlands and Watercourses Application No. IW-201205383). I make these comments solely as a concerned citizen of the State, not representing or receiving compensation from any other agency or interest. My *curriculum vitae* is attached which documents my expertise to speak on the following matters.

For the record I should also state that I am a UConn graduate [BSc (1975) and MSc (1978)], the son of a UConn professor, and have worked in partnership with the University on the Storrs Downtown project. I have tremendous respect for the University and its mission. The transformation of the University into a world class institution is a source of pride to many of us—yet that growth needs to be tempered with respect and consideration for the ecological and human environment that is part of, and surrounds, the Storrs campus.

When I worked with the Leyland Alliance, the University, and the Storrs Downtown Partnership, I focused my studies on the site's vernal pool resources and the streams and springs that flowed from the crest of Rte. 195 to the Fenton River. My goal in that project was to protect the vernal pools on the Storrs Downtown site using the standards that I developed in collaboration with Dr. Aram Calhoun, published in the document: Calhoun, A. J. K. and M. W. Klemens. 2002. Best Development Practices (BDPs) for Conserving Pool-breeding Amphibians in Residential and Commercial Developments. MCA Technical Paper No. 5, Metropolitan Conservation Alliance, Wildlife Conservation Society, Bronx, NY. Under my guidance, the Storrs Downtown Project was re-designed to protect the vernal pools on site using these standards. In addition, streams and springs were studied on the site and a plan developed to protect, restore, and enhance them was prepared. The driving issue behind the stream studies was the potential for the State-threatened spring salamander to use these waters.

I was dismayed upon reading the Vernal Pool Evaluation of the North Hillside Road Extension prepared by Fuss & O'Neill which extensively sites Calhoun and Klemens (2002) and makes on page 9 incorrect and misleading statements as to the protection of the vernal pools on the

subject parcel *vis a vis* Calhoun and Klemens (2002). As the co-author of the repeatedly-cited (by Fuss & O'Neill) document I wish to clearly state that the current plan for the roadway does not comply with the standards for vernal pool protection within a development context that appear in Calhoun and Klemens (2002).

The proposed roadway runs through the middle of a series of vernal pools which have, by virtue of their landscape arrangement, a meta-population function. In short, this means that because of their geographic proximity to one another, as evidenced by their overlapping 750 foot critical upland habitat zones, there is significant movement and genetic exchange of amphibians between these pools. Placing a road in this manner violates the guidance of Calhoun and Klemens (2002:19) stating that "roads and driveways with projected traffic volumes in excess of 5-10 cars per hour should not be sited with 750 feet of a vernal pool."

Apart from the road cutting through the center of this vernal pool meta-population complex, two of the most highly ranked (Tier 1) vernal pools (1 and 10) are rendered non-compliant. Vernal pool 1 which is the most biodiverse and productive pool on the site based upon the data submitted by Fuss & O'Neill, will lose 2% of its vernal pool envelope (the 0-100 foot zone) which violates Calhoun and Klemens (2002) guidance that unequivocally states that any loss of the vernal pool envelope is not acceptable. Table 7 contradicts the narrative statement made on page 7 of the Fuss & O'Neill report stating that "no loss of habitat will result from the proposed development within the 100-foot vernal pool envelope." Vernal pool 1 will also loose 34% of its critical upland habitat (100-750 foot zone) while Calhoun and Klemens (2002) state that a maximum of 25% loss is permissible. Table 7 in the report is misleading—directing one's attention to the 26% loss increase shown in bold red, however the important figure is **34% total loss**. One has to consider the existing development of 8% ***plus*** the new development of 26% in arriving at the operative impact figure of 34%.

Vernal pool 1 is also severed ecologically from most of the other pools and wetlands by the entrance road. Attempt to reconnect pools using underpasses are a mis-use of Calhoun and Klemens (2002). Such underpasses do not obviate the prohibition against placing high traffic volume roads within the 750 foot areas around vernal pools. One cannot read the guidance document and cherry pick those items that fit a pre-conceived development agenda. Use of underpasses in this context contravenes the guidance document.

Compliance with Calhoun and Klemens (2002) is especially critical when one considers that this pool may be the source pool for the other pools within the meta-population complex. When one considers the standard of "reasonably likelihood to cause unreasonable harm" one must ask the question why, *the most valuable vernal pool on site is the most impacted? Why is vernal pool 1 the only pool to have its envelope impacted as well as its critical upland habitat zone to a degree considered non-compliant by Calhoun and Klemens (2002)? What other alternatives and designs for this entrance road would better protect this source pool?*

The importance of vernal pool wildlife to wetlands has been established in a series of landmark Connecticut court decisions. While the courts have taken a very strict interpretation of when

wildlife issues can be integrated and considered within a wetlands application context, the River Sound decision affirmed in the case of wood frogs, that their diminishment or loss within a wetland could affect the chemical and nutrient composition of the wetland. Wood frogs are a major component of the vernal pools that will be impacted by the current layout of the project, including vernal pool 1.

Apart from vernal pool issues, I would also request that a comprehensive stream and spring survey be conducted on the site to determine the presence of the State-threatened spring salamander. This was done at the Storrs Downtown site. Spring salamanders were historically reported at Storrs (*see,* Klemens, M. W. 1993: pp.65. The Amphibians and Reptiles of Connecticut and Adjacent Regions. Conn. Geol. Nat. Hist. Surv. Bulletin 112:1-318 + 32 plates. They have been and more recently rediscovered not far from the subject property. Spring salamanders are very sensitive to clearing and landscape disturbance. Their potential presence on the site should be explored prior to any permitting for development activity.

I trust that the DEEP will ensure that these issues are fully addressed so as to protect the public trust in the natural resources of our State. If I can provide any further guidance or input, please do not hesitate to contact me.

Sincerely,

Michael W. Klemens, PhD

Attachments (2):
Klemens CV
Calhoun and Klemens (2002)

269 Wormwood Hill Rd

Mansfield Center, Ct. 06250

September 11, 2013

mimbck@yahoo.com

Brendan Schain, Esq

79 Elm St.

Hartford, Ct. 06106-5127

Deep.adjudications@ct.gov

Dear Brendan Schain,

I was at the public hearing last night regarding the proposed tech park at UCONN and decided to write my statement instead of speak. I'd like to make the following points about the proposal:

1. From what I heard, it sounds like the DEEP has worked closely and diligently with the university to come up with ways to decrease the environmental impact that such expansion would require.
2. No matter how much work and energy that went into the plan and would go into the development of the tech park, the impact on the environment and the surrounding community would be substantial. Even with every safety measure taken, water would be brought in from fifteen miles away, requiring further disruption of the environment. The vernal pools and forests, and their respective wildlife would be impacted. Machinery and fossil fuels would be used in the development, etc.
3. Traditionally, I understand that an environmental impact study seeks to find ways to minimally impact the environment. However, I believe that it is imperative that consideration be taken on a wide variety of social and economic measures. For examples:
   - Traditionally tech parks have been seen to improve the economy of a region, with increasing employment and development of new technologies that can improve our world. In reality, however, many tech parks have been built and deserted after a minimal amount of time of service. While tech parks do have the potential to create beneficial new technologies, they more often are put to work to benefit the pocketbooks of CEO's of multinational corporations that do little to improve our local economies and do a lot to abuse their own workers, surrounding communities and the world. If public tax payers will be funding much of this venture, who will it benefit and who will it harm? Is the environmental impact that such a project would cause, worth it to enrich these multinational corporations and why is our public university and DEEP willing to put our money into doing so?

- In the past, public universities were the places where conversations, projects and actions to improve the world were developed. Today, universities have intimate relationships and economic support from large multinational corporations that are in the business of war, weaponry, fossil fuel development, etc. There primary objective is to make as much money as possible and to keep that money for only a small number of people who are in charge. Understanding that, will there be boundaries established and adhered to by the university that will only allow small, entrepreneurial businesses who are seeking to develop clean and renewable energy technologies and other creative and innovative ways to make the world a better place? I doubt that even if such small, local, beneficial businesses will be permitted, those will not be the primary residents, as the financial incentives and traditional use of these tech parks have demonstrated less than honorable purposes.
- The kind of economic development that needs to occur in today's world, is one that is community and/or worker owned, small, local enterprises that provide sustainable, meaningful and respectful employment, helping communities meet the social, climate, environmental needs and challenges for tomorrow. The benefit of this kind of development could have merit when steps are taken to minimize the environmental impact. More and more local communities are undertaking these kind of projects. A large technological park does not appear consistent with the directions we need to take at this time.
- I support efforts to include students and faculty in the development of new technologies, as a learning tool, when the intentions and projects focus on new creative and innovative ways to make our world a better place for all. I deeply resent paying taxes to adversely impact the environment to fund initiatives to teach students how to make fighter jets, nuclear submarines, weapons, toxic fuels and other technologies that do nothing to further man and womankind.

I do believe that there are multiple dimensions to include in the decision of the environmental impact of this project and unless these are taken into account, any decision will be irresponsible.

Thank You,

Miriam Kurland

Schain, Brendan

From: Patricia Suprenant [patsuprenant@earthlink.net]
Sent: Monday, September 16, 2013 8:08 AM
To: Schain, Brendan
Subject: Written Comments on North Hillside Road

Dear Atty. Schain,

As I was not permitted to complete my oral testimony at the Sept. 10, 2013 Public Hearing, please accept the following written comments on UCONN's Diversion of Water Application No. DIV-201205385 and Inland Wetlands and Watercoure Application No. IW-201205383:

Vernal pool and wetland disturbances

The proposed North Hillside Road runs through the middle of a series of vernal pools that have a meta-population function. This means that because of the vernal pools proximity to one another, there is significant movement and genetic exchange of amphibians between the pools.

Vernal Pool 1—the most important vernal pool—is severed from the other vernal pools by the proposed road. According to expert Michael Klemens [Calhoun and Klemens (2002)], "roads and driveways with projected traffic volumes in excess of 5-10 cars per hour should not be cited within 750 feet of a vernal pool," which is the case with the road.

Vernal Pool 1 is also the most impacted. UCONN's attempt to reconnect pools using underpasses is a misuse of Calhoun and Klemens. Even with such underpasses, high traffic volume roads should not be within 750 feet of a vernal pool.

The importance of vernal pool wildlife to wetlands has long been established in a series of landmark Connecticut court decisions. The diminishment or loss of wood frogs within a wetland, for example, could affect the chemical and nutrient composition of the wetlands.

Traffic study

The traffic analysis for the road is based upon land use generation factors for traffic. While an acceptable approach, it is not considered a substitute for a case by case analysis of each building considered for the Technology Park. The proposed TEchnology Park will include 900,000 square feet of research and office space when completed on three pods, according to UCONN's recent plan submission.The existing overall approach leads to a "piece meal" analysis of the proposed Technology Park with the alternatives narrowly cast to consider the views of UCONN and not the surrounding community. For example, the relocation of the road entry onto Route 44 will increase the diversion of traffic from Route 195 down Cedar Swamp Road over to the Technology Park impacting that residential area.

The proposed roadway is also less than adequate to meet the anticipated traffic forecast for the Technology Park. Planned as the main entrance to UCONN, North Hillside Road consists of two 12-foot travel lanes. Based upon UCONN's growth plans, one goal would be to widen Route 195 to more than 2 lanes. The Town of Tolland has already reached out to UCONN and to the Department of Transportation to evaluate the entire corridor from Route 195 to UCONN and are planning for a complete muitmodal evaluation of the entire corridor in order to move traffic more efficiently and to provide for easier access from the town to UCONN. Yet,

nothing exist in the roadway EIS about such a planned expansion of Route 195 from Route 84. If Route 195 is widened, UCONN will quickly see the need to widen North Hillside Road—a typical traffic improvement scenario. But broader issues concerning mass transit including plans to limit student use of vehicles and increase mass transit options to limit traffic have not been addressed in the FEIS.

Regional suburban sprawl

Neighborhoods exist on the periphery of the North Campus and include the UCONN academic core campus to the south, residential development to the east and west, and an area of commercial development along Route 44 north of the North Campus. UCONN's EIE does anticipate adverse direct impacts to neighborhoods and community resources.

Yet, the roadway and the Tech Park project's impact on transit-dependent populations and on regional suburban sprawl were *not* investigated. Social impacts include changes to neighborhoods or community cohesion for various social groups. UCONN only studied the impacts in the specific area where the roadway is taking place.

A piecemeal approach to the roadway project and its analysis *allows for cumulative regional impacts to escape scrutiny.*

For example, Jensen's Rolling Hills Trailer Park is within several hundred feet of the new road. Yet, the expansion plan failed to include how the roadway and Tech Park might impact land values in the immediate area and contribute to suburban sprawl or impact residents lives in the trailer park.

The National Environmental Protection Agency unlike the state requires that major federal projects await full study of potential impacts and alternative courses of action before going forward. Recently, a suit was brought by inner-city, minority plaintiffs in Wisconsin. The US District Court in Milwaukee indicated that the Federal Highway Administration and Wisconsin Department of Transportation could not enlarge a major urban freeway connection without further study of the project's impacts on transit-dependent populations and on regional suburban sprawl. A preliminary injunction by federal judge Lynn Adelman in May, stopped work on the project until the required analysis was completed, a potentially significant result for other highway-expansion controversies with similar circumstances.

Sincerely,

Pat Suprenant
441 Gurleyville Road
Storrs, CT 06268.

September 18, 2013

To: Brendan Schain, Esq.
Hearing Officer
Office of Adjudications
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT. 06106-5127

Email: Brendan.Schain@ct.gov

RE: University of Connecticut North Hillside Road Extension
Application Nos. DIV – 201205385; IW = 201205383

Dear Adjudicator Schain:

I shall try to make my points with brevity.

1.
Is there a legal definition of "No Action" as in "No Action Alternative"? It appears that "No Action Alternative" is used to mean The University must have a Tech Park on the Extension of North Hillside Road or there will be no Tech Park. There are many opportunities in this State for a Tech Park location where sufficient water and adequate roadways already exist and where there is not the environmental sensitivity of the North Hillside Road location. Given the environmental impacts of the chosen location for this Tech Park, should The University be required to consider alternative sites?

2.
Based on observation during the site walk on September 10th, the path of the proposed roadway has been cleared of trees. Is it legal for The University to have prepared the path of the roadway without having all environmental permits in place? What has been the impact on the environment due to this cutting?

3.
It appears that The University does not own the property fronting on Route 44 where the North Hillside Road will exit. There is record that The University plans to purchase the roadway land and two proposed rear lots from the owners of said parcel of land. For that to happen, said parcel of land must be subdivided. Such a subdivision was proposed to the Town's Planning and Zoning Department but no application has been submitted. Is it legal to grant the requested wetlands and water diversion permits when the path of the North Hillside Road requires land The University does not own? What if that subdivision is not granted and the roadway has to be relocated? Should The University own all the land, or have an easement for the land, under this proposed roadway before any permits are granted?

4.
I must return to the issue of global warming and request that all documentation regarding plant and animal life on this site be made current. The effect of global warming has been evident in this area only within the last few years. Possibly plant life and animal life has changed in the very recent past due to climate change. The documentation presented is from many years ago. Current documentation should have been provided before the path of the road was cut. My observations show that the turkey population has declined dramatically in the last few years. Just a few years ago I had a flock of turkey every spring; this year but one lone bird wandered around for a bit. Usually I have monarch butterflies. This year I had none. Other people have made the same observations. Perhaps this change in wild animal populations is due to habitat loss. The massive project planned for North Hillside Road Extension will dramatically change the local habitat. Does the documentation as presented by The University adequately answer questions about on site animal and plant life and the impact on these due to this road given the recently observed impacts due to global warming?

5.
I am gravely concerned that this massive project, the road and Tech Park, will seriously damage the Fenton and Willimantic watersheds. Testimony was given at the Public Hearing that local brooks have been affected. I worry about my own water supply. My property is located in Class A Fenton River watershed land. I've always felt that my well is located in an aquifer because it delivered 40 gallons per minute when drilled; that is an exceptional amount of water. Run off from this proposed road can travel to my land. Surely, runoff along with road oils, salts, etc. will ultimately get to these rivers. These rivers provide water to The University, Mansfield and Willimantic.

The University is classified as a "water supply system". The University does everything that a "water company" does but, due to the **opinion** of Richard Blumenthal when he was Attorney General, it is not classified as a "water company". As a "water supply system" The University need not comply with any of the Aquifer Protection statutes. The result is that the Fenton and Willimantic River aquifers and water sheds have no protection from University activity. A private "water company" would not be allowed to build in the watershed as The University is so allowed. But for an **opinion**, The University would be a "water company". That is unconscionable. This water affects the health of people; it affects the health of our children. The University should be held to the highest standard in granting these wetlands permits. Has The University complied with the highest accepted standards for wetlands/vernal pools protection? DEEP should be required to guarantee that to the public. It appears from Mr. Klemens report that Uconn has not.

6.
The University has plans to supplement its water by contracting with the Connecticut Water Company to bring water in from the Shenipset Reservoir. The University via Tom Callahan has stated that Uconn currently has sufficient water. Building the Tech Park will require additional

water. The North Hillside Road Extension is required only for the Tech Park. I hope other people will address traffic patterns; this proposed road is not going to cure traffic problems for Mansfield. The traffic problems will just shift from one area to another in Mansfield.

Back to water/Tech Park/roadway, there is not a guarantee that permits will be granted to bring water from a different watershed into Mansfield. People I know in Tolland tell me that the Shenipset Reservoir is showing strain and that it is not the healthy body of water it was many years ago. This state needs a comprehensive study and plan for water. This should be done before The University expands further in its present location. It is premature to build a road and disrupt wetlands and farmland when there may not be enough water for the Tech Park. What consideration has been given to this?

7.

I must make some observations about all The University people who came to the Public Hearing to support the Tech Park.

1. The majority told you how successful they were and how successful their businesses were; they did not address wetlands/water diversion issues.
2. I believe only one addressed wetlands/vernal pools and I think his opinion was that mitigation measures should be taken only if possible; the Tech Park should proceed no matter what.
   I trust that you observed that the lack of a Tech Park on campus did not deter their success. Can you really conclude that they **need** a Tech Park in this location?

8.

I question the adequacy of the wetlands crossings with three sided rigid frame clear span bridges. In Canada I've seen vertical barriers installed to protect amphibians from crossing roads. These barriers in Canada were designed to impede the amphibian from accessing the road and to direct the amphibian to a protected crossing. What is presented for this project is just a normal bridge. It will protect the amphibian only if said animal crosses in the wetland itself. Anyone who has observed amphibians at all knows they don't stay just in the specified wetland – remember the little toad we saw at the walk on the 10th. The wetland barriers as presented are totally inadequate. One need not be an expert to know this. What is the obligation of The University to adequately provide for the wildlife living in this area? Is it what the Uconn professor said: mitigate, if you can; if not, give us our Tech Park? As a people, do we not have an obligation to protect the environment for future generations? Shouldn't The University be held to the highest of standards?

9.

I see other statements of concern in the Final EIE such as: "Creation of an area of reduced salt application in the vicinity of the wetland crossings, **where feasible** based on safety considerations."
This statement, as do others, allows for no true consideration for the amphibians; this statement allows for liberal use of salt to then run into the wetlands. This statement says: Do whatever you want.

The farmland mitigation is laughable. Spring Manor Farm is already farmland and to create prime farmland at the Depot Campus will require disruption of the environment there. It is just plain stupid.

Thank you for your time to read this.

Elizabeth T. Wassmundt
54 Old Turnpike Road
Storrs, CT 06268

My name is Lawrence Silbart, and I am the newly appointed Vice Provost for Strategic Initiatives at UCONN. I address you this evening more from the perspective of a research scientist, as I have directed a research lab for nearly 25 years. I also have rather deep environmental roots, having worked for the National Wildlife Federation many years ago and having taught Environmental Health at UCONN for 22 years. Parenthetically, I also charge my Chevy Volt from our roof-mounted solar panels and served on the Willington Inland Wetlands and Watercourses Commission for over two years. I do not envy your difficult task of balancing environmental concerns with the legitimate needs for advancing knowledge and contributing to the economic growth and the prosperity of the State.

I believe that the DEEP is making the right decision in permitting the North Hillside road extension, in part because of the extensive efforts that have gone into minimizing the impact on wetlands, vernal pools and wildlife. Approving the construction of this road project will pave the way for the development of the Tech Park, an endeavor that is critical to our future development as a Research I University, but also as an economic engine for our region and state. One of the predictors of the success of a Tech Park is the unique clustering of scientific expertise, entrepreneurship and innovation. What makes universities particularly attractive to innovative companies are clusters of scientists who share expertise and vision; advanced facilities that can support the research; and degree programs that can provide a stream of talented graduates who can fill high tech jobs.

Without a doubt, UCONN is ready for this venture as we have a wide array of scientists who are committed to the translation of basic research into useful products to enhance the quality of life of animals and people.

Not only will the Tech Park bring together research collaborations in many exciting areas of research, it will also bring talented researchers to our campus to share important insights into the development of intellectual property through patents, and the commercialization/licensure of new products. It will serve as an incubator of innovation and entrepreneurship. Attracting new companies can be fostered by advanced manufacturing facilities, cutting edge instrumentation, clean rooms, and other high-tech equipment. These facilities will not just support manufacturing and engineering, but many applications in the life sciences such as natural products, pharmaceuticals, vaccines, diagnostics and analytics.

The Tech Park will also bring about training opportunities for our students through work-study, internships, and ultimately long-term employment in the biotechnology sector. There may also be the opportunity for university scientists to develop new start-up companies, as has occurred in the past both at UCONN and other universities.

We hope that the development of the Tech Park will allow us to attract research partners in the health sciences, including the pharmaceutical industry. As an example, we have had fruitful collaborations with vaccine manufacturers including Pfizer, Novartis and many others.

Having such companies close at hand will be incredibly powerful; a win-win for the University, the region, and the state. I thank you for considering my comments and hope that they are helpful in rendering a final decision.

Re: Diversion of Water Application No. DIV-201205385

Inland Wetlands and Watercourses Application No. IW-201205383

Town: Mansfield

Waters: Cedar Swamp Brook

September 17, 2013

Dear Adjudicator Schain, Esq.:

Please enter my testimony as "No Action Alternative" on the proposed application.

I thank you for the opportunity for the hearing and the wonderful presentation at the hearing in Storrs on September 10, 2013.

I agree with the persons who spoke against the proposal at the said hearing. Here I would like to highlight especially Catherine Carlson's excellent testimony and Winifred Gordon's pointing out Dr. Klemens' work in relation to the road design. We also heard the testimony of Attorney Smith, the pro bono attorney to Petitioner Betty Wassmundt, which summarized some problems or difficulties created by UConn during the due process of this appeal, such as trying to deny Ms. Wassmundt's right to obtain the necessary documents on time, UConn's attempts to ex parte communication with her, Dr. Klemens was not be available although he was listed as expert witness by Atty. Smith, UConn filed the application late, etc.

I just want to highlight some points here.

UConn, as testified by Mr. Callahan at the hearing for RB6537 (2013), is located on both Fenton and Willimantic watersheds. This fact was stressed by then Attorney General Blumenthal in his famous September 29, 2000 Opinion letter to then UConn President Philip Austin. He also urged UConn to" *conserve and preserve watershed and open space land."*

Because UConn is built on such an environmentally sensitive area, any new expansion must take much consideration and time. Besides, the university has outgrown so much that its growth has begun affecting negatively on Mansfield.

The substructure of Town of Mansfield is not suitable to bear university's any further expansion. Besides, the town does not have enough water and is far from the highways.

From now on, I would like to refer to the final EIS North Hillside Road Extension October 2011, hereafter EIS.

IS THE EIS STILL VALID?: When EIS completed in 2011, I believe, NextGen of UConn was not in the picture which may make this EIS invalid.

CEPA pointed out that "the extent of the future development of this region is still uncertain." (P.9 in EIS 2007)

THE DESCRIPTION & NEED FOR THE ROAD: ES -4: "*...to construct a new road, by extending the existing North Hillside Road, to provide alternate entrance to the University and to facilitate the development of a North Campus expansion .*" Although it is 3,400 linear feet long road, what it is to connect and cause to expand will environmentally, socioeconomically devastating to Mansfield and adjacent towns.

ALTERNATIVES: I am highly surprised that EIS did not consider other alternatives as location other than Depot Campus. I question that ANY serious consideration was given even to the Depot Campus.

The university needs to have a futuristic vision as to establish any new growth and expansion in locations other than Storrs.

INCREASED HOUSING DEMAND ON ENVIRONMENT: ES-16: "*The new jobs created by the proposed action will create an increased demand for existing and new housing,.. Construction of new housing*
has the potential for secondary and cumulative impacts to wetlands, water quality, farmland, traffic, air quality, utilities, and other environmental resources. ". The proposed tech park project will create 3000 jobs of which around 800 will come from Mansfield. The NextGen requires 5000 students, and around 600 new faculty. All these new humans need basic needs, such as housing, transportation, etc., which require use of natural resources impacting negatively on the environment.

EIS-16"*All such new housing developments would need to comply with local zoning and be subject to their own environmental reviews on a case by case basis. Mitigation measures, as necessary, for this new housing will be implemented as a condition of local project approval, as well as applicable state and federal permit requirements.*" Do you think, all these agencies are able to put back the environment loss? It is shame that local zoning agencies have to weather all these negative impact on the towns.

SOIL TESTING: EIS-17 Mitigation Measures Table: When will the soil testing done? What if the soil testing indicates that the new site is not suitable or comparable?

TRAFFIC: ES -10: Traffic: Even without the tech park and the NextGen the roads are congested due to increased traffic of UConu. The new road will not alleviate the congestion on 195South. Furthermore, it will create congestion in Rts 44 and 195.

WETLANDS AND WILDLIFE HABITAT: ES-14: *" Direct and indirect impacts of the roadway extension include loss of existing woodland, grassland & field, and wetland habitat."* Is there any thought and calculation how long it takes to restore these environmental losses? Perhaps never.

THREATENED OR ENDANGERED SPECIES: Special consideration should be given to the following points:

ES -14: : *"The build alternatives could result in potential impacts to the state-listed Northern Spring Salamander."...*

ES-19: *"Avoiding construction within the vernal pools and within the 100-foot envelope of the vernal pools, preservation of 85% or more of the upland habitat within the 500-foot review area, and minimizing development within the 750-foot critical upland area to less than 25%, which is consistent with the guidance provided in Calhoun and Klemens* (2002). Was this not observed?

One of the speakers at the said hearing, Ms. Gordon, specifically pointed out Klemens' guidance as pointed out on ES-19 as *"Avoiding construction within the vernal pools and within the 100-foot envelope of the vernal pools..."* was this not observed?

ENVIRONMENTAL JUSTICE: ES-15: It seems EIS considered student population within the campus but not the other population outside the campus. As a speaker from "Jensen" Mobile Home Community pointed out, it will affect their quality of life.

Therefore, I would like you to approve the "No action alternative" and no permit issued from your department for the said project.

Respectfully,

Tulay Luciano
808 Warrenville Road
Mansfield Ctr. Ct 06250
860.429.6612

Schain, Brendan

From: rhoss1@juno.com
Sent: Tuesday, September 17, 2013 12:56 PM
To: DEEP Adjudications
Subject: Hillside Rd extension

Brendan Schain, Esq.
79 Elm St
Hartford, CT 06106-5127

Brendan,

I would like to reiterate my point regarding the Hillside Rd extension. As a resident of Mansfield, I live on the corner of hunting Lodge Rd and Rt 44. I see the tremendous amount of traffic using these roads as short cuts to the university. I don't believe this extension of Hillside Rd will alleviate this traffic, actually it will make it worse. I don't have data to support my view on this other than personal experience but then again UConn has none to support their position that it will lighten traffic. Consider the fact that UConn is intending to increase student enrollment as well as increasing faculty and staff. This in itself will increase traffic to proportions we can only imagine at this point. Therefore I am opposed to the Hillside Rd extension.

Another reasonable ascertain made recently by Winifred Gordon sums it up really well. I quote .....

.". one need not be an expert to become informed about the best practices for vernal pool mitigation. I simply read the manual *Best Development Practices Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States,* written by Aram Calhoun and Michael Klemens, and waded through the 2012 Record of Decision on the North Hillside Road Extension. While I was given my copy of Calhoun and Klemens, I found that it was also available, in its entirety, on the internet. It is written in layman's English, has useful diagrams, and is considered the manual for planning development such as the Tech Park. The ROD is also available on the internet; it is not nearly as interesting.

In addition to being the likely undoing of Mansfield's rural identity, the Tech Park (as planned) does not conform to what is considered best management practice for an integral part of the natural environment. As stated at the hearing, Calhoun and Klemens clearly state that "roads and driveways with projected traffic volumes in excess of 5-10 cars per hour should not be sited within 750 feet of a vernal pool." (p.19) They also state that, in order to "support upland populations of amphibians that breed in vernal pools," plans for development should "maintain or restore a minimum of 75% of the zone" i.e. the area within 750 feet of the vernal pool. (p.16) These guidelines are intended for *each individual vernal pool.* As you will see on p. 7 of the ROD, the Tech Park road/parcel plan distorts this formula and applies it "*to all of the North Campus vernal pools collectively.*" This is quite a different proposition. Whereas Calhoun and Klemens recommend no more than 25% disturbance, the ROD states that 2 of the pools would be 34% disturbed and 1 would be 33% disturbed. I would describe this as UConn (Fuss and O'Neill really) rewriting best practice guidelines to suit their purpose; it's actually poor practice."

Thank you for your time and consideration.

Ric Hossack
432 Middle Tpk
Storrs, CT

Hello Mr. Schain,

I attended and listened to the hearing on the above subject. I would like to voice my concern over progress and it's disruption to the earth's species. My thoughts are best said by James Howard Kunstler, "A paradox of life in these times is the inverse relationship between technological wizardry and the satisfactions of being a live organism in a real place (i.e., on the planet Earth). It probably boils down to a proposition that the American public is not ready to entertain: that **the virtual is not an adequate substitute for the authentic**. Eventually it will be a hard lesson to learn."

We, humans, continue to destroy the evolution of earth without thinking about their impact on earth as a whole. We continue to cover the planet in asphalt when we know this is not an environmentally safe and displaces many species in the earth. We do this in the name of progress. Progress is killing the earth.

I vote no to the Hillside road extension and to the technology park.

--

Eva Csejtey
Mansfield Resident

Dear Mr. Haskins,

Please consider the following comments in formulating a final recommendation regarding

Applications for Diversion of Water Permit, Inland Wetlands and Watercourses Permit and 401 Water Quality Certification

Applicant: University of Connecticut
Application Nos.: DIV - 201205385, IW-201205383, WQC- 201205382
Town: Mansfield

A fundamental assertion at the beginning of the EIE is that the road extension is necessary. I seriously question that assertion.

It presumes that the current traffic volume is necessary and could increase.

How about eliminating the traffic?

This would eliminate the need for the road and sustain the water resources in the parcel with current levels of protection, which have proven quite adequate.

Elimination of traffic has been effectively exercised in many European congested cities.

A university has peak traffic flows at major events. There are many staff that enter and exit at roughly the same time, but daily trips by students and faculty are widely dispersed.

Some options to consider:

1. Provide shuttle buses to outlying parking areas for major events. Coach busses from major Connecticut cities could provide transportation and expand the fan experience for major sporting events on campus. Also, those driving private vehicles and parking remotely would have decrease their long exit waiting times from the garages and lots, providing an incentive to use these shuttle services. The Depot Campus could be considered for expanded parking for major events, if accompanied by frequent, reliable shuttle service. Similar consideration should be given to the recently closed state prison in Mansfield, immediately opposite the Depot Campus. Together they could be considered as an off-site transportation hub.Possible State of Connecticut Park and Ride locations exist at Exits 68 & 69 of I-84, in Coventry on Route 44 at the 2nd Congregational Church in Botlon at Routes 6, 44 & I-384, in Ashford on Route 44 at Saint Philip Apostle Church. These could be particularly appropriate for evening events, as these lots typically serve daily business commuters. Some creativity for additional parking lots could be exercised, such as entering into an agreement with East Brook Mall or Eastern Connecticut State University (at their athletic complex). Such shuttle arrangements are common at many academic institutions.

2. Provide frequent shuttle buses for employees at peak times, with similarly off-site parking, including greater utilization of all UConn lots (such as near the hockey rink, which is regularly

well below capacity), either free or at rates lower than the campus garages. Again, expanded parking at any of the sites mentioned in #1 should also be considered.

3. Impose financial disincentives for driving on campus. Under current circumstances, there are students within a mile of campus that often drive to campus.

As an additional measure, what about considering making some local roads only one-way (over both traffic lanes) for better traffic flow on major events. This is admittedly some disruption for local residents, but with the benefit of reducing the time of disruption now experienced. This is exercised effectively at Tanglewood.

Such measures should be explored for some extended experimental period of several years prior to committing to permanent road construction.

With a road presumed, it became a convenient path for location of the Tech Park, but this design should be re-visited, especially in light of water impact issues expressed at the September 10, 2013 public hearing.

There should be no urgency to build this road prior to intensive attempts at traffic elimination. Furthermore, similar prudence should be exercised relative to presumed success of the Tech Park as a justification for the road. Let the Tech Park proponents show more substantive demand for the new buildings, beyond the speculation now espoused. If sufficiently many tenants can be secured with long-term leases, requiring expansion of capacity well beyond any existing facilities at the Depot Campus then the Tech Park role because more central. It is now premature to make that judgement. If the Tech Park fails, the road will remain. Moreover, reconfiguration of the Tech Park could position it at the southern end of the North Campus parcel, providing even closer pedestrian access for students & faculty from the core campus -- without the need for more automotive trips between the two campuses, further decreasing potential future traffic.

Sincerely,

Thomas J. Peters, Ph.D.
27 Michelle Lane
Mansfield Center, CT 06250

Dear Mr. Schain-

I am deeply troubled by UConn's request for permits to allow building the Hillside Road Extension and to develop the property known as the North Campus.

I will say that the weight of my concern is beyond the scope of faults with the permit applications. In the bigger picture, I fear that developing another small city within Mansfield will be its undoing as the rural town that I have lived in for 25+ years. And I feel that the proposed Tech Park plans are completely out of character for Mansfield and will further the divide between town and gown.

All of that said, here are the technical issues I find within the applications themselves:

The farmland mitigation proposal involves "creating" new farmland near Spring Manor, which also happens to be near the Willimantic River, a source of public water supply. My understanding is that the area to be created will be denuded of trees, which I imagine could have a negative effect on the protective buffer of the river. It also seems foolish to invest considerable funds in creating one resource to compensate for the destruction of another.

The ROD states that UConn will monitor its own timing and practices regarding construction around the wetlands. Should there not also be ongoing inspection by DEEP or other protective agencies to insure compliance?

What is most troubling in the ROD is the lack of conformity with what I understand to be best practices for mitigation of development of vernal pools. While I am not an expert, I read Calhoun's and Klemens' manual *Best Development Practices Conserving Pool-Breeding Amphibians in Residential and Commercial Developments in the Northeastern United States (*and waded through the 2012 Record of Decision on the North Hillside Road Extension). It is written in layman's English, has useful diagrams, and is, I believe, considered the manual for planning development such as the Tech Park. Is this not accurate?

In addition to being the likely undoing of Mansfield's rural identity, the Tech Park (as planned) does not conform to best management practice for an integral part of the natural environment. As stated at the hearing, Calhoun and Klemens clearly state that "roads and driveways with projected traffic volumes in excess of 5-10 cars per hour should not be sited within 750 feet of a vernal pool." (p.19) They also state that, in order to "support upland populations of amphibians that breed in vernal pools," plans for development should "maintain or restore a minimum of 75% of the zone" i.e. the area within 750 feet of the vernal pool. (p.16) These guidelines are intended for *each individual vernal pool.* As you will see on p. 7 of the ROD, the Tech Park road/parcel plan distorts this formula and applies it "*to all of the North Campus vernal pools collectively*." This is quite a different proposition. Whereas Calhoun and Klemens recommend no more than 25% disturbance, the ROD states that 2 of the pools would be 34% disturbed and 1 would be 33% disturbed. I would describe this as UConn (Fuss and O'Neill really) rewriting best practice guidelines to suit their purpose; it's actually poor practice.

Finally, I am disturbed by the cavalier dismissal of the Depot Campus - an already developed

property- as a viable site for the Tech Park. It was only at the hearing that I learned of the wetland/vernal pool issues; they are not mentioned in the ROD. Is it really true that those issues are more problematic at the Depot Campus than at the North Campus? I am guessing that the real issue is one of preference and, possibly, of cost. My feeling is that UConn should more fully investigate the Depot Campus as the site for the Tech Park. It is the flagship university, it has the backing of the state, and it's #1 Greenest School per Sierra Club. UConn should be held accountable to the sustainability principles of reuse/repurpose existing development and of protecting and restoring the environment. There is no requirement that the Tech Park be as large or poorly placed as it is currently planned.

Respectfully,

Winifred Gordon
36 C Charter Oak Square, Mansfield CT 06250
860 933 6747

From: Elizabeth Wassmundt
To: Schain, Brendan
Subject: University of Connecticut North Hillside Road Extension.
Date: Thursday, September 19, 2013 12:12:23 PM

September 19, 2013

To: Brendan Schain, Esq.
Hearing Officer
Office of Adjudications
Connecticut Department of Energy and Environmental Protection
79 Elm Street
Hartford, CT. 06106-5127

Email: Brendan.Schain@ct.gov

RE: University of Connecticut North Hillside Road Extension
Application Nos. DIV-201205385; IW-201205383

Dear Adjudicator Schain:

One more question, please. Has The University been granted all the permits required by the Federal Government and/or the Army Corp of Engineers? If not, why not and is it required for these permits to be in place before DEEP accepts any wetlands applications and grants any wetlands permits?

Betty Wassmundt
54 Old Turnpike Road
Storrs, CT 06268

17 Southwood Road
Storrs, CT 06268
September 19, 2013

Brendan Shain, Esq.
Office of Adjudications
CT DEEP
79 Elm Street
Hartford, CT 06106

RE: Diversion of Water Application No. DIV – 201205385 and Inland Wetlands and Watercourses Application No. IW-201205383 for the University of Connecticut North Hillside Road Extension and the Technology Park.

Dear Attorney Shane,

Thank you for extending the opportunity to submit comments on the above permits for UCONN's North Hillside Road Extension through today, September 19, 2013 Below please find my concerns and questions regarding the project.

My concerns are the following:

1. Traffic Study (growth projections, lack of turning movement study and alternate traffic origination sources)
2. Relevancy of past EIEs and EISs
3. Runoff issues for brooks and nitrogen loading of Willimantic River
4. Aquatic life impacts
5 Impact on Trailer Park
6. The Failure to consider a legitimate alternative i.e. the Depot Campus

1. **Traffic Study**

Did the traffic studies for the North Hillside Road include the addition of 5,000 new students to the Storrs campus? My recollection is that the traffic studies were completed before the Governor's spring 2013 announcement of the intended enrollment increase. Were the 200 plus intended new faculty hires announced this year included in the traffic study? It is my impression that only approximately 25 % of UCONN employees live in Mansfield. If correct, this means that any growth in faculty equates to a growth in commuter traffic from all directions. Did the traffic studies include the increased traffic that will be generated by SB 840, Next Generation CT which just passed in the spring of 2013? Did the traffic studies include the current projections for new employees at the Tech Park? The last traffic projections I have seen are in the October 2011 Final EIS North Hillside Road Extension, which predated the Next Gen and Tech Park legislative initiatives of 2013.

It is possible that the proposed North Hillside Road Extension project will be inadequate to meet the anticipated traffic forecast for the Technology Park. Right now the road consists of two twelve foot travel lanes. Why would the university only want two lanes if this is planned as the main entrance to the university? For the past almost fifty years UCONN has wanted to widen Route 195 to more than two lanes. I see the same potential happening to on the North Hillside Road if approval were given. The scenario would be that first the road is found to be inadequate and therefore the university quickly sees the need to widen it -- a typical traffic improvement scenario. How would this square with protection of the vernal pools and the Cedar Swamp Brook and the Eagleville Brook? What would the impact be for traffic on North Eagleville Road?

The traffic analysis overall seems to be based on land use generation factors for traffic. While this is an acceptable approach, it is not a substitute for case by case analysis of each proposal that is considered for the Tech Park. The overall approach leads to a "piece meal" analysis of the proposed Tech Park. There is no question that the alternatives considered are narrowly cast to consider the views of the applicant and not the surrounding community. Trip modality issues, such as the increase of mass transit to decrease traffic, as well limiting the student use of vehicles, warrant attention.

I believe that the current location of the exit/entrance from North Hillside Road onto Route 44 may cause a significant deterioration of quality of life, safety, and property value on the section of Cedar Swamp Road between Route 195 and Route 44. This section of Cedar Swamp Road comprises a quiet family neighborhood which already has speed bumps to protect it from traffic diversion from Route 195 to Route 44. The current location of the intersection of North Hillside Road at Route 44 is in close proximity to Cedar Swamp Road. Therefore it is likely that drivers headed for or exiting from North Hillside Road will use Cedar Swamp as a cut off between Route 195 and North Hillside Road to avoid the traffic light and the congestion at Four Corners (the intersection of Route 195 and Route 44).

Overall, the notion that North Hillside Road will lessen traffic at UCONN or in Mansfield in general is humorous. If North Hillside Road were planned simply as a connecting road with no build-out on it, it could lessen congestion on Route 195 and reduce traffic on North Eagleville. However, given that its ultimate build-out is for 900,000 square feet of office and research space, and it is projected to add over 2,000 jobs to the area, it will surely increase traffic and congestion rather than reduce it. This includes increased traffic on North Eagleville Road, Hunting Lodge Road, Route 44 and Route 195. The Tech Park and all its employees, visiting researchers, business associates, along with 5,000 more students enrolling at UCONN, will together serve to significantly increase traffic, light pollution, air pollution and even noise in the greater UCONN campus area and beyond.

The 2001 North Campus Master Plan EIS and the Final EIS North Hillside Road Extension suggest that there may be additional apartments on narrow Hunting Lodge Road – expansion at both Carriage House and Celeron Square, along with mention of Ponde Place/Keystone Development, (despite the fact that the Keystone property is zoned

RAR90 -- what happened to local control?) are predicted in these documents. With two possible apartment expansions, and a possible third large new apartment complex on Hunting Lodge Road, how can anyone suggest that traffic on Hunting Lodge Road or North Eagleville will be lessened? In fact, North Eagleville Road will surely experience an increase in traffic from both the proposed research activity of the Tech Park and also from the additional proposed apartments on Hunting Lodge Road. North Eagleville Road has a hairpin curve about a half mile from campus. There have been many accidents at that curve. Many of us regularly walk on North Eagleville Road and know also the pedestrian hazards of the existing traffic. For years UCONN has promised a sidewalk along North Eagleville Road from Hunting Lodge Road to Northwood Apartments to enhance pedestrian safety. It has yet to be built. The increased traffic from North Hillside Road will make walking on this road even more hazardous. Because of its proximity to campus many UCONN athletic teams and intramural teams run on North Eagleville Road, despite its dangers.

The Storrs Downtown was planned on already congested Route 195. Now with the downtown businesses open and the new apartments rented the traffic on Route 195 is worse than before. What sort of intelligent planner sites new development in an area that is served by only one road that is already overcrowded? How will North Hillside Road reduce the destination-specific traffic on Route 195 that is headed directly to the Storrs Downtown? It would be tragic to tear up UCONN's signature Great Lawn along Route 195 from the Storrs Congregational Church to Mirror Lake to accommodate more cars. That sweep of gracious lawn gives the campus character and is one of its outstanding aesthetic features.

Why does UCONN continue to plan car-dependent developments? Why is there no major plan for mass transit to the UCONN campus? Shouldn't a mass transit plan precede or accompany large-scale development plans at this rural campus? Isn't it ironic to try to design a cutting-edge tech park with outdated transit plans?

2. Relevancy of Past EIEs and EISs

Does the 1994 EIE for State Actions Associated with a Research and Technology Park, 2001 EIS of the North Campus Master Plan, and 2011 Final EIS for the North Hillside Road Extension still have relevancy given the extent to which the Tech Park project has changed, along with the proposed increase to the student body, the intended location of the Haz Mat facility, and the overall currently intended of use of the North Hillside Road, North Campus area? The originally approved concept for the North Hillside Road area included student housing, a faculty retreat, and an athletic field. These are no longer design aspects of the North Hillside Road/Tech Park development. Instead more research/manufacturing type space is planned. *Does this conform with the approved use groups? Who performed the conformity review, when, and where is it?* The Storrs Downtown was originally presented as graduate student housing and it is basically undergraduate housing now. A hotel, never part of the original plan, is being considered there. Many things associated with the university and upon which approvals were

granted have also changed. Was the new basketball facility currently under construction on the former football field (a pervious surface) anticipated in the 2011 EIS?

The many entries in OPM's CEPA Tracking Log for the university demonstrate the sequential way the environmental impact of individual buildings has been considered in lieu of the aggregate effect of each new building as part of a whole campus impact. Sequential or serial building development does not lend to accurate estimation of environmental impact in a campus setting.

Given that the university sold many acres to a private developer to construct the Storrs Downtown, and given that the university subsequently purchased the unpaved property on King Hill Road, which it intends to build on, has the ratio of impervious to pervious surface changed significantly on campus? This ratio is one of the factors discussed in the 2001 and 2011 EIS. Much of the property that UCONN sold for the downtown was previously not paved or built on, but now is. I understand that the property on King Hill Road, which is currently dirt, is planned for construction also. Has the balance of impervious to pervious surface changed significantly with the various sales and purchases of property and the new construction both on and off campus? Is that ratio now out of range for the goal in the 2011 Final EIS for the North Hillside Road Extension and 2001 North Campus Master Plan EIS?

3. **Runoff Issues for the Eagleville and Cedar Swamp Brooks, general surface and ground water concerns, and Nitrogen Loading of the Willimantic River**

I am greatly concerned about the health of the Cedar Swamp Brook and the North Eagleville Brook in light of the proposed North Hillside Road and the Tech Park. Mr. Doug Hoskins of the DEEP suggested that North Eagleville Brook might experience minimal impact from run-off from impervious surface and that the Cedar Swamp Brook might experience 2% from run-off sources, but that the overall impact was under 10% -- in fact around 8%. Given that the North Eagleville Brook is already an impaired brook, any further run-off contribution is a serious matter. It is not the same as additional run-off impact on a healthy brook, but rather creates a compounded problem for the struggling brook. The Cedar Swamp Brook currently has a higher than normal bacteria level.

The Cedar Swamp Brook headwaters are in the area of the proposed Tech Park property. This makes run-off issues even more significant. Moreover, this brook was historically impacted by the UCONN landfill and chem pits and deserves to be mindfully protected now. It co-mingles with the Nelson Brook southwest of the N Hillside Road area and flows into the Pink Ravine Reservoir, then through a working farm where it waters the livestock, and on down to the Willimantic. The reservoir that the Cedar Swamp Brook feeds sits within a 150 acre parcel which was taken over from the Costello family farm and the Mansfield Fish and Game club by eminent domain in the early 1900's because it is so water rich. This reservoir became the drinking water source for UCONN and the Mansfield State Hospital and Training School. This water system deserves better and

more mindful protection than is currently provided in the North Hillside Road Extension plans. Moreover the proximity of the already impaired North Eagleville Brook to the Cedar Swamp Brook underscores a need to carefully protect these two waterways.

How might the Eagleville Brook be affected by both the intended construction of the North Hillside Road, and the Tech Park, as well as UCONN's property above it on King Hill Road? Does the run-off from North Hillside Road into the Eagleville Brook tell the whole story of impact on this brook from intended new construction? Should the impact from the North Hillside Road extension be considered in concert with King Hill Road plans?

Storm water controls within the North Hillside Road area should provide 100% retention of the storm water within the watershed and more specifically within the project site. Storm water retention ponds should be sized to accommodate the worst rainfall events we have seen in the last five years. No releases off the property should be allowed. The low impact development in this area needs to include permeable parking systems to enable the highest possible infiltration of water back into the watershed. Ideally, no chemical storage or chemical use would be allowed in the watershed area. This of course would be a perhaps insurmountable challenge given the nature of the project and UCONN's already existing problem with hazard waste storage.

Among the buildings proposed for the North Hillside Road area is the new Hazardous Materials storage building. What plans have been made for a possible spill of hazardous materials being transported out along North Hillside Road through the wetlands area? How would this be managed? How would toxic liquids be kept from spreading through the wetlands or kept from running into the Cedar Swamp Brook or the North Eagleville Brook? How would stored or transported hazardous materials in privately owned, leased, or managed buildings be handled? Is it safe to transport hazardous liquids and solids through an area with so many wetlands and vernal pools?

What consideration has been given to the location of the former landfill and chem. pits with regard to construction activity in the North Hillside/Tech Park area and protection of groundwater and surface water sources? What would the consequences be to the integrity of the landfill and chem pits remediation if there were blasting in this area? What impact might the weight of 900,000 sq feet of office space, or the construction of the basements of so many large buildings, have on the chem pits? I ask that Carole Johnson of the USGS, John Kastrinos of Haley and Aldrich, and Ray Frigon of DEEP each be shown full plans for the North Hillside Road Extension and the Tech Park, including, but not limited to, the intended location of the Haz Mat facility, and be asked to consider any possible impacts on the integrity of landfill and chem. pits remediation efforts. I am most concerned about the former chem. pits. If they say there is no problem, then please ask them to explain why.

When UCONN chose the site on North Hillside Road for the new Haz Mat facility neither Carole Johnson, John Kastrinos nor Ray Frigon, each of whom was intimately involved in the landfill and chem. pits investigation and remediation was asked for an

opinion on the site location. The proposed new Haz Mat storage facility is also very close to the sewage treatment plant. Were a truck to swerve and crash I shudder to think how quickly any spill into the sewage treatment plant might make its way to the Willimantic River. I also question the wisdom of placing the Haz Mat facility down in a hollow so close to the chem. pits. where there is so much fractured bedrock. It appears to me that this location was not thoughtfully considered relative to the chem. pits. In contrast, I hope that during this wetlands permitting process for the North Hillside Road Extension, that thoughtful reflection will be given to possible impact on the chem. pits and former landfill. There are knowledgeable experts readily available to consider these questions.

Either the EIS for the Feb 2001 North Campus Master Plan or the 2001 Final EIS for the North Hillside Road Extension stated that there are currently no air pollution sources in the North Hillside Road area. It is my recollection that the former chem. pits and greater landfill area is vented to allow the escape of toxic gases.

As UCONN grows to potentially include the Tech Park, its employees and research activities, as well as 5,000 additional students, what thought has been given to avoiding an increase in the **nitrogen level** in the Willimantic River as a result of increased effluence from UCONN's sewage treatment plant? Furthermore, will UCONN need an additional sewage treatment plant and if so, where will it go? Will it also be in the North Hillside Road area?

4. **Aquatic Life Impacts**

I second the concerns of Dr. Michael Klemens as expressed in his letter of September 10, 2013 to Cheryl Chase regarding the proposed location of the North Hillside Road through the middle of a series of vernal pools which serve a meta-population function. This is not acceptable.

Inventories have been taken on aquatic life in the North Hillside Road area and are noted in the 1994 EIE and the 2001 and 2011 EIS. I do not see any mention of the remediation that was done in the wetlands southwest of the intended road extension (due to the chem. pits and landfill infiltration in the wetlands) in the 2001 or 2011 EIS nor could I find any data to indicate that there has been any study of aquatic life in this area since the remediation to the wetlands.

One of the options for locating the proposed new water main to UCONN is down the proposed North Hillside Road. Would the road need to be wider than currently planned? (I know there is already some accommodation for utilities and water in the design but this preceded the 2013 ROD). How would routine or emergency maintenance of the water main be conducted with respect to the nearby wetlands and vernal pools?

5. **Impact on Jenson's Rolling Hills Trailer Park**

How will the existence of Jensen's Rolling Hills Trailer Park be protected? If the Tech Park is constructed I can imagine that there might be pressure from UCONN administrators to destroy the trailer park, despite its tidy and landscaped appearance, or pressure on the owners to sell due to increased value of the land. How will this well-maintained and proudly owned low-income housing complex be preserved? This respectfully cared for property has long served a component of Mansfield families.
In the recently constructed Storrs Downtown there are many new apartments but not one square foot of affordable housing despite the many state and federal dollars that enabled the development.

6. **The Failure to Consider a Legitimate Alternative Site, i.e.; the Depot Campus**

UCONN should give serious consideration to renovating the Depot Campus and take advantage of its terrific location in terms of aesthetics and traffic. The Depot is magnificently situated on the corner of Route 32 and Route 44. It offers excellent accessibility without placing a burden on narrow residential roads or adding to the congestion in the center of the main campus. It is the easiest section of UCONN to reach from Interstate 84. Putting the Tech Park at the Depot Campus would keep traffic out of the main campus as well as off both Route 195 and North Eagleville Road. Moreover, the campus itself was designed with wonderful lawns, carefully chosen landscaping trees, and a gracefully curving road.

The Depot sits high with pleasant views toward the surrounding countryside. The approaching ride to it along Route 32 passes the driver under some of Connecticut's last grand Elm trees. The splendid views along this Route 32 approach to the Depot Campus span across Spring Manor Farm to the Coventry hillside and over the Willimantic River on the south side. The site itself could be a showplace. UCONN has underestimated its value for decades. Unable to get past its history as a Training School for disabled people, as if the property were tainted, many UCONN administrators have been blind to its value and hence the piecemeal and ugly development of it has ensued. I think it was wrong of DEEP'S Doug Hoskins to simply dismiss the Depot as a possible alternative simply because it was foolishly dismissed in the 1994 EIE. The Bergen Correctional Facility, which admittedly was a disincentive to develop more at the Depot Campus, is now gone. The entire Depot property should be reconsidered for the Tech Park with new eyes and an open mind. Global warming and decreasing worldwide water resources, along with diminishing forests were not in focus in 1994 as they are now.

Repurposing exiting buildings and campuses rather than destroying forest for new development would put UCONN out front as a leader. Beyond the Depot Campus, additional space for research or manufacturing could be found in Willimantic in the already partially-renovated Windham Mills or in other vacant industrial space. This would be wise environmentally as well as economically beneficial to the region. It would add employment opportunity to struggling Willimantic and therein provide a social

justice element. A design for a technology and research center which uses existing infrastructure would demonstrate creativity and innovation. It would demonstrate genuine commitment to the environment.

The fact that many of the buildings at the Depot Campus have asbestos is a flimsy reason not to use them. In-use buildings of the same age on the main campus had asbestos and it has been removed. Moreover, if the buildings on the Depot Campus are left to deteriorate further, and the hazardous materials in them become exposed to the environment, they will have to be properly remediated anyway.

At the public hearing I listened to numerous academics who work at the Depot Campus say how much nicer it would be to have the Tech Park contiguous with the main campus. They suggested people would walk from it to the main campus. I don't buy that. I regularly walk from Pink Ravine, across Hunting Lodge Road, through to the existing N Hillside Road, entering it by Charter Oak Apartments. I walk down N Hillside to N Eagleville. I have never seen a pedestrian leave Charter Oak Apartments nor do I see many pedestrians on the sidewalk that runs the length of N Hillside Road to N Eagleville Road. People will use buses, cars, and occasionally bikes, to travel from the proposed Tech Park to the main campus. This is exactly how people get to the Depot Campus now.

UCONN's proposed plan to clear cut 38 acres of forest at the Depot Campus to create farmland, and then truck in agricultural soil, is absurd. What could be more environmentally reckless than to clear cut forest for the North Hillside Road Extension, then clear cut at the Depot, to then rip up farmland elsewhere to transport it to the Depot? To do this in the name of the environment would be bizarre.

Please note for the record that I am submitting the above comments as a private citizen. I acknowledge that I am a member of the Council on Environmental Quality. I underscore that in this communication I represent myself alone.

Thank you. I appreciate your careful review of this permit application.

Sincerely,

Alison Hilding

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From:	Kumar, Challa
To:	DEEP Adjudications
Cc:	Kumar, Challa
Subject:	UCONN Request for Extension of North Hilltop Road
Date:	Thursday, September 19, 2013 3:59:31 PM

Dear Mr. Shain,
This note is in support of the above proposed extension on UCONN Storrs campus. The reasons for the support are the following:
1. Current traffic on Mansfield and UCONN roads will be redirected through this extension, to a large extent, and relieve congestion but make it more safe for both pedestrians and drivers. This is a significant, tangible, certain and clear benefit to both parties.
2. It will create new conservation lands upto 77 acres or so, a definite improvement over current status, and promote local fauna and flora to flourish.
3. It will provide new jobs, provide new opportunities and potential for growth of UCONN north campus. UCONN has been serving this community, state, country and the world via education, training and research. They are not only teaching what is already known but creating new knowledge and inventions. This aspect is a clear benefit, and growth of UCONN is good for both parties.
4. The proposed construction of TechPark may appear to be disconnected with the above request but both parties see it intimately connected, and they are. For example, this extension will facilitate improved access to new space for UCONN, and this space could be used for TechPark, TechParks where '**Innovations come to life**". These innovations are urgently needed to mitigate the environmental damage that has already occurred and is sure to continue unless intervened. The only way we can hope to overcome this problem is by developing new, green and sustainable technologies through green science and engineering. TechPark will play a key role in ushering-in this change. This a key connection between the proposed extension and tangible benefits to all parties concerned, in cluding the State of Connecticut.
5. Will there be no impact of proposed activities on the environment? Of course, there will be impacts. Our daily activities, as simple as breathing, or driving cars or using any technology has impact. Unless we give up all our technological advancements to date, we need to find ways to mitigate the negative impacts, and TechPark can help. UCONN can and does its duty by educating the current and future generations in environmental awareness, responsibility, research and innovation. Education and Teaching are our investments in **'Future'**.

For these reasons, I strongly support the above request.

Sincerely

Challa V. Kumar
Professor of Chemistry and Biological Chemistry

From: caterina.riccardi@uconn.edu
To: DEEP Adjudications
Subject: UConn Tech Park
Date: Thursday, September 19, 2013 4:34:10 PM

Brenden Shain,

I am writing to you from the University of Connecticut to voice my opinion about the proposal to build a "Tech Park" near the campus over wetland grounds.

I am currently a Chemistry Graduate Student so I understand concerns that people may have on the environment – namely the impact on the wetlands. I was informed that the building site would cover about 0.3 acres of wetlands, and to compensate for this loss UConn proposed that they build a 77 acre wetland reserve. Some argue that this is not enough, but I am not one who can make that kind of decision. We must all understand that with every advancement of the human race, there is always a sacrifice that must be made. UConn is a place where innovations are made, and the Tech Park could be the place where the research comes to life. It is these kinds of places, universities and laboratories, where every-day technology is developed for our future. It is important that the Tech Park be close to the university so that researchers like me can easily access it. Finally, and most importantly, UConn is a place where we can learn and innovate, and hopefully where our future generations will do the same. It is our duty to ensure that.

Thank you for your time,
Caterina Riccardi
Graduate Student
University of Connecticut
Department of Chemistry
55 North Eagleville Rd
Storrs, CT 06269

caterina.riccardi@uconn.edu

From: Baveghems, Clive
To: DEEP Adjudications
Date: Thursday, September 19, 2013 4:35:24 PM

Dear Mr. Shain,

I am a graduate student at the University of Connecticut, Storrs CT. I am writing to you in support of the tech park and necessary access roads on the Storrs campus. I understand that there may be some toxicity, increased traffic, and disruption of wetlands associated with this project. However, I believe that the influx of jobs and technology will position UCONN and the surrounding neighborhood in the forefront of technological innovation and development over the next 20+ years. Low level increases in toxicity is a small price to pay for an meaningful investment in the future of our community. I urge you to move forward with the required legislation to make the tech park a reality and advance UCONN among the premiere international technology centers.

Sincerely
Clive Baveghems

Arthur A. Smith
74 Mulberry Road
Mansfield Center, CT 06250

Hearing Officer Brendan Schain
Environmental Protection-Office of Adjudications
79 Elm Street
Hartford, CT 06106-5127

Re: Public Comment on Pending Application Nos. DIV-201205385 and IW-201205383

Dear Hearing Officer Schain:

The aforementioned permits should be denied because:

(1) The Applications Noticed to the Town of Mansfield at the time of notice were **incomplete**, they failed to include required signatures and failed to include the request for Natural Diversity Data Base, later dated at 7/11/12, see App.4.

(2) Certification on 06/12/12 by Richard Miller is unsupported by the record that:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief.
I understand that a false statement in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-1 57b of the General Statutes ,and in accordance with any other applicable statute.
I certify that this application is on complete and accurate forms as prescribed by the commissioner without alteration of the text. I certify that I will comply with all notice requirements as listed in Section 22a-6g of the General Statutes."

In addition to the aforementioned incomplete notice to the Town of Mansfield, and the failure to submit signed submissions, the supplemental application material filed February 8, 2013, see App.13, failed to disclosure UCONN's water insufficiency for the proposed development, it was not updated to reflect inadequate water supply, in contrast to affirmations made in the original application.

(3) There is a presumption that a permit will not be granted for work in a wetlands unless there are no practicable alternatives which are less environmentally damaging. A heavy burden is placed on the applicant to overcome this presumption, see 40 C.F.R.Sec. 230.10(a)(3). The applicants have failed to establish that there are no other sites available to meet its stated objective; the cited 2008 Feasibility Study does not define the number of miles from campus center to research facilities to define "close proximity." Complete alternative site

evaluations were not conducted to be evaluated as practicable alternatives. No oaths were taken from any of the presenters at the public hearing to support the required number of miles from campus for a distance determination.

(4) The applicant's Environmental Justice assessment was inadequate, it failed to address "stressors" such as the poor health as reflected in morbidity and mortality data of residents in the immediate and surrounding area, a senior housing neighborhood borders the development area and the proposed entrance will intersect elderly walkways to markets and pharmacies, rather than on just race, ethnicity, or income as recognized in NEPA Guidance directives on environmental justice evaluations. No distinction is made between seasonal and permanent population groups.

(5) DEEP adjudicators must act in accordance with the DEEP rules and regulations, failure to follow those rules result in invalid actions. The failure to grant Intervener Party Status to a Town Resident, who noticed a witness Dr. Michael Klemens, an expert relied upon by the applicant, a known expert in the field with vita provided in advance to the Hearing Officer, to support Intervener Party assertions that the applications caused an unreasonable impact to vernal pools and possibily to state endangered species is inconsistent with the DEEP rules of practice that intervener party status is to be "construed liberally so as to further the policies and purposes of the Connecticut Environmental Protection Act, sections 22a-14 through 22a-20 of the General Statures, and the statutes and regulations administered by the Department." See, Sec.22a-3a-6 (k).

For the aforementioned reasons the applicant's permits, as presented, should be denied, please review attached DEEP letters of deficiencies and Natural Diversity Data Base (NDDB) response.

Sincerely,

Arthur A. Smith

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

Bureau of Natural Resources
Wildlife Division
Natural History Survey – Natural Diversity Data Base

August 23, 2012

Mr. Erik V. Mas, P.E.
Fuss & O'Neill, Inc.
78 Interstate Drive
West Springfield, MA 010089

Regarding: North Hillside Road Extension, University of Connecticut, Storrs Campus, Mansfield, CT
Natural Diversity Data Base 201205543

Dear Mr. Mas:

In response to your request for a Natural Diversity Data Base (NDDB) Review of State Listed Species for the North Hillside Road Extension, University of Connecticut, Storrs Campus in Mansfield, CT, our records for this site indicate extant populations of endangered, threatened, and species of special concern on or within the vicinity of the site.

Precautions to protect grassland and forest bird populations shall be addressed, and may include, but not be limited to: construction being conducted outside of the avian breeding season. (August through March)

Precautions to protect amphibian populations; and their habitats shall be addressed, and the project plan should incorporate mitigation measures for vernal pools as discussed in the publication "Best Development Practices; Conserving Pool-Breeding Amphibians in Residential and Commercial Development in the Northeastern United States (Metropolitan Conservation Alliance Technical Paper No. 5). This paper can be obtained by contacting the Metropolitan Conservation Alliance/Wildlife Conservation Society (68 Purchase Street, Third Floor, Suite 2, Rye, New York 10580). Mitigation measures on vernal pools may include, but not be limited to:

- A minimum of a 100-foot buffer should be delineated around vernal pools. Whenever, to the extent possible, a wider buffer would be preferred to lessen the amount of salt and chemicals introduced into the soil from the road and sidewalks, thereby providing more beneficial habitat for wildlife, especially amphibians.
- Amphibian crossings should be designed for maximum height clearance to allow greater light penetration and include a more natural interior substrate to aid species movements.

The Natural Diversity Data Base includes all information regarding critical biological resources available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, private conservation groups and the scientific community. This information is not necessarily the

Connecticut Department of
ENERGY &
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September 27, 2012

University of Connecticut
31 LeDoyt Road U-3055
Storrs, CT 06269-3055

Attn: Richard A. Miller

Re: **APPLICATION DEFICIENCY**
Applications #FM-201205381, WQC-201205382, IW-201205383, DIV-201205385
North Hillside Road Extension
Cedar Swamp Brook
Mansfield, CT

Dear Mr. Miller:

The department has reviewed the above referenced applications received June 28, 2012 and has identified the following deficiencies in the applications:

1. A completed *Certification of Notice Form- Notice of Application* (form #DEP-APP-005A) has not been received.

2. A draft conservation easement agreement in compliance with Army Corps of Engineers New England District Compensatory Mitigation Guidance will need to be reviewed and approved prior to any permit issuance in order to ensure consistency with the mitigation that the Corps will request.

In addition to the above deficiencies, the following information and clarifications will be required so that our application review may continue:

3. An explanation as to why the Non-development Areas as indicated on Figure 8 of Attachment L were not included as a Proposed Conservation Easement Area is required. Given that the most valuable vernal pool on this parcel, #1, lies within a Non-development Area it should be included as part of the Conservation Easement Area along with as much of its 750' setback as possible.

4. There is an inconsistency on the stated width of the shared use path/sidewalk on the proposed roadway. The Executive Summary describes it as 13-foot wide while the plans in Attachment G indicate an 8-foot wide path.

5. Alternatives to the direct discharge of collected storm water runoff to Vernal Pool #2 should be presented. The Vernal Pool Study in Attachment Q2 indicates that this was the only vernal pool to contain fairy shrimp. Fairy shrimp are indicative of a healthy vernal pool habitat and are particularly susceptible to water quality impairment.

6. Page 20 of Attachment L speaks of a scrub/shrub wetland habitat being created as part of the wetland mitigation site which is inconsistent with Plate 24 in Attachment G that states that only a forested wetland is to be created.

7. There appears to be repeated inconsistency regarding direct impacts to the 100-foot vernal pool envelopes throughout the application. For instance, page 9 in Attachment Q says there is no impact, while Table 5 of Attachment Q sates there is impact, as also indicated by project plans in Attachment G.

8. Historical documents relating to this project have mentioned the inclusion of evergreen plantings along the earthen berm located between the wetland mitigation area and the agricultural fields, however none are included on submitted project plans in Attachment G.

9. Additional avoidance measures to further reduce development within the 100 foot vernal pool envelope at Wetland Crossing C must be evaluated. Granted, progress has been made in this regard in that the currently proposed bridge will promote unimpeded amphibian passage within the delineated wetlands that join the two pools; however it does not do so for the connective, adjacent upland areas currently proposed for road construction. This upland area provides critical migration routes according to the vernal pool study in Attachment Q2 of the application. Such measures could include, but not necessarily be limited to, a longer bridge, additional retaining walls, and/or a narrower street.

10. Similarly, please consider additional mitigation measures (as recommended in the application's vernal pool study) for the proposed road construction at Wetland Crossing C, including deflectors to guide migrating amphibians to the bridge and low angle curbing to more easily allow amphibian passage over the road should they succeed in ascending the proposed road embankment.

11. Continuation of the existing vernal pool study is recommended to document any alterations to the physical, chemical and biological condition of the vernal pool community if and when construction commences.

12. There may be an opportunity for the incorporation of created vernal pool(s) within the proposed wetland mitigation area which will compensate more directly for any unavoidable impacts to vernal pool condition should this current proposal be approved.

Further, in order to expedite any application approvals, it is requested that permit conditions be drafted for our review and approval regarding the following items (most of which were suggested within application materials):

13. Use of only non-potable water for irrigation.

14. Project construction date exclusions as related to grassland bird breeding and amphibian migration periods.

15. Reduced salt use on roads and parking lots.

16. Wetland and watercourse delineation at agricultural mitigation areas prior to conversion.

17. "Re-flagging" the wetland boundaries in the vicinity of work limits prior to construction start.

18. Provisions for agency review for each individual master plan parcel if and when they are to be built.

19. Use of Low Impact Development storm water BMP's for master plan parcels (e.g. bioretention, water quality swale, permeable pavement, underground detention, hydrodynamic separators, outlet protection, etc.).

20. Exclusion of wet detention basins within amphibian migration areas.

If you have questions regarding the above environmental review items, please contact Doug Hoskins at 860-424-4192, douglas.hoskins@ct.gov. Questions regarding the engineering items below should be addressed to Sharon Yurasevecz at 860-424-3861, sharon.yurasevecz@ct.gov.

21. The stormwater drainage from North Hillside Road discharges into the Route 44 proposed system. The stormwater drainage system proposed along Route 44 does not include water quality treatment. It appears that the roadway contributes over one acre of impervious surface draining untreated runoff directly in Cedar Swamp Brook and associated wetlands. The system must be designed to provide water quality treatment in compliance with the 2004 Connecticut Stormwater Quality Manual. There should be no discharge of stormwater into Cedar Swamp Brook without appropriate treatment of the stormwater. Furthermore, in issuing a Water Quality Certification the State is certifying that project discharges are consistent with the State's Water Quality Standards.

22. Route 44 is a state Department of Transportation (DOT) roadway and therefore the DOT will need to give approval for work within their right-of-way. If it has been received, the application should include the approval from the DOT State Traffic Commission (STC). If the approval shows that the stormwater drainage system is designed in accordance with

the DOT Drainage Manuals and the 2004 Connecticut Stormwater Quality Manual and documentation is included showing no adverse floodplain impacts for the activity within the Cedar Swamp Brook FEMA floodzone, no further information is needed with regard to these issues. If the STC approval does not confirm the aforementioned, then the following design documentation is required:

- Drainage calculations showing the stormwater drainage system, including outlet protection and swale, as designed in accordance with the DOT drainage Manual.
- Water Quality design showing the stormwater drainage system complies with the 2004 Connecticut Stormwater Quality Manual.
- Documentation that the Route 44 Drainage system will address the increase in peak flow discharge from North Hillside Road.
- Documentation showing no adverse flooding impacts for the proposed activity within the Cedar Swamp Brook FEMA floodplain.
- Details for the proposed water quality measures, outlet protection basin and outlet channel shown on the plan sheets.

23. The plans do not show any outlet protection at the discharge locations upstream and downstream of the box culvert located at Station 47+00 and the culvert at Station 60+00. Documentation must clearly show that this area is and will remain stable and the calculations must confirm that no outlet protection is required at these stormwater discharge areas.

24. There are a few discrepancies between the outlet protection analysis and the plans which must be addressed.
    - The analysis does not match the plans for the riprap apron at Station 51+45.20.
    - There are no calculations for the outlet at Station 53+29L.

25. A hydrodynamic separator is proposed at the north end of North Hillside Road prior to the Route 44 connection. The portion of stormwater drainage for this system ultimately discharges into Cedar Swamp Brook. It is not clear why primary treatment and a "bio-engineered" water quality treatment measure was not used for this system consistent with the other water quality systems proposed on North Hillside. The design should include a water quality basin or swale if feasible.

26. The plan sheets must show the water quality swale design and details consistent with the calculations. It is not clear how the analysis location matches the roadway drainage system plan sheets. The plans must clearly layout how the channel corresponds to the channel analysis. Review of the channel analysis will be completed upon receipt of the aforementioned documentation.

27. The channel calculations show that two channel sections do not provide the required channel freeboard of one foot in compliance with the DOT Drainage Manual and Section 25-68h-3(d) of the Regulations of Connecticut State Agencies (RCSA). The design should be modified to meet the requirement or an Exemption is required in accordance with Section 25-68d(d) of the Connecticut General Statutes (CGS). It is not acceptable to rely on a future proposed project in conceptual design.

28. The plan sheets must include a cross-section view and details of the three proposed bridge and culvert crossings. The plans do not show the sizing of the crossing at Station 47+00. The culvert must be designed to convey the 100 year storm event.

29. Construction-sequencing and water handling plans are required for the bridge and culvert crossings. When dewatering is proposed the plans must show the location and details of the temporary sedimentation basins and comply with the Connecticut Guidelines for Erosions and Sedimentation Controls.

30. Please be aware that should a permit be issued it will contain a special condition(s) to ensure that future develop on the proposed conceptual parcels receive approval from and verification by this department.

The responsiveness, thoroughness, and overall professionalism demonstrated by the contents of this application is acknowledged. Your continued cooperation regarding the review of this proposal is appreciated.

The items identified above must be addressed by October 26, 2012. It is important that all requested information be submitted within the time period identified. Upon receipt of the additional documentation, the department will continue its review and evaluation of the applications.

All correspondence regarding the applications should reference the application numbers identified above and should be addressed to Doug Hoskins, Inland Water Resources Division, Bureau of Water Protection and Land Reuse, Department of Energy and Environmental Protection, 79 Elm St., Hartford, CT 06106-5127.

Sincerely,

Cheryl A. Chase
Director
Inland Water Resources Division

CC:dh

cc:

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