

FLOOD MANAGEMENT

Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131

Attn: Mr. Mark W. Alexander, Transportation Assistant Planning Director

Re: **Approval of Certification & Exemption Request
FM-201602771**

DOT Project #106-122, Widening of US Route 1 from Lambert Road Intersection to Route 114 Intersection, & Reconstruction of Culvert #01882
Orange, CT

Dear Mr. Alexander:

The Land & Water Resources of the Department of Energy & Environmental Protection has reviewed the flood management certification application and exemption request prepared by Mr. James E. Sherwonit of STV Incorporated, and signed by Thomas J. Maziarz of the Department of Transportation (“Certifying Agency”).

The certification and exemption request submitted on February 29, 2016, states that the proposed activity has been designed in compliance with the requirements of Section 25-68d(b) of the Connecticut General Statutes (CGS) and Section 25-68h-1 through 25-68h-3 of the Regulations of Connecticut State Agencies (RCSA) with the exception of Section 25-68h-3(e)(1) of the RCSA.

Specifically, an exemption is requested from the provisions of RCSA Section 25-68h-3(e)(1), which requires that proposed activities be designed in accordance to the methods and procedures defined in the DOT drainage manual.

The project consists of widening US Route 1 from the Lambert Road intersection to the Route 114 intersection, and reconstruction of culvert #01882 in the Town of Orange, as shown on plans entitled, “*Connecticut Department of Transportation Plans for U.S. Route 1 Operational Lanes from Lambert Road to Route 114, Town of Orange, Environmental Permit Plans*,” signed by James E. Sherwonit, P.E., and submitted with the application on February 29, 2016. The project is located within the 100-yr FEMA floodplain and floodway of Silver Brook.

The agency has determined that while the structure does not meet the ideal design, it is not possible to do so without significant cost and environmental impact. In addition, the agency has determined that the activity is in the public interest, will not injure persons or damage property in the area of such activity or critical activity, and complies with the provisions of the National Flood Insurance Program.

Therefore, in accordance with CGS Section 25-68d(b) & (d), your request for approval of the above referenced certification and exemption request hereby is granted with the following conditions:

Special Conditions:

1. Unconfined instream work shall be conducted during June 1 through September 30.
2. Rounded stone riprap shall be utilized as slope protection within or adjacent to Silver Brook.

Operating Conditions:

1. This approval shall expire ten years after issuance or if the construction of any structures or facilities authorized herein is not commenced within three years of issuance of this approval.
2. The Certifying Agency may not make any alterations, except de minimis alterations, to any structure, facility, or activity authorized by this certification unless the Certifying Agency applies for and receives a modification of this certification. A de minimis alteration means a change in the design or operation of the authorized permit that does not increase its adverse environmental or other regulatory impacts.
3. In constructing or maintaining any structure or facility or conducting any activity authorized herein, or in removing any such structure or facility, the Certifying Agency shall employ best management practices to control storm water discharges, to prevent erosion and sedimentation, and to otherwise prevent pollution of wetlands and other waters of the State. The Certifying Agency shall immediately inform the Commissioner of any adverse impact or hazard to the environment which occurs or is likely to occur as the direct result of the construction, maintenance, or conduct of structures, facilities, or activities authorized herein. Best Management Practices include, but are not limited, to practices identified in the *Connecticut Guidelines for Soil Erosion and Sediment Control* as revised, *2004 Connecticut Stormwater Quality Manual*, Department of Transportation's *ConnDOT Drainage Manual* as revised, and the Department of Transportation Standard Specifications as revised.
4. All temporary structures, cofferdams, and fill shall not impede the movement of flood flows and shall be removed at the completion of their use. The design of such temporary structure, cofferdams and fill shall be based on the DOT Drainage Manual, where applicable. All temporary and permanent fill shall be clean and free of stumps, rubbish, hazardous and toxic material.
5. The Certifying Agency shall cause equipment and materials to be removed from the floodplain during periods when flood warnings have been issued or are anticipated by a responsible federal, state or local agency. It shall be the Certifying Agency's responsibility to obtain such warnings when flooding is anticipated.

This authorization is subject to and does not derogate any present or future property rights or other rights or powers of the State of Connecticut, conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, or local laws or regulations pertinent to the property or activity affected thereby. No

Connecticut Department of Transportation
DOT Project #106-122, Widening of US Route 1 from Lambert Road Intersection to Route 114
Intersection, & Reconstruction of Culvert #01882, Orange, CT
FM-201602771
Page 3 of 3

revisions or alterations to the approved plans are allowed without first obtaining written approval from this Division of such alterations.

If there are any questions, contact Colin Clark of the Land & Water Resources at 860-424-3214.

Date

Michael Sullivan
Deputy Commissioner

CAC/CJC

cc: Mr. James E. Sherwonit, Vice President, STV Incorporated, 185 Plains Rd. Milford

DRAFT