

**From:** Jacobson, Susan <Susan.Jacobson@ct.gov>  
**Sent:** Friday, August 7, 2020 4:05 PM  
**To:** Mozian, Alicia <AMOZIAN@westportct.gov>; Lesay, Kimberly C <Kimberly.Lesay@ct.gov>; Coite, Jason M. <Jason.Coite@ct.gov>  
**Subject:** FW: 102-295 Response to comments

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Hi Alicia, Jason and Kimberly, Please see attached and email below. I will also forward a 3/19 email from Alicia on this subject. DEEP LWRD generally does not get involved between applicants and the local Commissions during what would normally be pre-application consultation. I apologize that I have failed miserably here as a communication coordinator. It would be best if the application attachment coordination did not go through LWRD. I am happy to answer any questions about the process – thank you (and again, my apologies), Sue

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**Subject:** 102-295 Response to comments

Sue – thank you for your time during our meeting on Monday, and for the clarifications. As discussed and as a follow up to that meeting, The Department of Transportation (DOT) has reviewed the April 2, 2020 letter from the Town of Westport's Conservation Director, Alicia Mozian, on behalf of the Westport Shellfish Commission, and offers the following response:

Regarding Ms. Mozian's concern that the subject application failed to include consultation with the Commission in Attachment D, the DOT's initial understanding was that this consultation was not required due to the lack of in-water work in the Saugatuck River. However, after recent conversations with CTDEEP, we have indeed clarified that this attachment is appropriate. The Department is in the process of preparing that attachment and will be sending the necessary information to the Commission, and we apologize for that misunderstanding.

Regarding the more general concerns of a lack of correspondence, it is important to note that over the course of 2017 and 2018 design changes were being implemented and the project did not move any further into the permitting phase. Therefore, further correspondence was not sent as the project was under further development. During that timeframe, the DOT did engage in correspondence, both formal and via email, with Westport resident Don Bergmann relative to

pollutant discharges from I-95 into the Saugatuck River. Mr. Bergmann's concerns essentially mirror the comments raised in the subject letter. Westport First Selectman James Marpe and then-Commission Chairperson 'Rindy' Higgins were both copied on Mr. Bergmann's correspondence and likewise received each of the DOT's responses. Copies of these responses are attached here for reference.

Under DOT Project 102-295, the scope of work for the I-95 bridge over the Saugatuck River represents a minor portion of the overall project. This portion of the work scope will be limited primarily to bridge deck expansion joint replacement along with milling and replacement of the bituminous concrete wearing surface. The DOT has reviewed the feasibility of drainage improvements on the I-95 bridge over the Saugatuck River and has determined such improvements are not practicable within the context of the limited scope of bridge repair. No repairs to other portions of the structure or its drainage system are required at this time.

Ms. Mozian's letter also cites proposed stormwater improvements to be constructed in Norwalk as reasoning for requiring similar measures in Westport. In response, DOT offers that the project impacts relative to the Norwalk River are significantly different in that the existing I-95 drainage system outlets directly into the Norwalk River. Unlike the I-95 bridge over the Saugatuck River, the drainage system on the I-95 bridge over the Norwalk River is being upgraded as part of this project. Stormwater improvements are possible at this location and are within the scope, and purpose and need of the project. Part of this upgrade includes an additional water quality channel and an underground infiltration water quality system that are being implemented to comply to the maximum extent practicable with the current MS4 Program.

Since the last response to Mr. Bergmann in 2018, the DOT was issued the *"General Permit for the Discharge of Stormwater from Department of Transportation Separate Storm Sewer Systems"* (DOT MS4 General Permit). DOT developed a Stormwater Management Plan (DOT MS4 Program) consistent with the General Permit's requirements that became effective on July 1, 2019. The DOT has reviewed Project 102-295 and surrounding areas for the opportunity to install stormwater quality Best Management Practices (BMPs). Respective to areas below the I-95 Saugatuck River bridge, the western shoreline consists of a municipal parking lot and retail development along Route 136, while the eastern bank is currently occupied by a paved boat launch, parking area, and Saxon Lane. This existing development combined with shallow groundwater and depth to bedrock precludes stormwater infiltration practices which are prescribed by the DOT's MS4 Program. Regulated FEMA floodplain and seasonal fluctuations of groundwater were also considered and further preclude stormwater treatment options.

Note, the I-95 bridge over the Saugatuck River was the subject of major reconstruction in the mid-1990's including superstructure replacement and widening (under DOT Project 158-167). While this reconstruction did not fully eliminate direct discharges from the bridge into the river, existing scuppers on many of the spans are captured by pipe systems that discharge to either overland or underground treatments in keeping with the prevailing BMPs during that time.

Under the DOT MS4 General Permit, the DOT is responsible for reducing stormwater runoff from impervious areas to the maximum extent practicable. DOT's goal is to attain a two percent (2%) statewide reduction in directly connected impervious areas (DCIA), relative to the total

amount of infrastructure that DOT owns, by 2024. The proposed improvements under Project 102-295, as designed, will decrease DCIA for the project corridor from 29.90 acres pre-construction to 19.10 acres post-construction, an overall reduction of 36.12 percent.

DOT Project 102-295 will also require registration under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities ("Construction General Permit"). This permit includes requirements to implement a Stormwater Pollution Control Plan to prevent the movement of sediments off construction sites into nearby water bodies and to address the impacts of stormwater discharges from a project after construction is complete.

To summarize, DOT Project 102-295 has been developed in accordance with the DOT MS4 General Permit, as well as other applicable environmental criteria, and will achieve significant, quantifiable reductions in DCIA. Additionally, as noted herein, the scope of repairs for the I-95 bridge over the Saugatuck River is limited within the larger context of the overall safety improvement project and does not involve drainage system upgrades or any work within or direct discharge to the Saugatuck River.

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