

**Comments for Proposed Modifications of Stormwater General Permit
Appendix G – Historic Preservation Review**

**Gregory F. Walwer, Ph.D
ACS – Archaeological Consulting Services**

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Critical Problems with Existing Permit Format and Proposed Solutions:

1) Inoperative Links to Online Registrations. For several months, none of the links have worked online in order view individual registrations. **Solution** – comment period extended to 30 days past the time of viewable registration online or past the time of submission, whichever is greater, as verified by DEEP administrator in response to public complaint of lack of online access.

2) Incomplete or Inaccurate Registrations. Incomplete and/or inaccurate registrations posted online must have a mandatory corrective procedure. **Solution** – comment period extended to 30 days past the time of corrected registration submitted online, as verified by DEEP administrator in response to public complaint of inaccurate or incomplete registration. Registrations online must include a signed and dated General Permit Registration and Registration Form with contact information of individual responsible for overseeing corrections.

3) Deficient Procedures for Appendix G.

A) Step 2, Site Prescreening Criteria #2: Inadequate environmental criterion. **Solution:** Soil types should read “Sandy Loam, Loamy Sand, Gravelly Sandy Loam, and/or Non-Rocky Fine Sandy Loam, with slopes less than or equal to 15%.” As currently written, non-rocky fine sandy loams are excluded, including the Merrimac series of soil, which up until recently was classified by the USDA NRCS as a sandy loam, and in particular is the single soil type of Connecticut most statistically associated with Native American burial sites.

B) Steps 3 & 4 Contact Information: Existing and proposed corrected contact information are both incorrect, due to change in personnel and/or office location. **Solution:** By federal law, every state has a State Historic Preservation Office (SHPO), which in Connecticut has been historically subsumed under various other agencies. Contact information should read, “Connecticut State Historic Preservation Office (SHPO), Staff Archaeologist,” who is currently Catherine Labadia, 860-500-2329, Catherine.labadia@ct.gov. Remove all references to Connecticut Commission on Culture and Tourism and Department of Economic and Community Development, as SHPO may once again be reassigned to another higher agency. Add the statement, “For questions regarding the completion of Appendix G or Question #10 on the General Permit Registration Form, consult with SHPO Staff Archaeologist.”

4) Ineffective General Permit Registration Form. Question #10 (Historic and/or Archaeological Resources) and its subparts for consideration of cultural resources has the potential for misinterpretation based on a mix of positive and negative answers to determine the need for review by the State Historic Preservation Office. **Solution:** The instruction, “Verify that the site of the proposed activity has been reviewed (using the process outlined in Appendix G of this permit) for historic and/or archaeological resources,” requires a grammar correction of the verb “been” to “has been,” and should eliminate the Yes check box, and instead rely on the answers to the subquestions. Simplify and make the format of subquestions more consistent, and add the leading statement, “An answer of ‘Yes’ to any of the following questions indicates that Historic and/or Archaeological Resources have been appropriately addressed, otherwise the registrant must complete further review by the Connecticut State Historic Preservation Office in order to be eligible to register for this General Permit.”

A) The review of Appendix G indicates that for the proposed site, there is a lack of potential for historic and/or archaeological resources. Yes No

B) The review of Appendix G indicates that the proposed site has the potential for historic and/or archaeological resources, and the registration is being reviewed by the Connecticut State Historic Preservation Office. Yes No

C) The Connecticut State Historic Preservation Office has fully reviewed the registration, and issued a determination that the proposed project will not have an adverse effect on significant cultural resources. Yes No

D) The proposed activity has been reviewed and authorized under an Army Corps of Engineers Section 404 wetland permit. Yes No