



**Connecticut Department of
Energy & Environmental Protection**
Bureau of Water Protection & Land Reuse
Office of Long Island Sound Programs

Instructions for Completing an Emergency Authorization Application for the Office of Long Island Sound Programs

Use these instructions to: 1) complete the Emergency Authorization application form DEEP-OLISP-APP-400 and 2) prepare supporting documents. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this application. Remember, it is your responsibility to comply with all applicable laws

Introduction

The Office of Long Island Sound Programs (“OLISP”) of the Department of Energy and Environmental Protection (“Department or DEEP”) regulates a variety of permitting programs for work conducted in tidal wetlands and in tidal, coastal or navigable waters of the state. The purpose of these programs is to conserve and protect the water and natural resources of the state and to protect life and property from erosion and flood hazards. For any questions you may have regarding application requirements, call OLISP at 860-424-3034.

What is Eligible for an Emergency Authorization?

Any person, firm or corporation, whether public or private, who is proposing to carry out any regulated work in the tidal, coastal or navigable waters of the state or in tidal wetlands that is deemed an emergency, must apply for and receive an authorization prior to conducting that work.

Pursuant to the section 22a-363d of the Connecticut General Statutes (CGS), an emergency situation is one which may result in immediate, unforeseen and unacceptable hazards to life, health or welfare or significant loss of property. In order to be eligible for an Emergency Authorization, the damage and the proposed corrective action must be reported within fifteen

days of the causative event. Corrective actions may include the repair or reconstruction of structures, fill, obstructions or encroachments damaged or destroyed by an act of nature or casualty loss necessary to avoid economic damage to ongoing commercial activities. If your project involves excavation or dredging, please contact OLISP permitting staff at 860-424-3034 to determine eligibility and to receive guidance on most recent sediments testing requirements.

How To Apply

Your Emergency Authorization application must include the following:

- *An Emergency Authorization Application for the Office of Long Island Sound Programs (DEEP-OLIS-APP-400) and all supporting documents; and*
- *One copy of the original application package, including all supporting documents.*

E-mail a copy of the application, including supporting documents, to OLISP staff and also submit the above materials as one package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

When submitting your Emergency Authorization application, label your supporting documents as directed on your application form and always include, on each document, the applicant's name. When additional space is necessary to answer a question stated in the application, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name, along with the corresponding part number and question number indicated on the Emergency Authorization application form. You should retain a copy of all documents for your files.

Emergency Authorization Application Instructions (DEEP-OLISP-APP-400)

Please read the application form and instructions carefully. They have been designed to obtain specific information and any information that is missing or unclear will cause delays in the review process. Please answer *all* questions.

Please be advised that these instructions are not a substitute for any state or federal statutes or regulations. Be sure to refer to applicable statutes and regulations while completing your application.

Part I: Acknowledgement

Check the box and initial in the space provided to indicate that you have read and agree with the acknowledgement. In accordance with CGS section 22a-363d, it has been determined that the work proposed in the subject application is for corrective action to address unforeseen and unacceptable hazards to life, health or welfare or significant loss of property which will occur if immediate action as described in the subject application is not undertaken. This acknowledgement also states that the subject application is being submitted within 15 days of the causality event. Within 30 days of emergency authorization expiration, a complete permit application, in accordance with CGS section 22a-361, or a request for a certificate of permission, in accordance with CGS section 22a-363b, must be submitted for the retention of the work performed under the emergency authorization.

Part II: Application Type

Check only one box to identify the type of application you will be submitting upon the expiration of the Emergency Authorization.

- *A Certificate of Permission (COP)* is required for certain minor activities involving dredging, erection of structures, or fill in any tidal, coastal or navigable waters of the state or in tidal wetlands in accordance with CGS sections 22a-361 through 22a-363c, and sections 22a-28 through 22a-33. The specific activities eligible under this program are listed in CGS section 22a-363b(a) and include substantial maintenance and minor alterations or amendments of authorized or pre-jurisdiction structures, fill, obstructions and encroachments; maintenance dredging of maintained permitted dredged areas; removal of derelict structures and vessels; and other enumerated minor activities.
- *A structures, dredging and fill permit* is required prior to conducting work waterward of the coastal jurisdiction line in tidal, coastal or navigable waters of the state, including dredging and the placement of structures or fill material. Refer to CGS section 22a-361.
- *A tidal wetlands permit* is required prior to conducting work within tidal wetlands as defined in CGS section 22a-29. Refer to CGS sections 22a-28, 22a-32, 22a-33, and sections 22a-30-1 through 17 of the Regulations of Connecticut State Agencies (RCSA).

If you have any questions regarding the eligibility of your planned activity, please contact our Office of Long Island Sound Programs at 860-424-3034.

Part III: Applicant Information

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on the registration. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by the Department. This

information can be accessed at the Secretary of State's database (CONCORD).

(www.concord-sots.ct.gov/CONCORD/index.jsp)

If identifying an *individual*, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.). If the applicant is a governmental body, identify the city or town of such body followed by the relevant department, board or division.

- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the corresponding individual can be contacted during daytime business hours.
 - *Contact Person* - Provide the name of the specific individual within the company whom the Department may contact.
 - *E-Mail* – Applicants must provide an accurate e-mail address when completing their application form. The e-mail address may be used for future correspondence from the Department to your business.
1. *Applicant* - Complete the information concerning the applicant.
 2. *Site Owner(s)* - If the applicant is not the owner of the affected facility, complete this section.
 3. *Engineers or Consultants* - List any engineers or *other* consultants employed or retained to assist in preparing the application or to design, construct or operate the proposed activity. Be sure to identify the service that is being provided by each. If there are additional consultants, please provide the information requested under Part III of the application, item #3, as Attachment B.

Part IV: Site Information

For the purposes of these instructions, site or project site refers to the property at which the proposed regulated activity is to be conducted.

1. Site Location

The site name, if applicable, should be the name by which the site is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. If the property does not have a street number, describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, ". . . on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road."

Provide the municipal tax assessor's mapping reference (map, block, lot/parcel designations) for the site. These numbers may be found on the most recent tax bill for the property or obtained from the tax assessor's office in the town in which the property is located.

Also provide a vicinity map as Attachment C.

2. Conservation or Preservation Restriction

If the subject site has a conservation or preservation restriction, proof of written notice of this application to the holder of such restriction or a letter from the holder of such restriction verifying that this application is in compliance with the terms of the restriction, must be submitted and included as Attachment D. The municipality where the site is located may have information concerning such restrictions.

3. Provide the name of the waterbody at the site of proposed work. This should be the commonly known or used name of the river or bay, or if applicable, Long Island Sound or Fishers Island Sound.
4. Provide the elevation of the coastal jurisdiction line ("CJL") at the site, based on the North American Vertical Datum of 1988 ("NAVD88"). The CJL for your municipality can be found on the [OLISP Coastal Permitting web page](#) on the DEEP website.
5. **Identify how the CJL was calculated.** Please

note that any alternatively determined CJL that deviates from the values provided by the DEEP must include, as Attachment E: (1) a description of the methodology used to determine the CJL, (2) all calculations, and (3) a justification for the reason that the DEEP values were not used. If a mean high water elevation is used, also provide a discussion of the location of the tide gate, dam or weir.

6. Provide the elevations of the mean high water and mean low water at the site and the reference datum used. If using a datum other than NAVD88, an orthometric conversion table must be provided, and included in Attachment E.

For any tidal, coastal or navigable waters of the state located upstream of a tide gate, weir, or other device for which the intent and function is to modify the flow of tidal waters, or if your project encompasses more than one CJL, please contact OLISP permitting staff at 860-424-3034 for further guidance.

Part V: Project & Resource Information

To adequately answer the questions in the application form you must refer to the instructions below.

1. Describe the proposed regulated work and activities including construction methodology and sequencing; the dimensions of proposed structure(s); volume(s) of proposed excavation and/or fill; where equipment and materials to be used will be staged and stored.
2. Describe the *existing* structures, *conditions* and uses at the site of the proposed work. Identify structures, uses, and site characteristics as they currently exist. Provide photographs showing existing conditions as Attachment E.
3. Describe the need for the emergency work.
4. Describe any existing coastal resources on site and if the proposed work will impact these

resources. Explain if any mitigation measures are to be employed.

5. Provide a description and location of the sedimentation and erosion controls to be employed.

Part VI: Supporting Documents

All applications must include the required Attachments, C and F, and the remaining attachments as applicable. Check the appropriate box by each attachment being submitted. Please label all attachments as referenced in the application form and these instructions and be sure to include the name of the applicant as indicated on the emergency authorization application form.

Attachment A: Co-Applicant Information

If there are co-applicants, submit the requested information in Part III of the application, item #1, for each co-applicant as Attachment A.

Attachment B: Additional Consultants

If there are additional consultants, please provide the information requested under Part III of the application, item #3, as Attachment B.

Attachment C: Vicinity Map (required)

A vicinity map is a general map showing a large area, such as a portion of a town, which indicates the location of the project site. Please provide an 8 1/2" x 11" copy or original of a USGS topographic quadrangle map, at a scale of 1:24,000, indicating the exact location of the project site and the proposed activities as described below. The Department will use this map to enter your project location into its Geographic Information System (GIS). It is important that you accurately locate the project site and proposed activities because the GIS generates natural resource information relevant to your site. An inaccurate description of the project location will delay processing of your application.

The quadrangle name should be noted on the copy of the map submitted.

The location of the project must be delineated in one or more of the three ways depicted on the sample map attached (Appendix A), as follows:

- If practical given the scale of the map and the size of the site, *outline the property boundary* of the site, including the water area, on which the regulated work will take place, or *outline any area* of fill or dredging;
- If the outline of the site or project area cannot be depicted on the map, place a *point* representing the specific location of the proposed work on the map;
- For a linear project such as a revetment or bulkhead along several properties, or a pipeline cable or bridge crossing a tidal river or stream mark a *line* that represents the location of the project. For a linear project which cannot be reasonably represented as a line at this scale or for which the regulated work waterward of the coastal jurisdiction line in tidal, coastal and navigable waters is only at selected points, show those points on the map.

Attachment D: Conservation or Preservation Restriction

If the property is subject to a conservation or preservation restriction, submit proof of written notice of this application to the holder of such restriction or a letter from the holder of such restriction verifying that this application is in compliance with the terms of the restriction, as Attachment D.

Attachment E: CJL Calculation Information

A CJL that deviates from the values provided by DEEP must include, as Attachment E: (1) a description of the methodology used to determine the CJL, (2) all calculations, and (3) a justification for the reason that DEEP values were not used. If a mean high water elevation is used, also provide a discussion of the location of the tide gate, dam or weir. If using a datum other than NAVD88, an orthometric conversion table must be provided, and included in Attachment E.

Attachment F: Photographs showing existing conditions of the site (required)

Photographs showing the existing conditions of the site are required in evaluating your proposal and must be submitted as part of the application as Attachment F. Submit as many photographs as necessary to illustrate the entire project site and area to be affected by the proposed work. Wherever possible, include panoramas (i.e., a series of photographs taken from a single position at different but overlapping angles). Label the back of the photographs indicating the date the photograph was taken, project address and an explanation of the views. Check the box indicating that photographs are enclosed.

Attachment G: Previous site plans or surveys of existing structures to be repaired or Other Relevant Documents

Submit as Attachment G, any previous or proposed site plans or surveys of existing structures to be repaired, or any other documents you deem relevant.

Part VII: Application Certification

After the application has been completed it must be reviewed and signed by both the applicant(s) and the individual(s) who actually prepared the application and any part thereof required by the application. This includes consultants, professional engineers, surveyors, soil scientists, etc. By their signature, they certify that to the best of their knowledge and belief, the information contained in the application, including all attachments, is true, accurate and complete.

The certification of the application package must be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president;
3. For a limited liability company (LLC): a manager, if management of the LLC is vested in a manager(s) in accordance with the

company's "Articles of Organization", or a member of the LLC if no authority is vested in a manager(s);

4. For a partnership: by a general partner;
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such applicant authorized by law.

An application will be considered insufficient unless all required signatures are provided.

For general assistance regarding the subject permit application contact OLISP at 860-424-3034.

For the subject application form, instructions and other required documents visit the DEEP website at: www.ct.gov/deep/lispermitapps

Affirmative Action, Equal Employment Opportunity and Americans with Disabilities

The Department is an Affirmative Action/Equal Opportunity Employer that is committed to requirements of the Americans with Disabilities Act. Any person with a disability who may need information in an alternative format may contact the agency's ADA Coordinator at 860-424-3194, or at deep.hrmed@ct.gov. Any person with limited proficiency in English, who may need information in another language, may contact the agency's Title VI Coordinator at (860) 424-3035, or at deep.aoffice@ct.gov. Any person with a hearing impairment may call the State of Connecticut relay number - 711. Discrimination complaints may be filed with DEEP's Title VI Coordinator. Requests for accommodations must be made at least two weeks prior to any agency hearing, program or event.

Appendix A: Vicinity Map

USGS Quadrangle Map: Clinton
Map Scale: 1":24,000 (1"=2,000')

POLYGON Project Area (showing boundary of activity)

POLYGON Project Area (showing boundary of site)

LINEAR Project Area

POINT Project Area (small area)

