



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

## Instructions for Completing a Permit Application for Programs Administered by the Office of Long Island Sound Programs Including:

- **Structures, Dredging and Fill Permits**
- **Tidal Wetlands Permits**
- **401 Water Quality Certifications**

*Use these instructions to: 1) complete the permit application form DEEP-OLISP-APP-100, 2) prepare supporting documents, and 3) publish the applicant's notice of permit application. 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 (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.

### Who Needs a Permit?

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 must apply for and receive an authorization prior to conducting that work.

- The following will help you determine which policies, standards and criteria

identified in the statutes and regulations apply to the proposed project. Note that certain activities or projects are subject to more than one of these statutes; however only a single application is required. Please refer to the appropriate statutes and regulations for the specific language.

- *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 section 22a-361 of the Connecticut General Statutes (CGS).
- *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).
- *A 401 Water Quality Certification* is required when applying for a federal license

or permit for an activity which may result in a discharge to certain waters of the state. Such applicants must obtain a certification from DEEP that such discharge will comply with the applicable provisions of the Federal Water Pollution Control Act, as amended, and Connecticut's Water Quality Standards. Examples of federal licenses and permits for which water quality certification is required include U.S. Army Corps of Engineers (USACE) section 404 dredge and fill permits, and Federal Energy Regulatory Commission permits for hydropower and gas transmission facilities.

*For Projects located within the Coastal Area, (defined as municipalities listed in Part IV, item 3 of these instructions), applicants must demonstrate that: "...such activity is consistent with all applicable goals and policies in CGS section 22a-92 and that such activity incorporates all reasonable measures mitigating any adverse impacts of such actions on coastal resources and future water-dependent development activities."* Coastal resource maps are available for examination in municipal planning and zoning offices and at OLISP.

*Water Quality Standards:* All proposed activities must comply with the current water quality standards for surface and ground water adopted by DEEP pursuant to CGS section 22a-426.

If your application is being submitted to resolve a violation, check the applicable box.

Any person proposing to transfer a DEEP permit must submit a completed *License Transfer Form* (DEEP-APP-006) and transfer fee to DEEP. The *License Transfer Form* may be used for changes in owners and operators of the licensed activity; if other changes are proposed to the facility, the site, and/or to facility operations, the proposed transferee must also request a permit modification. For further information concerning permit transfers, please contact the Permit Assistance Office at 860-424-3003.

## Notice of Permit Application

Section 22a-6g of the Connecticut General Statutes imposes public notification requirements on applicants for certain permits issued by DEEP.

In order to comply with these requirements, you must:

1. Publish notice of the permit application in a [newspaper of general circulation](#) in the area potentially affected by the activity that is the subject of your permit application. This notice *must follow the format* specified at the end of these notice instructions and must be published **before** you submit your application to the DEEP. The format contains instructions in brackets. You must insert the appropriate information to replace the instructions in the brackets. Be sure to *delete* all instructions that are specified in brackets, in bold and in uppercase type. When a choice is specified in brackets, do not include any of the words in brackets unless they specifically apply to the activity you intend to conduct. Refer to the following list, [www.ct.gov/deep/lib/deep/permits\\_and\\_licenses/newspapers.pdf](http://www.ct.gov/deep/lib/deep/permits_and_licenses/newspapers.pdf) for newspapers of general circulation in Connecticut.
2. Send a copy of the published notice, to the chief elected official of the municipality in which the regulated activity is proposed. The chief elected official is generally the mayor, 1st selectman, town manager or the chairman or president of the town council, depending on the form of government of the municipality. Specific information for each municipality is listed in The State Register and Manual (often referred to as the Blue Book), which is available on the Secretary of the State's website ([www.ct.gov/sots](http://www.ct.gov/sots)), and is also usually available at town clerk's offices, the State Library and public libraries. The Secretary of the State's website also has a list of mayors and first selectmen available ([www.ct.gov/sots/LIB/sots/ElectionServices/lists/List\\_of\\_Mayors.pdf](http://www.ct.gov/sots/LIB/sots/ElectionServices/lists/List_of_Mayors.pdf)). If you have

questions, you can call the Secretary of the State's office at 860-509-6190 or the town clerk of the appropriate municipality.

3. Send a copy of the notice to the Chairman of the Shellfish Commission and to the Chairman of the Harbor Management Commission in the municipality in which the regulated activity is proposed, where applicable. Refer to the [Shellfish Commission](#) and [Harbor Management Commission](#) lists for contact information.
4. Send a copy of the notice to any land owner of record for any property that is located five hundred feet (500) or less from the property line of the property on which the proposed activity will occur. Include in Attachment K, the land owner information, including names and mailing addresses, for all identified properties and certify that the mailings were completed.
5. Include a copy of the published notice of permit application and a completed [Certification of Notice Form - Notice of Application](#) (DEEP-APP-005A) as Attachment AA to the permit application.

The copy of the published notice of permit application must be a photocopy of the page of the newspaper where the notice was published, that displays the notice, the name of the newspaper and the date of publication.

The [Certification of Notice Form - Notice of Application](#) asks you to:

- a) specify the date and newspaper in which the notice was published;
- b) certify that a copy of the notice was provided to the chief elected municipal official; and
- c) identify the municipal official(s) to whom the notice was provided.

If you have any questions about these notice requirements contact the Office of Long Island Sound Programs at 860-424-3034.

***Your application will not be processed until DEEP receives the copy of the notice as described above and a completed Certification of Notice Form - Notice of Application.***

In addition, DEEP may notify you that other forms of notice are required, including the posting of a sign in accordance with CGS section 22a-6l.

Also, when the application review is complete and DEEP has made a final decision on your permit application, DEEP will publish a Notice of Tentative Determination in the newspaper. Please note that you will receive an invoice for the public notice fee and you will be responsible for payment.

The following format must be used when publishing notice of an application:

## Notice of Permit Application

Town(s): **[LIST ALL TOWNS IN WHICH THE REGULATED ACTIVITY IS LOCATED]**

Notice is hereby given that **[INSERT NAME OF APPLICANT HERE]** (the "applicant") of **[INSERT ADDRESS OF APPLICANT HERE]** will submit to the Department of Energy and Environmental Protection an application under Section(s) **[LIST ALL THAT APPLY BUT DO NOT INCLUDE ANY WHICH DO NOT APPLY TO YOUR ACTIVITY: 22a-32 FOR A PERMIT TO CONDUCT REGULATED ACTIVITIES IN TIDAL WETLANDS; SECTION 22a-361 TO CONDUCT WORK IN TIDAL COASTAL OR NAVIGABLE WATERS OF THE STATE; 33 U.S.C. 1341 (401 Water Quality Certificate) TO CONDUCT AN ACTIVITY WHICH MAY RESULT IN A DISCHARGE TO CERTAIN WATERS OF THE STATE]** of the Connecticut General Statutes.

Specifically, the applicant proposes to **[INSERT A BRIEF DESCRIPTION OF THE PROPOSED ACTIVITY AND ITS PURPOSE]**. The proposed activity will take place at **[INSERT THE STREET ADDRESS OR IF NOT AT A STREET ADDRESS GIVE THE SPECIFIC LOCATION OF THE PROPOSED ACTIVITY WITH REFERENCE TO FIXED LANDMARKS E.G., ROADWAY INTERSECTIONS, BRIDGES, OR OTHER STRUCTURES]**. The proposed activity will potentially affect: **[INSERT LIST OF NATURAL RESOURCES POTENTIALLY AFFECTED BY SUCH ACTIVITY (I.E., COASTAL OR AQUATIC RESOURCES; SPECIFIC SURFACE OR GROUND WATER AND NAME OF WATERBODY IF APPLICABLE; WETLANDS, RESOURCES; AIR; ETC.)]**.

Interested persons may obtain copies of the application from **[INSERT NAME, MAILING ADDRESS AND TELEPHONE NUMBER OF THE APPLICANT'S REPRESENTATIVE HERE]**.

The application will be available for inspection at the Office of the Department of Energy and Environmental Protection, Office of Long Island Sound Programs, 79 Elm Street, Hartford, CT 06106-5127 telephone 860-424-3034 from 8:30 to 4:30 Monday through Friday. Please call in advance to schedule review of the application..

### How To Apply

The accompanying application form should be used to apply for an individual permit for all projects large or small, conducted in tidal wetlands and tidal, coastal or navigable waters of the state. Please read these instructions in their entirety.

The applicant is responsible for identifying all affected natural resources and for demonstrating that the project is consistent with all applicable statutory policies, standards and criteria, that all potential adverse impacts have been mitigated to the greatest extent practicable and that any remaining adverse impacts are acceptable.

The level of detail required to fully answer each

question is related to the scale and scope of the proposed project. Applicants are requested to provide a thorough description of the proposed project and answer each question as it applies to the work and impacts of that work. More detail is required for a large and complex project than for a small and relatively simple project. Depending upon the activities proposed, additional information may be required. These instructions include, as Appendix A, "Activity Specific Instructions" to guide you in the preparation of a complete application. It is crucial that you refer to any Activity Specific Instructions applicable to your project. Complete and accurate information will prevent unnecessary delays in processing your permit application and may help avoid rejection of your application.

***A pre-application meeting is strongly recommended prior to application submission.***  
Contact OLISP at 860-424-3034 to arrange to meet with OLISP staff to discuss the proposed project.

***For dredging projects, applicants must coordinate with DEEP and the US Army Corp of Engineers on a sampling plan prior to sampling and then proceed with the agreed sampling before application submission.***

Your permit application must include the following:

- An original application package containing:  
*A Permit Application for Office of Long Island Sound Programs Form* (DEEP-OLISP-APP-100), plans, photographs and all supporting documents\*,
- 2 copies of the application package,
- The applicable initial fee, paid by check or money order, made payable to the "Department of Energy and Environmental Protection".
- A copy of the published notice of permit application, as described in these instructions with a completed Certification of Notice form (DEEP-APP-005A).

You must submit the above materials together as a package to:

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

\* If applicable, a CT NDDDB Response, a completed *Shellfish Commission Consultation Form* (DEEP-OLISP-APP-101D), a completed *Harbor Management Commission Consultation Form* (DEEP-OLISP-APP-101E) and a completed *Department of Agriculture/Bureau of Aquaculture Consultation Form* (DEEP-OLISP-APP-101F) must also be included with the application package.

Submit one complete application copy to the U.S. Army Corps of Engineers, Regulatory Division, 696 Virginia Road, Concord, MA, 01742.

If you are submitting a tidal wetlands application, mail complete application copies to the municipal CEO, Shellfish Commission and Conservation Commission.

**Refer to the Available Resources Section at the end of these instructions to obtain all required documents related to the subject permit application.**

When submitting your permit application, label your supporting documents as directed on your application form and always include, on each document, the applicant's name as indicated on the *Application Form*. Be sure to list these supporting documents in your table of contents in the Executive Summary. 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 as indicated on the *Application Form*, along with the corresponding part number and question number indicated on the permit application form. You should retain a copy of all documents for your files.

### **Permit Application Instructions (DEEP-OLISP-APP-100)**

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. 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 as indicated on the permit application form, along with the corresponding part number and question number indicated on the permit application form.

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.

Check the "Available Resources" section at the end of these instructions for assistance in obtaining guidelines, maps, etc. which are referenced in these instructions.

## Part I: Permit Type and Fee Information

Please check only *one* of the following permit types to indicate which permit(s) you are seeking:

- Structures, Dredging & Fill
- Structures, Dredging & Fill and 401 Water Quality Certificate
- Structures, Dredging & Fill, & Tidal Wetlands
- Structures, Dredging & Fill, & Tidal Wetlands and 401 Water Quality Certificate
- 401 Water Quality Certificate (for federal use only)

Check the box indicating that you are applying for a 401 Water Quality Certificate only, if you have been informed either by OLISP or the USACE that a Water Quality Certificate is required. If you have any question as to whether or not a Water Quality Certificate is required, contact the USACE or OLISP.

Application fees are calculated by OLISP in accordance with CGS section 22a-361(a), based on the perimeter of the water surface area to be used or occupied by the proposed project as depicted on the application plans. Applications for the retention of structures built in violation will be subject to the increased fee schedule set forth in CGS section 22a-361(a)(2). The initial fee as shown on the application form must be remitted with the application form before DEEP will begin processing the application. If the permit application fee is greater than the initial fee, the remaining balance will be invoiced by DEEP. You will receive this invoice when DEEP notifies you that your application is sufficient. The fee must be remitted in the timeframe

specified in the invoice. DEEP will not process an application unless the required fees have been paid. Please note that application fees are not refundable.

If the applicant is a municipality, the 50 percent fee discount applies. If the applicant is a state agency, contact OLISP for assistance for the corresponding fee.

DEEP will not process an application and deem such application to be sufficient unless the required initial fees have been paid.

Provide a brief description of the activity and the town location of the subject activity. The description should be specific to identify the application. For example, a new dock on the Connecticut River in Old Saybrook.

*Public Notice Information* - The public notice of application must be published **prior** to submitting an application, as required in CGS section 22a-6g. A copy of the published notice of application, as described in these instructions, and the completed Certification of Notice Form must be included as Attachment AA to this application. Your application will **not** be processed if Attachment AA is not included. Indicate the public notice date of publication.

## Part II: Applicant Information

*If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the [Request to Change Company/Individual Information](#) to the address indicated on the form. If there is a change in name of the entity holding a DEEP license or a change in ownership, contact the Office of Planning and Program Development (OPPD) at 860-424-3003. For any other changes you must contact the specific program from which you hold a current DEEP license.*

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.) This information can be accessed at [CONCORD](#). 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 DEEP 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 DEEP to your business.
1. *Applicant* – Complete the requested information concerning the applicant.

Indicate the *applicant's interest* in the property where the proposed activity is to be located.

Note: If the applicant is not the owner, written permission from the owner must be submitted as Attachment B to the application.

2. *Billing Contact*: Complete the information concerning the applicant's billing contact, if different than the applicant.
3. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of the permit application, complete this section. DEEP will direct copies of all correspondence and inquiries to

this primary contact. Please be aware that for legal reasons there will be circumstances when DEEP will notify the applicant instead of the primary contact.

4. *Site Owner(s)* - If the applicant is not the owner of the affected site, complete this section.
5. *Facility Owner(s)* – If the applicant is not the owner of the affected facility, complete this section.
6. *Attorney* - It is not required that an applicant be represented by an attorney or any other agent. If you do have an attorney, complete this section.
7. *Engineers or Consultants* - List all engineer(s), surveyor(s) and/or other consultants employed or retained to assist in preparing the application and designing or constructing the activity. Be sure to identify the service that is being provided by each.
8. *Pre-Application Meeting* – ***A pre-application meeting is strongly recommended prior to application submission.*** If you met with OLISP staff to discuss the proposed project, provide the name of the staff person you met with and the date the meeting was held.

### **Part III: Project Information**

In addition to the general instructions which follow, “Activity Specific Instructions”, Appendix A, has been prepared to assist you in completing the application form for the following activities: dredging and the disposal of dredged material; construction of water control structures or shoreline erosion or stabilization structures such as seawalls, bulkhead, revetments, jetties, groins, breakwaters, wave attenuators; new marinas or substantial expansion or modification of a marina; and non-commercial recreational boating access structures.

*To adequately answer the questions in the application form you must refer to the*

*instructions below as well as the Activity Specific Instructions in Appendix A, where applicable.*

### **1. Describe the Proposed Work**

Describe the proposed regulated work and activities in a detailed narrative. The following list describes the type of information necessary to fully describe the proposed work. This list is not all-inclusive. *The types and level of detailed information that is required is dependent upon the magnitude of the project and the resources potentially affected by it.* The description of the proposal must include at least the following items, as applicable:

- a description of proposed work and structures, including the dimensions and areal extent of such activities;
- a description of proposed uses of adjacent uplands (areas landward of the regulatory limit at the site);
- dimensions of any proposed dredging or slip reconfiguration perimeters;
- information addressing whether or not the proposal is consistent with municipal zoning requirements;
- if proposed structure(s) are to be located within a flood hazard area (i.e., A-Zone, V-Zone or floodway), as identified on local FEMA Flood Insurance Rate Maps (FIRM) or floodway maps, a description of how such structure(s) will be elevated and flood-proofed and how emergency access and egress will be provided (i.e. evacuation plans);
- identification of the number, types and drafts of all vessels both currently using the site and which would use the site after the proposed work is conducted;
- identification and location of proposed utilities including sewers, water, electrical, telephone, cable television or fuel to be placed on or under proposed structures or located in or above the water;
- a description of the ownership structure of a proposed marina, dock/mini-dock or boat docking facility, including, as applicable, and if available at the time of application, submit copies of lease or rental agreements, dock/mini-dock documents, and operational rules;
- the total area (in square feet) to be filled or dredged, the depth (feet) of dredging, taking into account any projected overdredge, and the area of each aquatic resource to be affected by the proposed work;
- sampling data, the proposed dredging method such as clamshell or hydraulic and the proposed disposal site and dewatering methods;
- the volume of fill material to be placed or the volume of material to be dredged or excavated (calculations of volume should take into consideration the reasonable expectation of overdredging);
- the type and source of any fill material to be used; and
- a description of proposed changes to any stormwater runoff system including details pertaining to the collection, retention and discharge.



**2a. Describe the construction activities involved for the project, including the following:**

- Detail the construction method and the sequencing of the construction activities and incidental work associated with the proposed work, including temporary access ways, dredging for barge access, barge spudding/mooring, blasting and coffer dams;
- Describe the method for placement of any fill;
- Specify the type and number of construction equipment to be used and identify the areas where equipment and materials will be stockpiled, staged and stored;
- Identify all possible alternative construction methodologies that might be employed. Be as specific as possible in describing the construction techniques so that any potential adverse impacts of each alternative and consistency with standards and policies identified in the applicable statutes and regulations can be evaluated.

**b. Describe in a detailed narrative the methods and sequencing proposed to minimize erosion and sedimentation and impacts to water quality circulation, draining, and flooding patterns.**

Describe in detail any erosion and sedimentation or turbidity control installation and maintenance schedule and plans developed in accordance with the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control as revised, established pursuant to CGS section 22a-328.

**c. What is the projected period of time required to complete the proposed work?**

Indicate the length of time needed to complete the proposed work. If phasing of the construction is contemplated, indicate the anticipated stages and time periods.

In estimating the time needed to complete work, consider that the following time restrictions may apply to your project: Unconfined underwater excavation or filling is generally prohibited by OLISP during the environmentally sensitive period (particularly for shellfish spawning) of June 1 through September 30. Additionally, in appropriate locations the following species or resource specific seasonal limitations on construction may apply: April 1 through July 15 for spawning and/or migrating anadromous fish (e.g., Salmon, Shad and Herring); December 1 through April 1 for overwintering bald eagles; and January 15 through May 31 for spawning winter flounder. The above restrictions are imposed only when there is evidence of the existence of specific species of concern. Please check with OLISP staff to determine if specific seasonal limitations on construction due to finfish or shellfish spawning periods or other resource constraints affect the time necessary to complete the proposed work.

**3. Describe the purpose of, need for and intended use of the proposed activities.**

For example, the *purpose* of bulkheading may be to stabilize an eroding bank, or the purpose of a dock may be for mooring a private boat or for commercial marina use. Document the *need* for the proposed structures, facilities or uses. For example, is a dock needed to provide berthing for an existing vessel currently berthed elsewhere or needed for rental to the general public? Identify the number of vessels to be served and the current mooring/docking or storage facilities for these vessels. When applicable characterize the proposed *use* as public or private and describe its availability to the general public, recreational and commercial uses and vessels.

**4. Identify all coastal or aquatic resources on the site and describe the expected impact on these resources.**

Check the appropriate box in the table to identify all coastal or aquatic resources located on the site, describe the resource and the expected impact on these resources. The key to determining the impacts associated with the proposed project is an identification of aquatic resources. *All sites on which these permit programs apply will have one or more aquatic resources on site or adjacent to the site.* The location of all aquatic resources, including coastal resources, should be depicted on the Plan View as described in Part V, Supporting Documents, Attachment I of these instructions.

Aquatic resources means coastal resources as defined by CGS section 22a-93(7), other wetlands (herbaceous, shrub and forested), and deepwater habitats, including open waters and their bottoms, submerged aquatic vegetation, shores, beaches, bars or streambeds, and mud or intertidal flats. The description of aquatic resources should also include information about the quality of these resources, especially for those resources which will be affected by the proposed project.

As described below, there are many different ways to classify and describe aquatic resources. However, regardless of the classification used, aquatic resources identified should include the following information:

- the hydrological characteristics of the site such as whether the waters are tidal or non-tidal; if tidal, differentiate between intertidal versus subtidal areas;
- the bottom characteristics, such as bedrock, cobble, sand, silt, mud;
- identification of open water sites and wetlands and specification of the general plant types supported such as herbs,

shrubs, trees or submerged aquatic vegetation; and

- flood characteristics of the site including how the site is classified according to the FEMA Flood Insurance Rate maps and floodway maps (i.e., A-Zones, V-Zones or Floodways).

For projects located within the coastal area, identification of aquatic resources should be made using the terms and definitions for coastal resources that are defined in CGS section 22a-93(7). Coastal resource maps, which may be used as a guide to assist in identification of aquatic resources, are available for examination at each municipal planning and zoning office and OLISP; copies may be purchased from DEEP Maps and Publications.

For projects not located within the coastal boundary, the National Wetlands Inventory (NWI) is an appropriate resource classification system. The NWI is described in detail in the publication "Wetlands of Connecticut." Maps depicting aquatic resources using the criteria set forth in NWI and coastal management statutes are available for inspection at OLISP and may be purchased from DEEP Maps and Publications.

*All identified resources should be verified in the field. It is important to specify in the application which classification was used to identify aquatic resources.*

For certain activities such as dredging, shoreline erosion stabilization structures, water control structures or extensive structural encroachments waterward of the regulatory limit, the following resource information may be required (see Appendix A, Activity Specific Instructions):

- organisms living in the sediment;
- finfish, shellfish and wildlife populations;

- existing water quality;
- existing erosion and sedimentation patterns;
- existing flooding patterns;
- benthic habitat (bottom characteristics as they serve feeding, nursery, spawning, or escape cover functions); and
- water quality, circulation and drainage.

When describing the expected impacts on resources, consider these examples: the impact of burial of aquatic organisms by placement of fill or removal by dredging; the ability of habitats to be recolonized; the effects of turbidity or contaminants on the life stages of fish and shellfish; the effects of construction noise on wildlife habitats and on human uses, e.g. the noise of a dredging operation occurring at night; the effects of shading by coastal structures of benthic habitats, submerged aquatic vegetation beds, and tidal wetlands. This list is not exhaustive but is meant to illustrate the direct and indirect effects which may result from construction work and which must be addressed.

**5. *Identify whether the proposed activities will impact the categories listed in the table. If so, describe the expected impact.***

Identify any impacted categories, by checking the appropriate box in the table, and describe the potential adverse environmental impacts that *may* result from the proposed site activities. *If your project is located within the coastal area*, the assessment of potential adverse environmental impacts must include a demonstration of how all potential adverse impacts as specifically defined in CGS section 22a-93(15) have been minimized to the fullest extent practicable through the use of appropriate mitigation techniques.

Refer to the general statutes, and regulations which list factors DEEP must consider in evaluating permit applications. If your project is located within the coastal area you must demonstrate that the proposed project is consistent with the applicable resource and use policies of the coastal management statutes (CGS section 22a-92). A determination of the resources to be affected will indicate which of the coastal resource and use policies are applicable to the proposed project. Refer to the “Reference Guide To Coastal Policies and Definitions” (see Available Resources at the end of these instructions).

NOTE: In general, if your project is not consistent with the applicable standards and criteria, you should modify or redesign the project to reduce or eliminate the conflict. Projects failing to meet the statutory requirements cannot be permitted.

**6. *Identify and evaluate any potential beneficial and adverse impacts to navigation, public access to and public use of public trust lands and waters*** (i.e., those lands located waterward of the mean high water line and the waters above such lands).

Coastal structures must not unreasonably impair access to or along the public trust areas waterward of mean high water and encroachments waterward of mean high water must be minimized to the greatest extent practicable. Provide a description of how the project site is currently being used including a description of all boating traffic patterns and any other navigational or recreational activity at and adjacent to the site.

**7. *Describe how the proposed work will be a water-dependent use(s) of the property or will physically support water-dependent use(s) of the property.***

Water-dependent uses means those uses and facilities which require direct access to or

location in tidal, coastal or navigable waters and which therefore cannot be located inland, including but not limited to: marinas, recreational and commercial fishing and boating facilities, finfish and shellfish processing plants, waterfront dock and port facilities, shipyards and boat building facilities, navigation aids, basins and channels, industrial uses dependent upon waterborne transportation or requiring large volumes of cooling or process water which cannot reasonably be located or operated at an inland site and uses which provide general public access to coastal, tidal or navigable waters.

**8. *Identify and evaluate the potential adverse impacts of the proposed work upon future water-dependent development opportunities and activities:***

Adverse impacts on future water dependent development opportunities and activities include:

- a. locating a non-water-dependent use at a site that:
  - is physically suited for a water-dependent use for which there is a reasonable demand; or
  - has been identified for a water-dependent use in the plan of development or the zoning regulations of the municipality;
- b. replacement of a water-dependent use with a non-water-dependent use; and
- c. siting of a non-water-dependent use which would substantially reduce or inhibit existing public access to tidal, coastal or navigable waters.

**9. *Discuss the alternatives to the proposed project which were considered and indicate why they were rejected***

Provide an analysis demonstrating whether there are any feasible alternatives that would

further reduce the proposed encroachment in public trust waters, or avoid or further minimize adverse impacts on the environment, navigation, or water-dependent uses. Alternatives may include but are not limited to:

- reducing the scope, size or type of the design;
- alternate locations for the proposed work including the use or purchase of an alternate site; and
- use of alternative design or construction methodologies for the proposed work.

**10. *After all measures to eliminate or minimize adverse impacts have been incorporated in the proposed project, describe why any adverse impacts that remain should be deemed acceptable by OLISP.***

Identify any adverse impacts described in item numbers 4, 5, 6 and 8 of Part III, that remain after all measures to eliminate or minimize them have been incorporated in the proposed project. For each of the remaining adverse impacts, state the reason why the impact was not eliminated or minimized.

Discuss the reasons why or how the proposed project meets the statutory and regulatory standards for approval in light of these remaining adverse impacts.

**11. *a. through f.***

***Is any portion of work for which authorization is being sought now complete or under construction?***

Check the appropriate box. ***If No***, skip to question #12. ***If Yes***, complete #b through f. Specify what parts of the project have been completed or are under construction and indicate when such work was undertaken or completed. If the project is an expansion of an existing facility, it is important that project plans clearly distinguish new work from existing facilities. Indicate when you acquired interest in this property and if you were

responsible for the unauthorized activity as a result of actions taken before the acquisition of the property. Also, please indicate if you know of or had reason to know of the authorized activity.

***g. Is this application associated with an enforcement action pending with DEEP?***

To your knowledge has the DEEP notified you or any prior owners or operators of the site or facility, that violations of state environmental laws exist at this site? Please describe any such notification, and the status of any responses or proceedings, and submit copies of pertinent documents.

**12. Is there or will there be any federal and/or state funding of this project?**

If you check the "Yes" box, please explain why you are receiving federal or state funding.

**Part IV: Site and Resource 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. Include the street address and municipality and the Tax Assessor's Map, Block and Lot Number of 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. 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 latitude and longitude, in degrees, minutes and seconds or in decimal degrees, of the approximate center of the facility or site of the proposed work. In addition, please indicate the method used to determine the latitude and longitude coordinates. There are a variety of methods of deriving latitude and longitude coordinates with the Global Positioning System (GPS) being the most accurate.

**2. Indian Lands**

Check the appropriate box to specify if the activity which is the subject of the application will be located on federally recognized Indian lands.

***DEEP strongly encourages all applicants to conduct a review of the following Coastal, Natural Diversity Data Base and Aquifer Protection information as soon as possible and to resolve any outstanding issues, where feasible, before submitting their permit application to DEEP to ensure a more timely and efficient review of their permit application.***

**3. Coastal Management Act Consistency**

Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act (CCMA) (CGS sections 22a-90 through 22a-112). You must indicate whether your project site is in the *coastal area*. If the project site is within the coastal area, the proposed work is subject to and will be evaluated for consistency with the CCMA.

The *coastal area*, as defined in CGS section 22a-94 (a), includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton
Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

#### 4. ***Natural Diversity Data Base (NDDB) - Endangered and Threatened Species***

Section 26-310 (a) of the Connecticut General Statutes states that each state agency, in consultation with the DEEP commissioner, shall conserve endangered and threatened species and their essential habitats, and shall ensure that any activity authorized, funded or performed by such agency does not threaten the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat designated as essential to such species.

Please refer to “*Requests for Natural Diversity Data Base State Listed Species Reviews*” located on the DEEP website at: [www.ct.gov/deep/nddbrequest](http://www.ct.gov/deep/nddbrequest) to determine if your activity is located within an area identified as a habitat for endangered, threatened or special concern species. Please refer to “*Requests for Natural Diversity Data Base State Listed Species Reviews*” located on the DEEP website at: [www.ct.gov/deep/nddbrequest](http://www.ct.gov/deep/nddbrequest) to determine if your activity is located within an area identified as a habitat for endangered, threatened or special concern species. If applicable, prior to submitting the subject application, you must submit a *Request for NDDB State Listed Species Review*” form (DEEP-APP-007) to NDDB. Please note that NDDB review generally takes 4 to 6 weeks. You must then submit a CT NDDB response and copies of any other correspondence to and from the NDDB, including a copy of the

completed *Request for NDDB State Listed Species Review*” form (DEEP-APP-007) with your application as Attachment C.

#### 5. ***Aquifer Protection Areas***

Aquifer protection areas are defined in CGS section 22a-354a through 22a-354bb and are the areas that contribute water to public water supply wells. Many towns within the state are required to establish Aquifer Protection Areas. Level A areas are final, regulated areas under the aquifer protection program. Level B areas are preliminary approximations of aquifer protection areas that have not yet been mapped to final standards, so the shape of the area may change when final mapping is completed. Level B maps provide an approximation of the Aquifer Protection Areas.

Review the [Aquifer Protection Area](#) maps to determine if your site is located in a Level A or Level B mapped aquifer protection area and check the appropriate box.

If your site is within a Level A aquifer protection area and your business is registered with either the local aquifer protection agency or DEEP, then no action is required.

If your site is within a Level A aquifer protection area and your business is not already registered, check the [Table of Regulated Land Uses](#) to determine if your activity is required to be registered under the Aquifer Protection Area Program. If you determine your activity is required to be registered, then contact the [local aquifer protection agent](#) or DEEP to take appropriate actions.

If your site is within a Level B aquifer protection area, then no action is required at this time. However, you may be required to register under the Aquifer Protection Area Program in the future when the area is delineated as Level A.

For more information on the Aquifer

Protection Area Program visit the DEEP website at [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection) or contact the program at 860-424-3020.

#### **6. Shellfish Commission Consultation**

Many coastal and waterfront municipalities have a shellfish commission which may wish to comment on the application. If your municipality has such a commission, you must submit a completed *Shellfish Commission Consultation Form* (DEEP-OLISP-APP-101D) with your application, as Attachment D. If you are not certain whether or not your town has a shellfish commission, please refer to the [Shellfish Commission](#) list or contact OLISP at 860-424-3034.

#### **7. Harbor Management Commission Consultation**

Many coastal and waterfront municipalities have a harbor management commission which establishes goals and policies for the use, development and preservation of the town's harbor. If your municipality has such a commission, you must submit a completed *Harbor Management Commission Consultation Form* (DEEP-OLISP-APP-101E) with your application, as Attachment E. If you are not certain whether or not your town has a harbor management commission, please refer to the [Harbor Management Commission](#) list or contact OLISP at 860-424-3034.

#### **8. Department of Agriculture/Bureau of Aquaculture Consultation**

You must submit a completed *Department of Agriculture/Bureau of Aquaculture Consultation Form* (DEEP-OLISP-APP-101F) with your application, as Attachment F **only** if the subject site is located along the coastal area or in the municipalities as follows:

- south of Lyme or Essex on the Connecticut River or
- south of Orange and Derby/Ansonia on the Housatonic River or

- south of Norwich and Preston on the Thames River, or
- in Lyme, Essex, Orange, Derby/Ansonia, Norwich or Preston and the proposed activity includes dredging.

#### **9. Conservation or Preservation Restriction**

If the activity which is the subject of the application is located within a conservation or preservation restriction area, proof of written notice of the registration to the holder of such restriction or a letter from the holder of such restriction verifying that the registration is in compliance with the terms of the restriction, must be submitted as Attachment G, in accordance with CGS section 47-42d. The municipality where the site is located may have information concerning such restrictions.

**10.** Indicate the number and date of issuance of any previous coastal permits or certificates issued by DEEP or its predecessor agencies authorizing work at the site and the names of persons to whom they were issued. Identify whether natural resources have degraded or been restored. Also address any change in ownership or use of the site.

**11.** Identify any changes in conditions of the site since the issuance of the most recent state permit or certificate authorizing work at the site. Identify, for example, whether the site has been developed, construction activities have been conducted or infrastructure installed. Identify whether natural resources have degraded or been restored. Also address any change in ownership or use of the site.

**12. a.** Identify and describe the existing municipal zoning classification of the site. Classifications generally include residential, commercial (e.g., hotel, office, restaurant, retail, warehouse, marina), industrial, and institutional (e.g., school).

- b. Identify and describe the existing land use(s) on and adjacent to the site.

Your identification must be specific within the category of use and must include the location and relative proportion of the site in each use.

- 13. 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.

- 14. Provide the elevation of the applicable regulatory limit for your project based on the North American Vertical Datum of 1988 (NAVD88). This limit is one foot above local extreme high water for projects located within areas of tidal wetlands or areas capable of supporting tidal wetlands in accordance with CGS section 22a-29(2) and the Coastal Jurisdiction Line (CJL) for projects not located within areas of tidal wetlands pursuant to CGS section 22a-359(c). Local extreme high water is defined in section 22a-30-2(h) of the Tidal Wetlands Regulations as the elevation of the one year frequency tidal flood at a particular location as shown on the most recently adopted U.S. Army Corps of Engineers tidal flood profile. For tidal river areas that are not included in the tidal flood profile, the limit of tidal wetlands must be determined by a qualified person based on the statutory definition (e.g., a professional wetlands scientist, environmental scientist, botanist, or plant ecologist). The CJL for your municipality can be found on the [OLISP Coastal Permitting web page](#) on the DEEP website.

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 that do not support tidal wetlands, or if your project encompasses more than one CJL, please contact OLISP permitting staff at 860-424-3034 for further guidance.

- 15. **Identify how the regulatory limit was determined.** Please note that any alternatively determined regulatory limit that deviates from the values provided by the DEEP must include, as Attachment M: (1) a description of the methodology used to determine the regulatory limit, (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.

- 16. 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 M.

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 that do not support tidal wetlands, or if your project encompasses more than one CJL, please contact OLISP permitting staff at 860-424-3034 for further guidance.

## Part V: Supporting Documents

All permit applications must include Attachments AA through N, unless otherwise noted in these instructions. Check the appropriate box by each attachment being submitted as verification that all applicable attachments have been submitted. Please label all attachments as referenced in the permit application form and these instructions and be sure to include the name of the applicant as indicated on the *permit application form*.

### Attachment AA: Notice of Permit Application

Submit as Attachment AA, a copy of the published notice of permit application, and a completed [Certification of Notice Form - Notice of Application](#) (DEEP-APP-005A).



The copy of the published notice of permit application must be a photocopy of the page of the newspaper where the notice was published, that displays the notice, the name of the newspaper and the date of publication.

#### **Attachment A: Executive Summary**

Submit as Attachment A an executive summary which includes:

1. A Table of Contents of the application package. This list should include:
  - the *Permit Application for Office of Long Island Sound Programs* ;
  - all supporting documents, which include plans, drawings, reports, studies, appendices, or other documentation which are attached as part of the application.

The supporting documents should be listed as follows:

Title of the document, the corresponding attachment label as indicated on the permit application form and the number of pages comprising the document (e.g., Executive Summary - Attachment A - 4 pages.).

2. A brief project description which includes: a description of the proposed regulated activities; a synopsis of the environmental and engineering analyses; summaries of data analysis; a conclusion of any environmental impacts and the proposed project timeline.

#### **Attachment B: Owner Permission**

If the applicant is not the owner, submit written permission from the owner as Attachment B.

#### **Attachment C: CT NDDB Information**

If applicable, submit a CT NDDB response as Attachment C. Include copies of any correspondence provided to or received from the CT NDDB program, including a copy of a completed *Request for NDDB State Listed Species Review*” form (DEEP-APP-007) as Attachment C, as explained in Part IV, item 4 of these instructions.

#### **Attachment D: Shellfish Commission Consultation**

If applicable, submit a completed *Shellfish Commission Consultation Form* (DEEP-OLISP-APP-101D) with your application, as Attachment D, as explained in Part IV, item 6 of these instructions.

#### **Attachment E: Harbor Management Commission Consultation**

If applicable, submit a completed *Harbor Management Commission Consultation Form* (DEEP-OLISP-APP-101E) with your application, as Attachment E, as explained in Part IV, item 7 of these instructions.

#### **Attachment F: Department of Agriculture/Bureau of Aquaculture Consultation**

If applicable, submit a completed *Department of Agriculture/Bureau of Aquaculture Consultation Form* (DEEP-OLISP-APP-101F) with your application, as Attachment F, as explained in Part IV, item 8 of these instructions.

#### **Attachment G: 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 G.

#### **Attachment H: Applicant Compliance Information Form**

Section 22a-6m of the Connecticut General Statutes provides for DEEP review of an applicant's record of compliance with the environmental laws of Connecticut, any other state and the federal government. Under the law, DEEP may consider the applicant's environmental compliance record, as well as the record of the applicant's principals and any parent companies or subsidiaries, when reviewing a permit application. All permit applications must

include a completed *Applicant Compliance Information Form* (DEEP-APP-002) as Attachment H.

### **Attachment I: Project Plans**

Submit as Attachment I, the project plans prepared in accordance with the following:

#### ***Project Plans***

An original and three copies of 8 1/2" x 11" site plans or drawings of a quality sufficient for photocopying must be submitted for all work proposed as Attachment I. Plans or drawings must be legible and drawn to scale. A plan view, elevation/cross-section view, vicinity map and tax assessor's map must accompany the application. Drawings may show work as dot shading, hatching, cross hatching or similar graphic symbols. Detailed plan views and cross-sections must be prepared for each separate activity proposed and to show any variation in a particular activity (e.g., variation in channel widths, depths of dredging, grading, filling, different size dock segments.) Full sized site plans may be required for larger, more complex projects. In this case, the required 8 1/2" by 11" plans may be formed from the large sized plans but segmented into 8 1/2" by 11" sheets connected by match lines, with one sheet showing the location of the individual sheets.

All plans *MUST* contain the following information:

- a title and legend block, including the applicant's name and site location;
- a north arrow;
- the scale for plan views and a vertical and horizontal scale for cross-sections;
- the date of the drawing(s) or revision(s) thereof;
- the location and height of *existing* and *proposed* tidal elevations, including mean low water and mean high water lines and the applicable regulatory limit relative to the

referenced datum.

(NOTE: Clearly distinguishable mean low water, mean high water, and regulatory limit lines are critical to DEEP's ability to evaluate your application.)

- footprint of tidal wetland vegetation, as defined in CGS section 22a-29, and the maximum height achieved by the tidal vegetation during growing season in section view.

All applications submitted to the DEEP pursuant to CGS sections 22a-361 and 22a-32 shall include plan sheets depicting existing and proposed conditions. The important elements of an existing conditions plan are: accurate property boundaries, existing topography and bathymetry, existing structures, existing coastal resources, and any other conditions that exist at the site that are needed for the processing of an application. The important elements of a proposed conditions plan are: the design and accurate representation of proposed structures or proposed modifications to existing structures, proposed modifications in topography or bathymetry, proposed impacts on coastal resources, and any other proposed changes at the site. To that end, the following plan elements are needed in each application: an **A-2 property boundary survey** ("boundary survey"), a **site survey of existing conditions** ("site survey"), a **supplemental site drawing** ("supplemental drawing"), if necessary, and a **proposed conditions plan** ("proposed plan"). The boundary survey, site survey, and supplemental drawing may be separate or combined, if desired, into one existing conditions plan but must follow the minimum requirements outlined below for each element. In no case should proposed conditions be shown on the existing conditions survey *unless no work is proposed at the site*.

The A-2 **boundary survey** may be older than five (5) years provided research of the land

records shows no changes to such boundaries since the time of the survey and such research efforts are certified by a qualified person. The boundary survey may be submitted separately from the site survey described below. The boundary survey may be larger than 8 ½” by 11”.

The **site survey** must be at minimum, a T-2 or V-3 standard, as appropriate, landward of Mean High Water (“MHW”). Site surveys must be signed and sealed by a land surveyor (“surveyor”) licensed in the State of Connecticut except that site drawings depicting dredge project areas may be prepared by a Certified Hydrographer and certified to USACE standards. The site survey must be no older than 5 years. In specific areas where the T-2 or V-3 standard is not possible to achieve, the reason why such standard cannot be met, the location of the areas and the methods used to provide survey information in the areas must be noted on the survey. The site survey may be 8 ½” by 11” or larger and at least one copy of each sheet must bear a live seal and signature. If more than one sheet is used, each sheet must contain a match line.

The **supplemental drawing**, if needed, must be based on the boundary survey and the site survey and must include topography and/or bathymetry waterward of MHW as needed to define the project site. The supplemental drawing must adequately depict existing conditions as may be modified by notes or other explanatory markings as needed to meet the requirements of the application including locations of coastal resources. Tidal wetlands, when present at the site, must be flagged by a qualified person in advance of the site survey. The supplemental drawing must be signed by a surveyor or a Professional Engineer licensed in the State of Connecticut (“P.E.”) and must include the accuracy class or an explanation of the methodology used to collect the data. The supplemental drawing sheet(s) must measure 8 ½” by 11” and at least one copy of each sheet must bear a live seal and signature. If more than one sheet is used, each sheet must contain a match line. If no supplemental drawing is provided, the information mentioned herein must

be included on the site survey.

All **proposed plans** submitted to the DEEP pursuant to CGS sections 22a-361 and 22a-32 must be based on the existing conditions survey(s) and/or drawing(s) and must include, at minimum, a site plan and elevation drawings and any other drawings needed to adequately depict proposed structures, activities, or conditions. All proposed plans must be signed by a P.E. which depict the following: dredging, marinas, flood and erosion control structures, public infrastructure including bridges, tunnels, and boat launch facilities, fill projects including roadways, parking lots, and yard improvements, flood hazard mitigation projects including flood-proofing of residences, any public access project including public access docks. Any other proposed plan may be signed and sealed by a licensed professional qualified by statute to do so. At least one copy of each sheet of all proposed plans must bear a live seal and signature. Please contact OLISP for guidance as to whether plans signed by a P.E. are required for your project.

- a. **Vicinity Map or USGS Map:** Please provide either a vicinity map, which is a general map showing a large area, such as a town or portion of a town, which indicates the location of the project site or 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. DEEP 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 B), 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 applicable regulatory limit in tidal, coastal and navigable waters is only at selected points, show those points on the map.

**b. Tax Assessor's Map:** A map from the local tax assessor showing the subject property and immediately adjacent properties must be included with your application.

**c. Plan View:** A plan view is an overhead view of the proposed work as if you were looking straight down at the site from above. A *GENERAL PLAN VIEW* of the entire project, at a larger scale, including all proposed work (this may be done on one or more sheets with match lines, as applicable) and *DETAILED PLAN VIEWS* of each of the individual proposed activities, at a smaller scale, must be provided. Plan views should show *existing* and *proposed* conditions at the site and must include all the information as described below. Sometimes all activities and conditions can be shown on a single plan view but often multiple plan views are required to *clearly* show the proposed

activities and proposed changes from existing conditions. At a minimum, the following should be shown on plan views:

- the name of the waterbody;
- the project and property boundaries including riparian line(s), if determined;
- the direction of ebb and flood flows (ebb ↔ flood);
- the location and height of *existing* and *proposed* tidal elevations, including mean low water and mean high water lines and the applicable regulatory limit relative to the referenced datum.
- To facilitate application review with the U.S. Army Corps of Engineers, the application plans should either contain a label noting that the high tide line is coincident with the coastal jurisdiction line ("HTL/CJL") or tidal wetlands limit ("HTL/TWL") or include the two separate elevations.

(NOTE: Clearly distinguishable mean low water, mean high water, and regulatory limit lines are critical to DEEP's ability to evaluate your application.)

- the location of *coastal or aquatic resources*, identified in Part III item #4 of the application form;
- the ecological unit, subdivision, parcel and drawing numbers for mapped tidal wetlands;
- the location of the shoreline - *existing* and *proposed* (superimposed);
- *existing* and *proposed* bathymetry and land elevations, as appropriate, at the project site based on the specified datum. Proposed bathymetry must take into consideration the reasonable expectation

of overdredging and side-sloped;

- all *existing* and *proposed* structures and activities including the erection or removal of structures, filling, dredging and excavation; identify structures and uses, *existing* or *proposed* to be located on, or supported by, the proposed work;
- the location of all proposed soil erosion control and sedimentation control measures to be employed at the site and any areas where excavated or dredged material will be dewatered;
- the staging and storage of equipment and materials to be located in intertidal areas or within tidal wetlands;
- existing navigation projects and facilities such as locally used navigation channels, anchorage areas, fairways and moorings, and their coordinates (coordinates must be based on the Connecticut coordinate grid system);
- vessel berthing arrangement and proximity to adjacent docks or docks located across the waterway.

All plans must be clearly labeled to distinguish existing conditions (e.g., structures, activities, contours) proposed to be authorized, retained or removed, and conditions to be constructed or created through proposed work.

**d. *Elevation or Cross-section View:*** An elevation or cross-section view is a scaled drawing that shows the side and front or rear views of the proposed work. At a minimum, the following information should be shown on these views:

- all *existing* and *proposed* structures and activities including the erection or removal of structures, filling, dredging and excavation; identify structures and uses, *existing* or *proposed* to be located

on, or supported by, the proposed work;

- the location and height of *existing* and *proposed* tidal elevations, including mean low water and mean high water lines and the applicable regulatory limit relative to the referenced datum.

(NOTE: Clearly distinguishable mean low water, mean high water, and regulatory limit lines are critical to DEEP's ability to evaluate your application.)

- the water depths at the waterward face of the proposed work;
- the sideslopes of channels, basins, excavated or filled areas including horizontal (run) to vertical (rise) relationship;
- tidal wetland maximum height achieved during the growing season and the relationship of the vegetation to the proposed structure.

### **Attachment J: Photographs Showing Existing Conditions of the Site**

Photographs showing the existing conditions of the site, taken during the growing season, are helpful in evaluating your proposal and must be submitted as part of the application as Attachment J. 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 but 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 K: Landowner Information; Including Names and Mailing Addresses**

Submit as Attachment K a list of the complete names and addresses of all land owners of record for any property located five hundred feet (500) or less from the property lines of the subject property and certification that a copy of the Notice of Application was sent to each identified property owner. If the proposed work is entirely waterward of mean high water, but within the apparent riparian/littoral area of a shoreline property, that property should be used to compile the list of the names and addresses of all land owners of record located five hundred feet (500) from the property lines.

Also, include in Attachment K, names and addresses of any known claimants of water rights adjacent to the project and owners or lessees of shellfish grounds or franchises within the area which work is proposed.

### **Attachment L: Applicant Background Information**

A completed *Applicant Background Information Form* (DEEP-APP-008) must be submitted as Attachment L for all permit applications.

### **Attachment M: Other Information**

Submit any other information the applicant deems relevant to the application or is required by DEEP.

### **Attachment N: US. Army Corps of Engineers Consultation Form**

You must submit a completed US Army Corps of Engineers Consultation Form (DEEP-OLISP-APP-101N) with this application as Attachment N.

### **Part VI: Applicant 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.

### **Available Resources**

Below is a list of possible resources for specific information required for the subject application. Be sure to also check the DEEP website, [www.ct.gov/deep](http://www.ct.gov/deep) and your local town hall or library for maps and other reference materials.

Both the DEEP Maps and Publications 860-424-3555 and the DEEP File Room 860-424-4180 are located on the store level at 79 Elm Street, Hartford, CT. OLISP permits and certificates and summer aerial photographs are located in OLISP offices, 860-424-3034, on the 3<sup>rd</sup> floor at 79 Elm Street, Hartford, CT. Please call the appropriate

office in advance for hours of operation.

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

For the subject permit application form, instructions and other required documents visit the DEEP website at:

[www.ct.gov/deep/lispermitapps](http://www.ct.gov/deep/lispermitapps)

- Coastal Boundary Areas: Town Hall and/or DEEP Maps and Publications; "Coastal Boundary Map". Additional information: Office of Long Island Sound Programs: 860-424-3034
  - Coastal Resource Maps: Town Hall and/or DEEP Maps and Publications 860-424-3555
  - Reference Guide to Coastal Policies and Definitions ([www.ct.gov/deep/permits&licenses](http://www.ct.gov/deep/permits&licenses))
  - USGS Topographic Quadrangle Map: ([www.ct.gov/deep/gis](http://www.ct.gov/deep/gis)) DEEP Maps and Publications, 860-424-3555, or USGS Office, 303-202-4700, or US Geological Survey, Western Distribution Branch, Box 25286, Denver Federal Center, Denver, CO 80225 (sells USGS maps and publications) [www.usgs.gov](http://www.usgs.gov)
  - Endangered or Threatened Species Areas: DEEP File Room; "State and Federal Listed Species and Natural Communities"; [www.ct.gov/deep/endangeredspecies](http://www.ct.gov/deep/endangeredspecies)
  - Aquifer Protection Area Maps: [www.ct.gov/deep/aquiferprotection](http://www.ct.gov/deep/aquiferprotection), DEEP Maps and Publications
  - Pollution Prevention: A variety of pollution prevention publications are available from DEEP's Office of Pollution Prevention 860-424-3297
  - DEEP's Environmental Equity Policy and Environmental Justice Program: 860-424-
- 3044 ([www.ct.gov/deep/environmentaljustice](http://www.ct.gov/deep/environmentaljustice))
  - Aerial Photographs: DEEP OLISP 860-424-3034
  - Historic Aerial Photographs:
    - ♦ State Library: 860-566-4301
    - ♦ Connecticut Historical Aerial Photography (Map & Geographic Information Center at UCONN) [magic.lib.uconn.edu/](http://magic.lib.uconn.edu/)
  - Tidal Wetland Boundary Maps: DEEP Maps and Publications 860-424-3555
  - Coastal Policies and Use Guidelines (Planning Report 30): DEEP OLISP 860-424-3034
  - Wetlands of Connecticut: DEEP Maps and Publications 860-424-3555
  - National Wetland Inventory Maps: DEEP Maps and Publications 860-424-3555
  - 2002 Connecticut Guidelines for Soil Erosion and Sediment Control ([www.ct.gov/deep/cwp/view.asp](http://www.ct.gov/deep/cwp/view.asp))
  - Drainage Basins: DEEP Maps and Publications, "Natural Drainage Basins in Connecticut", 1988; [www.ct.gov/deep/gis](http://www.ct.gov/deep/gis)
  - Archeological or Historical Landmarks: Town Hall or Connecticut Historical Commission
  - Land Conservation Areas: Town Hall and/or DEEP Maps and Publications; "Open Space Map"
  - Soil Series Description and Delineation: County Soil and Water Conservation District Offices and the United States Department of Agriculture Conservation Service Office

- US Army Corps of Engineers
  - Regulatory Program
    - [www.usace.army.mil/inet/functions/cw/ce/cwo/reg/](http://www.usace.army.mil/inet/functions/cw/ce/cwo/reg/)
  - New England District, Regulatory Office
    - 696 Virginia Road
    - Waltham, MA 02254
    - Concord, MA 01742-2751
    - [www.usace.army.mil](http://www.usace.army.mil)
    - 800-343-4789; 978-318-8335; 978-318-8338
  - Wetlands Regulatory Assistance Program
    - [el.erdc.usace.army.mil/wrap/wrap.html](http://el.erdc.usace.army.mil/wrap/wrap.html)
- Copies of the Structures, Dredging and Fill Statutes, CGS sections 22a-359 through 22a-363f; the Tidal Wetlands Act, CGS sections 22a-28 through 22a-35a; and the Connecticut Coastal Management Act, CGS sections 22a-90 through 22a-112: DEEP OLISP 860-424-3034
- State and federal statutes and regulations are available for review at various locations:

On the web:

- State Statutes [www.cga.ct.gov/lco/statutes-index.asp](http://www.cga.ct.gov/lco/statutes-index.asp)
- DEEP website for Statutes and Regulations: [www.ct.gov/deep/laws-regs](http://www.ct.gov/deep/laws-regs)
- US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy Guidance and Legislation: [www.epa.gov/lawsregs](http://www.epa.gov/lawsregs)

Book Format:

- State Library (Hartford)
- University Law Schools (UConn-Hartford, Yale)
- Superior Courthouse Libraries (located throughout the state)

- Town Halls and Libraries (statutes)

### **Affirmative Action, Equal Employment Opportunity and Americans with Disabilities**

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). Please contact us at (860) 418-5910 or [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov) if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint.



## Appendix A: Activity Specific Instructions

The previous sections of the instructions contain general guidance as to the information that must be provided for any coastal permit application. However, depending upon the specific activities proposed, additional information *may* be required in order to properly evaluate your application. The following are special instructions for specific activities which by their very nature, require additional technical information and evaluation. This list is not exhaustive nor exclusive since other information *may* be necessary depending upon the specific conditions at the project site.

### I. Dredging and the Disposal of Dredged Material

*Applicants must discuss with OLISP staff any proposed dredging and disposal activities prior to sediment testing in order to determine the specific information requirements. Failure to do so may result in the need to conduct additional testing.*

The following types of information *are required* for projects which include dredging or the disposal of dredged material.

#### A. Dredging

1. demonstration of the need for the proposed dredging, including an up-to-date bathymetric survey and discussion of any navigation requirements;
2. indication of the type of dredging proposed (new or maintenance);
3. an analysis of the projected changes to sedimentation rates and the physical and chemical quality of the bottom sediments that will result from dredging;
4. a description and map of the aquatic communities, subtidal or deepwater habitats and intertidal or shallow

water habitats to be affected by the proposed dredging. Such description must contain:

- a. a characterization of the organisms that are living on or in the sediments to be dredged in addition to adjacent areas (this generally involves a quantitative assessment of the numbers and types of organisms living in or on the sediments and their association with particular types of sediments such as sand, mud or silt); and
- b. an evaluation of the potential impacts to the aquatic habitats and their associated organisms and the likelihood of recolonization or such habitats given the projected changes, if any, in sediment character and water depths.

Notes:

- Fall surveys are recommended.
  - Applicants should be prepared to submit five (5) and ten (10) year post dredging benthic surveys to document organism recovery rates.
5. an evaluation of the impact of the proposed dredging upon water quality. This *may* require the calculation of existing and projected flushing rates. Depending on the size, extent and magnitude of the project, its complexity and on-site characteristics, further water quality studies *may* be required. (Dye studies *may* be required to substantiate existing conditions or to calibrate any computer models used.)

6. specification of the proposed angle of the side slopes of channels and basins and a description of how these slopes will be created. (For example, will a vertical cut be made such that the proposed side slopes will be established through the resulting slumping?)

## **B. Disposal of Dredged Material**

The two most common methods of dredged material disposal are at either a designated open water disposal site located in Long Island Sound or on the upland. The specific information requirements for these two disposal alternatives are presented separately below:

1. Disposal of dredged materials at a designated open water disposal site in Long Island Sound

Disposal of dredged material in Long Island Sound is governed by the "Interim Plan for the Disposal of Dredged Material in Long Island Sound." The information needed to support a dredging project proposing to dispose of dredged material at a designated disposal site in Long Island Sound varies depending upon a number of factors. These include the prior history of dredging, the adequacy of available information to characterize the existing quality of the sediments, the degree of contamination of the sediments, and the types of pollutants that may be present in the dredged material.

The following information must be provided:

- a. the location of the proposed disposal site,
- b. an analysis of disposal alternatives to show that open

water disposal is the only practicable alternative, and

- c. a compilation of existing information that will help identify the physical and chemical characteristics of the sediments to be disposed and the types of contaminants that might be contained in sediments.

A review of the existing information provided pursuant to item (c) above will be used by OLISP to determine the sediment testing requirements for each project. *In general a bulk sediment test will be required.* This requires the procurement of cores of sediment to project depth. Cores are then reviewed for any visually apparent stratification. The cored material is then either completely homogenized and sampled or samples are taken from the identified strata. The samples are then tested for physical characteristics, a suite of metals, and organic compounds. *If additional testing is required, OLISP will inform the applicant as to the types of testing that will be required.* The applicant will be required to prepare a preliminary sampling plan to be reviewed by OLISP. Once approved by OLISP, sediments are to be collected following this plan and the tests results and sampling protocols must be submitted to OLISP. If the test results show that the sediment has high levels of contamination, supplemental testing to evaluate the biological effects of the sediments *may* be required. Alternatively, if capping (covering of the unsuitable sediment with clean sediment) is an appropriate substitute for biological testing, then a capping plan will be required.

2. Disposal of Dredged Material on Uplands

Contact OLISP staff to determine the types of sediment testing that will be required and to determine what, if any, additional testing is required for upland disposal. In general, bulk sediment testing will be required as described above. Special tests of the sediment, such as elutriate testing to determine release rates for contaminants of concern and/or Toxicity Characteristic Leaching Procedure testing, may be required for dewatering of materials.

The following information must be provided:

- a. method of proposed dredging (specify hydraulic or mechanical and the type of equipment to be used);
- b. a vicinity map showing the location(s) of the disposal site(s) (if the material is to be handled at or transferred to more than one site, indicate the location of each disposal site);
- c. an analysis of the physical and chemical characteristics of the dredged sediments;
- d. a description of how the dredged sediments will be contained, dewatered and stabilized (in general and especially for fine textured dredged sediment, disposal must be accomplished in a containment facility approved by OLISP); and
- e. plan views and cross-sections of the containment facility.

**For Containment Facilities Associated with Hydraulic Dredging:**

- a. calculations supporting the size and design of the containment facility (guidance for the design and construction of containment facilities are contained in a number of reports prepared by the USCAE. For information, call (617) 647-8335 or (800) 343-4789;
- b. identification of the temporary erosion and sediment control techniques to minimize sedimentation and erosion from the discharge and stabilization of the containment facility;
- c. identification of the permanent sediment and erosion controls for the containment facility, including monitoring and maintenance of such controls;
- d. a water quality monitoring plan for the (effluent) discharge from the containment facility; and
- e. identification of any final dewatering procedures proposed following the disposal of the dredged material such as ditching of the dredged material.

**For All Upland Disposal:**

- a. evaluation of the impacts of the proposed disposal upon ground and surface water quality;
- b. groundwater classification of the proposed disposal site; and
- c. identification of the municipal zoning classification of the proposed disposal site(s).

## II. Shoreline Erosion or Stabilization Structures, Breakwaters or Wave Attenuators

Shoreline erosion or stabilization structures are defined as any structure the purpose or effect of which is to control flooding or erosion from tidal, coastal or navigable waters and includes breakwaters, bulkheads, groins, jetties, revetments, riprap, seawalls and the placement of concrete, rocks or other significant barriers to the flow of flood waters or the movement of sediments along the shoreline. For projects that include the construction of a shoreline erosion or stabilization structures, breakwaters or wave attenuators, provide the following information:

- A. A written analysis of alternatives to the proposed structure, which demonstrates the following:
  1. if and why non-structural flood and erosion control measures are not feasible;
  2. if and why the structural alternative proposed is necessary and unavoidable to protect infrastructural facilities, water-dependent uses or inhabited structures existing prior to 1980;
  3. if and why there are no alternatives with less environmental impact; and
  4. that access to or along the public lands and waters waterward of mean high water is not unreasonably impaired by the structure.
- B. A description of the level of protection (i.e., storm event frequency) intended to be provided by the proposed structure and its anticipated longevity.
- C. An analysis of the impacts of the structure(s) upon the following:
  1. erosion or sedimentation of adjacent properties;
  2. erosion or sedimentation of land, wetlands or waters located seaward of the structure; and
  3. longshore or onshore/offshore transport of sediment.
- D. A description of the toe or flank protection or tie-backs proposed and the reasons why such measures are or are not necessary.
- E. A description, if applicable, of the drainage measures incorporated to allow for seepage of groundwater through the structure(s) or diversion of upland stormwater away from the structure.
- F. An evaluation of the potential for adverse impacts from the structure(s) to adjoining properties and structures.
- G. For proposed structures perpendicular to the shoreline such as groins, a determination of the amount of sand fill needed to concurrently nourish the beach or fill the area or cell between adjacent groins. Identify the source and texture of the material to be used for beach nourishment. Calculate the frequency at which this material will need to be replaced. (NOTE: Since structures such as groins generally cause the trapping of material on one side and erosion of material on the other, applicants may be responsible for a long term beach nourishment plan.)
- H. An evaluation of the effects of the proposed structures upon sediment quality and water quality. Dye studies to assess the flushing rates and water quality studies *may* be required as part of this analysis.

### III. Water Control Structures

(i.e., culverts, tide, flapper and sluice gates, weirs, dams and dikes)

For projects that include the placement, replacement or modification of a water control structure, provide the following information:

- A. An analysis of the flood levels which may result from the placement, replacement or modification of a water control structure and the effects of those flood levels on low lying lands, structures and infrastructures. The following types of analyses may be required depending upon the type of proposed structure, location and the potential to cause flooding problems to developed lands and infrastructural facilities:
1. an evaluation of how the proposed structure will affect the flood levels landward of such structure associated with stormwater runoff; and
  2. an evaluation of how such structure will affect tidal flood elevations both upstream and downstream of such structure. (This evaluation should include projected flood levels that will result from different storm events including the 1-year, 10 year, 50 year and 100 year storms events. Flood projections should be based upon combinations of stormwater and tidal flood events. In certain instances, modeling may be required based on the collection of tidal height and current velocity data).
- B. An indication of whether and what extent the structure(s) will affect the water table in wetlands.
- C. A written analysis of alternatives to the proposed structure and their effect upon protection of existing healthy or restoration of degraded upstream aquatic resources including consideration of

designs which would:

1. not alter existing tidal hydrology; and
2. restore tidal flows to the fullest extent possible, to maximize the restoration of aquatic resources while minimizing flooding of low-lying properties (e.g., use of tide gate management, self-regulating tide gates and construction of low-earthen dikes to protect flood prone properties), where necessary.

### IV. Substantial Modification or Construction of Marinas

Applications for substantial modification or construction of marinas involving in-water facilities, including new and substantially expanded marinas, must include the following information, as applicable:

- A. proposed maintenance dredging schedules, the basis for predicting such schedules, and proposed dredged material disposal sites;
- B. descriptions of and plans for all proposed utilities and a demonstration of the need for such utilities and proposed capacities of such utilities;
- C. descriptions of and plans for all associated upland facilities, e.g., marine repair facilities, sanitary facilities, boat storage, and parking;
- D. description of boating traffic patterns and other navigational activities at the site, and the impact of the proposed activities on navigation, commercial fishing and water-oriented recreation;
- E. an operations and maintenance plan for the marina including provisions for stormwater management and for the collection and safe handling of waste oil, chemicals, paints and solvents, debris from boat scraping, painting and repairs,

and other potential pollutants;

- F. provisions and procedures for emergency shutdowns of the marina including the disconnection of utilities, plans for minimizing storm related damage and plans for the evacuation of patrons;
- G. plans for fuel deliveries and dispensing, and spill prevention and spill response plans;
- H. provision and maintenance of sanitary facilities;
- I. provisions of and maintenance procedures for pump-out facilities and provision for disposal of waste; and
- J. location and maintenance of trash receptacles.

#### **V. Non-Commercial Recreational Boating Access Structures**

Non-commercial recreational boating access to navigable water in Connecticut can generally be achieved through a minimal structure consisting of a fixed dock extending from the upland to mean low water with a ramp leading to a floating dock of approximately 10 feet by 10 feet. However, this configuration may not be appropriate based upon site specific constraints such as proximity of natural resources or existing navigation patterns.

Applications for proposed structures designed other than as described above should include:

- A. a demonstration that the area, length, width and extent of such structure waterward of the regulatory limit is minimized given site specific circumstances (e.g., aquatic resources impacts, wave dynamics, navigation constraints);
- B. if the proposed structure has not been minimized in accordance with the above, provide a detailed justification for the proposal. Such justification should not be based solely on a proposal to gain full tidal cycle access or the berthing of any particular size, draft, number, or type of vessel(s);
- C. water depths at various locations along and at the terminus of the proposed structure;
- D. the number and types of boats to be berthed at the proposed structures, their draft(s), their current location, and the relationships of the boat owner(s) to the property owner.

# Appendix B: USGS 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)

