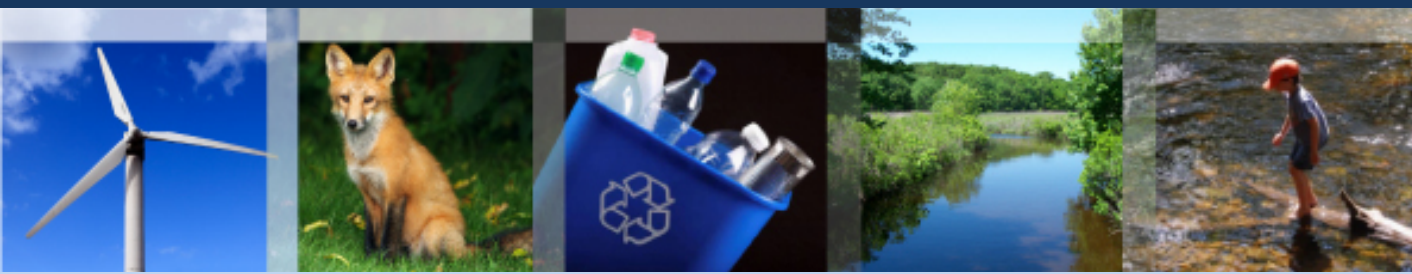




# Connecticut Department of Energy and Environmental Protection



# Land & Water Resources Division Reorganization Outreach

January 25, 2017

Gina McCarthy Auditorium

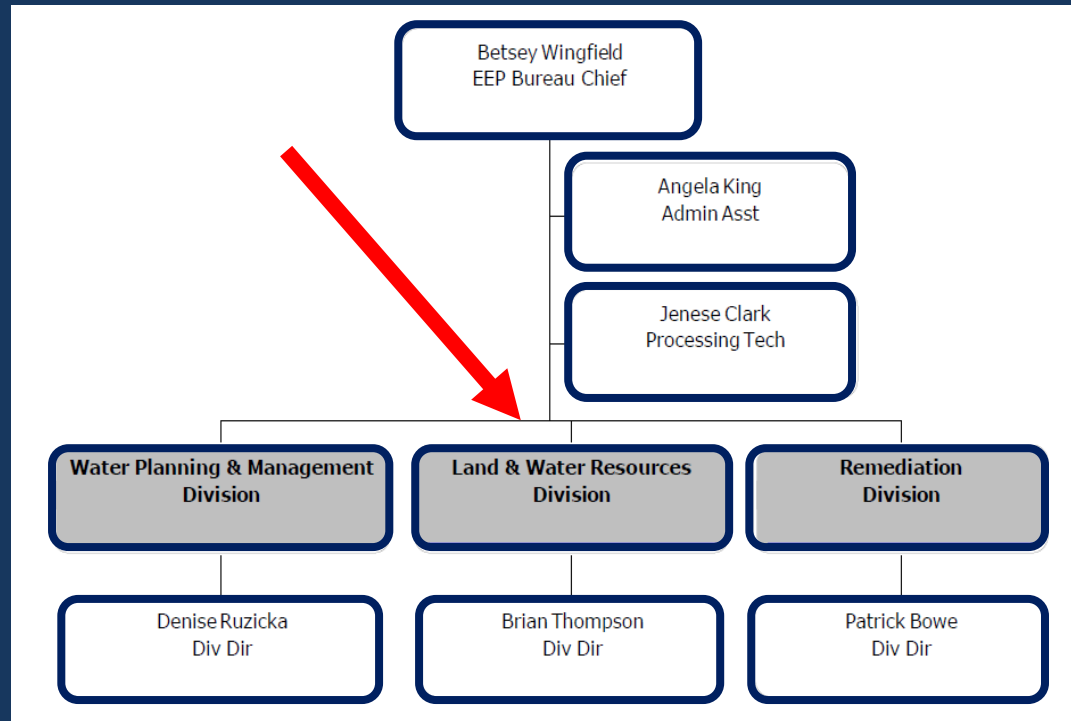


Connecticut Department of Energy and Environmental Protection

# LWRD Outreach

## WPLR Reorg Implemented October 3, 2016

- Four Divisions  
Reduced to Three
- IWRD + OLISP = LWRD

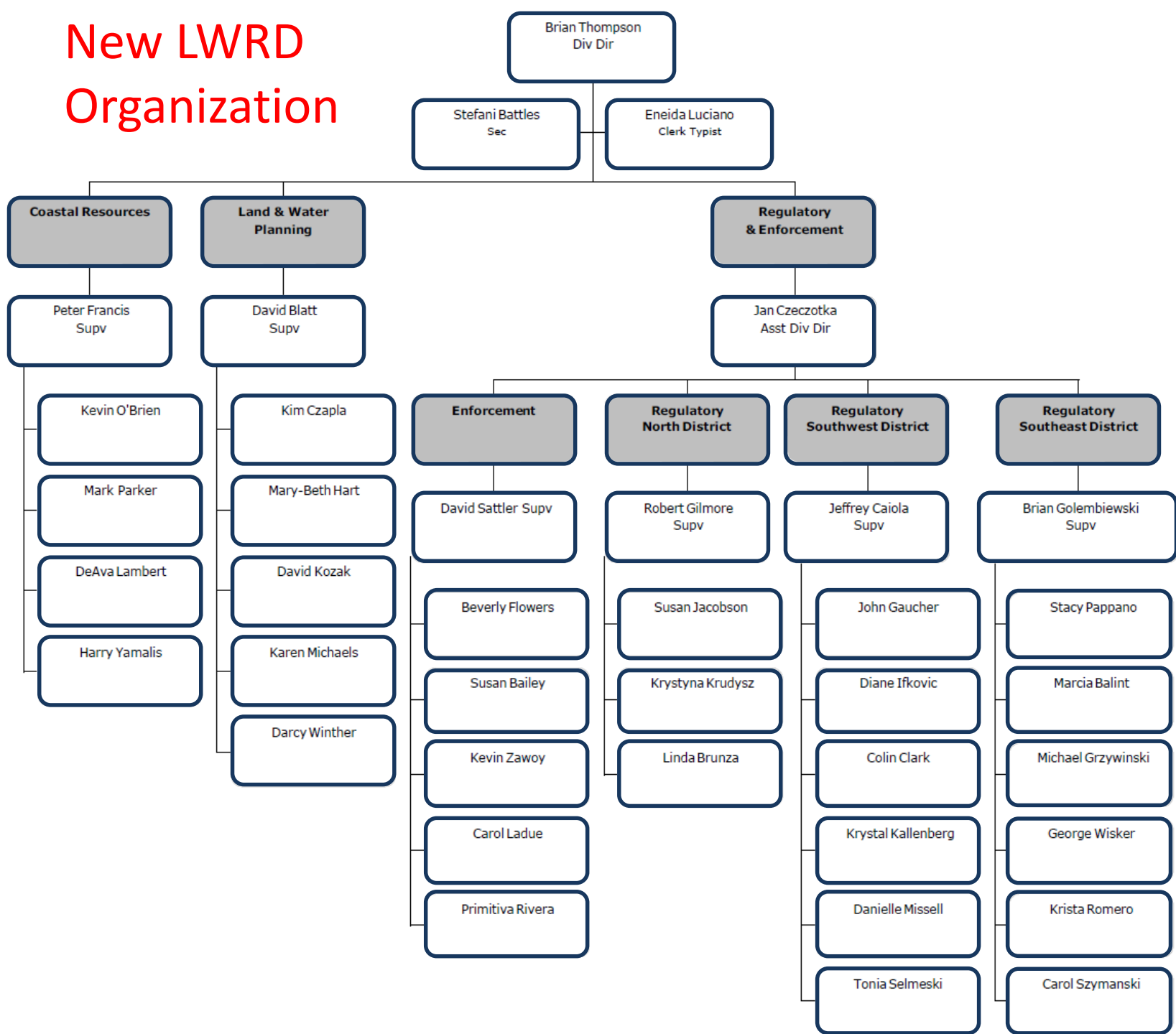


Bureau of Water Protection and Land Re-Use

Connecticut Department of Energy and Environmental Protection



# New LWRD Organization



## LWRD - Major Changes:

- Dam Safety, State Dams & Consumptive Diversion Programs moved to Water Planning & Management Division (2<sup>nd</sup> Floor)
- Aquifer Protection & Long Island Sound Study moved to LWRD from Water Planning
- Assistant Director re-assigned from Remediation to LWRD
- Integration of OLISP & IWRD Regulatory Programs



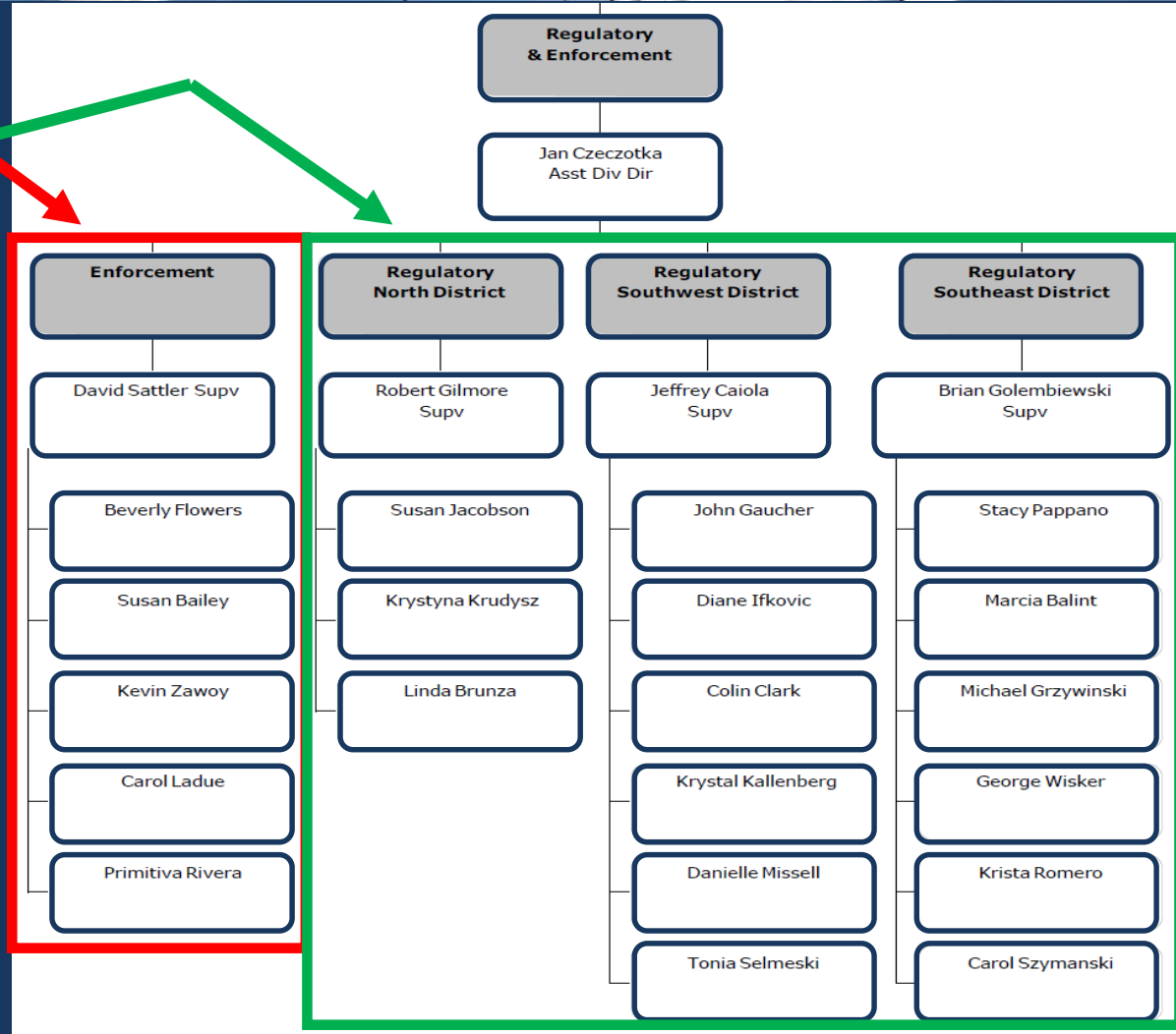


New Enforcement Section

Three Regulatory Regions

Programs:

- Inland Wetlands & Watercourses
- Tidal Wetlands
- Structures Dredging & Fill
- Flood Management
- Section 401 Water Quality Cert
- Water Diversion (Non-Consump)
- Certificate Of Permission
- Federal Coastal Consistency
- Coastal Site Plan Reviews
- Coastal & Inland General Permits
- Aquifer Protection



# Programs and Authorities

<b>Program</b>	<b>Regulatory Authorities</b>
Inland Wetlands & Watercourses	CGS Sec. 22a-36 to 22a-45a & RCSA Sec. 22a-30-1 to 22a-30-17
Tidal Wetlands	CGS Sec. 22a-28 to 35a & RCSA Sec. 22a-39-1 to 22a-39-15
Structures, Dredging & Fill	CGS Sec. 22a-358 to 22a-363f
Flood Management	CGS Sec. 25-68b to 25-68h & RCSA Sec. 25-68h-1 to 25-68h-3
Section 401 Water Quality Cert	Section 401 of the Federal Clean Water Act (33 U.S.C. 1314) & RCSA Sec. 22a-426-1 to 22a-426-9
Water Diversion (Non-Consumpt)	CGS Sec. 22a-365 through 22a-379 & RCSA Sec. 22a-372-1, 22a-377(b)-1, and 22a-377(c)-1 through 2

# Program and Authorities

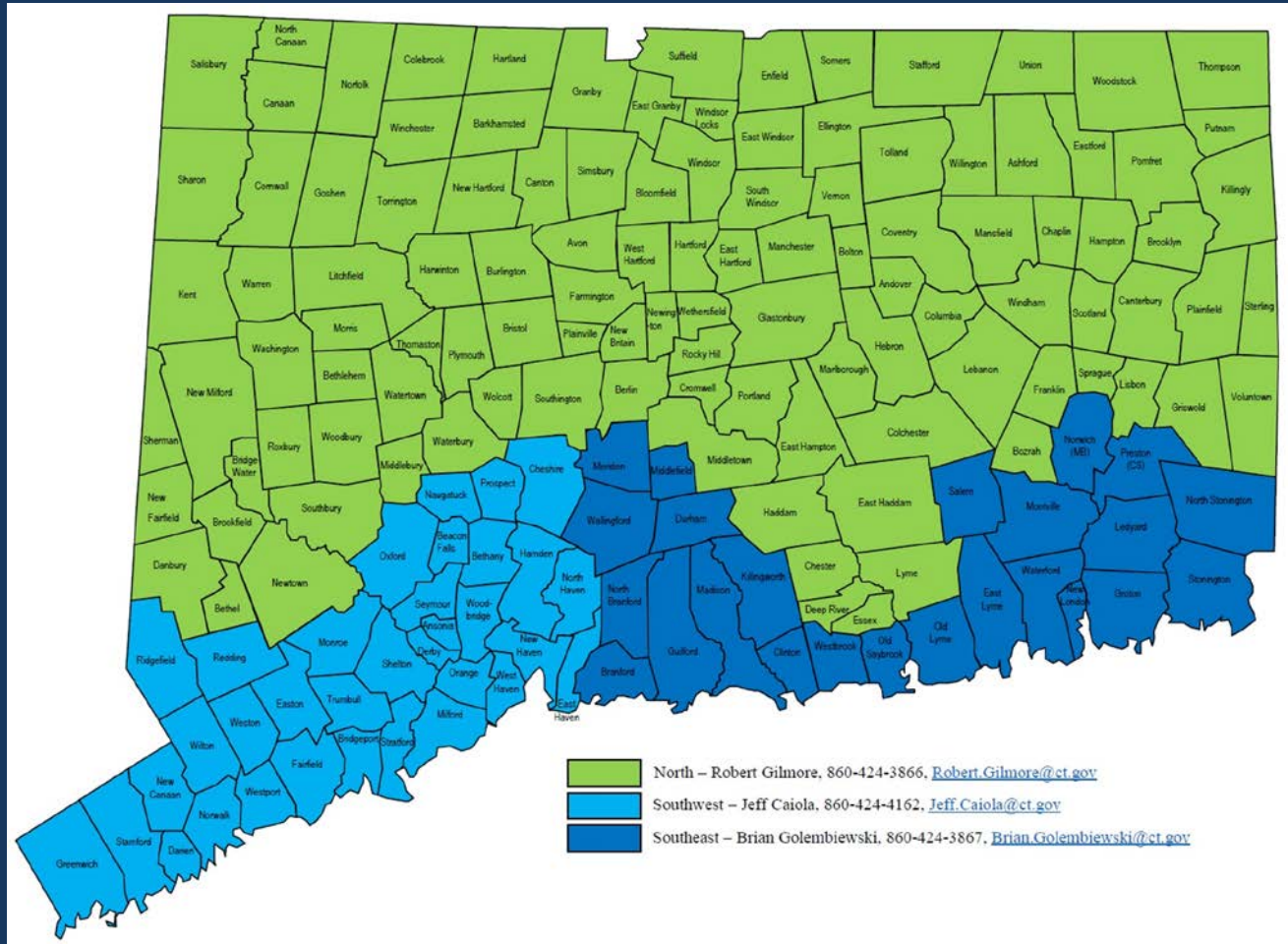
Program	Regulatory Authorities
Certificate of Permission	CGS Sec. 22a-363b
Federal Coastal Consistency	15 Code of Federal Regulations (CFR) 930.30 through 930.46
Coastal Site Plan Review	CGS Sec. 22a-104, 22a-105, 22a-109 and 22a-110
Coastal General Permits	CGS Sec. 22a-361(d)
Inland General Permits	CGS Sec. 22a-6, 22a-45a and 22a-378a
Aquifer Protection	RCSA Sec. 22a-354i-1 to 22a-354i-10





# Regions

- N, SE, SW
- Regulatory Determinations for **ALL** programs
- Coastal Site Plan Reviews Included
- Inquiries directed to Region Supervisors





# LWRD Regulatory Objectives:

- Maximize efficient use of limited staff resources
- Effective integration of Inland and coastal programs
- Promote efficiency by expanding staff's program knowledge and experience
- Minimize single points of failure in processes



# LWRD Regulatory Objectives (cont...)

- Consistent decision-making across the regions
- One stop shopping for permitting (SDF – CSPR)
- New emphasis on compliance
  - New enforcement section
  - DOT Construction inspector



# LWRD Moving Forward

- Updating Web Resources (Content & Forms)
- Continued Process Improvement
- Internal Training
- Consolidating Procedures
- Adjusting to new programs
- Streamlining the pre-application process



# Program Adjustments

- Limit Certain Services Previously Provided (Under Review)
- Pre-applications Streamlining
  - Meetings Limited \ At DEEP's Discretion
  - Focus on Technical & Substantive Issues
  - Electronic Submittal & Review
  - Improved Web Guidance
- File Search Procedures
  - Establishing a public GIS/SIMS computer station



# Program Adjustments cont...

- New Programmatic Priorities
  - Public Interest, Economic, Infrastructure Projects
- Quality Applications Expected, No Place Holders
  - Immediate rejections for gross insufficiency
  - Minimum documentation standards (aerial photos)



# Dredge Material Disposal Update

- Open Water Disposal Site Status:
  - Army Corps completed dredged material management plan; adopted into EPA Final Rule for designation of Western and Central LIS disposal sites.
  - New London Disposal Site and Cornfield Shoals Disposal Site closed.
  - EPA designated a new Eastern Long Island Sound Disposal Site.
  - NY notified EPA of intent to sue to overturn the ELDS site designation.



# Dredge Disposal Update (Cont...)

- **The EPA Rule:**
  - Reduce open-water disposal and increase beneficial use;
  - Steering Committee to facilitate development of beneficial alternatives;
  - Establish baselines for dredged material being beneficially used and placed at open water sites;
  - Establish stepped objectives to increase the beneficial use and reduce the use of open water placement;
  - Regional Dredging Team will continue to review projects with emphasis on practicable alternatives to open water disposal.





## Dredge Disposal Update (Cont...)

- Standards of Review:
  - disposal at open water sites shall be allowed only if there is no practicable alternative to open-water disposal
  - “practicable alternative” is available at reasonable incremental cost
  - beneficial uses such as marsh creation, should be examined and used whenever practicable.



## USACE General Permits for the State of CT

- Nationwide Permits (404) not in use in New England
- GP Effective August 19, 2016
- USACE Section 404, Section 103, Section 10
- CT DEEP Section 401 Water Quality Certification
- 21 Activities
- Self-Verification (SV) replaces Category 1
- Pre-Construction Notification (PCN) replaces Category 2



## USACE General Permits for the State of CT

- Appendix A – General Permits (1-21)
- Table 1. Connecticut Water Quality Certification
- Table 1. Page 5, Activities Not Eligible for 401 Authorization
- Appendix E: Self-Verification



- Questions?
- Feedback?

