



Post-Storm Irene Coastal Permitting Information

A **temporary authorization** has been issued to cover temporary measures to abate imminent threats of failure and to remove hurricane-related debris. A copy of the authorization, which expires on October 28, is posted on the DEEP website.

A **temporary authorization** has been issued to cover the use of equipment to replace sand that was displaced from beaches as a result of the hurricane. A copy of the authorization, which expires on September 29, is posted on the DEEP website.

A **temporary authorization** has been issued to cover the use of equipment to replace stones from seawalls and revetments which were displaced as a result of the hurricane. A copy of the authorization, which expires November 15, is posted on the DEEP website.

An **emergency authorization** has been issued for riprap placement in eroded areas behind damaged seawalls, and for seawall repairs. In order to be eligible, a seawall must have been previously authorized, have been in place since before 1980, or be protecting infrastructure or a residence that has been in place since before 1980. A copy of the authorization, which expires on December 31, is posted on the DEEP website.

Temporary Authorizations may be issued for some types of temporary repairs that are not covered in the blanket authorizations. To be eligible, the regulated structure or fill must be in place for 30 days or less, be necessary to protect human health or the environment or otherwise necessary to protect the public interest, and must cause only minimal environmental impact.

Emergency authorizations may be issued for repairs that are not covered under the blanket authorizations. To be eligible, the repair must be necessary to prevent hazards to life, health, or welfare or significant loss of property. If an emergency authorization is needed, please call OLISP to discuss the information required for this authorization. Keep in mind that all emergency authorizations must be followed up within 30 days of their expiration with an application to retain the work undertaken.

Non-emergency repairs. If a repair is required that does not meet the criteria for an emergency authorization, the following options are available:

A general permit for dock repairs is being prepared. This general permit is likely to cover up to complete replacement of docks that have been damaged in the storm, provided it has been previously authorized. This general permit is not yet in place but may be complete by the end of the year. If waiting for this coverage under this upcoming permit is not an option, other authorization types are possible.

The Certificate of Permission process is available for minor activities involving dredging, erection of structures, or fill in any tidal, coastal or navigable waters of the state in accordance with Sections 22a-361 through 22a-363c of the Connecticut General Statutes (CGS). The specific activities eligible under this program are listed in CGS Section 22a-363b and include: substantial maintenance and minor alterations or amendments of authorized or pre-jurisdiction structures, fill, obstructions and encroachments; maintenance dredging of maintained permitted dredged areas; removal of derelict structures and vessels; and other enumerated minor activities. The COP process involves the filing of a simplified application form and application fee. Applicants for a COP receive a response from the Commissioner within 45 days of the application submittal date, and a decision on the application no later than 90 days after the date of submission.

All other repairs not eligible for authorization under any of the processes mentioned above require an *individual permit* pursuant to CGS Section 22a-32 and/or Section 22a-361.

Non-regulated repairs: Routine maintenance of structures, fill, obstructions, and encroachments which have received authorization or which have been in place since prior to June 24, 1939 and continually maintained and serviceable are exempt from coastal permitting under Section 22a-363a and 22a-261 CGS. Routine maintenance is defined as

- replacement and repair of out-of-water structures, which include the surfaces of docks, piers, wharves and bridges,
- replacement or repair in any year of up to 25% of pilings, and
- seasonal reinstallation or repair of floating docks,

provided that all locations, dimensions, elevations, and materials remain the same.

Note: Substantial maintenance, which means rebuilding, reconstructing or re-establishing to a pre-existing condition and dimension any structure, fill, or encroachment, requires authorization.

For questions and assistance, please call OLISP at (860) 424-3034.