

### **TEMPORARY AUTHORIZATION No. TA-Sandy-10-2012-5**

Pursuant to section 22a-6k(b) of the Connecticut General Statutes (“CGS”) the Commissioner of Energy and Environmental Protection (“Commissioner”) hereby issues a Temporary Authorization (“Authorization”) to conduct the following work required to abate damage in coastal areas from Storm Sandy as is more specifically described below in the SCOPE OF AUTHORIZATION. The work performed shall conform to the terms and conditions of this Authorization. Said activities shall be conducted only by state or local governments, beach and homeowners’ associations, water-dependent facilities, or their designees.

#### **SCOPE OF AUTHORIZATION**

The following temporary activities are hereby approved waterward of the Coastal Jurisdiction Line in Tidal, Coastal, or Navigable Waters or in tidal wetlands in the State of Connecticut:

- I. Conduct activities to restore pre-existing flow into, and out of, tidal areas which may include:
  - A. removing sand or debris in and around drainage pipes, tide gates, tidal creeks and ditches using hand held or mechanical equipment;
  - B. repairing or replacing damaged or displaced sections of pipe;
  - C. repairing damaged tide gates; and
- II. Dispose of the clean sand removed pursuant to paragraph I, above, on a beach.

#### **TERMS AND CONDITIONS**

1. **This Authorization shall expire on February 12, 2013.**
2. All work authorized pursuant to paragraphs I and II of the Scope of Authorization, above, shall take place during periods of low water.
3. The displaced sand authorized to be removed herein shall be placed on a beach landward of mean high water.
4. Sand containing debris or visible oil or chemical contamination, or which may reasonably be expected to contain oil or chemical contamination, shall not be placed on any beach.
5. **Placement of fill not otherwise described in the Scope of Authorization, above, is not authorized herein.** No sand other than displaced beach sand may be used on any beach under this Authorization.

6. Any waste material, such as old pipes or tide gates, shall be disposed of at an upland site approved for the disposal of such waste material in accordance with all applicable law.
7. No sand may be placed in any tidal wetland under this Authorization.
8. No sediment deposited as a result of a stormwater discharge shall be removed under this Authorization.
9. No heavy equipments shall enter tidal waters. Where it is necessary to use heavy equipment in a tidal wetland to conduct the work authorized pursuant to paragraph I of the Scope of Authorization, above, low ground pressure track-mounted equipment and low ground pressure mats shall be used that do not exceed 3 pounds per square inch on the marsh surface. The equipment and mats shall be removed from the tidal wetland immediately upon completion of the work authorized pursuant to paragraph I of the Scope of Authorization, above.
10. Any excavation conducted pursuant to paragraph I of the Scope of Authorization, above, shall remove only sand that was deposited by Storm Sandy, the footprint of which may be estimated by the creek bottom on either side of the sand deposit. No underlying substrate shall be removed.
11. Pipes or tide gates that are repaired or replaced pursuant to paragraph I of the Scope of Authorization, above, shall be of the same diameter as that previously existing and shall be set at an elevation to assure adequate tidal exchange while minimizing upland flooding.
12. Within 14 days of completion of work authorized at the site, the following information must be submitted to the Commissioner:
  - a. Name and address of the property owner of the site where the work was conducted,
  - b. Location of the site where the work was conducted,
  - c. A description of the work that was conducted, and;
  - d. Photographs of the site showing conditions at the site before, and after, the authorized work has been conducted.
13. Except as specifically authorized by this Authorization, no equipment or material, including but not limited to, fill, construction materials, excavated material or debris, shall be deposited, placed or stored in any wetland or watercourse on or off-site, nor shall any wetland or watercourse be used as a staging area or accessway other than as provided herein.
14. Upon completion of any work authorized hereunder, all areas impacted by construction or used as a staging area or accessway in connection with such work, shall be restored to their condition prior to the commencement of such work.
15. Any document required to be submitted to the Commissioner under this Authorization or any contact required to be made with the Commissioner shall, unless otherwise specified in writing by the Commissioner, be directed to:  
Permit Section, Office of Long Island Sound Programs  
Department of Energy and Environmental Protection

79 Elm Street, Hartford, CT 06106-5127  
Fax # (860) 424-4054

16. This Authorization may be revoked, suspended, or modified in accordance with applicable law.
17. Representatives of the Commissioner shall be allowed to inspect the work authorized herein at reasonable times to ensure that it is being or has been accomplished in accordance with the terms and conditions of this Authorization.
18. No work may be conducted waterward of the Coastal Jurisdiction Line or in tidal wetlands at this site other than work authorized herein, unless otherwise authorized by the Commissioner pursuant to 22a-32, 22a-361, 22a-363b, or 22a-636d of the Connecticut General Statutes.
19. The issuance of this Authorization does not relieve any obligations to obtain any other approvals required by applicable federal, state and local law.
20. This Authorization is subject to and does not derogate any present or future property rights or powers of the state of Connecticut, and conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state or local laws or regulations pertinent to the property or activity affected hereby.

Issued on November 14, 2012.

STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION

  
**Betsey Wingfield, Bureau Chief**  
**Bureau of Water Protection & Land Reuse**