

Dam Registration Fact Sheet

Dam Registration Overview: The registration of dams in Connecticut was initiated in 1983 by Public Act 1983-38, within which, subsection (b) established Section 22a-409(b) of the Connecticut General Statutes (CGS) which requires the owner of a dam or similar structure to provide certain information concerning such structures to the Commissioner of Energy and Environmental Protection (DEEP or Commissioner) by registering by July 1, 1984. By the end of 1984 approximately 1600 dams in Connecticut were registered. Despite the imposed deadline, registration of dams continued and as of January 2015, about 3100 out of the 4635 dams in the State's Dam Safety database have been registered.

Authorizing Statute: The dam registration process is required within Section 22a-409(b)

Public Act 2013-197: Revisions to CGS section 22a-409 were made by public act 2013-197. Section 4 of Public Act 2013-197 has re-emphasized the need for dam registrations and requires the registration of all [the remaining unregistered] dams or similar structures by October 15, 2015. The Act provides an amnesty from penalties provided registration forms are received on or before October 15, 2015.

Dam Safety Regulation: Definitions and more specific requirements for the registration process are included in Section 22a-409-1 of the Dam Safety Regulation.

Facts about dam registration:

- **Register once.** It is only necessary to register and pay a registration fee for a dam once. Subsequent owners or co-owners must identify themselves to the Commissioner when they take over as owners of property containing a dam, but do not need to re-register or separately register that dam.
- **Certificate of Dam Registration (CDR).** A CDR is issued to the owner(s) of a dam dike or similar structure. CDR's are issued in response to an application to register or when updated information, such as new ownership, is provided for dams already registered. CDRs should be kept in the owners permanent file and presented whenever the property is being sold. See the *Selling Property Containing a Dam* section below.
- **Inventory Number.** Every dam, dike or similar structure will be or has been assigned an inventory number (CTDamID#). The inventory number is based on the Town number and a count of the dams in the town. These numbers are assigned by the program staff.
- **Registration Number.** In 2013, the Dam Safety Program began assigning 9 digit "registration" numbers to high and significant hazard dams which were already registered with current ownership confirmed. These numbers are generated by the DEEP Central Permitting System. Not all registered dams have a new "registration" number yet. Lower hazard class dams which are registered will be assigned registration numbers as time allows and the ownership is confirmed.
- **Hazard Classification.** The hazard classification of the dam is based on definitions in the dam safety regulation and has no bearing on the registration requirements. All dams of any hazard classification should be registered.
- **Jurisdiction.** The registration status of a dam is not used in the determination of the Commissioner's jurisdiction over the dam or to determine when permitting is required.
- **Extent of the Dam / Deed and Title.** A dam is defined as any barrier capable of impounding or controlling the flow of water. Earth dikes, berms, embankments, concrete and masonry walls, along

with the portions that release or spill the water may all part of the dam which may be much more extensive than is apparent. The most recent deed or report of title may not mention the presence of a dam on the property. Alternatively, obligations regarding the dam may be recorded. Regardless, each owner of a dam is obligated to ensure it has been registered and to maintain it in a safe condition.

- **Multiple Owners of a Dam.** Subdivision of land has occurred in Connecticut frequently without consideration of the extent of the dam and at times has divided dams into more than a single parcel. Some dams have more than one owner. The property lines shown on municipal assessor maps may be used to determine which parcels contain all or any portion of a dam. It is possible that there are owners of portions of a dam who are unaware of their ownership. Many municipalities have this information available online allowing an aerial view of the dam and showing the property lines. This allows for a determination of which parcels containing a dam.
- **Multiple Structures on an Impoundment.** An impoundment with a dam and separate dike each having a unique inventory number would typically be given two registrations, one for each structure. The fee for registration of the structures of an impoundment is based on the largest structure and only one fee is required per impoundment. The owner(s) of these additional separate structures, (dikes, berms, spillways) will each be given CDR's.
- **Selling Property Containing a Dam.** The owner of any dam (or portion) is required to notify the commissioner, by registered or certified mail return receipt requested, of the transfer of ownership of any such dam, dike or similar structure not later than ten days after the date of such transfer. This would apply to the owner of any parcel containing a portion of a dam when they sell that property. The bottom of a CDR has a tear off section to use to inform the dam safety program of the name and contact information of the recipient (buyer or transferee) of the property with the dam on it.

Application Process: The registration application form is not available on the DEEP Dam Safety web page. The owner(s) or agent must contact program staff to receive a form for registration. The best way is to email a request for the form including basic information about the dam to the program email below. This will allow staff to confirm the dam is not already registered. In addition, the dam's inventory number (CTDamID#) will be determined and placed on the form for use.

Fee. The fee for a new registration is shown on the form and is based on the height of the dam. The completed and signed form with a check for the fee must be mailed to the DEEP Central Permit Processing Unit address shown on the form. When multiple owners are registering a previously unregistered dam, the form can be used to list up to four owners. The registration fee may be split proportionally amongst multiple owners, but only a single check be included for the total fee. As stated above, the dam need only be registered once by any owner.

Contact: You may email the Dam Safety Program at DEEP.DamSafety@ct.gov. Our main phone number is (860) 424-3706. Additional information is available on the DEEP Dam Safety web page: <http://www.ct.gov/deep/dams>

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This factsheet is designed to answer general questions and provide basic information. You should refer to the appropriate statutes and regulations for the specific regulatory language. This document should not be relied upon to determine whether or not a Dam Safety registration is required. If you are unsure of the registration status of your dam, please contact us.