Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

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Approval of Authorization

Connecticut Department of Transportation
2800 Berlin Turnpike
Newington, CT 06131-7546

Attn: Thomas J. Maziarz, Bureau Chief, Policy and Planning

Re: Approval of Authorization
Statewide Drainage Maintenance Activities

File No.: 201205196-GP
Town: Statewide
Wetland/Watercourse: Various

Dear Mr. Maziarz:

Your request for Authorization Under the General Permit for Water Resources Construction Activities for drainage maintenance activities in accordance with your request and plans which are part thereof filed with this Department on June 11, 2012, signed by Thomas J. Maziarz and dated June 7, 2012 ("the plans") has been approved.

AUTHORIZED ACTIVITIES

The specific activities authorized pursuant to this approval are as follows:

1. **Excavation of accumulated sediment or removal of brush or debris from within 50 feet of the inlet and outlet sides of a drainage pipe, culvert or bridge within the DOT Drainage Right–of-Way;**

   Where deemed necessary by the District Drainage Engineer, accumulated sediment, brush and / or debris shall be removed from within 50 feet of the inlet and outlet sides of a drainage pipe, culvert or bridge to alleviate or prevent potential flooding situations and/or to allow for the flow of water as was designed for the area. Sediment, brush or debris may be removed by hand, or with equipment, as necessary, with minimal disruption to the watercourse or drainage way and to prevent degradation of downstream wetland areas. When equipment is deemed necessary for sediment, brush or debris removal, the equipment shall be located as to minimize impacts to the waterway. Sediment and debris from these activities will be disposed of at a DOT approved upland

disposal site. Best Management Practices shall be implemented to minimize sedimentation downstream during such operations. In those cases where the structure has been designed to carry a low flow channel, accumulated sediment/substrate material will not be removed from the low flow channel in order to maintain a natural substrate for Fisheries. Only brush or debris which is impeding flow in the culvert or channel will be removed. This activity includes the removal of beaver dams. All beaver dam removals will be coordinated with DOT's Office of Environmental Planning.

2. **Cleaning or Reshaping of a man-made drainage way or sediment basin;**

   Cleaning or reshaping to original grades of a man-made drainage way or sediment basin to allow for the proper drainage of the roadway shall be undertaken where deemed necessary by the District Drainage Engineer. This work shall be done by hand, or with the aid of equipment as necessary, and shall implement Best Management Practices to minimize impacts downstream.

3. **Installation or repair of a culvert or bridge end wall;**

   Installation - All walls and endwalls will be built in the locations indicated or directed by the District Drainage Engineer. Construction methods shall be in accordance with the detailed requirements prescribed (See attached typical plan). Foundations will be excavated to the depths shown on the plan, unless directed by the District Engineer. Endwalls will be built in the location and to the dimensions shown on the plans or as directed. Pipes will extend to the exposed face of the end wall and the end shall be finished to provide neat, watertight joints. The ends of pipe culverts, which enter endwalls on a skew, shall be cut to the angle of the skew.

   Repair - Culvert or Bridge endwalls in need of repair, including spalling, repointing and regrouting shall be done in a manner which minimizes impacts to the waterway, and prevents debris from entering the water.

   In cases where the endwall has separated from the pipe, necessary repairs or replacement shall be made as determined by the District Engineer.

4. **Repair of Erosion Damage (Repair of Riprap Areas);**

   Material for this item shall consist of sound, tough and angular rock free from decomposed stone or other defects impairing its durability. Broken concrete or rounded stones are not to be used.

   The area to be protected by riprap shall be accurately shaped prior to placing of any bedding material or riprap. Where bedding material is called for, it shall be placed on the prepared area and compacted to the depth, lines and grades indicated on the plans or as directed by the District Drainage Engineer. In perennial streams, parent material from the area to be protected shall be placed over the riprap for a depth of 6 inches.

The riprap shall be placed to its full course thickness in one operation in such a manner as to produce a reasonably well-graded mass of rock without causing displacement of the underlying material. The finished surface shall be free from pockets of small stones and clusters of larger stones. Placing this material by methods likely to cause segregation of the various sizes of stone will not be permitted. Rearranging of individual stones by mechanical or hand methods will be required to the extent necessary to obtain a reasonably well-graded distribution of the specified stone sizes. The complete course shall be of the specified thickness and to the lines and grades as shown on the plans or as ordered by the District Drainage Engineer. This material shall conform to specifications in the State of Connecticut DOT form 816 section M.12.02 Riprap.

Areas of riprap at pipe or culvert outlets shall be kept to a minimum to provide less disruption to existing waterways. A general rule of the size would be 15 feet in length and the pipe diameter size plus 4 feet in width at the outlet end of the pipe.

Ditches that curve or bend away from a direct flow by 60 degrees or greater shall be riprapped on the opposite bank to prevent erosion. Riprap shall be used to protect foundations of piers, abutments, walls, slopes of embankments and waterways from water damage. Placement of riprap shall not exceed 50 cubic yards into wetlands or watercourses, and shall be to original grade only.

5. **Repair of a drainage pipe, culvert or bridge;**

Repairs to drainage pipes, culverts or bridges will be carried out as deemed necessary by the District Drainage Engineer. Repairs to drainage pipes may include sleeving a new pipe inside of a failed drainage pipe or removing a failed section of pipe, replacing that section, and joining the new section with the existing pipe. No sleeving of cross culverts carrying a watercourse will be allowed under this authorization. Minor excavation may be necessary to clear areas of sediment build-up due to pipe separation or failure. Repairs to culvert or bridges may include spalling, repointing or regrouting of concrete, or repairs to joints within the structure. Work under this category may also include temporary fill, up to 50 cubic yards or the placement of crane mats, not to exceed 50 feet in length, within a wetland, specifically to access the piers or joints of structures to perform various steel and structural repairs on bridges, including but not limited to work similar in scope to; bearing repairs or replacement, beam end repairs, joint repairs and concrete repairs. All proposed work must be properly confined with appropriate debris shields. All impacts to wetlands will be minimized to those needed to access for repairs. The areas of impact will be restored upon completion of work. Temporary access roads will be in conformance with the 2002 E & S manual.

All activities will be carried out in conformance with Best Management Practices to minimize impacts to the waterway.

6. **Replacement of a culvert or bridge which receives drainage from a watershed of one square mile or less; provided any such activity is accomplished within 3 days or less**

and does not involve placement of more than 50 cubic yards of fill into wetlands or watercourses.

Replacement of a culvert or Bridge, which meets the requirements, stated above, shall be undertaken as directed by the District Drainage Engineer, based on bridge safety inspections which reveal that replacement is warranted. Replacement shall consist of in-kind / in-place replacement, with neither the size nor location of the structure changing significantly. Activities shall be conducted in accordance with Best Management Practices, minimizing any impacts to the surrounding waterway.

Only pipes and culverts draining less than one square mile will be maintained under this general permit application. Replacement of pipes, culverts or bridges draining one square mile or greater, will require Flood Management Certification and will be applied for separately. Note that the activities described in this section are the only activities in this request for authorization restricted to areas draining one square mile or less; the watershed sizes to the areas of the activities described in sections 1 – 5 above are unrestricted.

The authorized activities may take place at any Department of Transportation facility or Right-of-Way in any of the towns served by each of the four (4) DOT Maintenance and Construction Districts ("site"). This authorization is being issued to the Department of Transportation (the "permittee") pursuant to the General Permit for Water Resource Construction Activities issued on April 3, 2012 pursuant to Connecticut General Statutes Sections 22a-45a and 22a-349a (the "general permit").

If you have any questions concerning this authorization, please contact staff in the Inland Water Resources Division at (860) 424-3019.

Permittee's failure to comply with the terms and conditions of this authorization and those of the general permit shall subject permittee and permittee's contractor(s) to enforcement actions and penalties as provided by law.

This authorization is subject to the conditions described below.

SPECIAL CONDITIONS

1. The permittee shall undertake all authorized activities in conformance with Section 1.10, *Environmental Compliance*, of DOT's Form 816, *Standard Specifications for Roads, Bridges and Incidental Construction*, as amended.

CONDITIONS OF THE GENERAL PERMIT

(a) Operating Conditions

The permittee shall assure that each action with respect to which authorization has been sought and obtained under the general permit is, as applicable, constructed and maintained in accordance with the authorization and the following conditions:

1) A permittee shall assure that each action with respect to the authorization under this general permit is, as applicable, constructed and maintained in accordance with the *Connecticut Guidelines for Soil Erosion and Sediment Control*, published by the Connecticut Council on Soil and Water Conservation pursuant to section 22a-328 of the General Statutes and in accordance with the 2004 Connecticut Stormwater Quality Manual.

(2) All excavated or dredged material shall be staged and managed in accordance with all applicable laws including but not limited to the provisions of the General Permit for Contaminated Soil and/or Sediment Management (Staging and Transfer) (DEP-SW-GP-001).

(b) **Reporting and Record Keeping Requirements**

1) Contractor Notification

If the authorized activity will be constructed by a person(s) under contract to the permittee, the permittee shall (A) give a copy of this general permit and of permittee's approval of authorization hereunder to such contractor(s) prior to the start of construction, and (B) for one year after completion of the authorized activity, retain a written receipt for such copy, signed and dated by such contractor(s).

2) Record Keeping and Reporting of Maintenance Activities

With respect to maintenance plans as described in Section 3(a) (1), (2), (3), and (4) of this general permit and authorized hereunder, the permittee shall maintain a record of each action undertaken pursuant to such plan. Such record shall include the date(s) each such action was undertaken, a brief description thereof, the quantities of any material placed or removed in connection therewith, and the location of such activity. The permittee shall submit a copy of such record to the commissioner on January 30th of the year after the date the commissioner approved permittee's request for authorization, and shall continue every January 30th thereafter to submit to the commissioner a copy of such record, as it applies, to the preceding twelve months.

(c) **Recording and Reporting Violations**

Within 48 hours after the permittee learns of a violation of this general permit, the permittee shall report same in writing to the commissioner. Such report shall be sent to the following address:

INLAND WATER RESOURCES DIVISION
DEPARTMENT OF ENERGY & ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

And include the following information:

(1) the provision(s) of this general permit that has been violated;

(2) the date and time the violation(s) was first discovered and by whom;

(3) the cause of the violation(s), if known;

(4) if the violation(s) has ceased, the duration of the violation(s) including exact date(s) and time(s) it was corrected;

(5) if the violation(s) has not ceased, the anticipated date when it will be corrected;

(6) steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented;

(7) the signature of the permittee and of the individual(s) responsible for actually preparing such report, each of whom shall certify as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in this document or its attachments may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute."

(d) **Modification of Authorized Activity**

In conducting and maintaining the activity authorized by this general permit, the permittee shall not make any alteration, except a de minimis alteration which does not change the footprint, character and nature of the regulated impacts.

(e) **Completion of Authorized Activity**

If the permittee does not complete the authorized activity within five years after the date of the applicable authorization, said authorization shall be null and void.

(f) **Reliance on Request for Authorization**

When evaluating a registration, the commissioner relies on information provided by the registrant. If such information proves to be false or incomplete, the authorization issued under this general permit may be suspended or revoked in accordance with law, and the commissioner may take any other legal action provided by law.

(g) **Duty to Correct and Report Violations**

Upon learning of a violation of a condition of this general permit, a permittee shall immediately take all reasonable action to determine the cause of such violation, correct such violation and mitigate its results, prevent further such violation, and report in writing in accordance with Section 5(c) of this general permit.

(h) **Duty to Provide Information**

If the commissioner requests any information pertinent to the authorized activity or to determine compliance with this general permit or with the permittee's approval of request for authorization, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 6(d) of this general permit.

(i) **Certification of Documents**

Any document, including but not limited to any notice, which is submitted to the commissioner under this general permit shall be signed by, as applicable, the registrant or the permittee in accordance with section 22a-430-3(b)(2) of the Regulations of Connecticut State Agencies, and by the individual or individuals responsible for actually preparing such document, each of whom shall certify in writing as follows:

"I have personally examined and am familiar with the information submitted in this document and all attachments thereto, and I certify that, based on reasonable investigation, including my inquiry of those individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement made in the submitted information may be punishable as a criminal offense, in accordance with section 22a-6 of the General Statutes, pursuant to section 53a-157b of the General Statutes, and in accordance with any other applicable statute."

(j) **Date of Filing**

For purposes of this general permit, the date of filing with the commissioner of any document is the date such document is received by the commissioner. The

word "day" as used in this general permit means the calendar day; if any date specified in the general permit falls on a Saturday, Sunday, or legal holiday, such deadline shall be the next business day.

(k) **False Statements**

Any false statement in any information submitted pursuant to this general permit or the request for authorization may be punishable as a criminal offense, in accordance with section 22a-6, under section 53a-157b of the General Statutes.

(l) **Correction of Inaccuracies**

Within fifteen (15) days after the date a permittee becomes aware of a change in any information in any material submitted pursuant to this general permit, or becomes aware that any such information is inaccurate or misleading or that any relevant information has been omitted, such permittee shall correct the inaccurate or misleading information or supply the omitted information in writing to the commissioner. Such information shall be certified in accordance with Section 6(d) of this general permit. The provisions of this subsection shall apply both while a request for approval of request for authorization is pending and after the commissioner has approved such request.

(m) **Transfer of Authorization**

Authorization under this general permit is transferable only in accordance with the provisions of section 22a-6o of the General Statutes.

(n) **Other Applicable Law**

Nothing in this general permit shall relieve the permittee of the obligation to comply with any other applicable federal, state and local law, including but not limited to the obligation to obtain any other authorizations required by such law.

(o) **Other Rights**

This general permit is subject to and does not derogate any present or future rights or powers of the State of Connecticut and conveys no rights in real or personal property nor any exclusive privileges, and is subject to all public and private rights and to any federal, state, and local laws pertinent to the property or activity affected by such general permit. In conducting any activity authorized hereunder, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this state. The issuance of this general permit shall not create any presumption that this general permit should or will be renewed.

General Permit for Inland Water Resource Construction Activities
Approval of Authorization

This document consists of the approval of authorization as mandated by Section 3(b) (2) of the general permit. This approval shall expire on April 3, 2022 unless the general permit is extended past such date or within (5) years after the date of this approval, whichever comes first.

July 9, 2012
Date

Denise Ruzicka, Director
Inland Water Resources Division

cc: All Municipal Inland Wetland Agencies
All Municipal Conservation Commissions
All Municipal Planning and Zoning Agencies