

# **Dam Safety General Permit to Conduct Maintenance, Repairs, and Alterations to Dams**

## **GP-014: Non-Filing Categories (Notice to Municipality Required)**

Refer to the [Dam Safety General Permit Authorization Table](#) available on the DEEP website.

This general permit authorizes limited amounts of minor maintenance and repair activities on all dams. No DEEP filing or registration is required. Work authorized herein to the limits specified may be done without professional engineering oversight. You must review Section 3 of this permit to determine if your proposed work can be authorized by this permit. Refer to the Dam Safety General Permits GP-015 Filing-only and GP-016 Approval of Filing versions if your proposed work is not listed in Section 3(a) or exceeds the limitations specified in this permit.

### Categories Include:

Without Professional Engineering oversight – No filing form is required.

- Removing Debris and Recently Accumulated Sediment Blocking Spillways and Intake Areas;
- Replacing Failing Weir Boards; Installing Security and Safety Fencing;
- Replacing Elastomeric sealant in concrete construction joints;
- Establishing Grass Cover on Existing Riprapped Embankments;
- Maintenance of existing Toe Drain systems;
- Repairing or Installing Seepage Measurement Devices;
- Replacing less than 10 square yards of Missing and Storm Scoured Riprap;
- Exercising and Maintenance of Gates and Valves;
- Cutting and Removing Woody Vegetation (no removal of 3” or larger root systems);
- Restoration of Grass Cover; Filling up to 10 animal burrows;
- Quantity Limited Concrete and Masonry Repairs Allowed each year.

**Issuance Date: October 16, 2015  
Expiration Date: October 16, 2025**

Bureau of Water Protection and Land Reuse, Inland Water Resources Division  
79 Elm Street Hartford, CT 06106 860-424-3019 [www.ct.gov/deep/dams](http://www.ct.gov/deep/dams)

# General Permit to Conduct Maintenance, Repairs, and Alterations to Dams – GP-014: Non-Filing Categories

## Table of Contents

<b>Section 1. Authority</b>	<b>3</b>
<b>Section 2. Definitions</b>	<b>3</b>
<b>Section 3. Authorization under This General Permit</b>	<b>7</b>
(a) Eligible Activities	7
(b) Requirements for Authorization	10
(c) Geographic Area	13
(d) Effective Date and Expiration Date of This General Permit	13
(e) Effective Date of Authorization	13
(f) Transition to and from an Individual Permit	13
<b>Section 4. Conditions of This General Permit</b>	<b>13</b>
(a) Operating Conditions	13
(b) Reporting and Record Keeping Requirements	14
(c) Recording and Reporting Violations	15
(d) Initiation of Authorized Activity	15
<b>Section 5. General Conditions</b>	<b>15</b>
(a) Duty to Correct and Report Violations	15
(b) Duty to Provide Information	15
(c) Certification of Documents	15
(d) False Statements	16
(e) Correction of Inaccuracies	16
(f) Other Applicable Law	16
(g) Other Rights	16
<b>Section 6. Commissioner’s Powers</b>	<b>17</b>
(a) Abatement of Violations	17
(b) General Permit Revocation, Suspension, or Modification	17
(c) Filing of an Individual Permit Application	17

# General Permit to Conduct Maintenance, Repairs, and Alterations to Dams – GP-014: Non-Filing Categories

## Section 1. Authority

This general permit is issued under the authority of Section 22a-411 of the General Statutes.

## Section 2. Definitions

As used in this general permit, the following definitions shall apply:

*“Abutment”* means natural ground that borders on either end of the dam structure. Right and left abutments are those on respective sides of the dam when an observer looks downstream.

*“Appurtenance”* means any structure or mechanism other than the dam itself which is associated with its operation.

*“As-Built Drawings”* means plans or drawings portraying the actual constructed dimensions and conditions of a dam, dike, levee or related structure. Most often, permit approved plans are marked to indicate where the actual as-constructed conditions differ from those shown on the permit approved plans. The plans are then re-issued and labeled “as-built” or “record” drawings.

*“Authorized Activity”* means any activity authorized by this general permit.

*“Best management practice”* means a practice, procedure, activity, structure or facility designed to prevent or minimize pollution or other environmental damage or to maintain or enhance existing environmental quality. Best management practices include, but are not limited to: erosion and sedimentation controls; restrictions on land use or development; construction setbacks from wetlands or watercourses; proper disposal of waste materials; procedures for equipment maintenance to prevent fuel spillage, construction methods to prevent flooding or disturbance of wetlands and watercourses; procedures for maintaining continuous stream flows; confining construction that must take place in watercourses at times when water flows are low and fish and wildlife will not be adversely affected.

*“Commissioner”* means the commissioner of the State of Connecticut Department of Energy and Environmental Protection as defined by Section 22a-2(a) of the General Statutes.

*“Conduit”* means a closed channel to convey the discharge through or under a dam, typically a pipe.

*“Crest”* means the top or highest portion of a dam. The term “crest of dam” means the top portion of the dam. The term “crest of spillway” means the highest portion of the spillway which allows water to overflow and typically sets the normal impoundment elevation.

*“Dam”* means any barrier of any kind whatsoever which is capable of impounding or controlling the flow of water, including but not limited to storm water retention or detention dams, flood control structures, dikes, and incompletely breached dams.

*“Dam Owner”* means any person or entity shown on the most recent deed or report of title recorded in municipal land records as the owner of property upon which a dam is fully or partially located.

*“Dam Safety Program”* means the Dam Safety Program of the State of Connecticut Department of Energy and Environmental Protection. The Dam Safety Program is located within the Inland Water Resources Division, one of four divisions of the Bureau of Water Protection and Land Reuse of The Department of Energy and Environmental Protection.

*“Department”* means the State of Connecticut Department of Energy and Environmental Protection.

*“Design Storm”* means the meteorological precipitation event selected for a particular dam used to compute runoff and inflows to the impoundment of the dam. The minimum design storm for Connecticut dams is the 100 year storm event (one percent chance of being equaled or exceeded in any given year).

*“Drawdown”* means the intentional lowering of the water surface of an impoundment below its normal elevation by opening gates or valves or otherwise causing a release of water from the impoundment.

*“Embankment”* means the portion of a dam constructed of earth or earth and stone masonry connecting topographic features and often shaped to have sloping sides, a level crest, typically vegetated with a grass cover, and provides a manmade barrier which impounds water.

*“Endangered species”* as defined in Section 26-304 of the Connecticut General Statutes means any native species documented by biological research and inventory to be in danger of extirpation throughout all or a significant portion of its range within the state and to have no more than five occurrences in the state, and any species determined to be an “endangered species” pursuant to the federal Endangered Species Act, or as defined in Section 26-304 of the Connecticut General Statutes.

*“Erosion and sedimentation control measure”* means a specific design for vegetative, nonstructural or structural means for controlling erosion and sedimentation described in 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.

*“Existing natural resource map”* means a topographic map prepared by the U.S. Geological Survey; a flood boundary map prepared by the Federal Emergency Management Agency; a soil survey map prepared by the Cooperative Soil Survey of the U.S. Natural Resources Conservation Service; a National Wetlands Inventory Map prepared by the U.S. Fish and Wildlife Service; a *State and Federal Listed Species and Natural Communities* map or a map of coastal resources prepared by the Department of Energy and Environmental Protection; photogrammetric map; and similar depictions of the land and natural resources.

*“FEMA”* means the Federal Emergency Management Agency.

*“Fill”* means any material that is used to raise the level of the ground surface, whether such surface is above, at, or below the water table, and includes but is not limited to consolidated material such as concrete and unconsolidated material such as sand, gravel and stone.

*“Flood”* means a general and temporary condition of partial or complete inundation of normally dry land areas.

*“Floodplain”* means floodplain as defined in Section 25-68b of the General Statutes.

*“Floodway”* means the regulatory floodway as defined in 44 CFR Chapter 1, Part 59.1 for a particular watercourse and delineated on a map titled Floodway & Flood Boundary Map or Flood Insurance Rate Map issued by FEMA for the municipality wherein such watercourse is located.

*“Freeboard”* means the vertical dimension between the crest (top) of the dam at its lowest point and the crest of the spillway, which controls the reservoir water surface elevation. The *design storm* freeboard is the vertical dimension between the crest (top) of the dam at its lowest point and the peak reservoir water surface elevation during the design storm event. The minimum recommended *design storm* freeboard for earth embankment dams is one foot.

*“Grout”* means a mixture of cement, sand, and water, or a similar chemical formulation with low viscosity used to fill voids, fractures, or joints in masonry, rock, sand and gravel, and other materials. As a verb, it refers to filling voids with grout.

*“Hazard Classification”* means a system of classifying dams by their downstream hazard potential in accordance with Section 22a-409-2 of the Regulations of Connecticut State Agencies.

*“Height of Dam”* means the vertical distance between the lowest point on the crest of the dam and the lowest point in the original streambed.

*“Individual permit”* means a permit issued by the commissioner to a named permittee pursuant to Section 22a-403 of the General Statutes.

*“Intake”* means a structure located on a dam, in a reservoir, or on a river through which water can be drawn from the water body into a conduit to a discharge point.

*“Jurisdictional Dam”* means a dam subject to the jurisdiction conferred by chapter 446j of the Connecticut General Statutes which includes all dams, dikes, reservoirs and other similar structures, with their appurtenances, without exception and without further definition or enumeration herein, which, by breaking away or otherwise, might endanger life or property.

*“Length of Dam”* means the horizontal distance along the dam and including any incorporated spillway(s) which lies between abutment contacts or to the point where the crest of the dam meets existing natural grade.

*“Listed Species”* means species of special concern, threatened species, or endangered species as defined in Section 26-304 of the Connecticut General Statutes.

*“Low Level Outlet”* means an intake structure on a dam or spillway often with a control valve of some sort situated near the bottom of the dam or impoundment such that it is capable of withdrawing water from lower levels of the impoundment and is potentially capable of significantly lowering or draining the impoundment.

*“Material”* means material as defined in Section 22a-38 of the Connecticut General Statutes.

*“Municipality”* means a city, town or borough of the state.

*“Permittee”* means any entity which is authorized to conduct work pursuant to this general permit.

*“Pollution”* means pollution as defined in Section 22a-423 of the General Statutes.

*“Riprap”* means a layer of large stone or broken rock placed in random fashion on the slope of an embankment dam or in a channel as protection against the erosive flow of water, waves, and/or ice.

*“Site”* means geographically contiguous land or water on which an authorized activity takes place or on which an activity for which authorization is sought under this general permit is proposed to take place. Non-contiguous land or water owned by the same person and connected by a right-of-way which such person controls and to which the public does not have access shall be deemed the same site.

*“Solid Waste”* means solid waste as defined in Section 22a-207 of the General Statutes.

*“Spalling”* means the deterioration a concrete surface under the action of weather or other erosive force resulting in the breaking away of the surface material and exposing aggregate and/or reinforcing steel.

*“Spillway”* means a structural component of a dam over or through which water from the impoundment is discharged to downstream receiving waters. If the discharge is controlled by gates or valves, it is considered a controlled spillway; if the spillway crest is not mechanically operable, it is considered an uncontrolled spillway. The *“principal spillway”* sets the normal elevation of the impoundment and conveys normal flows from the impoundment to the downstream waters. An *“Auxiliary Spillway”* supplements the discharge of the principal spillway during less frequent flood flows. The term *“Emergency Spillway”* has been replaced by Auxiliary Spillway, however either term indicates a spillway with a higher crest elevation than that of the principal spillway.

*“Storage”* means the aggregate volume of water in the impoundment being retained by the dam when the impoundment is at the elevation set by the principal spillway, expressed in millions of gallons or in acre-feet. The storage in acre-feet may be roughly calculated by multiplying the pond surface area in acres by the average depth of the impoundment in feet when the impoundment is at the elevation set by the principal spillway.

*“Structure”* means the dam, its appurtenances, abutments and foundation.

*“Surface Area”* means the area in square feet or in acres of the surface of the body of water impounded by the dam when the impoundment is at the level set by the principal spillway.

*“Toe”* means the base portion of the impounding structure which intersects with natural ground at the upstream and downstream sides. In the case of a concrete gravity dam the upstream intersect is referred to as the “heel.”

*“Watercourses”* means watercourses as defined in Section 22a-38 of the General Statutes.

*“Wetlands”* means wetlands as defined in Section 22a-38 of the General Statutes.

### Section 3. Authorization under this General Permit

#### (a) *Eligible Activities*

Provided the requirements of Section 3(b), and Sections 4 and 5 of this permit are satisfied, this general permit authorizes the following activities on all jurisdictional dams:

- 1) **Removing debris blocking spillways, intake areas, and channels at dams** by mechanical means. Debris includes woody materials such as branches and tree trunks, floating objects, beaver dams and similar materials which can block spillway discharges. Any impoundment drawdown must meet the requirements of Section 3(b)5 of this permit. Access to the site by mechanical construction equipment shall conform with the requirements of Section 3(b)6 of this permit. Debris shall be disposed of properly and in accordance with Section 4(a)2 of this permit.
- 2) **Removal of recently accumulated sediment from areas ancillary and adjacent to dams including spillways, intake areas, channels, and areas designed to capture sediment.** The removal must be necessary to maintain these areas clear of sediment that interferes with the normal function of the dam. A maximum of 50 cubic yards of sediment may be removed annually. This permit does not authorize flushing accumulated sediment downstream through outlets or large scale pond dredging. Any impoundment drawdown must meet the requirements of Section 3(b)5 of this permit. Access to the site by mechanical construction equipment shall conform with the requirements of Section 3(b)6 of this permit. Sediment shall be disposed of properly in non-wetlands areas and in accordance with Section 4(a)2 of this permit.
- 3) **Replacing failing weir boards** with new weir boards. New weir boards shall be of the same size and shape as the boards they replace and shall not alter the normal historic pond level. This authorization does not include replacing flash boards designed to fail at a certain high pond water level. Any impoundment drawdown must meet the requirements of Section 3(b)5 of this permit.
- 4) **Installing security and safety fencing on the dam** or appurtenant structures as required to secure the site provided the fencing does not in any way block the flow of water discharging over the spillway or auxiliary spillway. Fencing installed in areas that discharge water must have the bottom rail set above the maximum water surface elevation anticipated during the peak impoundment elevation of the design flood for the dam.
- 5) **Replacement of elastomeric sealant in construction joints.** Work includes removal and proper disposal of old sealant and replacement with appropriate material designed for use within construction joints in concrete portions of the dam.
- 6) **Placing topsoil and establishing grass cover on existing riprapped embankments** to facilitate maintenance of the slopes. No change in the slope of the dam is allowed. This is allowed only on embankment slopes that are flatter than 1.75 horizontal to 1 vertical in order to facilitate maintenance including regular mowing of the established grass cover. Placement of topsoil on upstream slopes shall be above the elevation of the impoundment set by the principal spillway and above riprap at the impoundment shoreline that was installed for wave erosion protection.
- 7) **Maintenance of existing toe drain systems and repairing or installing seepage measurement devices.** Maintenance of toe drains includes flushing, clearing, and removal of materials clogging the drains. This includes installing seepage measurement weirs or outfalls

which facilitate seepage flow rate measurement at outlets of existing toe drains. This permit does not authorize installation of new toe drain systems.

- 8) **Exercising and maintenance of gates and valves** including applying grease to mechanical parts, adjusting and replacing bushings, brackets, stems, and operators. The valve exercising procedure shall only be conducted during seasonal high flow periods during which the dam's principal spillway must be discharging. The exercising procedure should further be limited to opening the valve followed by closing it shortly afterwards to minimize the flushing of excess amounts of sediments downstream, to prevent lowering of the impoundment below the principal spillway level, and to prevent unannounced high flow conditions downstream. This permit does not authorize removal and installation of gates and valves.
- 9) **Replacing up to 10 square yards of missing and storm scoured riprap** on dams, along embankments, and within spillway discharge channel(s). Authorization includes adding new riprap only in areas where riprap already exists and includes moving displaced riprap back to its original location. Replacement riprap shall not be smaller in size than the existing riprap. This does not authorize placing riprap in new areas. Authorization does not include restoration of undersized or improperly installed riprap which is displaced by more frequent high flow events, occurring more than once per year. Any impoundment drawdown must meet the requirements of Section 3(b)5 of this permit. Access to the site by mechanical construction equipment shall conform with the requirements of Section 3(b)6 of this permit.
- 10) **Cutting and removing woody vegetation on dams**, including brush and trees, from the top, the upstream and downstream embankment slopes, and within 25 feet of the downstream toe, and the abutment / embankment contacts as required by the Dam Safety Regulation in Section 22a-409-2(j)(6) of the Regulations of Connecticut State Agencies. Removal of the root systems of trees larger than 3 inches in diameter (at ground level) from the dam is not authorized by this permit. Access to the site by mechanical construction equipment shall conform with the requirements of Section 3(b)6 of this permit.
- 11) **Restoration of grass cover** where appropriate, on the top of a dam, the upstream and downstream embankment slopes, the dam's abutments, and to within 25 feet of the downstream toe of the dam & abutments. This includes placing topsoil, seed and hay mulch to repair tire ruts, footpaths, and bare areas. Authorization to restore erosion caused by overtopping of the dam's earthen embankment or to fill a sinkhole or depression in the embankment is not included in this permit as these anomalies must be properly investigated by a professional engineer.
- 12) **Filling of animal burrows in downstream slopes only** where the bottom of the burrow is visible and dry and vacated by the animal. Maximum of up to 10 burrows annually may be filled. The maximum burrow depth allowed to be filled under this authorization is 3 feet. The burrow must be refilled with properly compacted suitable embankment fill of similar particle size gradation to the soil of the embankment in the area of the burrow. The filling may be done by hand only, without use of heavy excavation equipment. The work must include topsoil and establishing grass cover or bedding and matching size riprap if the area was ripped.
- 13) **Quantity Limited Repairs to concrete and masonry allowed each year.**  
Repair amounts that exceed the limits specified herein must be authorized by other permits which require filings. The following repair activities may be conducted each year to the limits and extents indicated.



- a) **Patching of spalling on and sealing of concrete surfaces done by hand.** A maximum of 100 square feet of repairs not requiring reinforcing steel is allowed annually. The maximum repair depth allowed under this authorization is one (1) inch.
- b) **Repair of cracks in concrete.** Filling of cracks occurring in concrete portions of the dam with an appropriate repair material. Total crack length repaired annually shall not exceed 100 feet. This shall not include pressure grouting or epoxy injection.
- c) **Repair of concrete structures on the dam done by hand** of up to ¼ cubic yard of concrete (Fourteen 1/2 cubic foot ready mix bags) in total for the dam. Formwork and reinforcing steel is allowed.
- d) **Repointing** voids and repairing masonry including brick work on the dam's upstream face, crest, and appurtenant structures such as training walls, wing walls, headwalls, and endwalls. This does not authorize demolition and re-construction. Repointing and repairing masonry located on the downstream face of the dam is authorized only where the downstream masonry of the dam or spillway is already mortared and the masonry is not discharging seepage, or where a system to safely discharge seepage reaching the downstream masonry face of the dam is in place and is maintained. Maximum of 1/8 cubic yard of mortar (Seven 1/2 cubic foot ready mix bags) for the dam per year.

**(b) Requirements for Authorization**

This general permit authorizes any activity listed in Section 3(a) of this section provided:

- 1) Filing for Authorization is not required

Anyone conducting an activity as described in Section 3(a) of this general permit need not file with the Department for authorization or remit a permit fee but must comply with all other provisions of this general permit.

- 2) Notification to Municipality Two Weeks Prior to Initiating Activities

The notification required in Section 4(d) of this permit has been submitted to the municipality or municipalities a minimum of two weeks prior to initiation of the activities which will occur in or have an impact upon wetlands or watercourse. A copy of the notice has been provided to the Department at the address provided thereon.

- 3) Dam Registration

The dam has been registered in accordance with Section 22a-409(b) of the Connecticut General Statutes (CGS).

- 4) Documentation of Work, Record Keeping and Notifications

In order to be able to verify that work undertaken under the authorization of this permit complies with the limits of the permit, the permittee and or dam owner shall document the quantity of work completed by means of recorded measurements, sketches, diagrams, photographs, and other written methods in a manner that complies with the reporting and record keeping requirements in Section 4(b) of this permit and any specific documentation requirements within the authorized activities.

- 5) Impoundment Drawdown Consultations, Notifications, and Limitations

The permittee shall not draw down the impoundment by more than three (3) inches below the normal pool elevation set by the principal spillway or the permittee shall consult with the DEEP Inland Fisheries Division a minimum of two weeks in advance of initiating any drawdown necessary to undertake an activity authorized by this permit which will lower the

impoundment more than three (3) inches below the normal pool elevation set by the principal spillway. The drawdown and refilling procedures shall conform to any limitations imposed by the Inland Fisheries Division.

Prior written notification to the commissioner of the intent to draw down an impoundment shall be made and the drawdown shall be in conformance with the exemption provisions of the water diversion regulation in section 22a-377(b)-1(a)(16) paragraphs (A), (B), and (C) and which includes the requirements of section 22a-377(b)-1(b) regarding best management practices.

The requirements of this section shall not apply to active public water supply or flood control dams which routinely have variable impoundment elevations or when low inflow or drought conditions cause lowered impoundments.

6) Access by Mechanical Construction Equipment

Mechanical equipment used to conduct activities authorized by this permit shall access the dam and site by traveling on existing access roads, on the dam itself, or through uplands as much as is possible and may only travel through wetlands which are associated with the dam which are within twenty five (25) feet of the dam's abutments, downstream toe, upstream shoreline, or any appurtenant structure associated with the dam and its function. Wetlands outside of these areas and not associated with the dam shall not be filled or altered to create access road(s) for mechanical equipment without prior approval and permission of the entity having jurisdiction over those wetlands.

7) Additional Information

The commissioner may require a person conducting activities at a dam to submit information, which the commissioner reasonably deems necessary to evaluate the consistency of the subject activity with the requirements for authorization under this general permit.

8) Action by commissioner

The commissioner may reject without prejudice the authorization if he determines that it does not satisfy the requirements of this general permit or more than thirty (30) days have elapsed since the commissioner requested additional information without receipt of that information.

The commissioner may disapprove the authorization of this general permit if he finds that the activity is reasonably likely to be inconsistent with the requirements for authorization under Section 3 of this general permit, or for any other reason provided by law.

Disapproval of the authorization under this subsection shall constitute notice that the subject activity may not lawfully be conducted or maintained without the issuance of an individual permit or the appropriate General Permit.

Rejection or disapproval of the authorization shall be in writing.

9) Water Resources

Such activity will cause only minimal adverse impacts individually, and only minimal adverse cumulative impact, on the environment, including without limitation on wetlands and watercourses and fish and wildlife habitat.

10) Fisheries Impacts

The activities including impoundment drawdowns shall not impact fisheries resources, including the habitat. It is recommended and for some authorized activities required that you consult with DEEP's Inland Fisheries Division for an evaluation of your proposed activities.

The consultation is typically initiated by submitting the form entitled “Request for Determination of Need for Fishway for Dam Safety Permit,” which is available on the Dam Safety Website: [www.ct.gov/deep/dams](http://www.ct.gov/deep/dams) or on the DEEP Inland Fisheries Division *Fisheries Management Programs* webpage.

11) Listed Species

Such activity will not threaten the continued existence of any species listed pursuant to Section 26-306 of the General Statutes as endangered, threatened, or species of special concern and will not result in the destruction or adverse modification of habitat designated as essential to such species. It is recommended that you contact DEEP’s Wildlife Division for an evaluation of your proposed activities if a preliminary screening indicates that your project and any additionally affected areas intersect or overlap with a Natural Diversity Data Base area on the screening maps. The consultation with DEEP Wildlife is typically initiated by filing a Request for Natural Diversity Data Base (NDDDB) State Listed Species Review Form, available on the DEEP Wildlife website.

12) US Army Corps of Engineers (USACE)-Connecticut General Permit

Such Activity has been be exempted from permitting by the US Army Corps of Engineers, or meets the requirements for Category 1 of the Connecticut General Permit. It is recommended that you contact USACE in Concord, MA for an evaluation of your proposed activities.

13) Avoidance of Adverse Impacts

Such activity, as described in the request for authorization, is the least environmentally damaging means of accomplishing the main objective of such activity.

14) Water Quality Standards

Such activity will meet the requirements of the Connecticut Water Quality Standards Regulations Sections 22a-426-1 to 22a-426-9, inclusive, of the Regulations of Connecticut State Agencies.

15) Coastal Area Management

Such activity is consistent with all applicable goals and policies in Section 22a-92 of the General Statutes and will not cause adverse impacts to coastal resources as defined in Section 22a-93 of the General Statutes.

16) Aquifer Protection

Such activity if it is located within an aquifer protection area as mapped under Section 22a-354b of the General Statutes, will comply with regulations adopted pursuant to Section 22a-354i of the General Statutes.

17) Conservation and Preservation Restrictions

Such activity, when located on or which may affect property upon which a conservation or preservation restriction meeting the requirements of Section 47-42d of the Connecticut General Statutes exists, shall be in compliance with any such restriction. A written notice stating that the proposed activity is in compliance with the terms of the restriction and with this permit shall be prepared and signed by the permittee and by the holder of such restriction. A copy the notice shall be provided to the commissioner upon request.

18) Flood Management

Such activity shall be consistent with all applicable standards and criteria established in Sections 25-68d(b) of the General Statutes and Sections 25-68h-1 through 25-68h-3, inclusive, of the Regulations of Connecticut State Agencies.

19) Flood Hazards

Such activity does not and will not cause or contribute to flooding or flood hazards, permanently obstruct a floodway, or interfere with federal, state or Municipal flood management efforts, and does and will comply with 44 CFR Chapter 1, Parts 59 through 79, inclusive.

(c) ***Geographic Area***

This general permit shall apply throughout the State of Connecticut.

(d) ***Effective Date and Expiration Date of This General Permit***

This general permit is effective on the date it is issued by the commissioner and expires ten (10) years from such date of issuance.

(e) ***Effective Date of Authorization***

Eligible Activities are authorized under this general permit upon issuance of this general permit.

(f) ***Transition to and from an Individual Permit***

No person shall operate or conduct an activity authorized by both an individual permit and this general permit. The requirements for transitioning authorization are as follows:

- 1) *Transition from an Individual Permit to Authorization under this General Permit.* If an activity meets the requirements of authorization of this general permit and such operation or activity is presently authorized by an individual permit, the entity to whom any such individual permit has been issued (“the permittee”) may surrender the right to operate or conduct any activity under such individual permit. The permittee shall acknowledge its intention to surrender its permit in writing to the commissioner. However, any such surrender shall not take effect, and such permittee’s individual permit shall continue to apply, until the date that the commissioner issues an authorization for such operation or activity under this general permit.
- 2) *Transition from Authorization under this General Permit to an Individual Permit.* If the commissioner approves a request for authorization under this general permit and subsequently issues an individual permit for the same activity, then on the date any such individual permit is issued by the commissioner, the authorization issued under this general permit shall automatically expire.

**Section 4. Conditions of this General Permit**

Persons acting under the authorization of this permit shall at all times continue to meet the requirements for authorization set forth in Section 3(b) of this general permit. Persons undertaking activities authorized in Section 3(a) of this permit shall assure that those activities are conducted in accordance with the following conditions:

(a) ***Operating Conditions***

- 1) Time of Year Restriction on In-water Construction

From September 30<sup>th</sup> through May 31<sup>st</sup> the permittee shall not place fill, excavate material, or conduct any other construction activity in any watercourse unless such activity is confined by a cofferdam or other device which isolates such activity from the watercourse.

2) Pollution Prevention/Best Management Practices

The permittee shall not cause or allow the authorized activity, including any construction associated therewith, to result in pollution or other environmental damage and shall employ best management practices to prevent such damage. The permittee shall, in addition to employing any other best management practices necessary to prevent such damage, do the following:

a) Controlling Erosion

The permittee shall install and maintain in optimal condition erosion and sedimentation controls to prevent erosion and discharge of material into any waters of the state, including wetlands, as a result of the authorized activity or any construction associated therewith. Such controls shall be installed and maintained in conformity with the *Connecticut Guidelines for Soil Erosion and Sediment Control*, as revised, published by the Connecticut Council on Soil and Water Conservation pursuant to Section 22a-328 of the General Statutes.

b) Proper Disposal of Material

All material and solid waste generated during any construction associated with such activity shall be staged and managed in accordance with applicable federal, state and Municipal law 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) The permittee shall document the areas of the dam where the proposed activities will be taking place. Photographs taken of the before, during, and after the repair activity conditions which include the time and date stamp can partly satisfy this requirement. Sketches and diagrams showing dimensions and computations may also be required to properly quantify and document the activities authorized by this permit. This documentation should be retained in the permanent file of the dam and be made available upon request.
- 2) Within 30 days of the completion of activities authorized by this permit, the permittee shall provide a concise report of the completed work to the dam which also responds to any maintenance request letter issued by the commissioner's Dam Safety Program. The report shall include narrative descriptions, sketches and diagrams, and photographs taken of the work.
- 3) The permittee shall maintain a copy of this general permit and all permit-related information on site whenever undertaking work authorized by this permit.
- 4) The permittee, if not the dam owner, shall provide copies of all records of maintenance and repairs done under the authorization of this permit to the dam owner.
- 5) The dam owner shall retain a permanent file with records of maintenance and repairs to the dam, all engineering plans and diagrams, reports and correspondence regarding the dam and shall provide copies of any or all of that information to the commissioner upon the request of the commissioner.

6) Contractor Notification.

If the authorized activity will be constructed by a person(s) under contract to the permittee or dam owner, the permittee shall (A) give a copy of this general permit 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).

**(c) *Recording and Reporting Violations***

Within forty-eight (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 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) and the 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 reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented, and
- 7) the signatures of the permittee and of the individual(s) responsible for actually preparing such report, each of whom shall certify in writing in accordance with Section 5(c) of this general permit.

**(d) *Initiation of Authorized Activity***

The permittee may not initiate the authorized activities specified in Sections 3(a)1 through 3(a)8 above, when the proposed activities will occur in or have an impact upon wetlands or watercourses, any sooner than fourteen (14) days following the date the notification of intent to conduct regulated activities form has been submitted to the inland wetlands agency, or related environmental agency in the municipality or municipalities where such activities are located.

**Section 5. General Conditions**

**(a) *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 such violation and such corrective action to the commissioner in accordance with Section 4(c) of this general permit.

**(b) *Duty to Provide Information***

If the commissioner requests any information pertinent to the authorized activity or to compliance with this general permit, the permittee shall provide such information in writing within thirty (30) days of such request. Such information shall be certified in accordance with Section 5(c) of this general permit.

**(c) 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.”*

**(d) False Statements**

Any false statement in any information submitted pursuant to this general permit may be punishable as a criminal offense, in accordance with Section 22a-6, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

**(e) 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 5(c) 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.

**(f) Other Applicable Law**

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

**(g) 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 Municipal 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.

**Section 6. Commissioner’s Powers**

**(a) Abatement of Violations**

The commissioner may take any action provided by law to abate a violation of this general permit, including the commencement of proceedings to collect penalties for such violation. The commissioner may, by summary proceedings or otherwise and for any reason provided by law, including violation of this general permit, revoke a permittee’s authorization hereunder in accordance with Sections 22a-3a-2 through 22a-3a-6 of the Regulations of Connecticut State Agencies, inclusive. Nothing herein shall be construed to affect any remedy available to the commissioner by law.

**(b) General Permit Revocation, Suspension, or Modification**

The commissioner may, for any reason provided by law, by summary proceedings or otherwise, revoke or suspend this general permit or modify it to establish any appropriate conditions, schedules of compliance, or other provisions which may be necessary to protect human health and the environment.

**(c) Filing of an Individual or General Permit Application**

When the commissioner issues a notification in writing that the dam owner or agent must obtain an individual permit or file for authorization under a general permit to lawfully conduct the activity, the dam owner shall cease conducting the indicated activity and shall file for the required permit within thirty (30) days of receiving the commissioner’s notice. Nothing herein shall affect the commissioner’s power to revoke a permittee’s authorization under this general permit at any time.

Issued Date: October 16, 2015

ROBERT J. KLEE  
Commissioner

This is a true and accurate copy of the general permit executed on October 16, 2015 by the Commissioner of the Department of Energy and Environmental Protection.