



FACT SHEET

Information for Offshore Wind Developers *An Environmental Permitting Factsheet*



<http://www.industrycrane.com/blog/wind-turbines-installation-process.html>

This Factsheet provides information on the types of permits that may be required and the timing and sequencing of those permits to developers who are proposing to build staging, assembly, and manufacturing facilities for offshore wind energy. Pre-application permit assistance is available, where applicants can meet with permit program staff to discuss a specific project. To request a pre-application meeting, please complete the [Pre-Application Questionnaire](#) and submit it to DEEP.OPPD@ct.gov. This Factsheet should be used in conjunction with the DEEP Bureau of Energy and Technology Policy's Integrated Resource Plan Renewable Siting Recommendations.

- I. Natural Diversity Data Base (NDDB)** – At the outset of a project, it is necessary to determine if there are known occurrences of any state or federally-listed species within the impact area of the project site ([Section 26-306 of the Regulations of Connecticut State Agencies](#)). DEEP recommends conducting an initial site evaluation to assess the potential to support state-listed species. Developers will then need to determine if their project is in an area with documented state-listed species; maps can be found at <https://portal.ct.gov/DEEP/Endangered-Species/Natural-Diversity-Data-Base-Maps>. If the project site is in a documented area, consultation with DEEP's NDDB staff will be required to agree upon impact-avoidance and protection measures. Protection measures will be included in a determination letter from DEEP; this letter must be included with filings for other state permit applications or general permit registrations. Material to prepare a Request for Review can be found at <https://portal.ct.gov/DEEP/Endangered-Species/Endangered-Species-ReviewData-Requests>. Please note, it typically takes NDDB staff four to six weeks to review and issue NDDB letters; however, if further survey work is needed, the process can take longer.



II. Stormwater - If a project involves disturbing an area greater than one acre during construction, the disturbance must comply with the terms and conditions of the DEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities (Construction Stormwater General Permit). Projects between one and five acres can comply with the Construction Stormwater General Permit by adhering to local land use requirements for erosion and sedimentation control; the 2002 Connecticut Guidelines for Soil Erosion and Sediment Control, as amended; and the Stormwater Quality Manual. Assuming there are applicable local requirements for project approval, no registration with DEEP is required. Eligible construction projects involving five or more acres of land disturbance and any project requiring Connecticut Siting Council approval must register for coverage under DEEP's Construction Stormwater General Permit. The typical processing time for the Construction Stormwater General Permit registration is between 60 and 90 days, depending on the size of the project and whether the project is locally approvable or if it is locally exempt because it falls within the jurisdiction of the Connecticut Siting Council, and will include a 30-day public notice period.

Wind turbine manufacturing activities may require coverage under DEEP's General Permit for the Discharge of Stormwater Associated with Industrial Activity (Industrial Stormwater General Permit) if the activity generates a point source stormwater discharge. The Industrial Stormwater General Permit requires registration by the operator of the facility, development and implementation of a Stormwater Pollution Prevention Plan, and stormwater discharge monitoring. The processing time for a registration under the Industrial Stormwater General Permit is between 60 and 90 days.

Determinations regarding natural resources and other permit requirements (NDDB, forestry, wetlands, dam safety, flood management, brownfield remediation, landfills, etc.), are typically required for both stormwater general permits and inform the requirements for filing for a stormwater permit registration, and development of the requisite Stormwater Pollution Control Plan and/or Stormwater Pollution Prevention Plan.

At any time, the Commissioner can determine that a discharge associated with a construction activity or a stormwater discharge associated with an industrial activity requires an individual permit under the National Pollutant Discharge Elimination System (NPDES) program and Connecticut's Water Pollution Control Act, typically for very large or more complex project sites with significant receptors or natural resources adjacent to the site or nearby. Likewise, an applicant can elect to apply for an individual permit rather than seek coverage under a Stormwater General Permit. Individual permit processing time can be longer, due to the individualized determinations that must be made as part of an individual permit application technical review.

Information on water discharge permits and general permits can be found at:

<https://portal.ct.gov/DEEP/Permits-and-Licenses/Water-Discharge-Permits-and-General-Permits> .



III. Coastal Structures Permitting – If wind energy operations are constructed in a coastal area waterward of the coastal jurisdiction line, [CGS Sections 22a-359 through 22a-363h](#), inclusive, would apply. Three types of permits are available for such construction activities, depending on the nature of the work proposed. Maintenance or minor modifications related to previously authorized work may be eligible for a Certificate of Permission (COP). The typical processing time for COPs ranges from six weeks to three months, depending on the work involved. General permits may be issued to authorize certain minor activities, such as coastal remediation activities, and the typical processing time is about three months. Individual permits are for more complex activities, including new construction and other work for which a detailed review of potential environmental impacts is needed. The typical processing time for the Individual permit is about six months to one year, including a 30-day public notice period and the opportunity for a public hearing. This type of permit requires an area-based fee. More information about these permits can be found at <https://portal.ct.gov/DEEP/Coastal-Resources/Coastal-Permitting/Coastal-Permitting>.

If siting wind energy operations results in a direct discharge of fill material to wetlands or watercourses that meet the definition of waters of the United States, a permit from the U.S. Army Corps of Engineers (USACE) is required. Coverage may be provided by the USACE Section 404 General Permit, or an Individual USACE permit may be required, depending on the disturbance. Additionally, such activities require a Section 401 Water Quality Certification (WQC) from DEEP. The typical processing time for the USACE permit approval is about six months, and the typical processing time for DEEP's 401 WQC is about six months to one year, depending on the complexity of the project site. More information about wetland permitting can be found at <https://www.epa.gov/cwa-404> and <https://portal.ct.gov/DEEP/Water/Wetlands/Connecticut-Wetlands>.

Coastal projects that impact tidal wetlands will require additional review and permitting in accordance with [CGS Section 22a-32](#) and [RCSA Sections 22a-30-1 to 22a-30-10](#), inclusive.

IV. Flood Management – In the event that wind energy operations are sited in flood zone areas, the permits described in this paragraph may apply. Wind energy projects on state property or that receive state funding, including grants or loans, that are located in a floodplain will require a Flood Management Certification from DEEP or an exemption from such certification requirements. Information on Flood Management Certificates and exemptions can be found at <https://portal.ct.gov/DEEP/Permits-and-Licenses/Factsheets-Inland-Water/Flood-Management-Certification-Fact-Sheet>. In addition, if the project site is located within the 100-year coastal flood zone, [Public Act 18-82](#), An Act Concerning Climate Change and Resiliency, requires that residential and community structures in areas subject to coastal flooding be elevated two feet above the base flood elevation to account for projected sea level rise. Additionally, FEMA flood zone maps should be consulted to locate the 100-year flood zone and can be found at <https://msc.fema.gov/portal/home>.

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- V. Coastal Site Plan Review** – For applications to municipal land use agencies covering proposed activities within the coastal boundary, municipalities will be required to perform a coastal site plan review (CSPR) to ensure that the activity is consistent with the policies of the Connecticut Coastal Management Act [CGS Sections 22a-90 – 22a-110](#), inclusive. Such applications may or in some cases are required to be referred to DEEP’s Land & Water Resources Division for review.
- VI. Brownfields and Remediation** – Planning for siting wind energy operations on brownfields can be done concurrently with the remediation, or clean up, of a contaminated site. If the intended project site is subject to Property Transfer laws or other pollution release clean up requirements, compliance with the [Remediation Standard Regulations, RCSA Sections 22a-133k-1 to 22a-133k-3](#), inclusive, is required and the land records should be consulted to determine whether any type of land use restriction exists as part of the site’s remedial outcome. There are various liability relief programs for municipalities and individuals seeking to remediate a brownfield. More information about DEEP’s Brownfield Program can be found at <https://portal.ct.gov/DEEP/Remediation--Site-Clean-Up/Brownfields/Brownfields-in-Connecticut>.
- VII. Other Considerations** - Local/municipal review and permitting may be required. Local permits are not covered in this factsheet. Please contact the local planning office to ensure your project meets all local requirements. In addition, state permits to operate your facility will depend on the actual site activities and associated equipment. These can include air pollution control permits and wastewater discharge permits.
- VIII. Siting Council** - The Connecticut Siting Council’s jurisdiction over offshore wind energy operations is limited to onshore transmission connections in Connecticut and advisory consultation. Siting Council regulations require a Marine Habitat Conservation Plan developed in conjunction with US Fish and Wildlife Service and DEEP for facilities with a generating capacity of more than 65 MW, but federal requirements may differ. More information about the Connecticut Siting Council can be found at <https://portal.ct.gov/CSC>.



<https://news.northeastern.edu/2015/08/03/3qs-wind-farms-sustainability-and-hurricanes/>

Additional links to DEEP's permit programs can be found at <https://portal.ct.gov/DEEP/Permits-and-Licenses/Permits-and-Licenses>.

This fact sheet is intended for informational purposes only based on the information available as of the date of its publication and does not represent a formal jurisdictional determination by which DEEP or any other permitting authority referenced will be bound. Information contained in this fact sheet does not represent a comprehensive list of all permit requirements potentially applicable, which in most cases can only be determined on a site-specific basis. It is intended only to provide information on permits that may be required. Refer to the most current statutes, regulations, and public acts for specific language pertaining to each permit. It is your responsibility to comply with all applicable laws. Contact DEEP (DEEP.CONCIERGE@ct.gov) with questions regarding a specific site or project.

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