**CONNECTICUT DEPARTMENT OF TRANSPORTATION**

***Permit Need Determination Form (PNDF) Instruction Guide – 2016 Revision***

**General Information**

***What is it*?** The PNDF is a living document designed to identify permits and various natural resource and regulatory coordination required for a project and to document regulatory commitments. A staff member from OEP Water/Natural Resources (OEP-WNR) unit will be assigned to the project and will follow the project through all coordination, design, and permitting reviews. This staff member will be the point of contact for all coordination. The revised PNDF form will be broken into two parts (1) Natural Resources Coordination and (2) Permit Determination. This is the same information as the old form, just re-ordered to streamline the process. OEP will identify resource concerns early and initiate regulatory coordination. At approximately the 25% design stage, the Designer will request a meeting through EPC. The meeting, which will be between the designer, OEP, EPC and possibly H&D, will be to review the preliminary design, layout, and impact footprints for the Project in an effort to determine the permit needs at the time of the meeting. It is expected that most PNDF’s will be completed before the 30% design stage under the revised process. *Keep in mind, certain aspects of coordination may have to be revisited prior to permit submittal. More information is provided below in the “Notes” section.*

***When to Submit*?** The PNDF should be submitted to OEP-WNR (cc EPC) when the project is first initiated. This is also about the time the Environmental Review Form is submittedto OEP Environmental/Historical Documents unit.

***How long is it good for*?** As a living document, the PNDF has no ‘expiration date’ however changes to project scale or scope may impact permit need and will require contacting OEP for possible resubmission. Additionally, certain coordination needs to be periodically updated (see “Notes” below).

***When is it final*?** Part 1 of the form, the ‘Natural Resources Coordination’ section, will be initiated relatively soon after submission, with an approximate turnaround time of 3 months. Part 2, the ‘Permit Determination’ section, is expected to be completed during the Part 2 meeting, before the 30% design phase.

**Project Documentation**

When submitting the PNDF, the Designer fills out the top portion of the form (Part 1) which includes the following information:

* Project Number & the CORE Project Number if it is different, for billing purposes (OEP CORE unit number is 57541, please make sure we are able to bill to your project)
* Designer Contact information
* Identify if any federal funding is included in any phase of the project, and which federal agency is providing the funding
* FDP Date & Anticipated Construction Start Date
* Waterway (Available on USGS Topo Maps) & Bridge Number (if applicable)
* State/Local responsibility for initiating the project who will provide construction oversight
* Target Part 2 meeting date: estimate a date that you expect to be at the 25% design phase where OEP, EPC & the Designer will meet to determine the permits for the project. (approximately 4-6 weeks before PD)
* Brief Project description (short description i.e. Replacement of Route 1 Br. 06269 o/Mill River)
* Additional information to attach: Full project description/purpose and need, location map and representative site photographs.

*OEP will then initiate information gathering and coordination (NDDB, Aquifer Protection Areas, Fisheries coordination, FEMA information etc) and complete Part 1 of the form and return it to the Designer.*

Prior to the Part 2 meeting (*approximately 25% design phase)*, the following information should be supplied by the Designer to EPC, for confirmation of completion:

* Latest design plans
* Estimate of total tree clearing area (in acres)
* Preliminary erodible surface area disturbance (in acres)

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* Approximate wetland and watercourse impact totals (in square feet)
* Approximate floodplain impact totals (in square feet)
* Drainage Area (for bridge/culvert work only); drainage area to the structure (in square miles)
* If the project is coastal and the consultant completed a tidal wetland delineation, please bring a copy of the consultants wetland delineation report which will include a list of identified tidal wetland vegetation.

Once all the pertinent information for the Part 2 meeting is acceptable and complete for a productive meeting, EPC will work with the Designer to set up the meeting through Outlook and attach the above information to the meeting invite. The Designer will also provide the Project information at the time of the meeting.

**Notes**

1. ***Project Changes*:** If a project changes in scale or scope, or has been dormant, notify the OEP point of contact staff member assigned to the project. They will evaluate the effect on permit need.
2. ***NDDB Coordination*:** Maps of state and federally listed species are updated every 6 months by DEEP as new discoveries are made and data is refined. A determination letter from DEEP regarding listed species expires after two years. For routine coordination and all State wetland related permits, coordination is required when the project falls “within” an NDDB ‘blob’. Initial coordination will take place upon submittal of the PNDF and may need to be updated during the design process and prior to permit submittal. For Stormwater permitting, coordination is also required if any of the limits of the project fall within ¼ mile of an NDDB ‘blob’.
3. ***Aquifer Protection Areas/Sole Source Aquifers*:** If a project is determined to fall within an APA or SSA, coordination must be updated every 3 years. Design should track the dates and request an update of the coordination from OEP-WNR.
4. ***Stormwater Permits*:** The PNDF will indicate whether a project requires a Stormwater Permit based on the total area of disturbance (> one acre of disturbed area). This disturbance includes all earth disturbing site work and all areas of pavement reconstruction where excavation goes through the sub-base to expose erodible soils. If a permit is required, coordination for the content and processing of the permit should take place through the OEP Water/Noise Compliance unit. All Stormwater Registrations must be done through the DEEP ezFile portal.

*Directive link:*  [Online Stormwater Discharge Permit Registration System](http://www.ct.gov/dot/lib/dot/documents/aec/ECD-2016-3.pdf)

 *ezFile portal link:* <https://filings.deep.ct.gov/DEEPPortal/Account/About>

1. ***Municipal Projects*:** The only permit requirement OEP will identify is Flood Management Certification. Coordination with the Department’s H&D unit will still be required for final determination. The PNDF *will not include* determinations for other local/state/federal permit needs as those permits would be in the Town’s name. However, OEP-WNR will have some role in facilitating coordination with Resource Agencies (DEEP Fisheries and Wildlife Division). When a Flood Management Permit is required, this role will be increased. It should be emphasized that Municipal projects which require a Flood Management Permit must have the Flood Management Permit (General, MOU, DEEP Certification, or Exemption) approved before proceeding with applying for a 401 Water Quality and/or Army Corps of Engineers permit.