

# Coastal General Permits

Outreach Presentation

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# Basic OLISP General Permit (GP) Facts

Three new GPs were signed on October 26 and 30, 2015, and are valid until 2035

- Minor Coastal Structures (DEEP-OLISP-GP-2015-01)
- Coastal Maintenance (DEEP-OLISP-GP-2015-02)
- Coastal Storm Response (DEEP-OLISP-GP-2015-03)

There are numerous activities covered under each of the GP's

January 1, 2016 was the expiration/revocation date of the current GPs

Non-reporting GP activities were effective as of October 26, 2015

Registration-required GPs were available as of January 1, 2016

# Overview

This presentation will review each of the General Permits and its authorized activities. Specifically, it will cover:

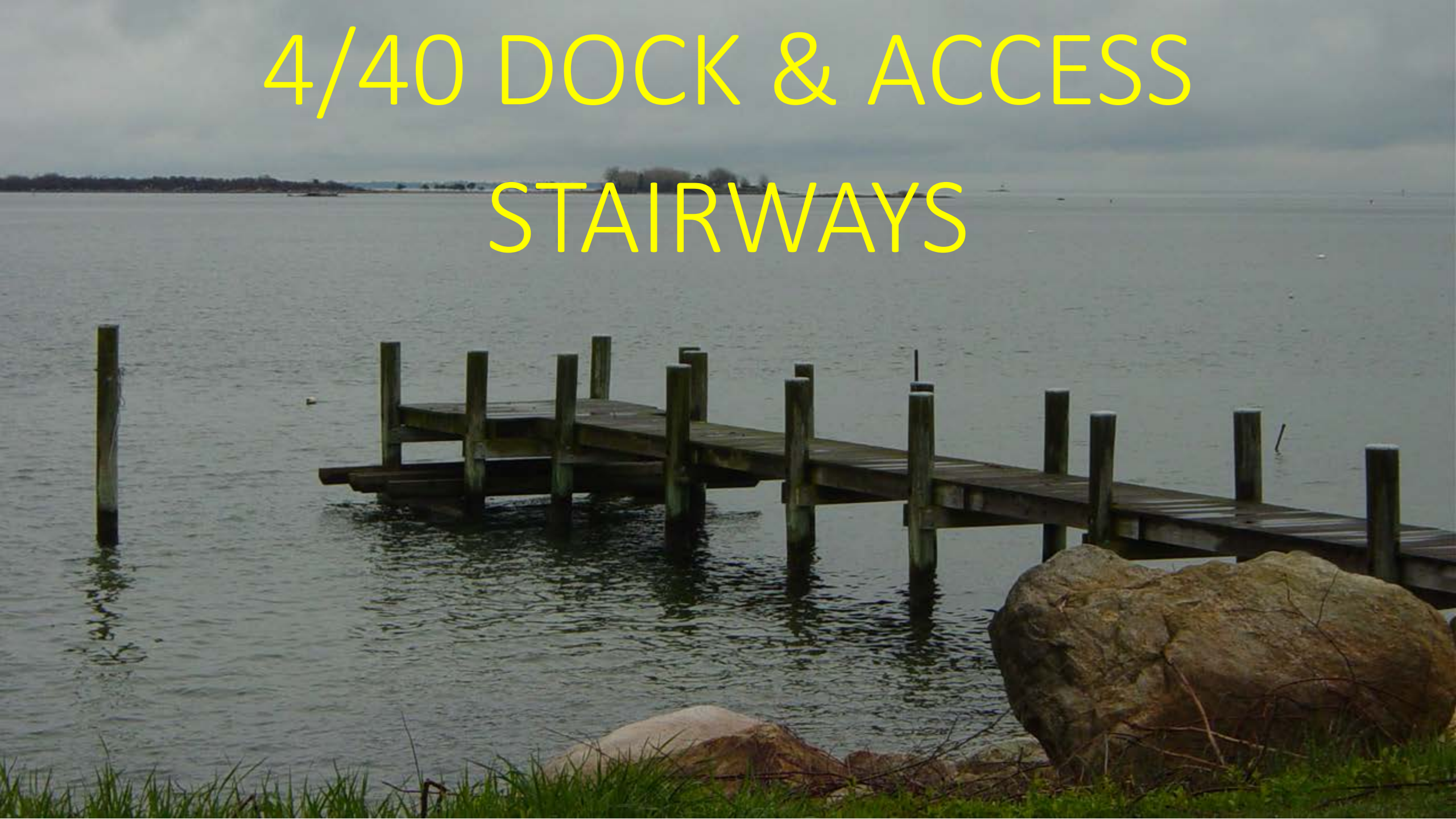
- Administrative items
- Activity definitions
- Eligibility criteria
- Reporting requirements
- Construction and use conditions



# MINOR COASTAL STRUCTURES

#DEEP-OLISP-GP-2015-01

# 4/40 DOCK & ACCESS STAIRWAYS



# 4/40 DOCK & ACCESS STAIRS - Administration

REGISTRATION: Required

REGISTRATION FEE: \$700.00

DEEP RESPONSE: Written Approval of Registration

VALID: Upon approval of registration

## 4/40 DOCK & ACCESS STAIRS - Defined

4/40 DOCK means a structure comprised of a fixed pier, ramp and float, or any part or combination thereof, which is accessory to a residential property, does not extend further waterward than the distance to a depth of -4 feet mean low water or a distance of 40 feet from mean high water, whichever is shortest, and which is used to achieve riparian or littoral access to tidal, coastal or navigable water for noncommercial boating purposes.

## 4/40 DOCK & ACCESS STAIRS - Defined

ACCESS STAIRS means an open-design structure or ladder affixed in a parallel fashion to an existing authorized wall, bulkhead or revetment or a stairway constructed landward into an existing wall or revetment, which is used solely for pedestrian access from the upland to the shoreline, and which is accessory to a residential property.



## 4/40 DOCK & ACCESS STAIRS – Eligibility Criteria

- The project site must be a residential property;
- There can be no existing dock or access stairs at the site;
- If the dock or access stairs extend from an existing structure at the site, said structure must be previously authorized, if any portion of it is below or intersects the Coastal Jurisdiction Line;
- The dock or access stairs cannot be constructed prior to the written approval of the registration;
- The dock or access stairs shall be sufficiently set back from abutting property lines to avoid conflicts with adjacent property owners;

## 4/40 DOCK & ACCESS STAIRS - Eligibility Criteria cont...

- There can be no submerged aquatic vegetation in the footprint of the dock or access stairs;
- There can be no right-of-way or easement at the location of the dock or access stairs;
- The dock or access stairs cannot interfere with public access along the shoreline at or below the mean high water mark; and
- The dock or access stairs cannot include non- riparian/littoral access features, such as a gazebo, deck, viewing platform, patio or walkway;

## 4/40 DOCK - Eligibility Criteria

- The total surface area of all dock components cannot exceed 220 square feet as calculated waterward of the mean high water line;
- The dock cannot extend further waterward than the distance to a depth of -4.0 feet mean low water or a distance of 40 feet from mean high water, whichever is shortest (tie-off pilings may extend beyond such distance);
- Fixed pier portion shall be no wider than four (4) feet;
- The waterwardmost floating component of such 4/40 dock shall be no greater than 100 square feet in surface area and must be securely anchored in place;

## 4/40 DOCK - Eligibility Criteria cont...

- Up to a 30 square foot ramp landing float can be used in addition to such 100 square foot float;
- No floating components are allowed over tidal wetlands and the lowest horizontal member of the fixed pier must be at least 5 feet off the tidal wetland surface;
- Boat-lifts, hoists and davits are allowed but cannot extend beyond 40 feet;
- The dock or any vessel moored or docked thereto, shall not interfere with access to any other riparian or littoral property;

## 4/40 DOCK - Eligibility Criteria cont...

- If in the Connecticut River, the dock cannot interfere with existing drift net shad fisheries
  - Generally water deeper than 10 feet measured from mean high water
  - Contact Mark Johnson, DEEP Inland Fisheries
- A Non-conforming Dock is allowed if water depths are equal or greater than -4.0 feet mean low water at a seawall or bulkhead at the site. Such Non-conforming Dock shall consist of a 40 square foot platform, a ramp situated parallel with the wall, and a floating dock of no greater than 100 square feet.

# ACCESS STAIRS – Eligibility Criteria

- The access stairs cannot include any support piles, footings or landings on or over tidal wetlands;
- The access stairs affixed on the waterside of a wall, revetment or bulkhead shall be oriented parallel to the structure;
- The access stairs shall be no wider than 4 feet, except for a landing step that shall be no wider than 5 feet; and
- No part of the access stairs shall extend further than 6 linear feet from the toe of the existing wall, revetment or bulkhead.

# 4/40 DOCK & ACCESS STAIRS - Reporting

- Submission of registration to HMC – concurrent with submission to DEEP
- Appendix A (Work Notification included in Approval of Registration) – due 2 weeks prior to construction
- Appendix B (CGS Section 22a-363g Land Records Notification included in Approval of Registration) – 60 days after issuance
- As-built plans (included in Approval of registration) – 90 days after completion of work
- CGS Section 22a-361(d)(1) – “...Any approval by the commissioner under a general permit may include conditions specific to the proposed activity to ensure consistency with the requirements for issuance of the general permit...”

# Non-Harbor Mooring





# NON-HARBOR MOORING - Administration

REGISTRATION: Required

REGISTRATION FEE: \$250.00

DEEP RESPONSE: Approval of Registration

VALID: Upon approval of registration

# NON-HARBOR MOORING - Defined

NON-HARBOR MOORING: a mooring placed where the location of such mooring is not subject to the jurisdiction of a harbormaster or a Harbor Management Plan approved pursuant to section 22a-113m of the General Statutes

MOORING: means a structure which is employed to moor, dock, or otherwise secure a vessel used for waterborne travel, and which consists of either (1) a mooring buoy secured by bottom anchor; (2) a system of mooring lines secured to no more than two pilings or stakes; or (3) a single floating dock unattached to land and not associated with any other docking structure, which is no more than 100 square feet in area, secured by bottom anchor or by no more than two pilings or stakes, and seasonally installed and removed.

# NON-HARBOR MOORING - Eligibility Criteria

- Prohibited within federally-designated navigation channel
- Cannot create a hazard to or interfere with existing navigation uses in any waterway, including channels, turn basins, fairways, or transient anchorages.
- Prohibited on or above submerged aquatic vegetation (SAV)
- No charge/non-commercial moorings only
- Must be annually inspected
- Cannot interfere with drift net shad fisheries in CT River

# NON-HARBOR MOORING - Reporting

- Submission of registration to HMC – concurrent with submission to DEEP
- Appendix A (Annual Placement Notification included in Approval of Registration) – within 2 weeks after placement
  - User Boat Information (size, registration)
  - GPS coordinates
  - Tackle gear specifications (chain length, swing radius)
  - Inspection certification
  - Expected removal date
- Appendix B (Land Records Notification included in Approval of Registration) – 60 days after issuance

# Osprey Platform & Perch Pole



# OSPREY PLATFORM/PERCH POLE - Administration

REGISTRATION: None (Project Report submitted prior to construction)

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

# OSPREY PLATFORM/PERCH POLE - Defined

OSPREY PLATFORM: means a single pole or group of poles each no more than 20 feet long and having a diameter of no more than 15 inches, with a platform which rests upon the pole or poles at least 10 feet off the ground, and which does not exceed 25 square feet in surface area.

PERCH POLE: means a pole no more than 10 feet long and having a diameter of no more than 15 inches, which is utilized for the purposes of providing a perch for osprey.

# OSPREY PLATFORMS/PERCH POLE – Eligibility Criteria

- Must use one of three designs attached to GP, or can get different design approved in advance by DEEP Wildlife
- Perch pole must be erected or placed within 20' of an osprey platform
- Platform siting criteria:
  - >10' from open water
  - >300' from overhead power lines or other osprey platforms
  - >600' from human disturbance (e.g. roads, houses, commercial areas, etc)
- Waivers from DEEP Wildlife from siting criteria must be submitted with project report



## OSPREY PLATFORMS/PERCH POLE – Eligibility Criteria cont...

- Waivers from DEEP Wildlife from siting criteria may be available on a site by site basis
- Waivers must be obtained prior to submittal of the project report
- Written confirmation of the waiver must be submitted with the project report
- Structures must be installed by hand if below CJL or in tidal wetlands

# OSPREY PLATFORM/PERCH POLE - Reporting

- Submission of Project Report to DEEP – 2 weeks prior to construction
- Submission of siting criteria waivers – 2 weeks prior to construction with Project Report

- DEEP Osprey Contact:

Brian Hess, Wildlife Biologist

DEEP Wildlife Division

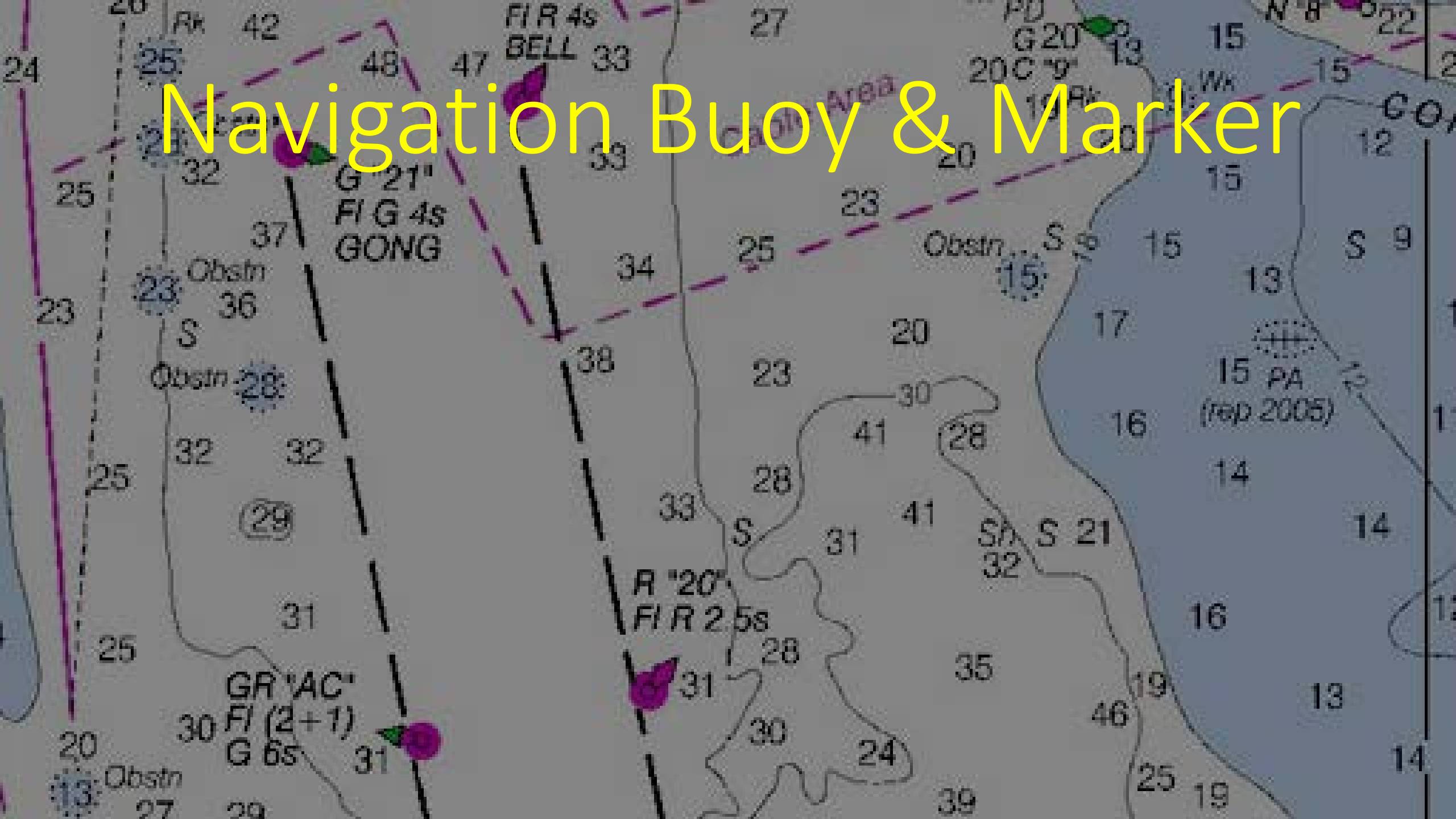
Sessions Woods WMA

PO Box 1550

Burlington, CT 06013

Phone: 860-424-3208 Email: [brian.hess@ct.gov](mailto:brian.hess@ct.gov)

# Navigation Buoy & Marker



# NAVIGATIONAL BUOY OR MARKER - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# NAVIGATIONAL BUOY OR MARKER - Defined

BUOY OR MARKER: any aid to navigation, water skiing ramp or course marker, slalom or regatta course marker, or buoy marking an aquaculture area or gear, swim area, boating channel or other defined water sports area. No mooring, dock, pier, floating dock or other structure for the berthing or securing of vessels shall constitute a buoy or marker.

# NAVIGATIONAL BUOY OR MARKER – Eligibility Criteria

- Must first get marker permit from DEEP Boating Division

Navigation Safety/ Boating Access Unit

D.E.E.P. Boating Division

P.O. Box 280, 333 Ferry Road

Old Lyme, CT 06371-0280

(860) 434-8638

[http://www.ct.gov/deep/cwp/view.asp?a=2686&q=396036&deepNav\\_GID=1620](http://www.ct.gov/deep/cwp/view.asp?a=2686&q=396036&deepNav_GID=1620)

- Does not include any mooring, dock, pier, or floating dock
- Prohibited in any tidal wetlands or SAV



# Harbor Mooring

# HARBOR MOORING - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None



# HARBOR MOORING - Defined

HARBOR MOORING: means a mooring approved by a harbormaster in accordance with section 15-8 of the General Statutes and, where applicable, is consistent with a harbor management plan approved pursuant to section 22a-113m of the General Statutes.

HARBOR MASTER: means a harbormaster or deputy harbormaster appointed pursuant to section 15-1 of the General Statutes.

# HARBOR MOORINGS – Eligibility Criteria

- Must first get approval from local harbormaster
- Prohibited in a federally-designated navigation channel
- Cannot create a hazard to or interfere with existing navigation uses in any waterway, including channels, turn basins, fairways, or transient anchorages.
- Prohibited on or over submerged aquatic vegetation (SAV)
- Non-commercial use only
- Requires annual inspection
- Cannot interfere with drift net shad fisheries in the CT River

# Swim Floats



# SWIM FLOAT - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

## SWIM FLOAT - Defined

SWIM FLOAT: a single floating or inflatable structure unattached to land or to any other structure, secured by bottom anchor, seasonally installed and removed, and used solely for swimming.

# SWIM FLOAT- Eligibility Criteria

- Size of float is limited to < 200 sf
- No more than 2 swim floats at any site, which cannot be rafted or connected to each other
- Must be located within designated swim area, if one is designated
- Prohibited in a federally-designated navigation channel
- Cannot create a hazard to or interfere with existing navigation uses in any waterway, including channels, turn basins, fairways, or transient anchorages.

# SWIM FLOAT- ELIGIBILITY CRITERIA

- Prohibited on or over tidal wetlands or SAV
- Must be located within designated swim area, if one is designated
- Design criteria:
  - > 6" of freeboard
  - < 3' of freeboard for inflatables
  - must have a silver or international orange reflective band of no less than two (2) inches in width placed above the waterline if outside of a designated swim area
- Cannot be used to moor or dock a vessel used for navigation.

# Pump-Out Facility





# PUMP-OUT FACILITY - Administration

REGISTRATION: None (Project Report due 2 weeks prior to construction, except for Clean Vessel Act grantees)

REGISTRATION FEE: None

DEEP RESPONSE: None

VALID: Date initiated

# PUMP-OUT FACILITY - Defined

PUMP-OUT FACILITY: means any device, equipment or structure that allows for the removal of sewage from the sewage holding tank of a marine sanitation device as defined by section 15-170(c) of the General Statutes or from a portable toilet and the transfer of such sewage to a system for sewage treatment or disposal, and includes any associated sewage storage tank, portable or permanently installed pump, fitting, hose or piping.

# PUMP-OUT FACILITY- Eligibility Criteria

- Must be sited on authorized structures, if applicable
- Limited to sewage handling equipment
- Cannot be used for the collection of bilge or oily waste
- Must obtain and maintain approval for increased flow to publicly-owned treatment works (wastewater treatment plant); or obtain and maintain a valid contract, with a schedule, for the removal of sewage from a storage tank by a licensed septage hauler

# PUMP-OUT FACILITY- Reporting

- Submission of Project Report due 2 weeks prior to construction, except for Clean Vessel Act grantees
- Report any discharge of sewage from a pump-out facility to a water of the state or the ground within two hours to:
  - Department of Energy & Environmental Protection, Bureau of Water Protection and Land Reuse, Planning & Standards Section at 860-424-3704;
  - Department of Public Health, Water Supply Section at 860-509-7333;
  - Department of Agriculture, Bureau of Aquaculture at 203-874-0696; and
  - Local/Municipal Health Department
  - (Outside normal business hours) Department of Energy & Environmental Protection, Emergency Response Unit at 860-424-3338

# Experimental Activities



# EXPERIMENTAL ACTIVITIES & SCIENTIFIC MONITORING DEVICES - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# EXPERIMENTAL ACTIVITIES & SCIENTIFIC MONITORING DEVICES - Defined

EXPERIMENTAL ACTIVITY: any activity conducted below CJL or in TW for the purpose of collecting biological, geological, environmental, meteorological, engineering or other scientific information. This includes, but is not limited to, test pits, core sampling, test pilings, and geological probes.

SCIENTIFIC MONITORING DEVICE: any instrument, apparatus, trap or other equipment used below CJL for purpose of collecting biological, geological, environmental, meteorological, engineering or other scientific data, specimens or samples.

# EXPERIMENTAL ACTIVITIES & SCIENTIFIC MONITORING DEVICES – Defined cont...

SURFACE ELEVATION TABLE: means a specific device consisting of a rod, concrete base, instrument receiver and associated sampling equipment, stakes, and temporary access platforms installed in a wetland surface and used to measure changes in wetland substrate elevations.



# EXPERIMENTAL ACTIVITIES & SCIENTIFIC MONITORING DEVICES – Eligibility Criteria

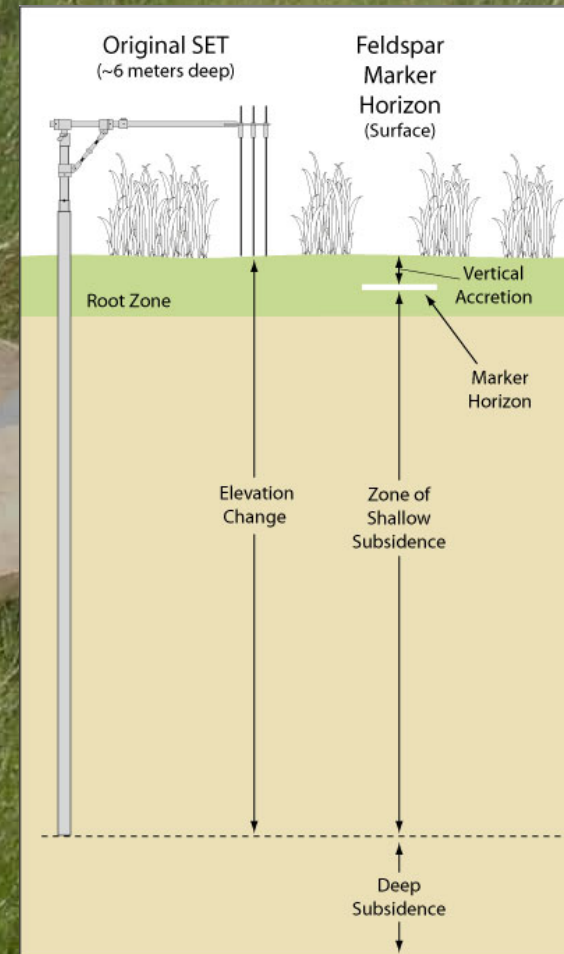
- Flood and erosion control structures or practices are prohibited
- Devices/equipment must be temporary and shall be removed\*
- Site must be restored to pre-work conditions
- Devices/equipment cannot block flow of tidal water or shade wetlands
- Cannot unreasonably affect public access to public areas including beaches, wetlands or subtidal areas
- Activity cannot affect drift net shad fishery in the CT River

\*Sediment Elevation Tables can be permanently installed

# EXPERIMENTAL ACTIVITIES & SCIENTIFIC MONITORING DEVICES – Eligibility Criteria cont...

- Must hold any and all necessary wildlife or other collection permits as may be required.
- Cannot create a hazard to or interfere with existing navigation uses in any waterway including channels, fairways, turning basins, or transient anchorages.
- Activity cannot affect drift net shad fisheries in the CT River

# Sediment Elevation Tables



# General Construction and Use Conditions for Minor Coastal Structures

- Cannot initiate construction of any activity authorized herein prior to submission and approval of registration, as applicable, or prior to the submission of a Project Report, as applicable.
- Copies of this general permit and any applicable approval of registration must be provided to any contractor employed to conduct such work
- Such documents shall be made available for inspection at the site whenever work is being performed at the site

# General Construction and Use Conditions for Minor Coastal Structures cont...

- Barges cannot be stored over intertidal flats, submerged aquatic vegetation or tidal wetlands or in a location that interferes with navigation.
- Cannot create a hazard to or interferes with existing navigation uses in adjacent waterways
- Must be setback from federal navigation channels and setback as prescribed in any harbor management plan approved pursuant to section 22a-113m of the General Statutes
- Such activities are, where applicable, consistent with a harbor management plan approved pursuant to section 22a-113m of the General Statutes

# General Construction and Use Conditions for Minor Coastal Structures cont...

- Cannot interfere with access or navigation to or from any riparian or littoral property
- Cannot put anything in any wetland or watercourse, nor use any wetland or watercourse as staging area except as explicitly authorized herein or in any approval of registration
- Must maintain in good working condition all structures authorized under this general permit
- Must restore any area affected by, or used as a staging area in connection with, such activity to the condition of such area prior thereto.

# General Construction and Use Conditions for Minor Coastal Structures cont...

- Any debris shall be removed from the area waterward of the coastal jurisdiction line and tidal wetlands and disposed of at an approved upland site applicable for such debris
- Minimize adverse impacts to coastal resources and processes
- Minimize adverse impacts to commercial and recreational fishing and shellfishing
- Cannot create an obstruction or hindrance that will have an adverse effect on the flood heights, flood carrying and water capacity of the waterways and floodplains.

# General Construction and Use Conditions for Minor Coastal Structures cont...

- Cannot adversely affect existing or designated uses of the waters of the state as defined in Connecticut's Water Quality Standards
- Cannot cause or allow pollution, as defined in section 22a-423 of the General Statutes, including without limitation pollution resulting from erosion and sedimentation.



A wide-angle photograph of a coastal scene. The foreground is dominated by dark, wet rocks partially submerged in shallow, rippling blue water. The middle ground shows a vast expanse of blue water extending to a distant shoreline. On the horizon, there are several white buildings and trees under a clear sky. The overall scene is bright and clear, suggesting a sunny day.

# COASTAL MAINTENANCE

DEEP-OLISP-GP-2015-02

# Marina/Mooring Field Boundary



# MARINA/MOORING RECONFIG - Administration

REGISTRATION: Required

REGISTRATION FEE: \$700.00

DEEP RESPONSE: Approval of Registration

VALID: Upon Approval of Registration

# MARINA RECONFIGURATION – Defined

MARINA BOUNDARY: means an area within which reconfiguration activities may occur and which has been established by the commissioner by connecting with straight lines the terminating point of existing authorized in-water boating-access structures including fixed or floating docks, gangways and piles, but excluding dredge footprints, vessels, mooring buoys, navigational markers and property lines.

MARINA RECONFIGURATION: means the placement, replacement, removal or relocation of moorings, fixed or floating docks, piles, ladders, gangways, or finger piers and ancillary structures within an established marina boundary for boating access or support or for seasonal storage of such structures subject to the conditions of this general permit.

# MOORING RECONFIGURATION – Defined cont...

MOORING BOUNDARY: means an area within which reconfiguration activities may occur and which is established by the commissioner by connecting with straight lines the perimeter of existing in-water mooring buoys, but excluding dredge footprints, vessels, mooring swing radii, navigational markers, and property lines.

MOORING RECONFIGURATION: means the placement, replacement, removal or relocation of moorings, within an established mooring boundary for boating access or support, exclusive of fixed and floating docks.

# MARINA/MOORING RECONFIG – Eligibility Criteria

- Must be a yacht club or marina whose slips are entirely open for public use by membership or rental
- All regulated in-water structures must be authorized by the State and in compliance with such authorizations
- Such activities shall include only structures used for boating access or support
- Cannot increase the number of berthing or mooring slips at the facility >5% in any calendar year

## MARINA/MOORING RECONFIG – Eligibility Criteria cont...

- Prohibited on or over tidal wetlands or intertidal flats
- Cannot interfere with the access to any riparian or littoral property
- Cannot include the construction, installation, relocation, or modification of any wave-attenuating structures
- Cannot include the construction or installation of wider previously authorized docks or gangways
- Cannot include dredging, the placement of fill, or the installation of other structures
- Cannot unreasonably restrict access to or along lands and waters waterward of mean high water.

# MARINA/MOORING RECONFIG – Reporting

- Notification of work start – 3 days prior to construction
- Notification of work completion – 3 days after completion



# REMEDIAL ACTIVITIES



# REMEDIAL ACTIVITIES – Administration

REGISTRATION: Required

REGISTRATION FEE: \$700.00

DEEP RESPONSE: Approval of Registration

VALID: Upon Approval of Registration

# REMEDIAL ACTIVITIES – Defined

REMEDIAL ACTIVITY: means any dredging, construction, placement of fill, obstruction or encroachment or work incidental thereto, or any other work the purpose of which is to restore a site or habitat to its natural condition, to correct a violation of law, to remove an unauthorized structure, fill, obstruction or encroachment, or to conduct remediation as defined by section 22a-133k-1 of the Regulations of Connecticut State Agencies.

## REMEDIAL ACTIVITIES – Defined cont...

ORDER: means any consent order, removal order, cease and desist order, or any other enforcement action taken by the commissioner under authority of sections 22a-6, 22a-7, 22a-108, 22a-178, 22a-181, 22a-225, 22a-428, 22a-430, 22a-431, 22a-432, 22a-433, or 22a-449 of the General Statutes, or under any authority available by law or any enforcement action taken by the U.S. Army Corps of Engineers (“Corps”) or the U.S. Environmental Protection Agency (“EPA”); or any order entered by a state or federal court of competent jurisdiction pursuant to an enforcement action taken by the commissioner, the Corps, or EPA.

# REMEDIAL ACTIVITIES – Eligibility Criteria

- Must be required under an Order, as defined
- Must restore a site or natural habitat
- Can include conditions, as necessary, through Approval of Registration

# REMEDIAL ACTIVITIES – Reporting

- Notification of work start – 3 days prior to construction
- Notification of work completion – 3 days after completion

# FLOOD HAZARD MITIGATION



# FLOOD HAZARD MITIGATION - Administration

REGISTRATION: Required

REGISTRATION FEE: \$100.00

DEEP RESPONSE: Approval of Registration

VALID: Upon Approval of Registration

REPORTING: None



# FLOOD HAZARD MITIGATION – Defined (scope)

FLOOD HAZARD MITIGATION: modification of an existing inhabited structure which is located in whole or in part waterward of the CJL and landward of MHW for the purposes of conforming such structure to FEMA standards.

EXISTING INHABITED STRUCTURE: means a house, dwelling, or abode which was in use prior to the effective date of this general permit.

FEMA: means the Federal Emergency Management Agency.

FEMA STANDARDS: means municipal flood hazard or floodplain ordinances or regulations, approved by FEMA to allow participation of the municipality in the National Flood Insurance Program under the provisions of 44 CFR parts 59 and 60.

# FLOOD HAZARD MITIGATION – Eligibility Criteria

- Only for work waterward of Coastal Jurisdiction Line and landward of Mean High Water mark.
- Only to conform an existing inhabited structure with applicable FEMA standards.
- Needs local building permit, Coastal Site Plan Review, and/or zoning variance before filing registration with DEEP.
- Cannot be a conversion from seasonal to year-round use.
- Cannot include expansion of living space or floor area.

## FLOOD HAZARD MITIGATION – Eligibility Criteria cont...

- Cannot include waterward encroachment of any structure.
- Cannot include any new appurtenances such as decks or porches
- Cannot include the authorization of any Flood and Erosion Control Structures
- Cannot include any work waterward of mean high water or on or over tidal wetlands.
- Must comply with the standards and requirements set forth in DEEP's Flood Management statutes

# RECONSTRUCTION



# RECONSTRUCTION – Administration

REGISTRATION: Required

REGISTRATION FEE: \$300.00

DEEP RESPONSE: None

VALID: Upon DEEP receipt of registration

# RECONSTRUCTION – Defined (scope)

RECONSTRUCTION: reconstruction of a legally-existing structure, obstruction or encroachment which was installed pursuant to a prior authorization and which exists in a serviceable state; and removal of debris and reconstruction of a legally existing structure which has been damaged or destroyed by casualty loss not more than one year prior to the date of submission of the registration.

PRIOR AUTHORIZATION: means a permit, certificate of permission, or approval of general permit registration issued by the State of Connecticut under section 22a-32, 22a-361, 22a-361(d), or 22a-363b of the General Statutes which was issued before the date of submission of a registration under this general permit.

# RECONSTRUCTION – Defined (scope)

SHORELINE FLOOD AND EROSION CONTROL STRUCTURE: means any structure the purpose or effect of which is to control flooding or erosion from tidal, coastal or navigable waters and includes breakwaters, bulkheads, revetments, riprap, seawalls and the placement of concrete, rocks or other significant barriers to the flow of flood waters or the movement of sediments along the shoreline.

# RECONSTRUCTION – Eligibility Criteria

- Must be previously permitted – no grandfathers
- Must either be existing and serviceable or been damaged by loss not more than one year prior to submission of registration
- Must be in-kind and in-place, unless otherwise authorized in writing by the DEEP (can include previous *de minimis* changes)
- Registrant must follow all conditions of previous permit
- Does not cover dredging, regrading, fill or any other activities which restore or modify grades, depths, slopes, contours, tidal elevations or property boundaries.



# RECONSTRUCTION – Eligibility Criteria

- Prior to any reconstruction activity, must obtain site plans signed and sealed by a CT licensed, professional engineer or land surveyor showing both the pre-construction and proposed site conditions and structures
- The contractor(s) shall, whenever work is being performed, maintain a copy of the plans referenced above on the work site and make such plans available for inspection.
- Prior to any reconstruction activity, must take site photographs documenting the pre-construction conditions.

# RECONSTRUCTION – Eligibility Criteria cont....

- Specific For Flood and Erosion Control Structures (FECS)
  - Does not apply to any groins, jetties or oversheeting of bulkheads.
  - Reconstruction of FECS's in tidal wetlands prohibited
  - Increasing the top elevation of a FECS is prohibited
  - DEEP can approve a registration that proposes minor modifications or engineering improvements (without modifying the footprint of such structure) such as weep holes, footings, tie-backs, or returns.
- Specific For Docks
  - Over tidal wetlands the lowest horizontal member of a fixed pier can be no lower than five (5) feet off the surface of any underlying wetland areas, except if the previous authorization indicates such horizontal member is required to be constructed at a greater elevation.

# RECONSTRUCTION – Reporting

- Request for FECS changes – plans and narrative submitted with registration (needs approval)
- Notification of work start – 5 days prior to construction
- Compliance Certification (Appendix A) – prepared 90 days after work completion
- Compliance Package (certification, photos, plans) – 120 days after work completion

# DOT Maintenance



# DOT MAINTENANCE - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

# DOT MAINTENANCE – Defined

DOT MAINTENANCE ACTIVITIES: rehabilitation, repair, replacement, of state-owned and maintained transportation infrastructure and appurtenances such as highways, roadways, bridges, and railways, and associated supporting and protective structures integral to the use and functionality of such infrastructure including temporary accessways, stormwater related structures, bridge piers, decks and abutments, mechanical, electrical or operational structures and workhouses.

# DOT MAINTENANCE – Eligibility Criteria

- Must follow DOT BMPs, specifications, design manuals, etc
- Cannot cause permanent impacts to tidal wetlands
- Must install and utilize proper containment for any bridge painting, preparation or cleaning activities authorized herein
- Any debris containment system employed must be designed so as to prevent impacts to navigation
- Any debris generated by authorized activities shall be collected and disposed of at an approved upland site
- Cannot increase stormwater flows from authorized structures, prohibiting volume increases from bridge superstructure widening
- Work barges cannot impede more than 50% of the channel beneath any bridge at any time

# DOT MAINTENANCE – Eligibility Criteria

- Replacement of bridge piers or foundations are prohibited
- Bridge scour repairs must utilize turbidity curtains or other appropriate containment extending from the water surface to the substrate around the work area.
- Work to wingwalls, endwalls, abutments, pipes, culverts, outlet protection, or other shoreline armoring must be performed during periods of low flow and low tide
- Work must be consistent with DEEP Flood Management standards
- Heavy equipment work in wetlands must use low ground pressure equipment or construction mats to minimize disturbance of wetland soil and vegetation.



# DOT MAINTENANCE – Eligibility Criteria

## Specific Grout Bag Criteria:

- Must consult with Department of Energy & Environmental Protection Inland Fisheries Division
- Must be installed by hand
- Must be located within the existing pier/foundation footing footprint

# DOT MAINTENANCE – Eligibility Criteria

## Specific Shoreline Armoring Criteria:

- Any new outlet protection where a section of pipe has been removed, the area of the disturbance cannot exceed caused by the removal of the pipe
- Riprap or armoring shall not exceed the footprint of the protection originally in-place and shall be at the same grade and slope
- Not later than 90 days subsequent to the completion of any shoreline protection must submit as-built drawings showing the project
- Must place riprap to its full course thickness in one operation to produce a reasonably well-graded slope without causing displacement of the underlying bedding material

# DOT MAINTENANCE – Reporting

- As-built plans for shoreline protection projects – 90 days after completion
- Annual Project Report – due January 15, detailing the number and location of activities conducted



# Beach Grading & Raking



# BEACH GRADING & RAKING - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: None

VALID: Date initiated

REPORTING: None

# BEACH GRADING – Defined

BEACH GRADING: means the redistribution and regrading of on-site beach sand between mean low water and the coastal jurisdiction line without the nourishment or addition of any off-site beach sand or other material.



# BEACH RAKING – Defined

BEACH RAKING: means the use of motorized equipment and any associated implements on a beach below the coastal jurisdiction line for the purpose of removing macroalgae, stones, shells or other natural or unnatural debris.



# BEACH GRADING & RAKING – Eligibility Criteria

- Beach grading work prohibited April 1 – September 15 to protect spawning horseshoe crabs and nesting and migrating shorebirds.
- Beach raking work using equipment (2” or greater in depth) is prohibited May 10 – July 15 to protect spawning horseshoe crabs
- Beach raking by hand has been determined not to be regulated and therefore not covered by this GP
- All structures waterward of the coastal jurisdiction line at the site must be authorized for work to be covered



# BEACH GRADING & RAKING – Eligibility Criteria

- No work in areas of tidal wetlands or intertidal flats
- No work in areas waterward of mean low water.
- Cannot store, stage, or operate any equipment in-water at any time
- Cannot impede access to any riparian or littoral property
- Cannot take place on any leased or managed shellfish bed.
- Must dispose of any material removed during beach raking activities above the coastal jurisdiction line and outside of any tidal wetlands.

# Derelict Structures



# DERELICT STRUCTURES - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# DERELICT STRUCTURES – Defined

DERELICT STRUCTURE: means any flotsam, structure or vessel, or component thereof, that has been abandoned or deserted, is no longer capable of functioning as intended, or is impeding navigation.

# DERELICT STRUCTURES – Eligibility Criteria

- Must obtain written permission from the property owner if the permittee is not the property owner
- If substrate or soil disturbance is likely, must install and maintain around the work area either siltation curtains or floating turbidity booms
- Activity is prohibited between June 1st and September 30th, inclusive, of any year in order to protect spawning shellfish, unless otherwise authorized in writing by DEEP
- Work in the intertidal zone shall only be conducted during periods of low water.
- Cannot disturb, displace or destroy objects determined by the State of Connecticut Historic Commission to have historical significance.

# Placement of Cultch



# PLACEMENT OF CULTCH - ADMIN

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# PLACEMENT OF CULTCH – DEFINED

CULTCH: means a substrate appropriate for larval oyster attachment, consisting of gravel or shell material.





# PLACEMENT OF CULTCH – Eligibility Criteria

- Can only be conducted by a licensed shellfish operator in beds or areas designated for shellfishing by the Department of Agriculture or a Town Shellfish Commission
- Prohibited in areas of tidal wetlands or submerged aquatic vegetation beds
- Must obtain all required authorizations from the Department of Agriculture Bureau of Aquaculture and Laboratory and the local shellfish commission

# PLACEMENT OF CULTCH – Eligibility Criteria cont...

- Must obtain permission in writing from the owner or lessee of such shellfish bed or area.
- Cannot exceed a layer of cultch on the seafloor greater than 12” in depth.
- Cultch placement cannot exceed 1,500 bushels per acre of seafloor

# Seawall Repair



# MINOR SEAWALL REPAIR - ADMIN

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# MINOR SEAWALL REPAIR – Defined (scope)

MINOR REPAIRS TO SEAWALLS: means patching concrete, repointing mortar between stones, resetting fallen stones and applying a skim coat to the face of the seawall.

REPOINTING: means filling by hand, using hand-held equipment, cracks or weak spots in a seawall with mortar or small stones without increasing the waterward encroachment of the seawall

SEAWALL: means any dry stone or concrete structure, including bulkheads, retaining walls and riprap revetments, the purpose or effect of which is to prevent upland materials from slumping or otherwise entering the area waterward of the coastal jurisdiction line. The term does not include steel, timber, or plastic sheet pile, railroad ties or concrete blocks.

# MINOR SEAWALL REPAIR – HIGHLIGHTS

- Existing wall needs to be previously authorized or grandfathered
- Work during low water only
- Prohibited:
  - waterward encroachment
  - substantial maintenance
  - new footings
  - height increases or lateral extensions

# Catch Basin Cleaning



# CATCH BASIN CLEANING - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None



# CATCH BASIN CLEANING – Defined

CATCH BASIN CLEANING: means removal of grit, sand, sediment, or debris from a catch basin by use of a vacuum, backhoe, shovel, or other device.

CATCH BASIN: means a stormwater system structure in which grit, sand, sediment or debris is collected.

# CATCH BASIN CLEANING – Eligibility Criteria

- All waste collected, including but not limited to grit, sand, or other sediment or debris, must be removed from the area waterward of the coastal jurisdiction line and disposed of at an upland location in accordance with applicable law
- Removal of material located waterward of the waterward terminus of the pipe is prohibited
- Flushing or power washing, or other similar activities that would create sedimentation or turbidity in the receiving waters is prohibited.

# Backflow Prevention Structure Repair and Replacement



# BACKFLOW PREVENTION STRUCTURES - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# BACKFLOW PREVENTION STRUCTURES – Defined (scope)

BACKFLOW PREVENTION STRUCTURE: means a device such as a flap gate or duck bill that allows water to drain out from a closed water discharge system and prevents backflow of tidal water into a closed water discharge system.

CLOSED WATER DISCHARGE SYSTEM: means a piping system that discharges stormwater originating from an upland area to an area below the coastal jurisdiction line and is not connected on the landward side to any tidal wetlands.

# BACKFLOW PREVENTION STRUCTURES – Eligibility Criteria

- Such portion of the closed water discharge system has been constructed in conformance with an individual permit issued by this department, or was installed prior to June 24, 1939, or installed in its entirety landward of mean high water prior to January 1, 1987, and has been continuously maintained and serviceable since such time.
- In-kind and in-place repair or replacement of a backflow prevention structure

# Restoration Activity



# RESTORATION ACTIVITIES - ADMIN

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None



# RESTORATION ACTIVITIES – Defined

COASTAL RESTORATION ACTIVITIES: means the intentional alteration of a site to reestablish the approximate biogeophysical conditions that existed in the predisturbance ecosystem or habitat and, for the purposes of this general permit, shall include coastal habitat creation and coastal habitat enhancement. Such activities include, but are not limited to, open marsh water management activities, ditching, pond creation, raising marsh surface elevation, mowing, planting, removal of vegetation, the placement, repair or removal of tide regulating structures, and the installation or repair of fish bypass systems.

# RESTORATION ACTIVITIES – Defined cont...

COASTAL HABITAT CREATION: means to bring into existence a habitat that was not historically supported at the site including conversion of an existing habitat in favor of a new habitat.

COASTAL HABITAT ENHANCEMENT: means the intentional alteration of a habitat to improve one or a very limited number of functions of the existing habitat type.

# RESTORATION ACTIVITIES – Eligibility Criteria

- Any restoration activities conducted under this authorization, except those consisting of the installation or repair of a fish bypass system, must be performed by, or under the direct supervision of, DEEP.
- Any installation or repair of a fish bypass system which includes the removal or structural or functional modification of any dam, must be performed either by DEEP or a person who has consulted with department staff regarding project design and implementation;
- Must implement DEEP recommendations and shall retain a copy of such written consultation during construction at the site.
- Any installation or repair of a fish bypass system which includes the removal or structural or functional modification of any dam, must have prior authorization under section 22a-403 of the General Statutes (DEEP Dam Safety), as applicable.

# Vehicle & Equipment Access



# VEHICLE & EQUIPMENT ACCESS - ADMIN

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

REPORTING: None

# EQUIPMENT & VEHICLE ACCESS – Defined

## TEMPORARY ACCESS OF CONSTRUCTION VEHICLES OR EQUIPMENT:

means the operation of construction vehicles or heavy equipment, including active equipment or material loading or off-loading via barge, within areas below the coastal jurisdiction line for the purposes of accessing, supporting, or conducting work above the coastal jurisdiction line and otherwise unregulated pursuant to section 22a-361 of the General Statutes (Structures, Dredging & Fill Act).

# EQUIPMENT & VEHICLE ACCESS – Eligibility Criteria

- Only for active operation of vehicles or equipment - at no time can vehicles or equipment be stored below the coastal jurisdiction line.
- No vehicles or equipment shall be operated within areas of tidal wetlands or below the mean low water line, or in the water during periods of high water above the mean low water line.
- No materials can be deposited, placed, or stored below the coastal jurisdiction line or within areas of tidal wetlands

# EQUIPMENT & VEHICLE ACCESS – Eligibility

## Criteria cont...

- Any barges used for such work may only come ashore and be secured in place while actively loading or off-loading equipment and shall not be moored or spudded in place for longer than necessary for such loading or off-loading activities.
- Does not cover construction vehicles or equipment associated with work or other activities regulated pursuant to section 22a-361 or 22a-32 of the General Statutes.



# DEEP Boat Launches



# DEEP BOAT LAUNCH REPAIRS - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

# DEEP BOAT LAUNCH REPAIRS – DEFINED

DEEP MAINTENANCE ACTIVITIES: repair or replacement of certain appurtenances and facilities associated with the launching or retrieving of boats at State launches.



# DEEP BOAT LAUNCH REPAIRS – Eligibility Criteria

- Only DEEP boat launches which have been the subject of a prior authorization are covered
- Maintenance activities shall be in-kind and in-place conforming to the siting, layout, design, materials and structural components as set forth in the prior authorization.
- Any riprap or armoring cannot exceed the footprint as was originally in-place and must be to the same grade and slope.
- Prohibits any work in tidal wetlands and the dredging or excavation of any sediments
- Any debris must be collected and disposed of at an approved upland site

# DEEP BOAT LAUNCH REPAIRS – Reporting

- Annual Project Report – due January 15, detailing the number and location of activities conducted



# General Construction and Use Conditions for Coastal Maintenance

- Includes all the General Construction and Use Conditions in the General Permit for Minor Coastal Structures, plus the following:
  - Must establish and flag a minimum of a 10 foot setback from any wetlands or watercourses in and adjacent to the area where work is to be conducted or areas which are to be used for access to the work area
  - Prohibits the deposition, placement or storage of materials or equipment in any wetland or watercourse on or off-site, or within any delineated setback area, nor shall any wetland, watercourse or delineated setback area be used as a staging area or access way not authorized by the General Permit



# COASTAL STORM PREP/RESPONSE

DEEP-OLISP-GP-2015-03

# Storm Preparation





# STORM PREPARATION ACTIVITIES - ADMIN

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Date initiated

# STORM PREPARATION ACTIVITIES – Defined (scope)

STORM PREPARATION ACTIVITIES: Includes the temporary placement of bracing, scaffolding, hay bales, silt fencing, sheeting or sandbags; and the relocation and stockpiling of beach sand for temporary dunes above mean High Water.



# STORM PREPARATION ACTIVITIES – Eligibility Criteria

- The placement of sandbags in tidal wetlands is prohibited
- All temporary structures must be removed within 30 days of installation
- Specific sand relocation and stockpiling criteria:
  - Can only occur upon an issuance of a hurricane or tropical storm warning by the National Hurricane Center of the National Weather Service
  - Must notify DEEP, in writing, no later than 24 hours prior to conducting such work
  - Must be on the permittee's property on beach areas located landward of the mean high water line

# STORM PREPARATION ACTIVITIES – Eligibility Criteria

- Specific sand relocation and stockpiling criteria cont...:
  - Any relocation or stockpiling of sand is prohibited within tidal wetlands
  - Any sand removal is prohibited from vegetated dune areas
  - Any relocation or stockpiling of sand is limited to the existing sand on-site
  - The importation of sand from other locations is prohibited
  - Any sand which has been relocated or stockpiled shall be returned to the borrow location and graded to the pre-construction conditions no later than 5 days subsequent to the storm event
  - In the event that the storm has washed away such sand, the permittee shall provide photographs to the Commissioner documenting the site conditions no later than 10 days subsequent to the storm event.

# STORM PREPARATION ACTIVITIES - Reporting

- Notice to DEEP if relocation and stockpiling sand – 24 hours prior to conducting work
- Notice to DEEP with photos if unable to return sand to borrow location – 10 days subsequent to storm event

# Storm Response (Reporting)



# STORM RESPONSE (Reporting) - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Upon Commissioner declaration

# STORM RESPONSE (Reporting) – Defined (scope)

STORM RESPONSE: includes the placement of riprap behind damaged seawalls; construction of new footings or kneewalls in front of damaged seawall; oversheeting no more than 18” waterward of the face of a damaged bulkhead; repair/rebuild damaged shoreline Flood and Erosion Control Structures and Living Shoreline components to previously authorized conditions and dimensions; repair pipes, culverts, or tide control structures to previously authorized conditions and dimensions.



# STORM RESPONSE (Reporting) – Eligibility Criteria

- Only eligible upon declaration by the commissioner after a coastal storm or other similar event and shall include the effective date, the expiration date, and the geographic areas covered by such declaration
- The placement of any riprap cannot occur waterward of the landward face of the existing seawall, portions that remain of the seawall, or the location where such seawall existed prior to the storm event
- The placement of any riprap cannot increase the height of the seawall which existed prior to the storm event.

# STORM RESPONSE (Reporting) - Reporting

- Project Report - submitted to DEEP within 14 days of completion of work
- Project Report must consist of the following information:
  - Name and address of the property owner of the site where the work was conducted;
  - location of the site where the work was conducted;
  - narrative description of the work which was conducted; and
  - photographs of the site showing the conditions at the site before and after the authorized work has been conducted.

# Storm Response (Non-reporting)



# STORM RESPONSE (Non-Reporting) - Administration

REGISTRATION: None

REGISTRATION FEE: N/A

DEEP RESPONSE: N/A

VALID: Upon Commissioner declaration

REPORTING: None

# STORM RESPONSE (Non-Reporting) - Defined

NON-REPORTING STORM RESPONSE ACTIVITIES: includes the placement of temporary structures (e.g. bracing, supports, sandbags) to prevent a significant loss of buildings, infrastructure or property; operation of heavy equipment below the Coastal Jurisdiction Line to regrade sand or remove other debris, including from pipes, catch basins; reset fallen stones from damaged walls or riprap slopes.

# STORM RESPONSE (Non-Reporting) – Eligibility Criteria

- Only eligible upon declaration by the commissioner after a coastal storm or other similar event and shall include the effective date, the expiration date, and the geographic areas covered by such declaration
- Cannot increase the height or extend any lateral or waterward encroachment of the seawall
- Flushing or power washing, or other similar activities that would create sedimentation or turbidity in the receiving waters, is prohibited
- Any contaminated (debris, chemicals, oil,...) sediments/sand cannot be replaced on any beach or placed in any tidal waters or wetlands

# STORM RESPONSE (Non-Reporting) – Eligibility Criteria

- Only the sand displaced by the declared event can be replaced on the beach
- Restoration of creeks by removal of sediment/sand cannot include removal of the pre-storm channel banks and substrate
- Replacement of damaged pipes/culverts must be the same diameter as that previously existing and shall be set at an elevation to assure adequate tidal exchange while minimizing upland flooding

# General Construction and Use Conditions for Storm Preparation/Response

- Includes all the General Construction and Use Conditions in the General Permit for Minor Coastal Structures, plus the following:
  - In tidal wetlands, must use low ground pressure equipment or construction mats to minimize disturbance of wetland soil and vegetation.
  - Must be on own property or adjacent to such property waterward of the mean high water line
  - Prohibits a new or substantively modified shoreline flood and erosion control structure



**Thank You!! Any Questions??**

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