



Connecticut Department of Energy and Environmental Protection License*

Section 401 Water Quality Certification

Licensee(s): City of Bridgeport

Licensee Address(s): 45 Lyon Terrace
Bridgeport CT 06606

License Number(s): 202410221-WQC

Municipality: Bridgeport

Project Description: Reconstruction of a dam

Project Address/Location: 561 Frenchtown Rd

Waters: Ox Brook and associated wetlands

Authorizing CT Statute(s) and/or Federal Law: Section 401 CWA (33 USC 1341)

Applicable Regulations of CT State Agencies: 22a-426-1 to 9

Agency Contact: Land & Water Resources Division,
Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: Upon expiration of the U.S. Army Corps of Engineers Section 404 permit for the same activity.

Project Site Plan Set: 16 plans sheets selected from the original 36 sheets titled *Elton Rogers Park Dam Reconstruction*, revised June 26, 2024 and prepared by Tighe & Bond.

License Enclosures: LWRD General Conditions; Site Plan Set; LWRD Work Commencement Form; LWRD Compliance Certification Form, November 2023 Letter

*Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law . . ."

Authorized Activities:

The Licensee is hereby authorized to conduct the following work as described in application # 202410221-WQC and as depicted on any site plan sheets / sets cited herein:

The project will permanently affect 27 linear feet of Ox Brook and 19,834 square feet of wetlands and temporarily affect 58 linear feet of Ox Brook and 17,190 square feet of wetlands.

1. Install erosion and sedimentation controls such as silt fence, boulder retaining wall, chain link fence, and anti-tracking pad as shown on sheets C4.00, C4.10, C4.20, C4.30, C4.40, C4.50, and C4.51,
2. Clear and grub area,
3. Establish staging areas and access pathways,
4. Excavate impoundment/mitigation area,
5. Stabilize and seed disturbed areas in impoundment,
6. Install dam outlet piping,
7. Construct outlet control structure,
8. Construct auxiliary spillway,
9. Construct dam crest,
10. Place downstream and upstream riprap protection,
11. Establish vegetated slope on downstream side,
12. Stabilize disturbed areas, and
13. Remove erosion and sedimentation controls.

Failure to comply with the terms and conditions of this license shall subject the Licensee and / or the Licensee's contractor(s) to enforcement actions and penalties as provided by law.

This license is subject to the following Terms and Conditions:

1. **License Enclosure(s) and Conditions.** The Licensee shall comply with all applicable terms and conditions as may be stipulated within the License Enclosure(s) listed above.
2. **LEP Requirement.** The Licensee shall retain a Licensed Environmental Professional (LEP) to ensure that any sediment excavated be tested according to prevailing standards to evaluate if the sediment can be reused or requires placement offsite. Polluted soil should be reused in accordance with the Remediation Standard Regulations, specifically Section 22a-133k-2(h)(3) of the Regulations of Connecticut State Agencies.
3. **Wetland and Watercourse Mitigation Plan.** The Licensee shall conduct the mitigation in accordance with the written plan titled "Elton Rogers Park Dam Rehabilitation Bridgeport, Connecticut Wetland Mitigation Plan" prepared by Tighe & Bond dated April 2024, and the plan sheets C7.10, C7.11 and C7.12 titled "Elton Rogers Park Dam Reconstruction"

prepared by Tighe & Bond dated September 30, 2018 and revised through June 26, 2024. Planting shall be completed between April 1st and September 30th of the year following the completion of site construction work, unless otherwise authorized in writing by the Commissioner.

4. **Mitigation Monitoring and Reporting.** The Licensee shall monitor the creation mitigation site annually during the growing season (April 1 – September 30) and submit, annually, for a minimum of five years or until the performance standards are met, a corresponding Wetland Mitigation Monitoring Report. Such report shall be submitted to DEEP.LWRDRegulatory@ct.gov by December 15th of each year following the mitigation monitoring. The reports shall include, but not be limited to, the following: photos; dominant vegetation; hydrology and soil indicators; documentation of work conducted in mitigation areas; and status of meeting performance standards.
5. **Monitoring of Existing Wetlands.** The Licensee shall monitor the existing wetlands proposed to experience increased flood flows annually and submit a corresponding report, annually, for a minimum of ten years. Monitoring and reporting shall be in accordance with response to comment 5 in the letter dated November 17, 2023 to Anna Laskin. Such report shall be submitted to DEEP.LWRDRegulatory@ct.gov by December 15th of each year following the monitoring.

Issued under the authority of the Commissioner of Energy and Environmental Protection on:

Date

Emma Cimino
Deputy Commissioner
Environmental Quality Branch