



## PERMIT

Permittee: Connecticut Department of Energy & Environmental Protection  
79 Elm Street  
Hartford, CT 06106-5127  
Attn: Ramona Goode, [Ramona.Goode@ct.gov](mailto:Ramona.Goode@ct.gov)

Permit No: DS-202304880

City: Middletown

Project: Crystal Lake Dam Repairs, DEEP ID# 8301; Hazard Class C,  
High Hazard

Waters: Prout Brook

Pursuant to Connecticut General Statutes Section 22a-403, the Commissioner of Energy and Environmental Protection (“Commissioner”) hereby grants a permit to The Connecticut Department of Energy & Environmental Protection (“the Permittee”) to conduct regulated activities associated with the Crystal Lake Dam. The purpose of said activities is to repair the Crystal Lake Dam.

### AUTHORIZED ACTIVITY

Specifically, the permittee is authorized to do the following: extend and regrade the downstream embankment, modify the existing drop inlet structure, construct a new headwall and end wall for the downstream channel, replace and extend the outlet pipe, and construct a new access road.

The water level in the impoundment will be lowered by three feet for a period of six months, and a cofferdam will be installed.

There will be a permanent impact of 559 square feet (sf) and a temporary impact of 2,263 sf for a total of approximately 2,822 sf of impact to the Prout Brook watercourse.

All activities shall be conducted in accordance with plans entitled: “Improvements and Repairs to Crystal Lake Dam, Middletown, Connecticut, State of Connecticut, Department of Energy & Environmental Protection, Water Planning & Management Division”, dated June 2023, revised November 5, 2025; prepared by Karl Acimovic, P.E., signed and sealed on November 5, 2025, and submitted as a part of the application.

This authorization constitutes the licenses and approvals required by Section 22a-403 of the Connecticut General Statutes. This authorization is subject to and does not derogate any present or

future property rights or other rights or powers of the State of Connecticut, conveys no property rights in real estate or material nor any exclusive privileges, and is further subject to any and all public and private rights and to any federal, state, or local laws or regulations pertinent to the property or activity affected thereby.

***The permittee's failure to comply with the terms and conditions of this permit shall subject the permittee, including the permittee's agents or contractor(s) to enforcement actions and penalties as provided by law.***

This authorization is subject to the following conditions:

**CONDITIONS:**

1. **Expiration.** This permit shall expire five years following the date of issue.
2. **Construction Commencement and Completion.** If construction of any structures or facilities authorized herein is not completed within five years of issuance of this permit or within such other time as may be provided by this permit, or if any activity authorized herein is not commenced within five years of issuance of this permit or within such other time as may be provided by this permit, this permit shall expire five years after issuance or at the end of such time as may be authorized by the Commissioner.
3. **Notification of Project Initiation.**
  - a. The permittee shall notify the Commissioner in writing no less than seven (7) days prior to commencement of permitted activities and no less than seven (7) days following completion of permitted activities.
  - b. The permittee shall, pursuant to Section 22a-377(b)-1(a)(16)C of the Regulations of Connecticut State Agencies, notify the Commissioner and any potentially affected water company in writing at least seven (7) days prior to the lowering of Crystal Lake Dam for the purpose of undertaking permitted activities.
  - c. Additionally, the Department of Energy and Environmental Protection (DEEP) Fisheries Division shall be separately notified at least forty-eight (48) hours prior to drawdown of the impoundment, in accordance with Section 26-138 of the Connecticut General Statutes. Such notification shall be made to the Fisheries Division, 79 Elm Street, Hartford, CT 06106-5127, Telephone No. 860-424-3474.
4. **De minimis Alteration.** The permittee may not make any alterations, except de minimis alterations, to any structure, facility, or activity authorized by this permit. A de minimis alteration means a change in the design, construction or operation authorized under this permit that does not increase environmental impacts or substantively alter the construction of the project as authorized. If during the process of construction, unforeseen conditions are found on the site and the permittee and their engineer determine that it would be appropriate to modify the design, then the permittee shall

notify DEEP within 24 hours of any potential design changes. DEEP shall determine if the design modifications will be an activity that can be categorized as a de minimis activity when compared to the permitted design. No work shall take place which was not included as part of the permitted design until DEEP responds to this determination request.

- 5. Maintenance of Structures.** All structures, facilities, or activities constructed, maintained, or conducted pursuant hereto shall be consistent with the terms and conditions of this permit, and any structure, facility or activity not specifically authorized by this permit, or exempted pursuant to Section 22a-377 of the Connecticut General Statutes or Section 22a-377(b)-1 of the Regulations of Connecticut State Agencies, or otherwise exempt pursuant to other Connecticut General Statutes, shall constitute a violation hereof which may result in modification, revocation or suspension of this permit or in the institution of other legal proceedings to enforce its terms and conditions.
- 6. Accuracy of Documentation.** In issuing this permit, the Commissioner has relied on information provided by the permittee. If such information was false, incomplete, or misleading, this permit may be modified, suspended or revoked and the permittee may be subject to any other remedies or penalties provided by law.
- 7. Best Management Practices & Notification of Adverse Impact.** The permittee shall utilize engineered erosion and sediment controls to prevent pollution of wetlands and watercourses in accordance with Best Management Practices. Best Management Practices include, but are not limited to, the *Connecticut Guidelines for Soil Erosion and Sediment Control*<sup>1</sup> as revised, the *Connecticut Stormwater Quality Manual*<sup>2</sup> as revised, the Department of Transportation's *ConnDOT Drainage Manual* as revised, and the Department of Transportation Standard Specifications as revised.

The permittee shall deploy controls prior to the commencement of construction and regularly inspect and maintain controls as needed for effectiveness. Said controls shall be inspected by the permittee for deficiencies at least once per week and immediately after each rainfall and at least daily during prolonged rainfall. The permittee shall correct any such deficiencies within forty-eight (48) hours of said deficiencies being found.

The permittee shall immediately inform the Commissioner of any adverse impact or hazard to the environment which occurs or is likely to occur as the direct result of the construction, maintenance, or conduct of structures, facilities, or activities authorized herein.

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<sup>1</sup> For guidance on the use of erosion and sediment controls, refer to the *2024 Connecticut Guidelines For Soil Erosion and Sediment Control* document. URL: [sescg\\_cleanfinal.pdf](#)

<sup>2</sup> For guidance on Stormwater Quality, refer to the *2024 Connecticut Stormwater Quality Manual*. URL: [Connecticut Stormwater Quality Manual](#)

Drawdown of Crystal Lake shall be limited in extent and duration to that necessary to complete the permitted activities.

**8. Reporting of Potential Violations.**

- a. The permittee shall, no later than 48 hours after the permittee learns of a violation of this permit, report in writing to the Commissioner. Such written report shall contain the following information, and be submitted to [DEEP.DamSafety@ct.gov](mailto:DEEP.DamSafety@ct.gov):
  - a. The provision(s) of this permit that has been violated;
  - b. The date and time the violation(s) was first observed and by whom;
  - c. The cause of the violation(s), if known
  - d. If the violation(s) has ceased, the duration of the violation(s) and the exact date(s) and times(s) it was corrected;
  - e. If the violation(s) has not ceased, the anticipated date when it will be corrected;
  - f. Steps taken and steps planned to prevent a reoccurrence of the violation(s) and the date(s) such steps were implemented or will be implemented; and
  - g. The best telephone number where DEEP can reach the engineering consultant in a timely manner.

- 9. Material Storage in the Floodplain.** The storage of any materials at the site which are buoyant, hazardous, flammable, explosive, soluble, expansive, radioactive, or which could in the event of a flood be injurious to human, animal or plant life, below the elevation of the five-hundred (500) year flood is prohibited. Any other material or equipment stored at the site below said elevation by the permittee or the permittee's contractor must be firmly anchored, restrained or enclosed to prevent flotation. The quantity of fuel stored below such elevation for equipment used at the site shall not exceed the quantity of fuel that is expected to be used by such equipment in one day.

- 10. Permit Transfer.** This permit is not transferable without the prior written consent of the Commissioner.

- 11. Contractor Notification.** The permittee shall give a copy of this permit to the contractor(s) who will be carrying out the activities authorized herein prior to the start of construction and shall receive a written receipt for such copy, signed and dated by such contractor(s). The permittee's contractor(s) shall conduct all operations at the site in full compliance with this permit and, to the extent provided by law, may be held liable for any violation of the terms and conditions of this permit.

- 12. Certification of Documents.** Any document, including but not limited to any notice, which is required to be submitted to the Commissioner under this permit shall be signed

by the permittee or a responsible corporate officer of the permittee, a general partner of the permittee, 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 the 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 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 and in accordance with any other applicable statute.”

- 13. Submission of Documents.** Any document or notice required to be submitted to the Commissioner under this permit shall, unless otherwise specified in writing by the Commissioner, be directed to:

[DEEP.DamSafety@ct.gov](mailto:DEEP.DamSafety@ct.gov)

The date of submission to the Commissioner of any document required by this permit shall be the date such document is received by the Commissioner. The date of any notice by the Commissioner under this permit, including but not limited to notice of approval or disapproval on any document or other action, shall be the date such notice is personally delivered or the date three days after it is mailed by the Commissioner, whichever is earlier. Except as otherwise specified in this permit, the word "day" means any calendar day. Any document or action which is required by this permit to be submitted or performed by a date which falls on a Saturday, Sunday or legal holiday shall be submitted or performed by the next business day thereafter.

- 14. Rights.** This permit is subject to and does not derogate any rights or powers of the State of Connecticut, conveys no property rights or exclusive privileges, and is subject to all public and private rights and to all applicable federal, state, and local law. In constructing or maintaining any structure or facility or conducting any activity authorized herein, the permittee may not cause pollution, impairment, or destruction of the air, water, or other natural resources of this State. The issuance of this permit shall not create any presumption that this permit should be renewed.

**15. Dam Safety Conditions**

- a. This permit and a copy of the approved plans and specifications shall be kept at the project site and made available to the Commissioner at any time during the construction of permitted activities.
- b. Permitted activities shall be performed under the supervision of an engineer who is licensed to practice in the State of Connecticut and who has expertise in dam

- construction. Said engineer shall, upon completion of the permitted activities, certify to the Commissioner in writing that the permitted activities have been completed according to the approved plans and specifications.
- c. Within thirty (30) days of completion of the permitted activities, permittee shall submit to the Commissioner record drawings depicting the dam construction as completed, including any deviations from the approved plans and specifications,
  - d. Said drawings shall be prepared and sealed by the engineer who oversaw the construction. In addition, the permittee shall arrange for submission of an electronic copy of the final record drawings in Adobe Acrobat “pdf” format.
  - e. Nothing in this chapter and no order, approval or advice of the Commissioner, shall relieve any owner or operator of this dam from his legal duties, obligations and liabilities resulting from such ownership or operation. No action for damages sustained through the partial or total failure of any structure or its maintenance shall be brought or maintained against the state, the Commissioner of Energy and Environmental Protection, or his employees or agents.
  - f. The Sequence of Construction and Water Handling Plan provided in the application shall be reviewed by the contractor repairing the dam. If the plan is revised or updated, a copy of the revised plan must be submitted to the Dam Safety Program at its email address: [DEEP.DamSafety@ct.gov](mailto:DEEP.DamSafety@ct.gov) before beginning repair or within 48 hours of its revision after the work has started.
  - g. The flood contingency plan submitted with the application shall be reviewed by the contractor and if any revisions are made to the plan, a copy of the revised plans must be submitted to the Dam Safety Program at [DEEP.DamSafety@ct.gov](mailto:DEEP.DamSafety@ct.gov) within 48 hours.
- 16. Downstream Flow Maintenance.** The permittee shall maintain flow in Prout Brook downstream of Crystal Lake Dam throughout the project including the during the drawdown and refill process.
- 17. Discharge of Concrete.** At no time shall the permittee allow concrete to discharge into Prout Brook.
- 18. In-water Work Time-of-Year Restrictions.** Unconfined in-water excavation, dredging, filling or removal of debris or other material is prohibited from October 1st through May 30th inclusive, of any year in order to protect fisheries resources in the area unless otherwise authorized in writing by the Commissioner.
- 19. Drawdown Time-of-Year Restrictions.** The permittee is prohibited from starting the proposed drawdown of the impoundment prior to October 1st in any given year and must complete refilling of the impoundment by March 1st to protect Vasey’s pondweed.

- 20. Water Handling.** If final water handling varies from that shown on the plans approved herein, the Permittee shall submit, at least two weeks prior to the commencement of work and for the Commissioner's review and written approval, a final water handling plan

Issued by the Commissioner of Energy and Environmental Protection on:

\_\_\_\_\_  
Date

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Brian Thompson  
Acting Bureau Chief  
Water Protection and Land Reuse



**Connecticut**  
Department of Energy &  
Environmental Protection

portal.ct.gov/DEEP

12/29/2025

Karl Acimovic  
ACIMOVIC  
588 Stonehouse Rd  
Coventry, CT 06238  
karl26535@outlook.com

Subject: Improvements and Repairs to Crystal Lake Dam

Filing #: 134510

NDDB - New Determination Number: 202508002

Expiration Date: 12/29/2027

Location Description: Improvements and repairs to Crystal Lake Dam (DEEP Dam Inventory # 08301 at Prout Hill Road) in Middletown, Connecticut

According to our NDDB maps and files we have a State Threatened plant, Vasey's pondweed (*Potamogeton vasey*) that is known from the lake. In order to protect this plant from adverse impacts from the lake being drawn down there must be a time of year restriction for when the water can safely be lowered to protect the plant population. **The draw down of the lake must not occur before October 1<sup>st</sup> and the lake must be allowed to refill by March 1<sup>st</sup>.**

If the time of year restriction is in place for the draw down and refilling of the lake, then I do not anticipate negative impacts to State-listed species (RCSA Sec. 26-306) resulting from your proposed activity at the site based upon the information contained within the NDDB. If the time of year restriction cannot be in place for any reason, you must re-contact the NDDB Program and a mitigation plan, which may involve additional surveys and conservation actions, will be required. The result of this review does not preclude the possibility that listed species may be encountered on site and that additional action may be necessary to remain in compliance with certain state permits.

Your submission information indicates that your project requires a state permit, license, registration, or authorization, or utilizes state funding or involves state agency action. This NDDB - New determination may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations.

Please be aware of the following limitations and conditions:

Natural Diversity Database information includes all information regarding listed species available to us at the time of the request. This information is a compilation of data collected over the years by the Department of Energy and Environmental Protection's Natural History Survey and cooperating units of DEEP, land owners,

private conservation groups and the scientific community. This information is not necessarily the result of comprehensive or site-specific field investigations. Current research projects and new contributors continue to identify additional populations of species and locations of habitats of concern, as well as enhance existing data. Such new information is incorporated into the Database and accessed through the ezFile portal as it becomes available. New information may result in additional review, and new or modified restrictions or conditions may be necessary to remain in compliance with certain state permits.

- During your work listed species may be encountered on site. A report must be submitted by the observer to the Natural Diversity Database promptly and additional review and restrictions or conditions may be necessary to remain in compliance with certain state permits. Please fill out the [appropriate survey form](#) and follow the instructions for submittal.
- Your project involves the state permit application process or other state involvement, including state funding or state agency actions; please note that consultations with your permit analyst or the agency may result in additional requirements. In this situation, additional evaluation of the proposal by the DEEP Wildlife Division may be necessary and additional information, including but not limited to species-specific site surveys, may be required. Any additional review may result in specific restrictions or conditions relating to listed species that may be found at or in the vicinity of the site.
- If your project involves preparing an Environmental Impact Assessment, this NDDDB consultation and determination should not be substituted for biological field surveys assessing on-site habitat and species presence.
- The NDDDB - New determination for the Improvements and Repairs to Crystal Lake Dam as described in the submitted information and summarized at the end of this document is valid until 12/29/2027. This determination applies only to the project as described in the submission and summarized at the end of this letter. Please re-submit an updated Request for Review if the project's scope of work and/or timeframe changes, including if work has not begun by 12/29/2027.

If you have further questions, please contact me at the following:

Dawn McKay  
CT DEEP Bureau of Natural Resources  
Wildlife Division  
Natural Diversity Database  
79 Elm Street  
Hartford, CT 06106-5127  
(860) 424-3592  
Dawn.McKay@ct.gov

Please reference the Determination Number 202508002 when you e-mail or write. Thank you for consulting the Natural Diversity Data Base.

Dawn McKay  
Wildlife Division- Natural Diversity Data Base  
79 Elm Street  
Hartford, CT 06106-5127  
(860) 424-3592  
Dawn.McKay@ct.gov

Application Details:

Project involves federal funds or federal permit:	Yes
Project involves state funds, state agency action, or relates to CEPA request:	Yes
Project requires state permit, license, registration, or authorization:	Yes
DEEP enforcement action related to project:	
Project Type:	Dams
Project Sub-type:	Repair/modification of a Dam with a drawdown
Project Name:	Improvements and Repairs to Crystal Lake Dam
Project Description:	Existing earth embankment dam with concrete drop inlet spillway and intake structure and 36" RCP outlet pipe.