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Permittee: Collinsville Redevelopment Company, LLC

Permit No: DS-202408205

Town: Canton

Project: Collinsville Company Forebay Dam (DEEP ID #2321; Hazard Class BB, Moderate Hazard)

Waters: Farmington River

Pursuant to Connecticut General Statutes Section 22a-403, the Commissioner of Energy and Environmental Protection ("Commissioner") hereby grants a permit to Collinsville Redevelopment Company, LLC. ("the Permittee") to conduct regulated activities associated with the Collinsville Company Forebay Dam. The purpose of said activities is to repair an existing dam.

AUTHORIZED ACTIVITY

Specifically, the permittee is authorized to do the following: repair leaks in the Forebay Dam, install a weir board on the left side of the dam, close the large openings that allow water from the forebay into the tailraces, install new or refurbished gates to control flow out of the forebay in a manner consistent with restrictions on flow, repair tailrace walls, remove some tailrace walls where they are no longer required, close conduits that formerly served turbines, install a new outlet from the main canal, repair and/or replace bridges that span the tailraces, insert a conduit under the large bridge over the exit of the main tailrace, and fill the void between the bridge and the conduit.

There will be a permanent impact of 1,550 square feet (sf) and a temporary impact of 25,200 sf for a total of approximately 26,750 sf of impact to the Farmington River.

All activities shall be conducted in accordance with plans entitled: "Collinsville Company Forebay Dam Repair Project 10 Depot Street – Collinsville, CT", prepared by Todd Parsons, P.E. of Haley Ward, Inc. signed and sealed on July 23, 2024, revised through February 26, 2026, 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 six years following the date of issuance.

2. **Construction Commencement and Completion.** If construction of any structures or facilities authorized herein is not completed within six years of issuance of this permit, or if any activity authorized herein is not commenced within six years of issuance of this permit, this permit shall expire six years after issuance as 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 the forebay, canal, and tailraces 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

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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*[1] as revised, the *Connecticut Stormwater Quality Manual*[2] 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.

   Drawdown of the forebay, canal, and tailraces shall be limited in extent and duration to that necessary to complete the permitted activities.

[1] 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
[2] For guidance on Stormwater Quality, refer to the *2024 Connecticut Stormwater Quality Manual. URL: Connecticut Stormwater Quality Manual*

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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:

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

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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

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

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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. 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.

d. 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.

e. 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 before beginning repair or within 48 hours of its revision after the work has started.

f. 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 within 48 hours.

16. **Discharge of Concrete**. The permittee shall install barriers where needed to prevent fresh concrete, concrete leachate, and debris from construction or repairs from entering the watercourse. All activities shall conform and be at all times consistent with applicable water quality standards and management practices of the Federal Clean Water Act (1972), Connecticut's water quality standards and other applicable state laws.

17. **Fisheries Division Coordination.** The permittee shall contact Shalyn Zappulla of the DEEP Fisheries Division at (959) 710-6278 or shalyn.zappulla@ct.gov at least 2 weeks prior to dewatering the canal, forebay, and tailraces so DEEP Fisheries can be on site to rescue fish.

18. **Eel Passage**. The permittee shall install eel passage on the dam as shown on the plan sheet DS-1 dated February 8, 2024 and revised through July 11, 2025 and prepared by LADA, P.C. and detailed on sheet S1.1 dated July 11, 2025 and prepared by Macchi Engineers.

19. **Invasive Species Removal and Planting Plan**. The permittee shall follow the Invasive Species Removal Plan and Planting Plan as shown on the plan sheets L-6 and L-6.1 dated

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September 25, 2024, and sheets L-6.2, L-7.1, L-7.2, and L-7.3 dated September 25, 2024 and revised through December 5, 2025.

20. **Invasives Species Control**. The permittee shall follow the guidelines outlined on the following website Clean Drain and Dry is an initiative taken by the state of Connecticut (www.connecticutboatingcertificates.com/clean-drain-and-dry/) to reduce the spread of invasive species during construction.

21. **Protection of Wood Turtle, *Glyptemys insculpta*.** The permittee shall follow the following protection strategies for the Wood turtle:

a. A qualified herpetologist/biologist shall be hired to oversee the implementation of the exclusion fencing placement, initial sweep of the site, and training of construction personnel. The name and contact information for the herpetologist/biologist shall be provided to the DEEP at DEEP.LWRDRegulatory@ct.gov and DEEP.Nddbrequest@ct.gov no less than 7 days prior to the start of construction,
b. Prior to the start of construction, exclusion fencing shall be installed around the limits of the work area to prevent turtle access to the work area or be specifically designated by a qualified herpetologist. The exclusion fencing must be at least 20 inches tall and must be secured to and remain in contact with the ground. Silt fencing installed for erosion control may serve this like purpose. **The work area includes all areas used for site access, equipment parking, material staging, material storage, and construction purposes**,
c. The exclusion fencing shall be inspected each day prior to the start of work activities. Any gap or breach in the exclusionary fencing shall be fixed or repaired immediately,
d. All construction personnel and work crews shall be apprised of the species descriptions and possible presence,
e. The contractor shall search for turtles within the work area each workday prior to the start of any work activities,
f. Any turtles that are encountered within the limits of the work area shall be carefully moved, unharmed, to an area immediately outside of the fenced work area and shall be released oriented to head in the same direction as it was found,
g. Any confirmed encounters with Wood turtle, shall be reported and documented with the NDDB at deep.nddbrequest@ct.gov using the special animal form found at Contribute Data to the NDDB (ct.gov),
h. All exclusion fencing shall be removed immediately after completion of the project, and
i. All soil erosion control fencing shall be removed as soon as soil stabilization is completed.

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Issued by the Commissioner of Energy and Environmental Protection on:

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Date

Graham J. Stevens
Bureau Chief
Water Protection and Land Reuse

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