



**National Pollutant Discharge Elimination System  
General Permit for the Discharge of Stormwater from Construction Activities  
Permit No. CTR100000**

**Response to Comments**  
**December 2025**

The Commissioner of the Connecticut Department of Energy and Environmental Protection (“the Commissioner”, “Department”, “DEEP”) placed the above referenced permit (the “Construction General Permit” or “CGP”) on public notice for comment from June 26, 2025 through July 26, 2025. Comments received during this notice period are accounted below. The following is a summary of the comments in italics, followed by the Commissioner’s response and recommendation. In addition to comments on the proposed language in this permit, the Commissioner also requested feedback and input for the possible inclusion of turbidity monitoring and the design-build process for Locally Exempt public projects.

- (1) *Update all "DOT" references to "CTDOT".*

**Response:** All references to DOT have been updated to CTDOT.

- (2) *[Section 2.1 "Eligible Activities"] It is recommended to add the following in this section: investigatory work associated with Design-Build Projects. Including this language would allow Early Release Construction (ERC) work and investigatory work for Design-Build Projects to be authorized under the Construction general permit.*

**Response:** Comment acknowledged for the record. However, there is no activity related to ERC work that is not already described in the definition of “construction activity”. See Response to Comment 41 for discussion of design-build projects. The permit and fact sheet remain unchanged.

- (3) *[Section 2.1.1] Regarding allowable non-stormwater discharges, since hydrant flushing might be unrelated to a construction activity, the Council suggests that DEEP clarify which general permit would authorize such an activity and under what conditions.*

**Response:** Fire hydrant flushing is an allowable non-stormwater discharge in Section 2.1.1 and is not regulated under any other permit. The permit and fact sheet remain unchanged.

- (4) *[Section 2.1.1] The EPA 2022 CGP - Part 1.2.2 includes the following additional non-stormwater discharges that are not included in the CT Draft CGP. Confirm that these discharges would need coverage under a different CT permit or consider adding to this list and/or they fall under the last statement in this section: “All other non-stormwater discharges except those specifically listed are not authorized by this permit. Such*

*discharges to surface water must be authorized under a different permit issued by the Commissioner (pursuant to Section 22a-430 or 22a-430b of the Connecticut General Statutes”.*

- *Uncontaminated discharges from construction dewatering operations – suggest adding “in accordance with Construction Dewatering Requirements”.*
- *Natural springs or uncontaminated groundwater naturally occurring – suggest adding “uncontaminated, non-turbid discharges of groundwater or spring water”.*

**Response:** DEEP agrees that modifying the description of these non-stormwater discharges will provide clarification in better describing the nature of these discharges. DEEP has made the suggested modifications to these allowable non-stormwater discharges in Section 2.1.1.

- (5) *[Section 2.2.1] The Council also suggests that “measures” be added to the end of the following sentence: “discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited unless managed by appropriate control measures” since the term “control measures” is defined in Section 11 – Definitions. The Council also suggests that “appropriate” be revised to “approved” since appropriate is subjective.*

**Response:** DEEP agrees and has added the term “measures” to this section. However, the term "appropriate" will be maintained since control measures are not specifically "approved" to be included in the SPCP and may need to be adjusted during the permit term to address site conditions. The appropriate control measure is chosen by the designing QPE who certifies that it complies with the permit. Regarding replacing the word “appropriate” with “approved”, the permit and fact sheet remain unchanged.

- (6) *[Section 2.2.1] Requiring written consent for eligible discharges to publicly or privately owned storm sewers could create an undue burden on the owner. CTDOT suggests “Eligible discharges to publicly or privately owned storm sewers or conveyances without notification being provided to the owner, which has the right to deny acceptance of the discharge but is under no obligation to affirmatively approve”.*

**Response:** The intent of this section is to ensure that the owner of a storm sewer system is appropriately informed of a permittee’s intent to discharge to that system. It is unnecessary to specify that the notified party retains the right to deny, but is not obligated to approve, such a discharge. Accordingly, DEEP has revised this provision to require notification of the proposed discharge to the system owner, rather than written consent, as currently stated in the draft language.

- (7) *[Section 2.2.1.1] Regarding the prohibition in this section on discharging concrete washout wastewater, the EPA 2022 CGP (Part 3) also includes the following language: “Wastewater from washout of concrete, unless managed by an appropriate control as described in Part 2.3.4 - Pollution prevention requirements”. EPA recommends reference*

*to a similar section in the CT Draft CGP or include similar language/requirements or refer to a different permit if one would be needed.*

**Response:** DEEP agrees that modifying the description of this prohibited discharge will provide clarification and ensure that these discharges are managed in accordance with the Construction General Permit. DEEP has added the reference in this bullet to the appropriate section of the permit.

- (8) *[Section 2.2.1.1] Regarding prohibited discharges, the Council suggests that discharges to impaired waters in excess of any specific load allocation or requirement established by the applicable Total Maximum Daily Load (TMDL) be added to the list of prohibited discharges.*

**Response:** Section 2.2.9.2 of the draft general permit includes the necessary provisions to determine when such discharges are authorized and when they are prohibited, including those subject to an established Total Maximum Daily Load (TMDL). The permit and fact sheet remain unchanged.

- (9) *[Section 2.2.5] Regarding requirements for construction activities in aquifer protection areas, the Council suggests the addition of municipal groundwater overlays, public drinking water supply watersheds, Class GA/GAA groundwaters and Class A/AA surface waters, which are areas designated for use as potential or current drinking water sources without treatment, as areas that warrant additional protection from stormwater discharges generated from construction activities that could pollute groundwater.*

**Response:** Aquifer Protection Areas are subject to statutory requirements under CGS §22a-354p(g) to ensure their protection and inclusion within the construction permitting process. The other resources identified do not have equivalent statutory requirements. Modification of statutory language is beyond the scope of this general permit. Compliance with the conditions of this permit is presumed to provide adequate protection for these other resources. Additional provisions related to Aquifer Protection Areas are included in Appendix C. The permit and fact sheet remain unchanged.

- (10) *[Section 2.2.10] Regarding cold water stream habitats, the Council strongly supports the provision in this section that would establish a 100-foot buffer of undisturbed soil and well-established vegetation adjacent to cold water streams. The Council suggests that a similar provision be included in the general permit to better protect vernal pools. The area within 100-feet of a vernal pool, referred to as the vernal pool envelope, is considered essential for the survival and reproduction of vernal pool-dependent species, particularly amphibians, as it provides breeding habitat and foraging grounds.*

**Response:** The comment is acknowledged. DEEP appreciates the Council's support for our measures to protect cold water streams. There is insufficient support for this suggestion to justify adding buffers to this section. The permit and fact sheet remain unchanged.

- (11) *[Section 2.2.13.1.a] The reference in this section to “Section 3.3.2”, which would apply only to Locally Approvable projects, should be corrected to “Section 3.3”, which applies to all registrations.*

**Response:** The referenced citation has been reviewed and corrected to ensure consistency with the applicable section of the general permit.

- (12) *[Section 2.2.13.3] Regarding the certification in this section, the Council suggests that the name of the General Permit be specified rather than “such general permit” and that the phrases “are being met” and “which have been initiated” be revised to “which will be met” and “which will be initiated” if the required certification would also apply to new discharges.*

**Response:** DEEP agrees and has made the modifications.

- (13) *[Section 2.2.15] Regarding plan review and certification by a Conservation District, the Council suggests that the General Permit clarify what action would need to be taken to ensure that the SPCP is reviewed in cases where the District is unable to complete the review within the time frame specified.*

**Response:** Section II.B.6 of Appendix E already includes this information. The permit and fact sheet remain unchanged.

- (14) *[Section 2.2.17.6] CTDOT recommends including language in the Construction GP to clarify that state agencies are allowed to submit Construction general permit registrations for projects over one acre of disturbance under "locally approvable" with a Qualified Professional Engineer certification.*

**Response:** Section 2.2.17.6 has been revised to specify that projects undertaken by a state agency may be submitted in accordance with the requirements of Section 3.3.2, which outlines the process for submitting Locally Approvable registrations. In addition, a new subsection (c) will be added to Section 2.5.4.2 to clarify that, for projects conducted by a state agency, authorization for construction activity may be granted sixty (60) days following submission of a complete registration form, regardless of the total disturbed area.

- (15) *[Section 2.2.17.6] The language in this section that says, “Construction activities conducted by a state agency under this subparagraph shall be submitted in accordance with the requirements in Sections 3.3” should be revised to say, “The registration for the construction activities ....”.*

**Response:** The language has been revised to state: “Applications for construction activities conducted by a state agency...” to ensure consistency and clarity within the permit.

- (16) *[Section 2.2.18] This section requires construction of solar arrays classified as Locally Exempt to comply with Appendix I. Solar array construction classified as Locally Approvable is not subject to Appendix I. The Council suggests that this section be refined*

*to include all construction activities associated with the development of a Solar Array subject to the requirements of the General Permit and not just those categorized as “Locally Exempt”. Locally approvable projects could include solar facilities with a capacity of almost one megawatt that, based on the Council’s analysis of ground-mounted solar projects, could impact a site of approximately five acres or more per megawatt of capacity.*

**Response:** Solar arrays with a capacity of greater than one megawatt are reviewed by the CT Siting Council and are exempt from any local approval process. They are therefore classified as Locally Exempt projects requiring DEEP review. These projects typically involve large areas of land disturbance and therefore present a greater potential for erosion and sedimentation impacts, necessitating additional controls through Appendix I. Locally Approvable solar projects, by contrast, are reviewed and authorized by local land-use commissions and involve smaller areas of disturbance, typically four to five acres or less. These projects are adequately regulated under the standard provisions of the Construction General Permit and local approval processes. The permit and fact sheet remain unchanged.

- (17) *[Section 2.5.1] Replace the term “registration” with “re-registration” to clarify that there are different forms to register a new project versus re-registering and existing permitted project. Also, include a definition of “re-registration” in Section 9.*

**Response:** Comment acknowledged for the record. DEEP will be issuing new permit numbers under this reissuance. Consequently, the term “re-registration” is no longer applicable. All permit applications (f/k/a registrations) are considered to be new applications, including those for renewal of previous permit authorization. The permit and fact sheet remain unchanged.

- (18) *[Section 2.5.2] Since this General Permit “authorizes” short-term discharges from emergency construction activities in Section 2.5.2, rather than making such discharges exempt, the Council suggests that the individual/agency responsible for a short-term emergency discharge notify DEEP consistent with the provisions of subsection 8.18.3.2. Because natural events, such as extreme rain events and flooding, can create unanticipated discharges, the Council recommends that a provision be added to the General Permit requiring the individual/agency responsible for the construction site to immediately take all reasonable measures to minimize the impacts from such emergency discharges.*

**Response:** Emergency construction activities are authorized by the Construction General Permit under Section 2.1.2. If, in addressing the emergency construction activity, it becomes apparent that a long-term construction project is required to fully remedy the conditions at the site, a construction stormwater application will then be submitted. The permit and fact sheet remain unchanged.

- (19) *[Section 2.5.3] The permit states “no registration or SPCP review is required for Small Construction Locally Approvable Projects that will disturb an area equal to or greater than one (1) and less than five (5) acres”. However, the definition for “Locally Approvable Projects”, listed in Section 11, does not include an acreage threshold. The Council*

*suggests that Section 2.5.4.a.i be modified to clarify if authorization to discharge by the General Permit for new permittees applies only to Locally Approvable Projects with an area greater than five acres.*

**Response:** The EPA requires NPDES-authorized states to regulate construction activities that disturb one (1) acre or more, as specified in 40 CFR §122.26(b)(14)(x) and §122.26(b)(15). Accordingly, the Construction General Permit applies to all projects that disturb at least one acre of land.

However, for projects that disturb one (1) to less than five (5) acres, DEEP recognizes that municipalities regulate such activities under the Connecticut Erosion and Sediment Control statutes (CGS §§22a-325 through 22a-329). These statutes require towns to adopt local erosion and sediment control ordinances, review and approve erosion and sediment control plans, and ensure proper implementation of best management practices to minimize sediment discharges during construction.

Consistent with 40 CFR §122.44(s), DEEP considers Connecticut’s municipal erosion and sediment control programs to constitute a Qualifying Local Program under the federal NPDES framework. This means that when a project between one and five acres obtains local approval in accordance with municipal erosion and sediment control requirements, that local authorization satisfies the conditions for coverage under the state’s Construction General Permit. Such projects are automatically authorized under the CGP and are not required to submit a separate application or Stormwater Pollution Control Plan (SPCP) to DEEP.

The provisions in Sections 2.5.3 and 2.5.4 of the CGP collectively establish this distinction. , DEEP reviewed the language in Section 2.5.4(a)(i) and determined that no change to the language was needed. The permit and fact sheet remain unchanged.

- (20) *[Section 2.5.4.1] Define capitalized terms "Approval of Registration" and "Notice of Coverage".*

**Response:** Comment acknowledged for the record. The term “Notice of Coverage” will be used throughout the permit.

- (21) *[Section 3.2.1] CTDOT recommends including language in the Construction GP to clarify that state agencies are allowed to submit Construction GP registrations for projects over one acre of disturbance under "locally approvable" via a Qualified Professional Engineer.*

**Response:** Section 3.2.1.2, under Application Fees, has been modified to state that new projects conducted by state agencies shall pay the same permit fee (\$1250) as Locally Approvable projects. Also, Sections 3.3.2 and 3.3.3 have been modified to address projects by state agencies.

- (22) *[Section 3.3] Regarding the registration requirements in this section, EPA suggests that the following language be included in addition to the current submission requirements: “The*

*Stormwater Pollution Control Plans must contain the infiltration and test pit information to confirm the design assumptions for the proposed stormwater Best Management Practices “BMPs” and for the registration to be considered complete”.*

**Response:** DEEP requires that each registration include a copy of the Stormwater Pollution Control Plan (SPCP), which must contain the infiltration and test-pit information necessary to verify design assumptions for stormwater Best Management Practices, as detailed in Section 5.2.1 of the general permit. Since this information is already a required component of the SPCP, it is not necessary to list it separately on the registration form. The permit and fact sheet remain unchanged.

- (23) *[Section 3.3.2] Regarding Locally Approvable projects, the Council questions why the information requirements for this subsection are different from those of 3.3.3 for Locally Exempt projects, and more specifically, why the “Fisheries Consultation” and “Solar Array provisions” are not required for Locally Approvable Projects.*

**Response:** Section 3.3.2 has been revised to include the term “Fisheries Consultation” to clarify that such coordination is part of the review and authorization process under this section. Solar array projects over 1 MW are exempt from the local approval process and reviewed by the Siting Council. These projects are considered Locally Exempt and subject to the provisions in Appendix I. See Response to Comment 16 regarding locally approvable solar projects.

- (24) *[Sections 3.3.2 and 3.3.3] The Council questions if the “NDDDB Determination Letter” is identified within the provisions of Section 2.2. The Council suggests that the General Permit address the discrepancy with the “additional information” requirements specified in subsections 3.3.2 and 3.3.3.*

**Response:** Section 2.2.4 of the General Permit requires permittees to address potential impacts to state-listed endangered and threatened species. This section also references Appendix A, which outlines the procedures and conditions for obtaining a Natural Diversity Data Base (NDDDB) Determination Letter. Accordingly, the NDDDB Determination process is already incorporated into the permit’s framework for addressing endangered and threatened species. Therefore, there is no inconsistency between Section 2.2.4 and the additional information requirements specified in Sections 3.3.2 and 3.3.3. The permit and fact sheet remain unchanged.

- (25) *[Section 3.4.1.3] Regarding the physical address or description of a site on the registration form, the Council suggests that the registration requirements also include the latitude and longitude of the site if it does not have a mailing address, or if the mailing address is assigned to a large parcel and it is unclear where the project site would be located.*

**Response:** The addition of the "latitude/longitude" of the site has been added to the requirements.

- (26) *[Section 3.4.1.7] Remove reference to CTDEEP Office of Long Island Sound Programs (OLISP) and replace with CTDEEP Land and Water Resources Division (LWRD).*

**Response:** The referenced citation has been reviewed and corrected to ensure consistency with the applicable section of the general permit.

- (27) *[Section 3.4.1.7.c.iv] The Council supports the provision of this section to provide appropriate notice to the local water company for a site that is partially or wholly in an aquifer protection area. The Council suggests that this section also include notification requirements for sites that are located partially or wholly within a public drinking water supply watershed since the provisions of sections 3.8.1.1 c and 3.10.1.1 b iii both require the submittal of the registration information to the local water company. The Council also suggests that the General Permit reference the DPH's Public Water Supply Watershed Map Viewer.*

**Response:** DEEP has added a reference to public water supply watersheds in Section 3.4.1.7.c.iv to remain consistent with the requirement for notifying water companies in Section 3.10.1.1.a.iii. A link to the DPH Public Water Supply Mapping Application has been added to Appendix C.

- (28) *[Section 3.4.1.7.e] The Council questions why a completed Fisheries Consultation Form or documentation of official interagency coordination with DEEP's Fisheries Division is only required for state agency actions. The Council notes that there could be locally approvable projects or locally exempt projects for a Permittee other than a state agency that could adversely impact a cold water stream habitat. The Council suggests that the General Permit include provisions for consultation with DEEP's Fisheries Division for all projects, authorized by this General Permit, that could adversely impact cold water stream habitat.*

**Response:** The requirement to provide a Fisheries Consultation form for construction activities within one hundred (100) feet of a Cold Water Stream Habitat applies to all projects. DEEP has inserted language to clarify that “for projects conducted by state agencies”, the requirement is to provide documentation of official interagency coordination.

- (29) *[Section 3.4.1.8] The current language says to identify “receiving stream(s), watershed(s), or waterbody(s) to which the construction activity discharges”. The Council suggests that the watershed be identified in addition to the receiving stream(s) and waterbody(ies) since the enumeration of these three items should not be in the alternative.*

**Response:** The primary purpose of this section of the registration form is to obtain information identifying the receiving stream or waterbody to which the site discharges. This information enables DEEP to determine the associated watershed and its characteristics. With the availability of modern mapping and geospatial tools, the watershed for a given discharge point can be readily identified based on the reported receiving water. Accordingly, DEEP has removed the term “watershed(s)” from this section of the form.

- (30) *[Section 3.4.1.8] Being required to provide a unique identifier, geographic coordinates, and other pertinent information for every outfall on a long linear project is a burden on resources with no apparent benefit. CTDOT suggests providing this information only for stormwater outfalls which discharge within 50 feet of an inland wetland or watercourse or 500 feet from a tidal wetland or watercourse.*

**Response:** This requirement has been a longstanding component of the general permit. Consistent with 40 CFR §122.26 and 40 CFR §122.21(f)(7), applicants are required to identify the location of each point of discharge of stormwater associated with industrial or construction activity to ensure proper evaluation of potential impacts to waters of the state. However, DEEP has revised this section to clarify that only the stormwater outfalls must be identified on the site plan or map and not all internal conveyances or drainage features within the site.

- (31) *[Section 3.4.1.10] The requirement for the Stormwater Pollution Control Plan (SPCP) to be made available for public review and comment by both the Permittee and the Commissioner is a duplicative effort and may result in miscommunication. CTDOT recommends removing Section 3.4.1.10(b) and making the Registration and SPCP available for review and comment in one centralized location through the CTDEEP.*

**Response:** This requirement is particularly important in maintaining transparency in the permitting process. While DEEP posts the SPCP during the registration process, that posting is no longer available once the registration is approved. Although the SPCP is no longer subject to public comment after the registration process, it is important that the SPCP remains available to the public for the length of the project. This provision is also consistent with the Site Notice requirements of Section 5.1.7. The permit and fact sheet remain unchanged.

- (32) *[Section 3.5] CTDOT recommends eliminating Section 3.5 as the requirement to provide notification for each of the scenarios listed would burden CTDEEP and CTDOT staff with an overwhelming number of notifications due to the dynamic nature of long linear projects. CTDOT recommends handling these changes under "Keeping Plans Current".*

**Response:** This section applies only to specific types of changes, not all modifications. It addresses changes such as replacing contractors, revising the project name, or altering activities that may increase the potential for impacts not identified in the original plans. These types of changes may warrant additional review to ensure that the Permittee continues to comply with all applicable conditions and requirements of the general permit. The permit and fact sheet remain unchanged.

- (33) *[Section 3.5] The Council notes that the changes identified in a Notice of Change pursuant to Section 3.5 could impact impaired waters, High Quality Waters, cold water habitat, or aquifer protection areas and/or the rate or volume of stormwater discharged, and such changes might require revisions to the approved SPCP. While subsection 5.2.6.1 specifies conditions that might require changes to the SPCP and subsection 5.2.6.2 includes a*

*provision for certification of any such changes to the SPCP, it is unclear if the changes noted above would trigger the requirements of section 5.2.6. The Council suggests that section 3.5 include a reference to those subsections.*

**Response:** DEEP concurs that certain changes identified in a Notice of Change under Section 3.5, such as modifications affecting impaired waters, High Quality Waters, cold water habitat, aquifer protection areas, or the rate or volume of stormwater discharged, may necessitate revisions to the approved SPCP to maintain compliance with permit requirements. To ensure consistency, Section 3.5 has been revised to explicitly reference Sections 5.2.5.1 and 5.2.5.2, which require that any modification to the SPCP resulting from such changes be evaluated, updated, and certified as current. The revised language will state: “Changes to the SPCP documented under this section as well as those not requiring notice under this section shall continue to follow the provisions of Section 5.2.5, Keeping Pollution Control Plans Current.”

(34) *[Section 3.5] Regarding the Notice of Change conditions in this section, the EPA 2022 CGP (Section 1.4.4 - Modifying your NOI) also includes the following in the list of modifications:*

- *Changes to the name of the receiving water, or additions to the applicable receiving water;*
- *Changes to eligibility information related to endangered species protection or historic preservation;*
- *Changes to information provided related to the use of chemical treatment at your site; and*
- *Changes to answers regarding the demolition of structures over 10,000 square feet of floor space built or renovated before January 1, 1980. EPA recommends the inclusion of these conditions in Section 3.5.*

**Response:** DEEP has evaluated and modified, where necessary, language in this section as follows:

- DEEP does not currently have a process by which the name of a receiving water can be changed. Consequently, no such provision is needed in this section.
- Changes to endangered species protection or historic resources would only be an issue if the area or location of disturbed areas were altered. DEEP has included a reference to any reduction in distance to an endangered species habitat.
- DEEP will consider whether language regarding chemical treatment is needed.
- Issues regarding the demolition of structures will have already been addressed by other permits and would not be necessary here. No change is necessary.

(35) *[Section 3.7] CTDOT suggests that CTDEEP waive the requirement in Section 3.7 to achieve stabilization of the site for one year prior to submitting the Notice of Termination in the event of transfer of ownership to allow the new permittee to continue with construction operations without delay.*

**Response:** DEEP has included additional requirements in Section 4 of the permit to address termination requirements for projects for which there is a change of permittee under Section 3.7.

- (36) *[Section 3.8.1] The CT Council on Environmental Quality suggests that the General Permit include a requirement for the registrant to notify the CTDOT when seeking authorization to discharge stormwater and other allowable discharges authorized by this General Permit, to a CTDOT separate storm sewer system.*

**Response:** The requirement in Section 3.8.1 for Permittees to submit the application and all attachments to CTDOT only upon request has been modified to remove the term “upon request”. Note that this provision has been moved to Section 3.10.1.1.

- (37) *[Section 3.10.1.2] Regarding availability of a registration and SPCP, the Council suggests that the General Permit include a provision to require a response to all substantive comments submitted regarding a registration and/or SPCP.*

**Response:** While DEEP reviews and considers comments submitted on an application and/or SPCP during the public comment period, comments submitted regarding a general permit application and SPCP are not part of a legal public notice procedure and therefore do not require publication of response.

- (38) *[Section 3.10.1.1.b.i and ii] The Council suggests that the General Permit include a requirement for the registrant to notify the municipal land use agencies/staff and the operator of a MS4 when seeking authorization to discharge stormwater and other allowable discharges authorized by this General Permit, within the municipality (i) and to a MS4 (ii).*

**Response:** Section 3.8.1.1.a for the general permit already includes this requirement. DEEP has moved this section to Section 3.10.1.1. In addition, for Locally Approvable projects, the Permittee receives approval from local land use agencies.

- (39) *[Sections 3.10.1 and 3.10.2] The requirement for the Registration and SPCP to be made available for public review and comment by both the Permittee and the Commissioner is a duplicative effort and may result in miscommunication. CTDOT suggests that the Registration and SPCP be made available for review and comment in one centralized location through the CTDEEP.*

*[Section 3.10] Making a project’s registration and stormwater pollution control plan available on the Eversource website would be burdensome and would not be useful for the general public. We believe the current availability of these documents on CTDEEP’s website is the appropriate location, where it would continue to be the “one-stop-shop” for the public to review projects and these documents.*

**Response:** DEEP respectfully disagrees. Public access to stormwater application information and SPCPs is a critical component of transparency and accountability under

the Clean Water Act and the MS4 and Construction General Permit frameworks. The intent of Section 3.10 is to ensure that information about permitted activities is readily available to the public at the local level, where construction and stormwater impacts occur.

While DEEP maintains a centralized repository for registrations on its website, requiring the permittee to also make this information available through its own online platform helps facilitate timely, site-specific communication with affected communities, contractors, and municipal officials. This dual approach reinforces compliance, promotes public awareness, and supports DEEP's broader goal of maintaining transparency in environmental decision-making.

- (40) *[Section 3.11.2] The Council suggests that the timeline for providing additional information on a registration prior to rejection or denial be consistent with the same requirements identified in Section 3.8.*

**Response:** This section has been updated to provide for a fifteen (15) day response time to be consistent with Section 3.8.

- (41) *[Section 3.12] DEEP asks for input on the development of a permit process that involves design-build projects. CTDOT recommends a phased registration approach for Design-Build projects:*

- I. Submit for an initial Design-Build Site Preparation Permit for ERC work.*
- II. Submit additional Stormwater Registration(s) for new construction phase work concurrently with performing ERC work.*

*CTDOT is requesting CTDEEP to waive the requirement to stabilize the site for one year prior to submitting a Notice of Termination (NOT) Form for the Design-Build Site Preparation Permit so that an additional registration can be submitted concurrently for new Design-Build construction phased work.*

**Response:** DEEP has included provisions in the permit to address design-build projects conducted only by state or federal agencies. A design-build project is one in which initial Early Release Construction (ERC) work is begun on site before a final design has been completed for the project. This ERC work is used to determine site conditions that will be used to develop the final design of the project. In the general permit, the design-build process will be covered by two separate permit submissions. The first submission will be a Site Preparation Phase Permit to authorize the ERC work. Once this work is completed and a final design has been developed, the permittee will submit a Final Design Phase Permit application. Upon approval of the Final Design Phase Permit, the Site Preparation Phase Permit will be terminated. To accommodate this process, DEEP has modified the permit to include provisions in Sections 3 and 4 to address the application and termination requirements of these permits. In addition to these sections, DEEP has included definitions in Section 10 for "design-build project", "ERC", "Final Design Phase", and "Site Preparation Phase".

- (42) *[Section 4] Eversource appreciates CT DEEP's changes to when a NOT can be filed from one-growing season to one year following Final Stabilization. We agree with this change.*

**Response:** DEEP appreciates the commenter's support for the revision in Section 4 clarifying that a Notice of Termination (NOT) may be filed one year following final stabilization rather than after one growing season. This change aligns with DEEP's intent to ensure long-term stabilization and verification of site conditions prior to permit termination.

- (43) *[Section 4.1] In response to the Notice of Termination requirements in Section 4.1, CT DOT maintains that keeping projects active for a full year following final stabilization incurs additional cost and resource expenditure. Therefore, CT DOT recommends allowing the NOT Form to be submitted with photographic proof of stabilization once the site has achieved final stabilization as defined in the Construction GP (vegetation at least 6 inches tall and minimum 60% coverage per square foot) and as determined by the CT DOT Qualified Inspector, regardless of whether one year has elapsed.*

**Response:** DEEP believes the requirement for maintaining final stabilization for a year is particularly important. Once a site has achieved final stabilization, there may still be areas of the site that are susceptible to erosion from a significant rain event. Regular inspections following final stabilization will confirm that the site maintains such stabilization. Once a permit is terminated, there are no more inspections, so this is a key consideration. If a site can maintain final stabilization for a year, there is much less possibility of future damage to the site by a rain event and discharge of sediment. The permit and fact sheet remain unchanged regarding this requirement.

In addition, DEEP has modified the definition of final stabilization to "6 inches tall and a minimum of 100 plants per square foot" to remain consistent with the Guidelines for Soil Erosion and Sediment Control.

- (44) *[Section 4.2.1] Regarding dates pertinent to termination requirements, the Council suggests that the phrase "a description of the post-construction activities at the site" be placed within section 4.2 since a description of post-construction activities is not specific to a date.*

**Response:** DEEP agrees with the comment and has revised the permit language to relocate the phrase "a description of the post-construction activities at the site" from Section 4.2.1.2 to Section 4.2.1.1. This change clarifies that the description of post-construction activities is a general termination requirement and not tied to a specific date.

- (45) *[Section 5.1.1] Regarding the requirement to obtain a structures and dredging permit, the Council suggests that the General Permit specify when the permits, specified above, should be obtained.*

**Response:** This section of the permit contains general conditions for compliance with the permit. A date of compliance is not necessary. The permit and fact sheet remain unchanged.

- (46) *[Section 5.1.6.1] CTDOT recommends including the preconstruction meeting report under "Keeping Plans Current" since the preconstruction meeting report is not available at the time of registration filing.*

**Response:** The pre-construction meeting is not part of the construction permit application process. Rather, it is a permit condition that occurs after the permit has been approved and prior to the commencement of construction activities. The permit and fact sheet remain unchanged.

- (47) *[Section 5.1.7] CTDOT often administers long linear projects which may extend several miles with no public access to the right-of-way and no suitable locations for conspicuous placement of a Site Notice. Furthermore, new specifications would need to be developed, and additional payment conferred to the Contractor to furnish such signs. Therefore, CTDOT recommends removing this requirement.*

*[Section 5.1.7] This section requires posting a site notice. This is a new requirement and while Eversource understands why this is being proposed, for linear projects this would be difficult to implement. Eversource's rights-of-way (ROW) are very long and construction areas can be sporadically-located within a ROW. In addition, most of our ROW are remote and not near public roads. For long linear projects it would be difficult to implement. We suggest an exemption for linear projects if CT DEEP moves forward with this proposed change.*

**Response:** DEEP acknowledges the commenters' concerns regarding the practicality of posting site notices for long or remote linear projects. The intent of Section 5.1.7 is to ensure transparency and provide publicly accessible information about construction activities authorized under this General Permit.

To address the unique conditions associated with linear projects, DEEP has revised Section 5.1.7 to clarify that, for linear projects, the permittee shall post signs at publicly accessible locations along the project corridor where feasible, such as at road crossings, access points, or other areas where the public may reasonably view the notice.

This revision maintains the intent of public notice and accountability while providing flexibility for implementation in remote or extended rights-of-way.

- (48) *[Section 5.2.1.2] It is not feasible to show disturbed area for each phase since the means and methods for sequencing and staging of construction is submitted by the Contractor for CTDOT review and acceptance following Contract Award.*

**Response:** This requirement is a condition of the 2020 General Permit and is unchanged in the 2025 draft general permit. It is important to identify the extent of disturbance for each

phase of a project to ensure that stormwater control measures are appropriately designed for the proposed activity. DEEP has included the modifier of “estimated” limits of total disturbance.

- (49) *[Section 5.2.1.2] The Council suggests that the site description requirements in this section include other information that could impact the quantity and quality of the stormwater discharges including, but not limited to, the presence of a subsurface sewage disposal system, whether the site is a brownfield site, etc.*

**Response:** This section lists the basic site description criteria. It is not practical to list all possible conditions that could be found on a site. DEEP will add the term “including, but not limited to,” to be clear that other conditions may be included here.

- (50) *[Section 5.2.1.2] The Council suggests that information regarding the distance in feet from the proposed construction activity to wetlands, vernal pools, and surface waters (if present) be added to the provision to provide the “extent of the wetland acreage on the site.”*

**Response:** DEEP agrees that proximity to wetlands, vernal pools, surface waters should be considered in developing the SPCP. A bullet has been added under Section 5.2.1.2 to indicate that proximity to these resources should be considered in developing the SPCP.

- (51) *[Section 5.2.1.2.d] The Council suggests that information regarding the extent of existing vegetation be added to the site plan requirements to depict “areas which will be vegetated following construction,” and that vernal pools; flood hazard areas; and public and private drinking water supply wells, within an appropriate distance of the construction site, be added to the site plan requirements to depict “surface waters, impaired waters (identifying those with and without a TMDL), high quality waters, inland wetlands, tidal wetlands, fresh-tidal wetlands.”*

**Response:** DEEP has added a requirement to show “areas of existing vegetation” on the site plan to improve environmental context and ensure proper protection and restoration planning. However, DEEP declines to require mapping or distance measurements for features outside the construction property boundary, because it is often impractical or impossible for applicants to accurately obtain that information on adjacent private properties (for example, the exact location of wells or vernal pools on neighboring parcels).

- (52) *[Section 5.2.2.3] The Council suggests a provision be added that encourages the use of pollinator friendly seed-mixes and plants, such as milkweed, as replacement vegetation when feasible. The Council also suggests that the provision that addresses the use of chemical pesticides and herbicides be expanded to encourage integrated pest management practices and that the application of chemical pesticides and herbicides also comply with applicable laws, regulations, and program requirements, as administered by DEEP’s Pesticide Management Program, and not just the “manufacturers label.”*

**Response:** DEEP has added a statement to this section that says, “The application of chemical pesticides and herbicides shall fully comply with all applicable laws and

regulations. The Commissioner encourages the use of pollinator-friendly plant species and integrated pest management practices.”

- (53) *[Section 5.2.2.5] The Council suggests that this section be expanded to encourage the use of a 100-foot vegetated buffer between the construction activity and any “wetland, wetlands, or waters.” As noted in DEEP’s Tidal Wetlands Guidance Document, “buffers that are 100 feet or greater in width provide the best protection for water quality by moderating temperature changes and improving control of erosion, sediment and pollution and provide the widest range of wildlife values.*

**Response:** DEEP has revised this section to include the following language: “The Commissioner encourages the establishment and maintenance of a one hundred (100) foot buffer from any wetland, wetlands, or watercourse.”

- (54) *[Section 5.2.2.8] Regarding dewatering, this section will significantly limit the circumstances where the Construction GP can be used to discharge dewatering water. Most of CTDOT’s construction projects will newly incur the additional burdens and obligations of complying with other appropriate NPDES discharge permits that have more rigorous and costly conditions for use. Subsections b. and c. have been added to this section in the draft general permit. These new subsections use groundwater analysis and pollutant thresholds to newly and narrowly define the circumstances where the Construction GP can be used for dewatering. The narrowness will cause many of CTDOT’s transportation projects that must dewater groundwater from excavations to have to manage dewatering under an appropriate NPDES permit, which is interpreted to mean a permit other than the Construction GP.*

**Response:** This section requires the Permittee to exercise due diligence in evaluating site conditions. When there is reason to believe that groundwater may contain pollutants, the Permittee is responsible for determining whether such pollutants are present, which may include conducting groundwater sampling as part of that assessment. The permit and fact sheet remain unchanged.

- (55) *[Section 5.2.2.9] The Council strongly supports the provision in this section to encourage consideration of “future resiliency measures”, and the Council suggests that the General Permit include one or more references on the design and implementation of resiliency measures to provide guidance for Permittees.*

**Response:** DEEP acknowledges the Council’s support for encouraging the consideration of future resiliency measures. However, given the extensive and continually evolving range of available resources and design methodologies, it would not be practical to reference a fixed set of guidance materials within the Construction General Permit. Instead, DEEP will continue to rely on qualified design professionals to apply the most current and appropriate resiliency practices available at the time of project design. These professionals are best positioned to evaluate site-specific conditions and determine which measures are most effective and feasible for implementation. DEEP will consider adding links to resiliency reference material to its website. The permit and fact sheet remain unchanged.

- (56) *[Section 5.2.2.11.a] The Council suggests that the General Permit specify that waste storage containers, such as dumpsters, be covered and leak proof to prevent runoff of stormwater from coming into contact with solid or liquid waste.*

**Response:** DEEP will revise this section to include the following language: “The Permittee shall ensure that all waste storage containers, including, but not limited to, dumpsters and tanks, are covered and leakproof to prevent stormwater runoff from coming into contact with solid or liquid waste.”

- (57) *[Section 5.2.2.11.b] The Council suggests that the distance between any washout area and any “stream, wetland or sensitive resource” be increased to 100 feet, where feasible, especially if the washout area is upgradient from the aforementioned environmental resources.*

**Response:** DEEP believes the current buffer of 50 feet is adequate to protect sensitive resources but will emphasize the need to locate washout areas as far away as possible from any stream, wetland, or sensitive resource. .

- (58) *[Section 5.2.2.11.e] The Council notes that there might be a word(s) missing in the phrase “containment shall be if...”.*

**Response:** The referenced citation has been reviewed and corrected to ensure consistency with the applicable section of the general permit. The language has been revised to: “...containment shall be considered adequate if it meets...”.

- (59) *[Section 5.2.2.11.f] The Council suggests that the phone number to report a spill to DEEP be included in this section of the General Permit - (Emergency Response Unit, 860-424-3338 or toll free 1-866-DEP-SPIL (1-866-337-7745), 24 hours/day).*

**Response:** The referenced citation has been reviewed and updated to align with other general permits recently issued by the Commissioner.

- (60) *[Section 5.2.2.11.g] The Council suggests that this section should specify who will undertake verification of the mitigation strategies authorized by the Commissioner for construction activities within a Cold Water Stream Habitat.*

**Response:** DEEP agrees that clarification is warranted and has revised Section 5.2.2.11(g) to specify that any mitigation strategies authorized by the Commissioner for construction activities within a Cold Water Stream Habitat shall be verified and documented by the designing qualified professional responsible for the project. This ensures that mitigation measures are implemented as designed and in accordance with permit requirements.

- (61) *[Section 5.2.4] Regarding DEEP’s request for public input on the potential inclusion of turbidity monitoring in the general permit, the Council supports the inclusion of turbidity monitoring as a permit requirement. The Council suggests that the General Permit include*

*turbidity limits, monitoring protocols, and reporting requirements for stormwater outfalls discharging into the waters of the state. Furthermore, the Council recommends the turbidity monitoring be conducted at potential receiving waterbodies prior to the commencement of any soil disturbance, to establish a baseline measure of turbidity at these waterbodies.*

*[Section 5.2.4] Regarding DEEP's request for public input on turbidity monitoring in Section 5.2.4, CTDOT does not recommend the inclusion of turbidity monitoring in the general permit. CTDOT questions if the proposed requirement for turbidity monitoring would apply only to "dewatering water" or would it also apply to construction stormwater outfalls? The current Construction GP does not require turbidity monitoring. Turbidity monitoring was previously required under earlier iterations of the Construction GP. As part of the Targeted Request for Public Input, CTDOT suggests disclosing the historical monitoring data and any related findings to help assess trends, correlations, or any other indication of whether the discharges "contain[ed] suspended solids in amounts that could reasonably be expected to cause pollution of surface waters of the State or cause[d] or contribute[d] to instream water quality violations." Presuming the historical data does not indicate a problem, CTDOT does not recommend reinstating requirements for turbidity monitoring.*

*[Section 5.2.4] Eversource opposes including turbidity monitoring as a permit requirement. As you know, this was a requirement of the 2016 version of the general permit. During the renewal process for the 2020 general permit, CT DEEP eliminated the requirement, agreeing with commentors that it would result in cost and time savings for projects (see CT DEEP's RECOMMENDED FINAL DETERMINATION, dated 12/15/2020). Not only does Eversource agree with that sentiment, but we also argue the monitoring requirement was an administrative burden and confusing to implement, generated large amounts of data of limited usefulness, consumed valuable resources for both conducting the monitoring and performing the monthly reports, and did not contribute to any benefits to the environment.*

**Response:** DEEP appreciates the comments regarding the inclusion of turbidity monitoring in the general permit. Upon consideration, and a review of dewatering requirements in EPA's and other state's Construction Stormwater General Permits, DEEP recognizes the need to document the effectiveness of dewatering discharge treatment measures in reducing turbidity from such discharges. These discharges, in particular, mostly take place during dry weather when there is little or no rainfall dilution in a watercourse. It is important to be able to characterize the levels of turbidity discharging from dewatering operations to determine their potential impact on receiving waters. In consideration of this concern, DEEP has modified Section 5.2.2.8 of the general permit to require monitoring for turbidity in dewatering discharges to wetlands, waterbodies, and watercourses. A sample of the dewatering discharge will be collected following all treatment measures and analyzed using a portable turbidity meter. The sample results will be used to evaluate the effectiveness of the treatment unit and assist the Permittee in determining if additional treatment is required prior to

discharge to a receiving stream or wetland. Sampling will begin on the first day of discharge and then on a weekly basis in conjunction with the required routine site inspections for as long as the discharge occurs. Sample results will be submitted to DEEP via email to: DEEP.StormwaterConstruction@ct.gov.

- (62) *[Section 5.2.5] Eversource seeks clarification in Sections 5.2.5 and 5.2.5.2.a. of the draft permit and in Section 5.18.2 of the Fact Sheet on whether a routine inspection is required to be conducted on a weekly basis after final stabilization but prior to a Notice of Termination (NOT). Sections 5.2.5 and 5.2.5.a are unclear on this matter. Under the current general permit, it is standard practice to reduce the frequency of the routine inspections after final stabilization but prior to submitting the NOT. Requiring continued weekly inspections after final stabilization would add significant costs to projects, particularly linear utility projects often spanning several miles of right of way. Eversource recommends that “Routine inspections shall continue after the Final Stabilization Inspection and prior to the Notice of Termination, at an appropriate frequency determined by the permittee.”*

**Response:** DEEP agrees that routine inspections are not required on a weekly basis following final stabilization. However, specifying that inspections occur at “an appropriate frequency determined by the permittee” would not provide sufficient clarity or enforceability. Accordingly, DEEP will revise Section 5.2.5.2(a) to state that, following final stabilization, routine inspections shall be conducted at least once per month.

- (63) *[Section 5.2.5] To further clarify routine inspection frequency, the introductory paragraph of 5.2.5 should be edited to include a reference to Section 5.2.5.2 to specify routine inspection frequency.*

**Response:** DEEP agrees that additional cross-referencing will improve clarity. The introductory paragraph of Section 5.2.5 will be revised to include a reference to Section 5.2.5.2, which specifies the frequency and conditions under which routine inspections must be conducted. This edit will help ensure that permittees can readily identify the applicable inspection requirements within the section.

- (64) *[Section 5.2.5] The Council suggests that additional inspections might be warranted for 1) large sites (e.g. 15+ acres) and/or sites with steep slopes (e.g. +15%), and 2) sites that could adversely impact Impaired Waters, Cold Water Stream Habitat, High Quality Waters, Wild and Scenic Rivers, Public Drinking Water Supply Watersheds, and Aquifer Protection Areas.*

**Response:** Routine inspections are already required on a weekly basis and after any storm event that results in a discharge, as specified in the General Permit. DEEP considers this inspection frequency sufficient to ensure compliance and effective implementation of erosion and sediment controls under most site conditions. However, for sites with unique characteristics, such as large disturbed areas, steep slopes, or proximity to sensitive environmental resources, the designing Qualified Professional (QP) retains the authority to specify additional inspection frequency or enhanced monitoring measures within the

Stormwater Pollution Control Plan (SPCP), as appropriate. This approach provides flexibility to address site-specific conditions while maintaining consistent statewide requirements. The permit and fact sheet remain unchanged.

- (65) *[Section 5.2.5.1] The Council suggests that an inspection be required following the installation of “Control Measures”, such as silt fence, prior to the start of construction activities (see section 5.1.6.1).*

**Response:** The preconstruction meeting referenced in Section 5.1.6.1 is required prior to the initiation of any construction activities. Because some projects may require limited disturbance to install perimeter controls, this meeting does not include inspection of those measures. Section 5.2.1.2.b specifies that perimeter controls must be installed early in the construction sequence. Clarifying language has been added to this section to reinforce this requirement.

- (66) *[Section 5.2.5.2] Regarding Routine Inspections in this section, the Council is concerned that a control measure could “repeatedly” fail before the designing qualified professional is required to investigate and develop a revised control measure to remedy the failure. The Council suggests that if the control measure and the initial “fix” fails, the designing qualified professional should be required to immediately investigate and develop a revised control measure to remedy the failure in accordance with the time periods prescribed in the subsection.*

**Response:** DEEP acknowledges the Council’s concern; however, not every control measure failure warrants immediate redesign or replacement. Minor or isolated failures may be effectively addressed through timely maintenance or corrective actions by the permittee. The General Permit provides the permittee an opportunity to implement corrective measures before requiring reassessment by the designing Qualified Professional (QP). DEEP considers allowing up to three (3) corrective attempts to be appropriate and consistent with practical field conditions. After the third unsuccessful attempt, the QP must evaluate the control measure, determine the cause of failure, and develop a revised or alternative control measure consistent with the timeframes prescribed in the subsection. The permit and fact sheet remain unchanged.

- (67) *[Section 5.2.5.3] Regarding post-construction inspections, the Council questions if a specific time period should be specified in this subsection as well as subsections 5.2.5.4 and 5.2.5.5. By specifying a specific time period, (e.g. within 24 months) could help ensure that “Control Measures” are removed promptly when construction activities cease, and the site has been stabilized for an appropriate amount of time.*

**Response:** The existing language in Section 5.2.5 appropriately addresses inspection timing and responsibilities. Post-construction control measures are permanent structural features designed for long-term management of stormwater runoff and are not subject to removal timelines. The purpose of the post-construction inspection is to confirm that these permanent measures have been properly installed, cleaned of construction sediment and debris, and are fully operational. Temporary measures, such as silt fencing, hay bales, and

sediment basins, are removed after final stabilization is achieved, consistent with Section 5.2.5.4. Therefore, establishing a fixed number of months for removal is unnecessary. The qualified professional and/or the appropriate Soil and Water Conservation District are responsible for determining when temporary controls can be safely removed, and the Final Stabilization Inspection confirms full stabilization before termination authorization is granted. The permit and fact sheet remain unchanged.

- (68) *[Section 8.24] The Council suggests that this section of the General Permit regarding the correction of inaccuracies should reference the requirements of Section 3.5 Notice of Change.*

**Response:** DEEP agrees and has revised Section 8.24 to reference the requirements of Section 3.5 (Notice of Change). The following language will be added to this section: “A Notice of Change shall be submitted for any changes made pursuant to Section 3.5 of this General Permit.”

- (69) *[Section 11] Regarding general definitions in Section 11, the Council suggests that the following words/phrases be added to the “General Definitions”:*

- *“Best Available Technology Economically Achievable (“BAT”);*
- *“DOT Qualified Products List”, including a hyperlink;*
- *“emergency discharge”;*
- *“pollutant”;*
- *“pollutant-generating activities”, and*
- *“regulated activity” (as used in section 5.1.1).*

**Response:** DEEP appreciates the Council’s suggestions regarding additional definitions in Section 10. The Department will review and consider the inclusion of the recommended terms and references, such as *Best Available Technology Economically Achievable (BAT)*, *DOT Qualified Products List*, *emergency discharge*, *pollutant*, *pollutant-generating activities*, and *regulated activity*, to determine whether their addition would enhance clarity and consistency within the Construction General Permit.

- (70) *[Section 11] The Council questions if a state or federal agency would be considered a “developer”, which is defined as “a person who or municipality which is responsible, either solely or partially through contract, for the design and construction of a project site.” If so, the Council suggests that the definition of “developer” be revised to include those entities.*

**Response:** DEEP concurs that the definition of “developer” should explicitly recognize state and federal agencies as potential responsible entities. Accordingly, Section 10 will be amended to read: “Developer” means any person, municipality, or state or federal agency that is responsible, either solely or partially through contract, for the design and construction of a project site.” This clarification ensures that the term encompasses all entities responsible for construction activities subject to this general permit, consistent with the intent of Section 2.2 and the overall regulatory framework.

- (71) *[Section 11] Eversource appreciates CT DEEP redefining the term “final stabilization”. We agree with this redefinition and suggest a minor change for clarity to say that “vegetative ground cover has been fully established over the disturbed areas of the entire site.”*

**Response:** DEEP appreciates the commenter’s support for the revised definition of “Final Stabilization.” The existing definition in Section 10 already specifies that “no disturbed areas remain exposed” and that stabilization must consist of vegetative or non-vegetative cover over the entire site. DEEP believes this phrasing clearly conveys the requirement for full and sustained site stabilization. The permit and fact sheet remain unchanged.

- (72) *[Appendix A] The Council has the following suggestions for Appendix A:*
- (a) define what “significant ground disturbance” means;*
  - (b) include a hyperlink to DEEP’s EZ-File system in section 2.1;*
  - (c) include information and a reference for the United States Fish and Wildlife (USFWS) Service Information for Planning and Consultation (IPaC); and*
  - (d) include hyperlinks to referenced resources including, but not limited to, critical habitat data and how to find a qualified biologist, which is in the FAQ document on DEEP’s Natural Diversity Data Base website.*

**Responses:** DEEP appreciates the Council’s thoughtful recommendations regarding Appendix A. The Department will review and consider the suggested additions and enhancements, including clarification of the term “significant ground disturbance”, inclusion of hyperlinks to DEEP’s ezFile system, incorporation of U.S. Fish and Wildlife Service (USFWS) IPaC resources, and additional references to relevant data sources and guidance materials. These suggestions will be evaluated to determine how best to improve the clarity and usability of Appendix A.

- (73) *[Appendix C] The Council has the following suggestions for Appendix C:*
- (a) include protection of drinking water supply sources, such as municipal groundwater overlays, public drinking water supply watersheds, Class GA/GAA groundwaters and Class A/AA surface waters within the overview section since the title of the document is “Aquifer Protection Areas and Other Groundwater Drinking Supply Areas Guidance Information”;*
  - (b) include a hyperlink for the Department of Public Health’s Public Water Supply Mapping Application;*
  - (c) include a citation for Connecticut General Statutes Sec. 8-3i. Notice to Department of Public Health and water company reapplications, petitions, requests and plans regarding land within aquifer protection area or watershed of water company; and*
  - (d) include or reference the provisions from DPH’s General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area in Section 4.0 Recommended Measures for Aquifer Protection Areas (APAs).*

**Response:** DEEP appreciates the Council’s detailed recommendations regarding Appendix C. The Department will review and consider the suggested revisions, including the addition

of information on drinking water supply source protections, hyperlinks to the Department of Public Health's Public Water Supply Mapping Application, citation of Connecticut General Statutes Section 8-3i, and potential incorporation or reference to DPH's General Construction Best Management Practices for Sites within a Public Drinking Water Supply Area. These suggestions will be evaluated to determine how best to enhance the clarity, completeness, and usability of Appendix C.

(74) *[Appendix H] There is a typo in Appendix H regarding Wild and Scenic Rivers. In Section 3 of the appendix, there are currently five designated Wild and Scenic Rivers in CT rather than two.*

**Response:** DEEP appreciates the comment and acknowledges the typographical error in Appendix H regarding the number of designated Wild and Scenic Rivers in Connecticut. Section 3 of the appendix has been corrected to reflect the designated Wild and Scenic Rivers in Connecticut.