



Connecticut DOT

Number: ECPPD-2024-1Bureau of Engineering and Construction
Bureau of Policy and PlanningDate: September 24, 2024

ENGINEERING & CONSTRUCTION-POLICY & PLANNING DIRECTIVE

DocuSigned by:

Scott A. Hill, PE

B2666A77EB96402...

Bureau Chief
Engineering and Construction

DocuSigned by:

Kimberly Lesay

B9520F623D6146B...

Bureau Chief
Policy and Planning

Understanding CTDEEP Licensed Permit Approvals

This directive outlines the responsibilities of all Department Engineering and Construction staff (including consultants) on the importance of Project permit applications, permit plan sets and Department of Energy and Environmental Protection (CTDEEP) licensed permit approvals regarding the scope of authorization outlined in the permit to conduct regulated work within the limits of the construction Project. This directive applies to all construction projects (including Emergency Declarations, and alternative contracting) in which CTDOT is the permit applicant.

PERMITTING

For any Project with regulated environmental impacts, the construction Contract will include:

- permit applications,
- a permit plan set, and
- subsequent regulatory licensed permit approvals associated with each application.

It is the responsibility of each individual staff assigned to a construction Project with regulatory permits to thoroughly read and understand these materials. Understanding the requirements of the permit documents should occur prior to the Pre-Construction Meeting.

Notify the Contractor of these materials during the Pre-Construction Meeting and include them as a topic during Progress Meetings throughout the Project duration. At any time, if the content is unclear or there are conflicting interpretations, staff should direct all questions to the District Environmental Coordinator (DEC) who will directly coordinate with the Office of Environmental Planning (OEP) staff assigned to the Project for guidance before proceeding.

These materials shall be referenced whenever construction activities are scheduled to begin which may impact permit requirements or conditions outlined in the regulatory authorization.

ECPPD-2024-1
September 24, 2024

REVIEW OF PERMIT DOCUMENTS

1. CTDEEP permit applications.
 - The permit applications may contain information that has not been incorporated into the Contract special provisions package, CTDEEP permit approvals, or permit plan sets.
2. CTDEEP licensed permit approvals contain:
 1. **Licensed Permit Approval Title Page.** The title page provides regulatory and CTDOT project information such as Permit Application Number(s), Municipality, Project Description, Project Location, Applicable Connecticut General Statutes (CGS) and Federal Laws, Permit Expiration Date.
 2. **Authorized Activities.** Describes the proposed authorized regulated work outlined in the application and permit plan set.
 3. **Terms and Conditions.** Terms and Conditions are Project specific commitments the CTDOT and contractors must adhere to throughout construction which may include but may not be limited to:
 - a. in-water time of year restrictions;
 - b. CTDOT submittals requiring CTDEEP approval in advance of proposed construction activities; or
 - c. advance notification for CTDEEP personnel to be on-site for certain work activities. In all cases, the Terms and Conditions will always supersede the Land and Water Resource Division (LWRD) General Conditions.
 4. **LWRD General Conditions.** The LWRD General Conditions are applicable to all projects regardless of scope, and do not change from project to project.
 5. **Permit Plan Set.** The permit plan set is a consolidated document that has been reviewed and accepted by all regulatory agencies with resources that may be affected by the Project. It will include but not be limited to:
 - a. erosion and sedimentation control and water-handling notes,
 - b. time of year restrictions
 - c. requirements for advanced coordination and collaboration with CTDEEP Fisheries,
 - d. identify all temporary or permanent regulated impacts to inland/tidal wetlands, watercourse, or floodplain/floodway.

ADMINISTRATION OF CTDEEP PERMIT DOCUMENTS

Failure to comply with requirements of the permit applications, permit plan sets, or CTDEEP licensed permit approvals may result in a CTDEEP enforcement violation. Violations may include a Warning Letter, Non-Compliance Notice, Notice of Violation (NOV), or Consent Order. CTDOT impacts beyond the authorized permitted footprint (including tree clearing in regulated areas and temporary impacts) may result in the need to provide additional mitigation (fisheries enhancements, plantings, etc.), monetary penalties, or yearly post-construction mitigation monitoring.

ECPPD-2024-1
September 24, 2024

PREVENTATIVE MEASURES

1. Ensure revisions during design are coordinated and reflected in the permit applications, permit plan set, and CTDEEP licensed permit approvals prior to contract advertising.
2. Ensure work is contained within the authorized areas as shown in the permit impact sheets identified in the permit plans.
3. Ensure work complies with the CTDEEP licensed authorized activities.
4. Ensure work complies with the Terms and Conditions.
5. Ensure work complies with the LWRD General Conditions.

If requirements of the permit applications, permit plan set, and licensed approvals are not clear, reach out to the DEC and OEP representative for direction and guidance prior to proceeding with any regulated construction activity.

SITE INSPECTION MEASURES

Regular inspections of the jobsite and activities are required, and corrective action must be taken in accordance with the following:

1. Inspect all erosion and sedimentation (E&S) controls upon installation, during construction, and document storm events and inspections as defined in the Construction Manual.
2. Observe areas for the potential sources of pollution (i.e. air, water, noise, soil) or stormwater runoff and provide remediation measures.
3. Monitor severe weather events and take precautions as noted in Standard Specifications Subarticle 1.10.03-9 (Required Best Management Practices).
4. Respond and address erosion and sedimentation control deficiencies with the Contractor in a timely manner per Standard Specifications Section 1.10 or as defined in the Construction Manual, Volume 2, Chapter 1.
5. Respond to and address any environmental concerns or issues outlined in CTDEEP Enforcement Unit Inspection Reports in a timely manner as identified in the report.

BEST MANAGEMENT PRACTICES

Throughout the Project duration, the following best management practices should be followed:

1. Progress Meetings. Discuss environmental aspects of the Project at every progress meeting (applications, permit plan set, licensed permit approvals, conditions of the permit, environmental special provisions, erosion and sedimentation controls, environmental submittals).
2. The Environmental Log should be electronically available for regulatory enforcement staff requesting to review all site inspection reports including all permit applications, water-handling plan, E&S control plan (or applicable Stormwater Pollution Control Plan), permit plan set, and CTDEEP licensed permit approvals.
3. Early detection and notification of any permitting non-compliance issues, environmental deficiencies, or E&S control failures.
4. Ensure all E&S controls are installed, maintained, cleaned, and functioning properly, and update the Project's E&S control plan and, if applicable, Stormwater Pollution Control Plan.

ECPPD-2024-1
September 24, 2024

5. Prior to Clearing and Grubbing, ensure a Tree Clearing Meeting is held to verify the delineated limits of the Project. Clearing limits are to be surveyed prior to the Tree Clearing Meeting in accordance with Standard Specifications Section 9.80. Never clear and grub beyond the permitted clearing limits depicted in the permit plan set. Any questions or concerns can be discussed with the District Environmental Coordinator (DEC).
6. Stabilize soils (temporary or permanent) in accordance with Standard Specifications Section 1.10, and per CTDEEP Connecticut Guidelines for Soil Erosion & Sediment Control.
7. Implement preventive measures to mitigate runoff of turbid discharges into a regulated area.
8. General site cleanliness. Clean and remove any debris, rubbish, millings, concrete washouts, or other materials that may have a negative impact to the regulated areas or produce a stormwater discharge to a waterbody.
9. Special conditions. Adhere to the special conditions that require regulatory coordination and provide proper advance notice when regulatory oversight is required or when fisheries enhancement materials (such as supplemental streambed material, boulders, baffles, rootwads) need approval.

CHANGES TO PERMITS

A permit modification requiring CTDEEP approval may be needed when there are unforeseen constructability or design issues on a project that may impact the permit. If the issue is CTDOT related, then CTDOT is responsible for providing the requested information. If the Contractor is requesting the change, they are required to provide the requested information as per Standard Specifications Article 1.10.02.

Early coordination with the DEC, Engineering, and OEP is required prior to proceeding with any proposed changes. OEP staff will coordinate the change with the regulators to determine if the proposed changes impact the permit and if it requires a permit modification.

The following is a summary of what is required prior to proceeding:

1. Submit a formal request from the District Engineer to the OEP Assistant Director for review and processing.
2. The request should provide reasons for the change (justification, expected benefits).
3. Marked up permit plans identifying the proposed change.
4. Drainage or hydraulic calculations, if required.

No work related to the requested change can commence until regulatory authorization is provided.

REFERENCES/RESOURCES:

Relevant information including links for guidance, forms, templates, and other additional resources are available on [OEP's webpage](#).