



Connecticut Department of
Energy & Environmental Protection
Bureau of Water Protection & Land Reuse
Land & Water Resources Division

LWRD License Application Form D

Certificate of Permission

All sections of the LWRD application, when applicable, must be posted to the DEEP LWRD FTP site as instructed on Part VII of the LWRD Transmittal Form. See [LWRD Application Instructions](#) for general guidance.

Application Number (as assigned in CPPU e-mail): _____

Applicant Name (same name used on Part III of the LWRD Transmittal Form): _____

Part I: Pre-Submission Consultations

The application process requires preliminary coordination and input from other agencies/groups depending on the activity and the location. Consultations with other agencies must occur prior to application submission. Please allow 6-8 weeks for the necessary coordination. For this application, the applicant should start with these consultations, as applicable (See Part VII for further guidance).

Attachments:

- | | |
|----------------------|---|
| 20 NDDB | 23 Fisheries |
| 21 Wildlife- osprey | 24 Aquaculture |
| 22 Dredging Projects | 26 Shellfish Commission (for beach
nourishment/groin replacement only) |

Part II: Notifications

If your town has a [Harbor Management Commission](#), submit a copy of this completed application by certified mail to the Commission and submit the certified mail receipt as Attachment 6 following this form.

Part III: Site and Resource Information

1. SITE ADDRESS

Address: _____ City/Town: _____ State: _____ Zip Code: _____

Part III: Site and Resource Information (continued)

2. MUNICIPAL ZONING

Is the proposed work consistent with municipal zoning requirements?

Yes No If no, explain:

3. WATERBODY/WATERCOURSES/WETLANDS

List names of all waters impacted by the proposed activity:

4. INDIAN LANDS

Is the activity that is the subject of this application located on federally recognized Indian lands? Yes No

5. AQUIFER PROTECTION AREAS

Is the site located within a mapped Level A or Level B [Aquifer Protection Area](#), as defined in CGS section 22a-354a through 22a-354bb?

Yes No If yes, check one: Level A or Level B

If Level A, are any of the [regulated activities](#), as defined in RCSA section 22a-354i-1(34), conducted on this site? Yes No If yes, and your business is **not** already registered with the Aquifer Protection Program, contact the [aquifer protection agent](#) or DEEP to take appropriate action.

For more information on the Aquifer Protection Area Program, contact the program at 860-424-3019 or visit the website at www.ct.gov/deep/aquiferprotection. See [LWRD Application Instructions](#) for further guidance.

6. CONSERVATION OR PRESERVATION RESTRICTIONS

Will the activity which is the subject of this application be located within a conservation or preservation restriction area? Yes No

If yes, provide proof of written notice of this application to the holder of such restriction, and/or a letter from the holder of such restriction verifying that this application is in compliance with the terms of the restriction, as Attachment 8.

7. LICENSE HISTORY

Indicate the number and date of issuance of any previous state permits or certificates issued by DEEP or USACE which authorized work at the site, and the names to whom they were issued.

<i>License/Permit/COP Authorization Number and Name of Agency</i>	<i>Date Issued</i>	<i>Name of Permittee/ Certificate Holder</i>	<i>Brief Description of Work Authorized</i>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

8. SOIL AND/OR GROUNDWATER REMEDIATION

Does the site work include soil and/or groundwater remediation? Yes No

If yes, please provide reference documentation including a) plan views of the site showing the area of contamination and b) a summary of remediation with chemical analysis, clean-up status, and remediation program identification, as Attachment 9.

Part III: Site and Resource Information (continued)

9. ENFORCEMENT HISTORY

Is this application associated with a formal or informal enforcement action that is pending with DEEP?

Yes No

If yes, please provide the enforcement action reference number and name of the DEEP staff contact:

Enforcement Action #: _____

DEEP Division/Program: _____

DEEP Staff Contact: _____

If the property was the subject of any historical enforcement actions known to the applicant, explain:

10. Regulatory Limit – See [Reference Guide for Regulatory Jurisdiction](#) for further explanation if necessary.

Indicate the landward extent of the State’s regulatory jurisdiction by checking one box:

- Coastal Jurisdiction Line (CJL)**– for CJL information, refer to the [Coastal Jurisdiction Fact Sheet and Chart](#).
- Mean High Water (MHW)** – for projects located upstream of a tide gate, dam or weir (structure must be shown on project plans).
- Tidal Wetland Boundary**– To be used if tidal wetlands are located landward of CJL or MHW. Include one foot above local extreme high water, if applicable.

11. Tidal Elevations

Provide site elevations for CJL, MHW, Mean Low Water (MLW) and the High Tide Line (HTL)* in NAVD88. For general elevation reference and conversion, please refer to [USACE Tidal Flood Profiles](#); [CO-OPS Map - NOAA Tides & Currents](#); or, [Online VDatum: Vertical Datums Transformation](#).

CJL = _____ MHW = _____ MLW = _____ HTL = _____

*The HTL is necessary for USACE jurisdiction and required as part of the USACE application.

Part III: Site and Resource Information (continued)

12. Coastal Resource Impact Table

Check the applicable boxes below to identify coastal resources to be impacted by the proposed activity at the project site. Describe the impacts, as applicable. For definitions, refer to the [Connecticut Coastal Management Manual](#).

Resource Type	square feet			Describe Impacts
	Permanent impact	Temporary impact	Mitigation	
<input type="checkbox"/> Beaches/Dunes below HTL below CJL				
<input type="checkbox"/> Tidal Wetlands				Identify if existing vegetation is salt, brackish or freshwater wetland. A maximum of 100 s.f. of temporary wetland impacts may be considered. The wetland impact must be completely restored, preferably in-place, but absolutely on-site. Plan details of the existing and proposed impact area must include the temporary storage location of the plants.
<input type="checkbox"/> Nearshore waters				
Resource Type	Describe Impacts (temporary and permanent)			
<input type="checkbox"/> Benthic Habitat				
<input type="checkbox"/> Intertidal Flats				
<input type="checkbox"/> Submerged Aquatic Vegetation (SAV)				
<input type="checkbox"/> Rocky Shorefront	Include rocky intertidal areas.			
<input type="checkbox"/> Finfish				
<input type="checkbox"/> Wildlife				
<input type="checkbox"/> Shellfish Areas	Maps available at The Aquaculture Mapping Atlas .			
<input type="checkbox"/> Coastal Hazard Area	Discuss FEMA compliance.			
<input type="checkbox"/> Bluffs/Escarpments	Describe impacts associated with flood and erosion control structures.			
<input type="checkbox"/> Islands	If new access is proposed, describe how island resources will be impacted.			
<input type="checkbox"/> Coastal Flooding	Describe how tide gates/fill/seawall height increases will impact flooding.			
<input type="checkbox"/> Water Circulation Patterns	Describe impacts from groins/abutments/jetties.			
<input type="checkbox"/> Drainage Patterns	Describe impacts from impervious surfaces/outfalls/weep holes and stormwater modifications.			
<input type="checkbox"/> Visual Quality	Only applies to public views of statewide scenic significance.			
<input type="checkbox"/> Water Quality	Discuss sediment and erosion controls, water handling, and stormwater treatment.			

Part IV: Project Information

1. Describe, briefly, the *existing* structures within state regulatory jurisdiction, and their conditions and uses at the site of the proposed work. **Provide photographs showing resources and existing site conditions as Attachment 10.**

- 2a. Describe the proposed regulated work and activities in a detailed narrative, including the number and dimensions of structures and the volume and area of fill or excavations. See [LWRD Application Instructions](#) for required information.

- b. Describe the construction activities involved for the project in detail, including methods, sequencing, equipment, and any alternative construction methods that might be employed. For coastal dredging projects, identify the type of equipment with bucket and barge capacity and, for upland disposal, provide containment facility details (See [Reference for Coastal/Tidal Dredging](#)).

- c. Describe any erosion and sedimentation or turbidity control installation and maintenance schedule and plans in detail. Such plans should be prepared in accordance with the [2002 Connecticut Guidelines for Soil Erosion and Sediment Control](#), as revised, established pursuant to CGS section 22a- 328.

- d. Anticipated date of project initiation: _____
Indicate the length of time needed to complete the project and identify any anticipated time restrictions:

3. After all measures to eliminate or minimize adverse resource impacts have been incorporated in the proposed project, describe why any adverse impacts that remain should be deemed acceptable by the Land & Water Resources Division. For projects involving stormwater management, low-impact development practices should be incorporated to the greatest extent practicable. Explain any reasons for not using a low-impact development practice. See [LWRD Application Instructions](#) for further guidance.

4. The proposed work is associated with which of the following uses? (Check all that apply.)

<input type="checkbox"/> Marine commercial/industrial use including aquaculture	<input type="checkbox"/> Flood and erosion control
<input type="checkbox"/> Residential boating access	<input type="checkbox"/> Public access
<input type="checkbox"/> Shared residential boating access	<input type="checkbox"/> Infrastructure improvement
<input type="checkbox"/> Other – explain:	

Part IV: Project Information (continued)

5. If the site is a marina or yacht club, provide the following:
- Number of boat slips and moorings: _____ (should be consistent with plans submitted as Attachment 14)
 - Type of marine sanitation service provided at the facility. _____
 - Check here to confirm that at least one plan view notes the location of upland support including adequate parking, a marina office, and restrooms.
 - Check the applicable services provided:

<input type="checkbox"/> boat repair/maintenance	<input type="checkbox"/> winter storage
<input type="checkbox"/> gas/fuel hook-up	<input type="checkbox"/> electric hook-up
<input type="checkbox"/> fishing amenities	<input type="checkbox"/> boating and/or equipment sales
6. If local/municipal review has or will require a Coastal Site Plan Review for activities at this site, please explain the associated upland work.
7. If modifications are proposed to a pre-1995 flood and erosion control structure (FECS), please confirm:
- | N/A | Confirm |
|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> FECS modifications will not support an increase in upland fill |
| <input type="checkbox"/> | <input type="checkbox"/> Seawall height increase is less than 12.0" and justified in Part IV, question 3. |
| <input type="checkbox"/> | <input type="checkbox"/> If FECS consists of riprap or revetment, no more than 10% volume of new stone is proposed |
| <input type="checkbox"/> | <input type="checkbox"/> No more than 12"-18" of new waterward encroachment for bulkhead replacement/repair with appropriate justification for the encroachment in Item 3, above. New encroachment should be measured from the outermost bulkhead whaler or piling. |
8. Check here if the proposed work is related to a pre-1939, pre-1987 (installed above MHW), and/or pre-1995 structure, and provide photographs, including dates, to document the date of installation as Attachment 11 following this form.

Part V: Engineering Support Documentation and Certification

Certain types of projects require documentation of engineering design. If you answer yes to one of the questions below, you must submit a completed [Engineering Report Cover Sheet](#) (DEEP-LWRD-APP-001R) as Attachment 18 along with the relevant engineering report(s).

1. Does the proposed activity include engineered structures such as bridges, culverts, stormwater management systems, detention basins, and/or flood & erosion control structures?

Yes No

2. Is the proposed activity located in a FEMA-designated Riverine or Coastal Floodplain?

Yes No

If yes, provide documentation in the Engineering Report which demonstrates that the project is in compliance with FEMA's National Flood Insurance Program requirements and the local flood ordinance for the municipality.

NOTE – Only the following activities in the Coastal Floodplain require engineering: buildings, flood and erosion control structures; public access facilities; and, tide regulating structures. See Engineering Report Cover Sheet for further guidance.

3. Is the proposed activity located in a FEMA-designated Floodway Yes No

If yes, the Engineering Report must include a statement signed by a registered professional engineer that there is no-rise. This documentation must be supported by technical data that is derived from a standard step-backwater computer model utilizing source data from the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM).

If a No-rise Certification form is available through the municipality, please include it in the Engineering Report. For further information on No-Rise Certification, see [No-Rise Certification for Floodways | FEMA.gov](#)

The *Engineering Report Cover Sheet* shall be signed and sealed by a Professional Engineer licensed in the State of Connecticut. Supporting documentation as identified in the checklist may consist of engineering studies and other documentation, as appropriate, in order to describe the hydrologic and hydraulic effects of the proposed actions.

Part VI: Certificate of Permission Eligibility

Check all applicable boxes to confirm eligibility.

Pursuant to Connecticut General Statutes (CGS) Section 22a-363b(a) and (b):

Previously Authorized Structures or Activities

- A. Substantial maintenance or repair of existing structures, fill, obstructions or encroachments authorized pursuant to CGS section 22a-33 or 22a-361 or installed prior to June 24, 1939, CGS section 22a-363b(c).
- B. Maintenance dredging of areas which have been dredged and continuously maintained and serviceable as authorized pursuant to CGS section 22a-33 or 22a-361.
- C. Minor alterations or amendments to permitted activities consistent with the original permit.
- D. Placement or reconfiguration of piers, floats, docks, and moorings within existing waterward boundaries of recreational marinas or yacht clubs which have been authorized pursuant to CGS section 22a-33 or 22a-361.

Pre-1995 Structures or Activities

- E. Retention of activities completed prior to January 1, 1995.
- F. Minor alterations to activities completed prior to January 1, 1995.
- G. Substantial maintenance of any structures, fill, obstructions or encroachments in place prior to January 1, 1995, and continuously maintained and serviceable since such time.

Pre-1987 Structures

- H. Substantial maintenance or repair of structures, fill, obstructions or encroachments placed landward of the mean high waterline and waterward of the coastal jurisdiction line, completed prior to October 1, 1987, and continuously maintained and serviceable since said date.

Other Activities

- I. The removal of derelict structures or vessels.
- J. Placement of temporary structures for water-dependent uses as defined in CGS section 22a-93.
- K. Open water marsh management, tidal wetland restoration, resource restoration or enhancement activity, as defined in CGS subsection (a) of section 22a-361, including beach nourishment, and conservation activities undertaken by or under the supervision of the Department of Energy & Environmental Protection.

Pursuant to CGS Sec. 22a-363h:

- L. Living shoreline projects with consent from LWRD staff.

Part VII: Supporting Documents

The following attachments correspond to Form D. **If the Attachment name is followed by “REQUIRED”, the attachment must be submitted with every application.** When submitting any supporting documents, please label the documents as indicated in this part (e.g., Attachment 6, etc.) and be sure to include the same applicant name used on Page 1 of this application form. Please check the box next to the attachments listed to indicate that they have been submitted, and provide the applicable attachments following this form. NOTE: Attachment numbering is NOT consecutive as the attachments relate to multiple LWRD program applications.

Attachment I.D.	Attachment Description
<input type="checkbox"/> Attachment 6	<p>Harbor Management Notification</p> <p>If your town has a Harbor Management Commission, submit the certified mail receipt as proof that this completed application was sent by certified mail to the Commission.</p>
<input type="checkbox"/> Attachment 8	<p>Conservation or Preservation Restriction Information, if applicable.</p>
<input type="checkbox"/> Attachment 9	<p>Remediation Documentation, if applicable.</p>
<input type="checkbox"/> Attachment 10	<p>Photographs showing existing conditions of the site REQUIRED</p>
<input type="checkbox"/> Attachment 11	<p>Photographic Documentation of pre 1939, pre-1987 (above MHW) and/or pre-1995 installation.</p>
<input type="checkbox"/> Attachment 14	<p>Project Plans, use Project Plan Checklist for requirements REQUIRED</p>
<input type="checkbox"/> Attachment 18	<p>Engineering Report Cover Sheet (DEEP-LWRD-APP-001R)</p>
<input type="checkbox"/> Attachment 20	<p>Natural Diversity Data Base (NDDB) Completed NDDB Determination #: _____ If the proposed activity is within an NDDB area, complete and submit a Request for NDDB State Listed Species Review Form (DEEP-APP-007) to the address specified on the form, prior to submitting this application. For NDDB maps and more information, visit the DEEP website at www.ct.gov/deep/nddbrequest or call the NDDB staff at 860-424-3011.</p> <p>Please note NDDB review generally takes 4 to 6 weeks and may require the applicant to produce additional documentation, such as ecological surveys, which must be completed prior to submitting this permit application. A copy of the NDDB Final Determination response letter that has not expired must be submitted as Attachment 20. Include a copy of any mitigation measures or management plan developed for this activity and approved by NDDB. Please DO NOT include a copy of the NDDB Review Request/Application. Be aware that you must renew your NDDB Determination if it expires before project work commences.</p>
<input type="checkbox"/> Attachment 21	<p>DEEP Wildlife Division – Osprey Consultation</p> <p>If the proposed activity will occur within 300 feet of an osprey platform, please note that work will be prohibited between May 1st and July 31st unless a DEEP waiver is obtained. If this seasonal prohibition conflicts with the proposed work schedule, please contact the DEEP Wildlife Division’s Wildlife Diversity Program staff at deep.wildlife@ct.gov or 860-424-3011 for technical assistance before submitting your application. If you are seeking a seasonal prohibition waiver, documentation of the waiver issued by Wildlife Diversity Program staff must be submitted as Attachment 21. For known nesting locations, reference the Osprey Map at:</p> <p>https://www.google.com/maps/d/viewer?mid=1GyxnB-UAGxmselecH9Zj4UdH1uq&usp=sharing or https://www.ctaudubon.org/citizen-science.</p>

Part VI: Supporting Documents (continued)

- Attachment 22** **Dredging Consultation Form**
(*REQUIRED for dredging activities only.*)
If dredging is proposed, please refer to [Reference for Coastal/Tidal Dredging](#) and submit a completed [Dredging Consultation Form](#).
- Attachment 23** **Fisheries Consultation Form**
If your project involves maintenance dredging, beach nourishment (may be required for groin replacement), or cofferdam installation, submit a completed [Fisheries Consultation Form](#) (DEEP-FISH-APP-007). Note: Fisheries consultation is **not required** for disposal only of dredge sediment at one of the open water sites (generally NY dredge projects).
- Attachment 24** **Department of Agriculture/Bureau of Aquaculture Consultation**
If your project involves maintenance dredging or beach nourishment (may be required for groin replacement), submit a completed [Department of Agriculture/Bureau of Aquaculture Consultation Form](#). Consultation is not required for towns north of: Orange and Derby/Ansonia on the Housatonic River system; Lyme and Essex on the Connecticut River; and Norwich and Preston on the Thames River.
- Attachment 26** **Shellfish Commission Consultation Form**
If your town has a [Shellfish Commission](#) and your project includes beach nourishment (may be required for groin replacement), submit a completed [Shellfish Commission Consultation Form](#).
- Attachment 41** [Applicant Compliance Information Form](#) (DEEP-APP-002) **REQUIRED**
- Attachment 42** [Applicant Background Information Form](#) (DEEP-APP-008) **REQUIRED**
- Attachment 43** **Other Information:** Any other applicable information the applicant deems relevant or is required by DEEP.