

**Permit No: GP-41**

**Effective Date: May 15, 2001**

**Expiration Date: May 15, 2006**

**Applicant: General Public - State of Connecticut & lands located within the exterior boundaries of an Indian Reservation.**

**DEPARTMENT OF THE ARMY  
PROGRAMMATIC GENERAL PERMIT  
STATE OF CONNECTICUT  
&  
Lands Located Within the Exterior  
Boundaries of an Indian Reservation<sup>1</sup>**

The New England District of the U.S. Army Corps of Engineers hereby issues a programmatic general permit (PGP) to expedite review of minimal impact work in coastal and inland waters and wetlands within the State of Connecticut and lands located within the exterior boundaries of an Indian reservation. Activities with minimal impacts are specified by the terms and conditions of this PGP and the attached **DEFINITION OF CATEGORIES** sheets. Minimal impact activities either meet Category I (eligible without screening, non-reporting), or Category II (may be eligible, determination of eligibility made during a screening meeting by the Corps, representatives of the Federal resource agencies, and the Connecticut Department of Environmental Protection.) In both cases, the PGP is valid only after the applicant receives all of the necessary state and local approvals listed under the **Procedures** section below. The Corps individual permit review process, and activities exempt from Corps jurisdiction are not affected by this PGP.

**ACTIVITIES COVERED:**

Work and structures identified in the attached **DEFINITION OF CATEGORIES** sheets that are located in, or that affect, navigable waters of the United States (regulated by the Corps under Section 10 of the Rivers and Harbors Act of 1899), and the discharge of dredged or fill material into waters of the United States, including wetlands (regulated by the Corps under Section 404 of the Clean Water Act) are eligible for consideration under

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<sup>1</sup> Indian reservation lands are considered a sovereign nation, and are therefore acknowledge separately from the State of Connecticut for purposes of this PGP.

this PGP. For clarification, the term "discharge of dredge or fill material" also includes certain discharges resulting from excavation (pursuant to 33 CFR PART 323.2 (iii), as revised January 17, 2001, the term "discharge of dredged material" means any addition of dredged material into & including any redeposit of dredged material within the waters of the United States, except discharges that meet the definition of "incidental fallback").

## **PROCEDURES:**

### **A. State and Local Approvals:**

When any of the following state or local approvals are required for activities eligible under this PGP, such approvals must be obtained in order for this PGP authorization to be valid. (Refer also to PGP Condition No. 1)

**(1) Inland Wetlands and Watercourses Permit under the Inland Wetlands and Watercourses Act (Connecticut General Statutes (CGS) Sections 22a-36 to 22a-45(a), inclusive),**

**(2) Water Diversion Permit under the Connecticut Water Diversion Policy Act (CGS Sections 22a-365 to 22a-378(a), inclusive),**

**(3) Stream Channel Encroachment Lines Permit (CGS Sections 22a-342 to 22a-349(a), inclusive),**

**(4) Dam Safety Construction Permit (CGS Sections 22a-401 to 22a-411, inclusive),**

**(5) Structures, Dredging and Filling Permit (CGS Sections 22a-359 to 22a-363f, inclusive),**

**(6) Tidal Wetlands Permit under the Tidal Wetlands Act (CGS Sections 22a-28 to 22a-35a inclusive),**

**(7) Certificate of Permission (CGS Section 22a-363b),**

**(8) Long Island Sound General Permits (CGS Sections 22a-28 to 22a-35 and Sections 22a-359 to 22a-363f inclusive),**

**(9) Approvals for marine based aquaculture activities required by Connecticut General Statutes Section 22-11h implemented by the CT Department of Agriculture (DOA) including individual in-water structures used for aquaculture, including, but not limited to, racks, cages, or bags, as well as buoys marking such structures.**

## **B. State Administered Federal Laws:**

**(10) Water Quality Certification (WQC) under Section 401 of the Federal Clean Water Act (33 U.S.C. Sec. 1341). Section 401(a)(1) of the Clean Water Act requires that applicants obtain a water quality certification or waiver from the state water pollution control agency (CT DEP or EPA for Indian reservation lands) to discharge dredged or fill materials into waters of the United States.**

**On May 15, 2001, CT DEP:**

- (1) Conditionally granted WQC for Category I activities in inland waters.**
- (2) Denied WQC for bank stabilization projects with a length of greater than 200 linear feet.**
- (3) Denied WQC Category I for activities that involve the construction, modification, or alteration of dams or dikes and for other projects regulated as water diversions under the Connecticut Water Diversion Policy Act. (These projects must be screened under the provisions of Category II.)**
- (4) Denied WQC for new fill/excavation discharges under Category I for projects with impacts to special wetlands (See item (5) under Definitions in the Definitions of Categories attachment to the PGP), and for projects with impacts to threatened or endangered species, species of special concern, or significant natural communities (See item (6) under Definitions in the Definitions of Categories attachment to the PGP), and**
- (5) Conditionally granted WQC for Category II activities provided that the CT DEP finds that the activity is consistent with Connecticut' water quality standards and is reasonably likely to have no more than minimal impact on water quality individually or cumulatively.**

**In order for the CT DEP WQC to be valid, the applicant must obtain the required state and local authorizations listed under PGP Section A Items (1-4).**

**On May 15, 2001, EPA issued WQC for Category I and II activities that are located on Indian reservation lands and authorized under this PGP.**

**For Category I and II activities in tidal, coastal and navigable waters**, the PGP is not valid until and unless CT DEP Office of Long Island Sound Programs (OLISP) authorization is granted. CT DEP authorizations for individual activities in tidal, coastal and navigable waters include a substantive evaluation by OLISP regarding consistency with state water quality standards. As a result, a WQC is inherent in the OLISP permit process under **Section A** approvals numbers (5), (6), (7) and (8) and a separate WQC application is not required for these activities.

**(11) Coastal Zone Management Consistency (CZM) Concurrence under Section 307 of the Federal Coastal Zone Management Act of 1972, as amended.**

Section 307(c) of the Coastal Zone Management Act of 1972, as amended, requires applicants to obtain a certification or waiver from CT DEP that the activity complies with the state's coastal zone management program for activities affecting a state's coastal area.<sup>2</sup>

CT DEP authorizations for individual activities in the state's coastal area include a substantive evaluation by the Office of Long Island Sound Programs (OLISP) regarding consistency concurrence with the coastal zone management program. As a result, CZM consistency concurrence is inherent in the OLISP permit process under Section A (5), (6), (7) and (8) of this PGP, and a separate application to the Corps of Engineers is not required for these activities. This is not the case, however, for Section A (9) activities, (marine based aquaculture projects) which are subject to the permitting authority of the CT DOA Bureau of Aquaculture. For these activities, DOA will forward the application to the Corps of Engineers and the CT DEP for individual Coastal Zone Management Consistency determination (see also page 7).

**C. Corps Authorizations:**

PGP authorizations consist of both Category I and II type activities. Eligibility, application and screening procedures described below for these Categories are contingent on State programs and procedures currently in place, as well as agreements with Indian tribes for projects on lands located within the exterior boundaries of an Indian reservation. If there are changes in any of these programs that may affect the terms and conditions of the PGP (prior to its expiration date), then modifications to this PGP may be necessary.

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<sup>2</sup> The state's Coastal Area is statutorily defined as: all lands and waters within the municipalities of Greenwich, Stamford, Darien, Norwalk, Westport, Fairfield, Bridgeport, Stratford, Shelton, Milford, Borough of Woodmont, Orange, West Haven, New Haven, Hamden, North Haven, East Haven, Branford, Guilford, Madison, Clinton, Westbrook, Deep River, Chester, Essex, Borough of Fenwick, Old Saybrook, Lyme, Old Lyme, East Lyme, Waterford, New London, Montville, Norwich, Preston, Ledyard, Groton (city, Town and Long Point Borough) and Stonington (Town and Borough) [Section 22a-94(a) CGS].

**CATEGORY I**  
**(Non-reporting/Minimal Impacts)**

**Eligibility** - Activities in Connecticut and lands located within the exterior boundaries of an Indian reservation that are subject to Corps jurisdiction and meet the definition of Category I on the attached **DEFINITION OF CATEGORIES** sheets, as well as all of the other conditions of this PGP, **do not** require separate application to the Corps.

*Category I is non-reporting for activities located on lands within the exterior boundaries of an Indian reservation<sup>3</sup> or activities that are regulated by the CT DEP (Office of Long Island Sound Programs/Inland Water Resources Division) or the Connecticut municipal inland wetlands agencies. Activities not regulated by either of these agencies, as well as activities located on lands within the exterior boundaries of an Indian reservation that are regulated by the Corps, will be subject to the Category II screening requirements of this PGP.*

Note that the review thresholds under Category I apply to single and complete projects only (see condition 5). Also note that Category I does not apply to projects occurring in a component of, or within 0.25 mile up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System. The 14-mile segment of the West Branch and main stem of the FARMINGTON RIVER extending from immediately below the Goodwin Dam and Hydroelectric Project in Hartland, CT, to the downstream end of the New Hartford-Canton, CT, town line is designated a National Wild/Scenic River (see condition 10). There are also restrictions on other national lands as well as concerns which must be met in order for projects to be eligible under this PGP. Refer to special conditions 6 through 13 under Section C below. Category I does not apply to projects with impacts to special wetlands, threatened or endangered species, species of special concern, or significant natural communities identified by the CT Natural Diversity Database (see (5) and (6) in the Definitions of Categories Table.) Also, Category I does not apply to dams, dikes, or other projects regulated under the CT Water Diversion Policy Act.

Although Category I projects are non-reporting, the Corps reserves the right to require either screening under Category II or an individual permit review if there are concerns for the aquatic environment or any other factor of the public interest that may come to our attention (See condition 4 on Discretionary Authority.)

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<sup>3</sup> A tribes wetlands rules and regulations must be acknowledged by the Corps as adequate to ensure minimal impacts to the aquatic resources. Category II screening is required otherwise.

## **CATEGORY II (Reporting/Minimal Impacts)**

**Eligibility** - Activities in Connecticut and lands located within the exterior boundaries of an Indian reservation that are subject to Corps jurisdiction and appear to meet the definition of Category II on the Definition of Categories sheets (attached), will be reviewed at Federal/state joint screening meetings to determine whether such activities may be eligible under this PGP. To be eligible, an activity must meet all the terms and conditions of the PGP, and result in minimal impacts to the aquatic environment. Note that review thresholds under Category II apply to single and complete projects only (see condition 5.)

In order to satisfy Section 106 of the Historic Preservation Act, applicants with projects eligible for Category II must coordinate with the State Historic Preservation Officer (SHPO) and when necessary the Tribal Historic Preservation Officer (THPO) of both the Mashantucket Pequot Tribe and the Mohegan Tribe.

Applicants shall submit a copy of their application materials to the State Historic Preservation Officer (SHPO), to be reviewed for the presence of historic/archaeological resources in the permit area that may be affected by the proposed work. The Corps will then be notified by the SHPO if there are State concerns that the proposed work will have an effect on historic resources. The applicant should include with their application, either a copy of their cover letter, a statement of having sent their application materials to the SHPO, or a letter from the SHPO (See Page 17 for the address of the SHPO.)

For projects located east of the Thames River to the Rhode Island border and inland to Montville and Ledyard, applicants must submit copies of their application materials to the Tribal Historic Preservation Officer (THPO) of both the Mashantucket Pequot Tribe and the Mohegan Tribe. The applicant should include with their application a copy of their cover letter or a statement of having sent their application materials to the THPOs. (See Page 17 for the addresses of the THPOs)

**Category II Application and Screening Procedures for activities regulated under the CT DEP's Office of Long Island Sound Programs (OLISP).** (Work affecting tidal wetlands and tidal, coastal or navigable waters pursuant to the authorities listed under numbers 5, 6, 7, 8, 10 and 11 of Section A of this PGP.)

The CT DEP, OLISP will forward copies of application packages and OLISP approvals to the Corps of Engineers on a weekly basis. If a project meets Category I, no further action is required.

For projects involving dredging with open water disposal, applicants must send the required information listed on the attached list of additional information to the CT DEP, OLISP and the Corps. This information is necessary for determining the suitability of the

material to be dredged with respect to the requested disposal site and will also be reviewed at the screening meeting.

State application packages, COPs and tentative determinations for these activities will be screened by the Corps, the Federal resource agencies, and CT DEP during the PGP screening meetings. The Federal resource agencies include the U.S. Fish and Wildlife Service (FWS), the U.S. Environmental Protection Agency (EPA) and the National Marine Fisheries Service (NMFS). CT DEP will comment on lands located within the exterior boundaries of an Indian reservation only when they have jurisdiction under federal law. The screening meetings are held on a monthly basis and will most always occur during the state's tentative determination public notice period or during their Certificate of Permission review period.

**Category II Application and Screening Procedures for aquaculture activities regulated by the Department of Agriculture** (Marine and land based aquaculture activities, including associated structures regulated by the Department of Agriculture, Connecticut General Statutes Section 22-11h.)

Applicants should apply directly to the Department of Agriculture, Bureau of Aquaculture (DOA BA) using the attached Department of Army Application for Aquaculture form. DOA BA will forward a copy of the aquaculture application package to the Army Corps of Engineers, the State of Connecticut Department of Environmental Protection's (CT DEP) Boating Division, Marine Fisheries Division and Office of Long Island Sound Programs (OLISP).

These application packages will be screened by the Corps, the Federal resource agencies, and the CT DEP, OLISP with input from the CT DEP Boating and Marine Fisheries Divisions. Screening meetings will be held monthly. Screening will initiate review of the application by the CT DEP OLISP for Coastal Zone Management consistency concurrence. The CT DEP OLISP will make a determination on the completeness of the application for CZM consistency review within 30 days from the date of the screening meeting.

**Category II Application and Screening Procedures for activities regulated by the CT DEP Inland Water Resources Division as well as activities NOT regulated under the Office of Long Island Sound Programs.** (Work affecting inland waters/waterways and wetlands, waters of the United States, as well as activities exempt from state review such as Metro North rail, or activities located on lands within the exterior boundaries of an Indian reservation within a coastal area.)

A separate Corps application form (ENG Form 4345) is required for these activities. Applicants must submit 4 copies of the application and the CT DEP addendum (attached) to the Corps of Engineers, New England District, Regulatory Division, 696 Virginia Road, Concord, MA 01742-2751, telephone number 1-978-318-8335, or toll free from Connecticut at 1-800-343-4789. To expedite the review process, the Corps will then send three copies of the application package to CT DEP, Bureau of Water Management, Inland

Water Resources Division and to CT DEP, OLISP for state exempt and Indian land activities in a coastal area. **NOTE:** It is very important that applicants supplement the ENG 4345 Application Form with appropriate and adequate drawings that accurately illustrate the work described.

All drawings should be submitted on 8-1/2 x 11-inch white paper and include a vicinity map, plan view, and elevation/cross section views of the activity. Since drawings must be reproduced, heavy dark lines should be used with no color shading. All jurisdictional boundaries must be clearly delineated. Refer to the Corps New England District's "Guide for Permit Applicants" publication for a complete description of sample drawing requirements. Failure to submit the appropriate information could result in processing delays and/or administrative closure of the file. The CT DEP, Inland Water Resources Division has 60 days from receipt of a complete application to make a determination on their water quality certification.

Applicants must also ensure that the following supplemental information required by the Corps is submitted with the application: (1) documentation of federal wetland delineation, (2) documentation of coordination with the Connecticut Historical Commission and Tribal Historic Preservation Officers, when appropriate.

CT DEP, Inland Water Resources Division will review the activity for compliance with state water quality standards, and CZM consistency with the state's coastal program (coastal area projects) that are not already being reviewed by OLISP under the authorities listed in Section A (5, 6, 7, 8, 10 and 11) of this PGP. The joint screening meetings will occur for all Category II activities. Screening meetings will be held regularly either at the Corps or CT DOT offices. Representatives from the CT DEP, the Corps, the EPA, the FWS, and the NMFS will have an opportunity to attend and comment.

#### **Coordination Procedures for ALL Category II Projects:**

At the screening meeting, the Corps, the CT DEP and the federal resource agencies, will determine if Category II applications: (1) require additional information; (2) are eligible under the PGP as proposed; (3) are ineligible under the terms and/or conditions of this PGP; (4) will require project modification, mitigation or other special conditions to minimize impacts and protect the aquatic environment to be eligible for this PGP; or 5) require individual permit review irrespective of whether the terms and conditions of this PGP are met, based on concerns for the aquatic environment or any other public interest factor (see Condition 4 on Discretionary Authority).

The comments from the Federal resource agencies to the Corps may be verbal initially, and must be made within 10 working days of the screening meeting. These comments must then be confirmed in writing, by the Branch Chief or Field Supervisor, within 10 calendar days of the verbal response if the Federal Resource Agency (ies) expresses a concern whereby the Corps will require an individual permit. Federal resource agency comments must be clearly identified and reflect a concern related to the aquatic environment within their area of expertise; state the species or resources that could be

impacted by the activities, and describe the impacts that either individually or cumulatively will be more than minimal. The Corps will coordinate these comments with the applicant in a timely manner.

If any one of the agencies expresses and identifies a concern related to the aquatic environment within their area of expertise within the specified time frame, the Corps will contact the applicant to discuss the concerns raised. If the applicant is unable to resolve the concerns, the Corps, independently or at the request of either the CT DEP or one of the Federal Resource Agencies, will require an individual permit for the activities. The applicant will be notified of this in writing, and provided information about submitting the necessary application materials

If the activity is eligible for the PGP as determined by the Federal/state screening meeting, then a Corps PGP authorization will be sent directly to the applicant. If the activity is not eligible, then the Corps will contact the applicant to discuss the concerns raised. In either case, the Corps will notify the applicant, in writing, within 45 days of the Federal/state screening meeting.

***Category II projects may not proceed until written notification is received from the Corps. This written approval will be in the form of a Corps PGP authorization letter sent directly to the applicant.***

## **INDIVIDUAL PERMIT**

Work that is in the INDIVIDUAL PERMIT category as listed the attached DEFINITION OF CATEGORIES sheets, or that does not meet the terms and conditions of either Category I or Category II of this PGP, will require an application for an individual permit to the Corps of Engineers (see 33 CFR Part 325.1). The screening procedures outlined above will only serve to delay individual permit review in such cases. The applicant should submit the appropriate application materials (including the Corps application form) at the earliest possible date. General information and application forms can be obtained by calling the Corps New England District at 1-800-343-4789 (outside Massachusetts) and 1-800-362-4367 (within Massachusetts). Individual WQC and/or CZM consistency concurrence will be required from the CT DEP.

### **D. Programmatic General Permit Conditions:**

The following conditions apply to activities authorized under this PGP, including all Category I (non-reporting) and Category II (screening) activities:

## **GENERAL REQUIREMENTS:**

- 1. Other Permits.** Authorization under this general permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
- 2. Applicability of this general permit shall be evaluated with reference to Federal jurisdictional boundaries.** Applicants are responsible for ensuring that the boundaries used satisfy the federal criteria defined at Title 33 CFR 328-329.
- 3. Minimal Effects.** Projects authorized by this general permit shall have minimal individual and cumulative adverse environmental impacts as determined by the Corps.
- 4. Discretionary Authority.** Notwithstanding compliance with the terms and conditions of this permit, the Corps of Engineers retains discretionary authority to require an application for an individual permit for any project based on concerns for the aquatic environment or for any other factor of the public interest. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposed activity warrant individual review based on the concerns stated above. This authority may be invoked for projects with cumulative environmental impacts that are more than minimal, or if there is a special resource or concern associated with a particular project, that is not already covered by the remaining conditions of the PGP, that warrants greater review. Whenever the Corps notifies an applicant that an individual permit may be required, authorization under this general permit is void, and no work may be conducted until the individual Corps' permit is obtained, or until the Corps notifies the applicant that further review has demonstrated that the work may proceed under this general permit.
- 5. Single and Complete Projects.** This general permit shall not be used for piecemeal work and shall be applied to single and complete projects. All components of a single project shall be treated together as constituting one single and complete project. All planned phases of multi-phased projects shall be treated together as constituting one single and complete project. This general permit shall not be used for any activity that is part of an overall project for which an individual permit is required. Note that modifications to State permits do not constitute a separate project.

## **NATIONAL CONCERNS:**

- 6. Historic Properties.** Any activity authorized by this general permit shall comply with Section 106 of the National Historic Preservation Act. Information on the location and existence of historic resources can be obtained from the Connecticut Historical Commission and the National Register of Historic Places. If the permittee, during construction of work authorized herein, encounters a previously unidentified archaeological or other cultural resource within the area subject to Corps jurisdiction that might be eligible for listing in the National Register of Historic Places, he/she shall immediately notify the District Engineer.

**7. National Lands.** Activities authorized by this general permit shall not impinge upon the value of any National Wildlife Refuge, National Forest, or any other area administered by the U.S. Fish and Wildlife Service, U.S. Forest Service, or National Park Service.

**8. Endangered Species.** Any activity that may affect a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA); or which is likely to destroy or adversely modify the critical habitat of such species; or which would result in a “take” of any threatened or endangered species of fish or wildlife, or which would result in any other violation of Section 9 of the ESA protecting threatened or endangered species of plants **IS** not eligible under Category I, but must be reviewed for eligibility under Category II. Applicants shall notify the Corps if any listed species or critical habitat is in the vicinity of the project and shall not begin work until notified by the District Engineer that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized. Information on the location of threatened and endangered species and their critical habitat can be obtained from the U.S. Fish and Wildlife Service and National Marine Fisheries Service (addresses attached, page 17).

**9. Essential Fish Habitat.** As part of the PGP screening process, the Corps will coordinate with the National Marine Fisheries Service (NMFS) in accordance with the 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA) to protect and conserve the habitat of marine, estuarine and anadromous finfish, mollusks, and crustaceans. This habitat is termed “essential fish habitat (EFH),” and is broadly defined to include “those waters and substrate necessary to fish for spawning, breeding, feeding and growth to maturity.” All species managed under the MSFCMA have had EFH designations. There are 56 species with EFH in the coastal waters of southern New England. Applicants may be required to describe and identify potential impacts to EFH. For instance, in Connecticut, Atlantic salmon (*Salmo salar*) habitat is protected by this act. Any work in the mainstem or tributary streams of the Connecticut River watershed that are being managed for Atlantic salmon may not be authorized under Category I of the CT PGP and must be screened for potential impacts to EFH. Conservation recommendations made by NMFS will normally be included as a permit required by the Corps. Information on the location of EFH can be obtained from NMFS. An internet web site has been established by NMFS at [www.nero.nmfs.gov/RO/DOC/appguide1.html](http://www.nero.nmfs.gov/RO/DOC/appguide1.html)

**10. Wild and Scenic Rivers.** Any activity that occurs in a component of, or within 0.25 miles up or downstream of the main stem or tributaries of a river segment of the National Wild and Scenic River System, must be reviewed by the Corps under the procedures of Category II of this PGP regardless if it meets the Category I size of impact thresholds. This condition applies to both designated wild and scenic rivers and rivers designated by Congress as study rivers for possible inclusion while such rivers are in an official study status. The Corps will consult with the National Park Service (NPS) with regard to potential impacts of the proposed activity on the resource values of the wild and scenic

river. The culmination of this coordination will be a determination by the NPS and the Corps that the work: (1) may proceed as proposed; (2) may proceed with recommended conditions; or (3) could pose a direct and adverse effect on the resource values of the river, and an individual permit is required. If preapplication consultation between the applicant and the NPS has occurred whereby the NPS has made a determination that the proposed activity is appropriate for authorization under the PGP (with respect to wild and scenic river issues), this determination should be furnished to the Corps with submission of the application. The address of the NPS can be found on Page 17 of this permit.

**11. Federal Navigation Project.** Any structure or work that extends closer to the horizontal limits of any Corps navigation project than a distance of three times the project's authorized depth shall be subject to removal at the owner's expense prior to any future Corps dredging or the performance of periodic hydrographic surveys.

**12. Navigation.** There shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein, and no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized herein.

If future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

**13. Federal Liability.** In issuing this permit, the Federal Government does not assume any liability for the following: (a) damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes; (b) damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest; (c) damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this general permit; (d) design or construction deficiencies associated with the permitted work; (e) damage claims associated with any future modification, suspension, or revocation of this permit.

#### **MINIMIZATION OF ENVIRONMENTAL IMPACTS:**

**14. Minimization.** Discharges of dredged or fill material into waters of the United States shall be avoided and/or minimized to the maximum extent practicable.

**15. Work in Wetlands.** Heavy equipment working in wetlands shall be avoided and if required shall be placed on mats to minimize soil/ vegetation disturbance. Disturbed areas in wetlands shall be restored to preconstruction contours upon completion of the work.

**16. Temporary Fill.** Temporary fill in waters and wetlands authorized by this general permit (e.g. access roads, cofferdams) shall be properly stabilized during use to prevent erosion. Temporary fill in tidal, navigable or inland waters of the United States shall consist of a material that minimizes impacts to water quality (e.g. sandbags or clean, gravel and/or stone). Temporary fill in wetlands shall be placed on geotextile fabric that is laid on the existing wetland grade. Temporary fills shall be disposed of at an upland site and suitably contained to prevent erosion and/or transport to a waterway or wetland. Temporary fill areas shall be restored to their original elevations. No temporary fill shall be placed in waters and/or wetlands unless specifically authorized by the Corps.

**17. Sedimentation and Erosion Control.** Adequate sedimentation and erosion control management measures, practices and devices, such as phased construction, vegetated filter strips, geotextile silt fences or other devices, shall be installed and properly maintained to reduce erosion and retain sediment on-site during and after construction. These devices shall be capable of preventing erosion, of collecting sediment, suspended and floating materials, and of filtering fine sediment. These devices shall be removed upon completion of work, and the disturbed areas shall be stabilized. The sediment collected by these devices shall be removed and placed at an upland location, in a manner that will prevent its later erosion into a waterway or wetland. All exposed soil and other fills shall be permanently stabilized at the earliest practicable date.

**18. Waterway Crossings.** (a) All temporary and permanent crossings of waterbodies shall be suitably culverted, bridged, or otherwise designed to withstand and to prevent the restriction of high flows, and to maintain existing low flows, and so as not to obstruct the movement of aquatic life indigenous to the waterbody beyond the actual duration of construction. (b) No open trench excavation shall be allowed in flowing waters unless a special condition is added that allows this as a result of a Category II screening meeting. (c) Temporary bridges, culverts, or cofferdams shall be used for equipment access across streams (**Note:** areas of fill and/or cofferdams must be included in total waterway/wetlands impacts to determine applicability of this general permit). (d) For projects that otherwise meet the terms of Category I, in stream construction work shall be conducted during the low flow period July 1 – September 30 in any year; projects that are not to be conducted during that time period are ineligible for Category I and shall be screened pursuant to Category II, regardless of the waterway and wetland fill and/or impact area.

**19. Discharge of Pollutants.** All activities involving any discharge of pollutants into waters of the United States authorized under this general permit shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the Clean Water Act (33 U.S.C. 1251), and applicable state and local laws. If applicable water quality standards, limitations, etc., are revised or modified during the term of this permit, the authorized work shall be modified to conform with these standards within 6 months of the effective date of such revision or modification, or within a longer period of time deemed reasonable by the District Engineer in consultation with

the Regional Administrator of the Environmental Protection Agency. Applicants may presume that state water quality standards are met with issuance of the Section 401 Water Quality Certification (Applicable only to the Section 404 activity).

**20. Spawning Areas.** Discharges into known: a) fish and shellfish spawning or nursery areas; and b) amphibian and waterfowl breeding areas, during spawning or breeding seasons shall be avoided, and impacts to these areas shall be minimized to the maximum extent practicable during all other times of the year.

**21. Storage of Seasonal Structures.** Coastal structures such as pier sections, floats, etc., that are removed from the waterway for a portion of the year shall be stored in an upland location, located above mean high water and not in a vegetated wetland.

**22. Environmental Values.** The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner so as to maintain as much as is practicable, and to minimize any adverse impacts on, existing fish, and wildlife, and natural environmental values and to discourage the establishment or spread of plant species identified as non-native invasive species by any federal or state agency.

#### **PROCEDURAL CONDITIONS:**

**23. Inspections.** The permittee shall permit the District Engineer or his authorized representative(s) to make periodic inspections at any time deemed necessary in order to ensure that the work is being performed in accordance with the terms and conditions of this permit. The District Engineer may also require post-construction engineering drawings for completed work, and post-dredging survey drawings for any dredging work. **To facilitate these inspections, the attached work notification form shall be filled out and returned to the Corps for all Category II projects.**

**24. Maintenance.** The permittee shall maintain the work or structures authorized herein in good condition, including maintenance to ensure public safety. Note that this does not include maintenance of dredging projects. Maintenance dredging is subject to the review thresholds described on the attached DEFINITION OF CATEGORIES sheets and/or any conditions included in a written Corps authorization.

**25. Property Rights.** This permit does not convey any property rights, either in real estate or material, or any exclusive privileges, nor does it authorize any injury to property or invasion of rights or any infringement of federal, state, or local laws or regulations.

**26. Modification, Suspension, and Revocation.** This permit may either be modified, suspended, or revoked in whole or in part pursuant to the policies and procedures of 33 CFR 325.7; and any such action shall not be the basis for any claim for damages against the United States.

**27. Restoration.** The permittee, upon receipt of a notice of revocation of authorization under this permit, shall restore the wetland or waterway to its former conditions, without expense to the United States and as directed by the Secretary of the Army or his authorized representative. If the permittee fails to comply with such a directive, the Secretary or his designee may restore the wetland or waterway to its former condition, by contract or otherwise, and recover the cost from the permittee.

**28. Special Conditions.** The Corps may impose other special conditions on a project authorized pursuant to this general permit that are determined necessary to minimize adverse environmental effects or based on any other factor of the public interest. These may be based on concerns from CT DEP or Federal resource agency. Failure to comply with all conditions of the authorization, including special conditions, will constitute a permit violation and may subject the permittee to criminal, civil, or administrative penalties or restoration.

**29. False or Incomplete Information.** If the Corps makes a determination regarding the eligibility of a project under this permit, and subsequently discovers that it has relied on false, incomplete, or inaccurate information provided by the permittee, the permit shall not be valid, and the U.S. government may institute appropriate legal proceedings.

**30. Abandonment.** If the permittee decides to abandon the activity authorized under this general permit, unless such abandonment is merely the transfer of property to a third party, he/she may be required to restore the area to the satisfaction of the District Engineer.

**31. Enforcement cases.** This general permit does not apply to any existing or proposed activity in Corps jurisdiction associated with a Corps of Engineers or EPA enforcement action, until such time as the enforcement action is resolved or the Corps determines that the activity may proceed independently without compromising the enforcement action.

#### **DURATION OF AUTHORIZATION/GRANDFATHERING:**

**32. Duration of Authorization.** Activities authorized under Category I of this general permit that have commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will remain authorized provided the activity is completed within twelve months of the date of this general permit's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 CFR 325.2(e)(2). Activities authorized under Category II of this PGP that are not fully completed prior to the expiration date of this PGP, will remain authorized in accordance with the project specific date provided in writing by the Corps of Engineers to the permittee. Activities completed under the authorization of this PGP will continue to be authorized after this PGP expires.

**33. Previously Authorized Activities:**

a) Projects that have received written authorization from the Corps prior to issuance of this general permit, under the previous Connecticut PGP, shall remain authorized as specified in each authorization.

b) Non-reporting Category I permit activities, based on the previous CT PGP, which have commenced (i.e. are under construction or are under contract to commence), prior to the issuance date of this general permit remain authorized provided the activity is completed within twelve months of the date of issuance of this PGP. These activities are still subject to discretionary authority on a case-by-case basis in accordance with Condition 4. The applicant must be able to document to the Corps' satisfaction that the project was under construction or contract by the appropriate date.

c) Activities authorized pursuant to 33 CFR Part 330.3 (activities occurring before certain dates) are not affected by this general permit.

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DISTRICT ENGINEER

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DATE

**CONTACTS FOR CT PROGRAMMATIC GENERAL PERMIT:**

***U.S. Army Corps of Engineers***

New England District, Regulatory Division  
696 Virginia Road  
Concord, Massachusetts 01742-2751  
1(800) 343-4789 or 1(978) 318-8335  
Fax # 978-318-8303

***National Park Service***

National Park Service  
North Atlantic Region  
15 State Street  
Boston, Massachusetts 02109  
(617) 223-5203

***Federal Endangered Species:***

U.S. Fish and Wildlife Service  
P.O. Box 307  
Charlestown, Rhode Island 02813  
1(401) 364-9124

***Federal Endangered Species & Local EFH***

National Marine Fisheries Service -  
Habitat Division  
212 Rogers Avenue  
Milford, Connecticut 06460  
1(203) 783-4228

***State Endangered Species:***

Dept. of Environmental Protection  
Bureau of Environmental Services  
Natural Resources Center  
Natural Diversity Data Base  
79 Elm Street  
Hartford, Connecticut 06106-5127  
1 (860) 566-3005

***Regional EFH Coordinator***

National Marine Fisheries Service  
One Blackburn Drive  
Gloucester, MA 01930  
Phone: (978) 281-9102  
Fax: (978) 281-9301

***CT Dept. of Environmental Protection***

Office of Long Island Sound Programs  
79 Elm Street  
Hartford, Connecticut 06106-5127  
1(860) 424-3034

Department of Agriculture  
Bureau of Aquaculture  
P. O. Box 97  
190 Rogers Avenue  
Milford, Connecticut 06460

Bureau of Water Management  
Inland Water Resources Division  
79 Elm Street  
Hartford, Connecticut 06106-5127  
1 (860) 424-3019

***Tribal Historic Preservation Officers***

Mashantucket Pequot Tribal Historic Pres. Officer  
Ms. Theresa Hayward-Bell, THPO  
Mashantucket Pequot Museum & Research Center  
110 Pequot Trail  
Mashantucket, Connecticut 06339

***Archaeological Information***

State Historic Preservation Officer  
Connecticut Historical Commission  
59 South Prospect Street  
Hartford, Connecticut 06106  
1(860) 566-3005

Mohegan Tribe Cultural Department  
5 Crow Hill Road  
Uncasville, Connecticut 06382

***Listed Wild and Scenic River in Connecticut:***

*National Wild/Scenic Rivers System (Designated River in Connecticut):*

**FARMINGTON RIVER** - The 14-mile segment of the West Branch and main stem extending from immediately below the Goodwin Dam and Hydroelectric Project in Hartland CT, to the downstream end of the New Hartford-Canton, CT, town line.

# DEFINITION OF CATEGORIES

SHEET 1/4

## 1. INLAND WATERS/WATERWAYS AND WETLANDS (WATERS OF THE U.S.)(1)

Activities must be regulated by the CT DEP or a CT Municipal Inland Wetlands Agency with the exception of lands on Indian reservations (a)(e). For numerical and alphabetical references, see the last page of this matrix.

	CATEGORY I	CATEGORY II	INDIVIDUAL PERMIT
<p><b>(A) NEW FILL/ EXCAVATION DISCHARGES.</b> Impact area includes all temporary &amp; permanent fill &amp; excavation discharges.</p> <p>Secondary impacts include areas drained, flooded or cleared.</p> <p>Projects with impacts to special wetlands (5), threatened or endangered species, species of special concern, or significant natural communities identified by the CT Natural Diversity Database (6) must be screened under Category II.</p> <p>Dams, dikes or water diversion fills must be screened in Cat. II. (f)</p>	<p>Less than 5,000 s.f. of inland waterway and/or wetland fill &amp; secondary impacts.</p> <p>Unconfined in-stream work (cofferdam structures/fills included) is limited to July 1 through September 30.</p> <p>Culverts for roadway crossings, provided (a) the culvert invert elevations are set at least 6 inches below the elevation of the natural streambed, (b) the culvert does not impede the passage of fish and other aquatic organisms indigenous to the watercourse, and (c) the culvert and associated fill does not by design or default function to provide stormwater detention.</p> <p>Does not include piping of waters/waterways.</p> <p>Does not include streambank stabilization (see B below)</p>	<p>5,000 s.f. to 1 acre (c,d) inland waterway and/or wetland fill and secondary impacts.</p> <p>Culverts for roadway crossings that do not meet Category I.</p> <p>Time of year restrictions determined case-by-case.</p> <p>Inland waterway or wetlands restoration projects with any amount of impact can be reviewed under Category II. The Corps, in consultation with State and Federal agencies, must determine that net adverse effects are minimal.</p>	<p>Greater than 1 acre (c,d) inland waterway and or wetland fill and secondary impacts.</p>
<p><b>(B) BANK STABILIZATION PROJECTS</b> Does not include channelization. Length includes the sum of bank stabilization involving one or both banks of a section of stream.</p>	<p>Inland bank stabilization less than 500 ft. in length and less than an average of 1 c.y. fill per linear foot below ordinary high water, provided no wetland fill, limited to July 1 through September 30. (e)</p>	<p>Bank stabilization exceeding Category I.</p>	
<p><b>(C) REPAIR &amp; MAINTENANCE WORK</b></p>	<p>Repair/maintenance of existing, currently serviceable, authorized fills with no expansion or change in use.</p>	<p>Replacement of non-serviceable fills, or repair/maintenance of serviceable fills, with expansion of any amount up to 1 acre, or change in use.</p>	

**2. TIDAL WATERS AND NAVIGABLE WATERS (2) (Includes all of the Connecticut River)**

	<b>CATEGORY I</b>	<b>CATEGORY II</b>	<b>INDIVIDUAL PERMIT</b>
<b>(A) FILL</b>	No provisions for new or previously unauthorized fills in Category I.	<p>Up to 1 acre (d) waterway/ wetland fill and secondary impacts (e.g. areas that are drained/flooded/cleared.) Includes temporary and permanent waterway fill.</p> <p>Allows beach nourishment projects with sand being placed above mean high water with compatible grain size.</p> <p>No permanent fill and/or excavation in special aquatic sites (3), except when associated with a proactive restoration project.</p> <p>Proactive restoration projects with any amount of impact can be reviewed under Category II. The Corps, in consultation with State &amp; Federal agencies, must determine that net adverse effects are minimal.</p>	<p>Greater than 1 acre (d) waterway fill and secondary impacts (e.g., areas that are drained/flooded/cleared.) Includes all temporary &amp; permanent waterway fill.</p> <p>Temporary or permanent fill or excavation, any amount, in special aquatic sites (3), other than as specified in Category II.</p>
<b>(B) REPAIR AND MAINTENANCE WORK</b>	Repair/maintenance of existing currently serviceable grandfathered or authorized fills and structures with no expansion or change in use.	Repair of any non-serviceable structures or fills, or repair/maintenance of serviceable structures or fills, with expansion up to 1 acre, or change in use.	Replacement of non-serviceable structures or fills, or repair and maintenance of serviceable fills, greater than 1 acre.
<b>(C) DREDGING</b>	Maintenance dredging with contained upland disposal; proper siltation controls used; limited to work between Nov 1-Jan 15, (b), provided no impacts to special aquatic sites. (3)	Maintenance dredging that doesn't meet Category I, as well as new or improvement dredging. Disposal includes upland, open water or beach nourishment (above mean high water), provided material is determined suitable by the Corps, is < 25,000 c.y. and no impacts to special aquatic sites. (3)	Any dredging of greater than 25,000 cubic yards of material with open water disposal; or dredging any amount in or affecting special aquatic site. (3)

	<b>CATEGORY I</b>	<b>CATEGORY II</b>	<b>INDIVIDUAL PERMIT</b>
<b>(D) MOORINGS</b>	Private, non-commercial, non-rental single boat moorings not associated with any boating facility (4) provided not located in Federal Navigation Project, and no interference with navigation and with harbormaster approval.	Moorings that do not meet the terms of Category I or moorings that meet the terms of Category I that are located within a Federal anchorage.	Moorings within the horizontal limits, or with moored vessels that extend within the limits, of Corps Federal navigation projects, except those in Federal anchorages under Category II.
<b>(E) PILE-SUPPORTED STRUCTURES AND FLOATS</b>  No interference with navigation.	<p>1. Reconfiguration of existing authorized docks provided those structures do not extend beyond the existing perimeter of the facility, and floats supported off substrate at low tide. No dredging, additional slips or expansion allowed.</p> <p>2. Construction of private residential docks that extend no further waterward of MHW than to a depth of -4 feet, or which extend 40 feet, whichever is less. In either case above, no docks/floats shall be located over submerged aquatic vegetation or over tidal wetlands.</p> <p>3. Osprey platforms that meet CT General Permit.</p>	<p>1. Private piers and floats for navigational access to waterway other than those docks as described in Category I.</p> <p>2. New structures within an existing boating facility (4) provided those structures do not extend beyond the existing perimeter of the facility.</p>	Structures/piers/floats that extend, or with docked/moored vessels, that extend within horizontal limits of a Federal Navigation Project. Structures, including piers/floats, associated with a new or previously unauthorized boating facility. (4)
<b>(F) AQUACULTURE PROJECTS</b>  All must be marked and maintained in conformance w/ 33 CFR 64, and receive U. S. Coast Guard Permission for Aids to Navigation.  No impact to special aquatic site		<p>All on-bottom shellfish rearing devices and all off-bottom suspended systems (include longlines, lantern nets, rafts, and associated work floats) for the culture of shellfish or seaweed.</p> <p>Installation of intake and discharge structure for land-based hatchery with once through circulation system.</p>	Shellfish rearing systems that do not meet Category 2.

<b>(G) MISCELLANEOUS</b>	<b>CATEGORY I</b>	<b>CATEGORY II</b>	<b>INDIVIDUAL PERMIT</b>
	<p><b>Temporary buoys, markers, floats, etc. for recreational use during specific events, provided they are removed w/in 30 days of their use.</b></p> <p><b>Coast Guard approved aids to navigation. Oil spill clean up. Temporary structures/ fill. Fish/ wildlife harvesting structures/ fill (As defined by 33 CFR 330, App A-4).</b></p> <p><b>Scientific measurement devices and survey activities, such as exploratory drilling, surveying/ sampling. Does not include oil/ gas exploration and fills for roads/ construction pads.</b></p>	<p><b>Structures/work in affecting tidal/navigable waters that are not defined under any of the previous headings. Includes, but not limited to: utility lines, aerial transmission lines, pipelines, outfalls, boat ramps, bridge fills/ abutments, etc.</b></p>	<p><b>EIS required by the Corps.</b></p> <p><b>Activities within the horizontal limits of Corps Federal navigation projects, or with docked or moored vessels that extend within those limits.</b></p>

## Definitions

**(1) Waters of the U.S. in inland areas:** Inland rivers, streams, lakes, ponds and wetlands.

[Refer to Title 33 CFR 328.4(c)]

**(2) Navigable Waters:** Waters that are subject to the ebb and flow of the tide and Federally designated navigable waters which, in Connecticut, include the Connecticut River to the Massachusetts state line. [Refer to Title 33 CFR Part 329]

**(3) Special Aquatic Sites:** Include wetlands (inland and salt marsh), mud flats, vegetated shallows (permanently inundated areas that support rooted aquatic vegetation such as eel grass), coral reefs, and riffle and pool complexes. [Refer to 40 CFR Part 230 Subpart E]

**(4) Boating facilities:** Facilities that provide, rent, or sell mooring space, such as marinas, yacht clubs, boat yards, town facilities, dockominiums, etc.

**(5) Special Wetlands:** vernal pools, bogs, fens, cedar swamps, spruce swamps, calcareous seepage swamps, and wetlands which provide habitat for threatened or endangered species or species of special concern as designated by the State of Connecticut Natural Diversity Database. The following definitions for vernal pools, bogs, fens, cedar swamps, spruce swamps, and calcareous seepage wetlands apply for the purposes of this PGP:

**Bog:** a peat accumulating wetland dominated by sphagnum moss. Typical plant species include sphagnum moss, leatherleaf, black spruce, pitcher plant and sundew.

**Fen:** a peat accumulating wetland dominated by sedges and/or ericaceous shrubs. Typical plant species include low sedges, ericaceous shrubs, sphagnum and other mosses.

**Vernal Pool:** an often temporary body of water occurring in a shallow depression of natural or human origin that fills during spring rains and snow melt and typically dries up during summer months. Vernal pools support populations of species specially adapted to reproducing in these habitats. Such species may include wood frogs, mole salamanders (*Ambystoma* sp.), fairy shrimp, fingernail clams, and other amphibians, reptiles and invertebrates. Vernal pools lack breeding populations of fish. NOTE: **The Corps will determine on a case by case basis which vernal pools are within their jurisdiction.**

**Cedar Swamp:** a forested wetland characterized by the presence of Northern White Cedar/Atlantic White Cedar.

**Spruce Swamp:** a forested wetland characterized by the presence of Red/Black Spruce.

**Calcareous Seepage Swamp:** a forested wetland characterized by the discharge of groundwater with a chemistry influenced by the underlying limestone geology.

**(6) Threatened and Endangered Species, Species of Special Concern; Significant Natural Communities:** Species listed by CT DEP pursuant to Chapter 495 of the Connecticut General Statute as threatened or endangered species or species of special concern. Known locations of threatened and endangered species and species of special concern, and significant natural communities are identified on maps entitled "State and Federal Listed Species and Significant Natural Communities", as amended. These maps are available at city or town clerk offices and in the CT DEP File Room located on the store level of 79 Elm Street, Hartford.

## Exclusions

**(a)** Category I does not apply to projects occurring in a component of, or within 0.25 mile up or downstream of the main stem of tributaries of a river segment of, the National Wild and Scenic River System.

**(b)** Projects located on the main stem of the CT River must be screened under Category II.

**(c)** Projects involving widenings, expansions and enhancement that impact between 1-3 acres of degraded or low value wetlands that have been assessed as such by either CT DEP or COE personnel, may be approved under Category II, subject to the Federal screening.

**(d)** The 1 Acre limit does not apply to wetland restoration projects provided that impacts to the aquatic resources are minimal and there is a preplanning component to the project that includes review and representation from all federal and state agencies on the screening committee.

**(e)** Section 401 Water Quality Certification is denied for Bank Stabilization Projects involving a length of greater than 200 feet. Length includes the sum of bank stabilization involving one or both banks of a section of stream. Projects involving bank stabilization with a length of greater than 200 feet will require individual Section 401 Water Quality Certification.

**(f)** Activities regulated by the CT DEP under Connecticut General Statutes Section 22a-368 (Water Diversion Policy Act) or Section 22a-403 (Dam Construction/Safety) screened in Category II.



US Army Corps  
of Engineers®  
New England District

## U.S. Army Corps of Engineers Additional Required Information

The following is a list of additional information required by the Corps of Engineers for both Individual Permits and Category II Connecticut Programmatic General Permits (CT PGPs).

Please be sure to send this information to both the Corps of Engineers and the CT DEP, OLISP along with your application package.

### **Dredging Projects:**

Plan view with existing bottom depths, section view, amount of material to be dredged, proposed dredging depth, method of dredging (hydraulic or mechanical), stipulate maintenance, new or improvement dredging and the requested disposal site.

Show the location of discharges on the plan and any potential non-point sources.

Point source discharges/spills must be investigated. This information may be obtained from the local harbormaster, U.S. Coast Guard, or the CT DEP.

Submit any previous test data (either at your site or a nearby site), with sampling station locations shown on a plan.

If the disposal site is upland, specify the site on a map; provide the site's existing characteristics (normal use, landscape, prior use as a disposal site, any aquifers in the area?); method of containment (diked? depression?); what materials will be used for berm construction? construction method? method of transport from dredge to disposal area (pipeline, sealed trucks); grading plans; what is the long-term planned use of the site? and containment site capacity calculations are needed.

Also, if open water disposal is chosen as the disposal site for the material to be dredged, please submit a detailed upland disposal alternative analysis. This analysis should include the names and addresses of nearby landfills or other available upland disposal sites that were looked into as well as the immediate upland availability.

This information is necessary so that the Corps and the CT DEP can develop a sampling plan for your project. In most cases, the proposed dredging may still be authorized by a CT PGP.

**Please be advised that open water disposal of more than 25,000 c.y. of dredged material or dredging with any volume proposed by a Federal agency, requires authorization under Section 103 of the Ocean Dumping Act and an Individual Permit from this office.**

For all projects with disposal of between 19,000 and 25,000 c.y. of dredged material in LIS waters, the permittee will be required to submit a calculation of the total volume of material removed, based on pre- and post-dredge surveys, to this office within 60 days of the completion of dredging.

**For projects that are located within 200 feet of a Federally maintained project:**  
(new structures as well as extensions to existing structures)

Please provide State plane coordinates of the seaward ends of the proposed structures. These can be included on your plans and sent to CT DEP, OLISP directly.

ADDENDUM - ADDITIONAL REQUIRED INFORMATION

CATEGORY II OF THE CONNECTICUT PROGRAMMATIC GENERAL PERMIT

CT DEP, BUREAU OF WATER MANAGEMENT, INLAND WATER RESOURCES DIVISION

1. Provide an Executive Summary which includes: a brief description of the proposed activity; a synopsis of the environmental and engineering analyses conducted and the results of such analyses; the anticipated time frame for initiating, conducting and completing the proposed activities; and any other information the applicant deems relevant to an understanding of the proposed activity.

2. Provide the 4-digit basin code for the natural drainage basin in which the project is located: \_\_\_\_\_

Basin codes are identified on the map entitled, "Natural Drainage Basins in Connecticut" published by the CT DEP, Natural Resources Center.

3. Is the proposed activity located within a shaded area of concern on the "State and Federally Listed Species and Significant Natural Communities Maps"? \_\_\_\_\_. Date of map? \_\_\_\_\_

4. Has a field survey been conducted of the project area to identify any presence of endangered, threatened, or special concern species? \_\_\_\_\_

If yes, submit a copy of the field survey and include the biologist's name and contact information.

The Natural Drainage Basin and Listed Species Maps references above are available in the CT DEP File Room or the DEP Store located on the store level at 79 Elm Street, Hartford. Information is also available on the DEP web site at [www.dep.state.ct.us](http://www.dep.state.ct.us).

5. Submit two copies of full-scale plans for the entire project. Plans should include a soil erosion and sedimentation control plan sheet.

6. Submit an engineering hydrology/hydraulic report consisting of engineering studies and other documentation as appropriate that fully and clearly describes the design of proposed facilities or other actions and the hydrologic/hydraulic effects thereof. Include a summary of the hydrology and hydraulic computations.

7. Application Certification: "I have personally examined and am familiar with the information submitted in this application and documentation attached thereto, and I certify that based on reasonable investigation, including my inquiry of the individuals responsible for obtaining the information, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that a false statement in the submitted information may be punishable as a criminal offense, in accordance with Section 22a-6 of the General Statutes, pursuant to Section 53a-157b of the General Statutes, and in accordance with any other applicable statute.

\_\_\_\_\_  
SIGNATURE OF APPLICANT

\_\_\_\_\_  
DATE

\_\_\_\_\_  
NAME OF APPLICANT (PRINTED OR TYPED)

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
SIGNATURE OF PREPARER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
NAME OF PREPARER (PRINTED OR TYPED)

\_\_\_\_\_  
TITLE

**Department of The Army General Permit  
State of Connecticut  
APPLICATION FOR AQUACULTURE**

***Complete and attach the requested information and submit to the State of Connecticut Department of Agriculture, Bureau of Aquaculture Application***

Applicant Name:  
Mailing Address:  
Telephone No.:

Geographic Location of Aquaculture Project:

Lat/Long (&see below)

Shellfish Classification of the water body:      Open/direct harvest \_\_\_\_\_  
Closed \_\_\_\_\_

Conditional \_\_\_\_\_  
Restricted Relay \_\_\_\_\_

Type of Aquaculture:      On- Bottom \_\_\_\_\_  
Check all that Apply      Off-Bottom \_\_\_\_\_  
Raft \_\_\_\_\_  
Upweller \_\_\_\_\_

Suspended \_\_\_\_\_  
Net Pen \_\_\_\_\_  
Longline \_\_\_\_\_

The following information should be submitted with your application:

1. Detailed design plan, including engineering specifications (as necessary) for all permanent and temporary structures
2. Plan and cross sectional views for each of each type of structure (net pen, longline unit, raft, or cage) specifying its height, width, depth and typical location in the water column.
3. Specify the total area of impact (acreage) and depict the approximate configuration for all structures
4. Identify the number of cages, net, rack, raft etc. which will make up each individual rearing unit and the linear length of the string
5. Depiction of the proposed retention system (anchor, taut line etc.) including a discussion of the preferred method's ability to stand fast during anticipated seasonal adverse weather conditions
6. Description of the proposed site, including measurements of depth, tidal current velocities and bottom habitat, noting the presence or absence of vegetation and the type of sediment (sand, mud, rock)
7. Coastal navigation chart marked to delineate the aquaculture projects proximity to the nearest shoreline, adjacent structures, navigation channels and fishing fairways. In the event that the project area is within 200 feet of a Federal Navigation Project, the plan should depict the offset distance from the nearest project feature to the boundary of the Federal Navigation Project.
8. Geographic coordinates (NAD 1983, Latitude and Longitude) of the principle corners of the project area, reported to the nearest 00.01 seconds (e.g. "N 41°50'20.01" "W70°30'59.59")

Floating Structures Only:

9. Depict the distance or depth from the lowest point of the floating structures within the water column to the natural bottom at mean low water
  10. Depict the distance or depth from the highest point of the submerged structures within the water column to their elevation at mean low water, mean high water and mean sea level (operating depth)
-





**US Army Corps  
of Engineers**  
New England District

**PGP WORK START NOTIFICATION FORM  
(Minimum Advance Notice: Two Weeks)**

**MAIL TO:** U.S. Army Corps of Engineers, New England District  
Regulatory Branch  
Policy Analysis/Technical Support Section  
696 Virginia Road  
Concord, Massachusetts 01742-2751

A Corps of Engineers Permit (No \_\_\_\_\_) was issued to \_\_\_\_\_. The permit authorized \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The people (e.g., contractor) listed below will do the work, and they understand the permit's conditions and limitations.

PLEASE PRINT OR TYPE

Name of Person/Firm: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Business Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_ (\_\_\_\_) \_\_\_\_\_

Proposed Work Dates: Start: \_\_\_\_\_

Finish: \_\_\_\_\_

PERMITTEE'S SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ TITLE: \_\_\_\_\_

***FOR USE BY THE CORPS OF ENGINEERS***

PM \_\_\_\_\_ Submittals Required: \_\_\_\_\_

Inspection Recommendation: \_\_\_\_\_