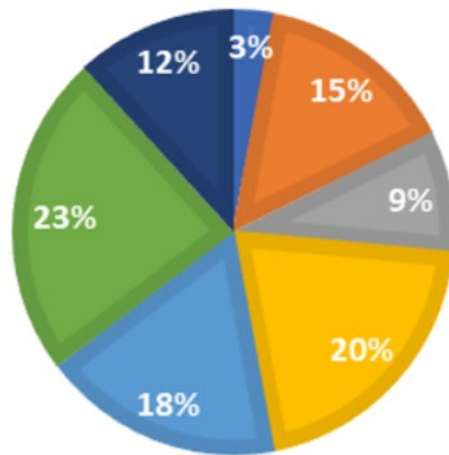
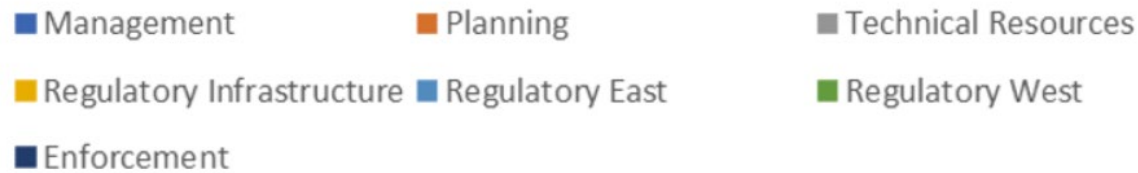




CAWS 2025 LAND & WATER RESOURCES DIVISION UPDATES

Land & Water Resources Division

Mission Statement: - “The Land & Water Resources Division is committed to the protection, restoration and management of Connecticut’s tidal and non-tidal waters, wetlands, natural resources and the appropriate use of floodplains, coastal areas and Long Island Sound”



45 staff
(2 vacancies)



INLAND WETLANDS PROGRAM UPDATES

- Process Improvements
- Program Housekeeping
- Website Updates



Process Improvements: Statewide Inland Wetlands and Watercourses Activity Reporting Form (SIWWARF)

CGS Sec. 22a-39(m)

DEEP shall "adopt regulations...establishing reporting requirements for inland wetlands agencies, which shall include provisions for reports to the commissioner on permits, orders and other actions of such agencies and development of a form for such reports"

Process Improvements: Statewide Inland Wetlands and Watercourses Activity Reporting Form (SIWWARF)

Current Framework

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

79 Elm Street • Hartford, CT 06106-5127 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

GIS CODE S: _____
No. 10101-101

Statewide Inland Wetlands & Watercourses Activity Reporting Form
Please complete this form in accordance with the instructions on pages 2 and 3 and mail to:
DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3rd Floor, Hartford, CT 06106
Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.

PART I: Must Be Completed By The Inland Wetlands Agency

1. DATE ACTION WAS TAKEN: year: _____ month: _____
2. ACTION TAKEN (see instructions - one code only): _____
3. WAS A PUBLIC HEARING HELD (check one)? yes ☐ no ☐
4. NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:
(print name) _____ (signature) _____

PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

5. TOWN IN WHICH THE ACTIVITY IS OCCURRING (print name): _____
does this project cross municipal boundaries (check one)? yes ☐ no ☐
if yes, list the other town(s) in which the activity is occurring (print name(s)): _____
6. LOCATION (see instructions for information): USGS quad name: _____ or number: _____
subregional drainage basin number: _____
7. NAME OF APPLICANT, VIOLATOR OR PETITIONER (print name): _____
8. NAME & ADDRESS OF ACTIVITY / PROJECT SITE (print information): _____
briefly describe the action/project/activity (check and print information): temporary ☐ permanent ☐ description: _____
9. ACTIVITY PURPOSE CODE (see instructions - one code only): _____
10. ACTIVITY TYPE CODE(S) (see instructions for codes): _____
11. WETLAND / WATERCOURSE AREA ALTERED (see instructions for explanation, must provide acres or linear feet):
wetlands: _____ acres open water body: _____ acres stream: _____ linear feet
12. UPLAND AREA ALTERED (must provide acres): _____ acres
13. AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (must provide acres): _____ acres

DATE RECEIVED: _____ DATE RETURNED TO DEEP: _____
PART III: To Be Completed By The DEEP

FORM COMPLETED: YES NO FORM CORRECTED / COMPLETED: YES NO

rev. 10/01/24 pdf

Please complete this form in accordance with the instructions on pages 2 and 3 and mail to:
DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3rd Floor, Hartford, CT 06106
Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.

6. LOCATION (see instructions for information): USGS quad name: _____ or number: _____
subregional drainage basin number: _____

Process Improvements: Statewide Inland Wetlands and Watercourses Activity Reporting Form (SIWWARF)

Current Framework

Connecticut Department of
ENERGY &
ENVIRONMENTAL
PROTECTION

79 Elm Street • Hartford, CT 06106-5127 www.ct.gov/deep Affirmative Action/Equal Opportunity Employer

OS CODE # _____
No OS# on file

Statewide Inland Wetlands & Watercourses Activity Reporting Form
Please complete this form in accordance with the instructions on pages 2 and 3 and mail to:
DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3rd Floor, Hartford, CT 06106
Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.

PART I: Must Be Completed By The Inland Wetlands Agency

1. DATE ACTION WAS TAKEN: year: _____ month: _____

2. ACTION TAKEN (see instructions - one code only): _____

3. WAS A PUBLIC HEARING HELD (check one)? yes ☐ no ☐

4. NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:
(print name) _____ (signature) _____

PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

5. TOWN IN WHICH THE ACTIVITY IS OCCURRING (print name): _____
does this project cross municipal boundaries (check one)? yes ☐ no ☐
if yes, list the other town(s) in which the activity is occurring (print name(s)): _____

6. LOCATION (see instructions for information): USGS quad name: _____ or number: _____
subregional drainage basin number: _____

7. NAME OF APPLICANT, VIOLATOR OR PETITIONER (print name): _____

8. NAME & ADDRESS OF ACTIVITY / PROJECT SITE (print information): _____
briefly describe the action/project/activity (check and print information): temporary ☐ permanent ☐ description: _____

9. ACTIVITY PURPOSE CODE (see instructions - one code only): _____

10. ACTIVITY TYPE CODE(S) (see instructions for codes): _____

11. WETLAND / WATERCOURSE AREA ALTERED (see instructions for explanation, must provide acres or linear feet):
wetlands: _____ acres open water body: _____ acres stream: _____ linear feet

12. UPLAND AREA ALTERED (must provide acres): _____ acres

13. AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (must provide acres): _____ acres

DATE RECEIVED: _____ DATE RETURNED TO DEEP: _____

PART III: To Be Completed By The DEEP

FORM COMPLETED: YES NO FORM CORRECTED / COMPLETED: YES NO

rev. 1/2024 pdf

Future Framework

Statewide Inland Wetlands & Watercourses Activity Reporting



Pursuant to Section 22a-39(m) of the Connecticut General Statutes (CGS) and Section 22a-39-14 of the Regulations of Connecticut State Agencies, inland wetland agencies must complete the Statewide Inland Wetlands & Watercourses Activity Reporting Form for each action taken by such agency.

Please remember, the inland wetlands agency is responsible for ensuring that the information provided is accurate and that it reflects the final action of the agency. Instructions for completing the form are located within relevant sections.

The inland wetlands agency shall complete this online form for each action taken during a calendar month no later than the 15th day of the following month.

Questions may be directed to the DEEP's Inland Wetlands Management Program at Kristen.oneill@ct.gov. Please include "SIWWARF" in the subject line of your email.



| Agency Action Taken ▶

| Geolocation ▶

| Temporary Impacts ▶

Process Improvements: Statewide Inland Wetlands and Watercourses Activity Reporting Form (SIWWARF)

Statewide Inland Wetlands & Watercourses Activity Reporting



Pursuant to Section 22a-39(m) of the Connecticut General Statutes and Section 22a-14 of the Regulations of Connecticut State Agencies, inland wetlands agencies must complete the Statewide Inland Wetlands & Watercourses Activity Reporting Form for each action taken by such agency.

Please remember, the inland wetlands agency is responsible for ensuring that the information provided is accurate and that it reflects the final action of the agency. Instructions for completing the form are located within relevant sections.

The inland wetlands agency shall complete this online form for each action taken during each calendar month no later than the 15th day of the following month.

Questions may be directed to the DEEP's Inland Wetlands Management Program at Kristen.oneill@ct.gov. Please include "SIWWARF" in the subject line of your email.



| Agency Action Taken ▶

| Geolocation ▶

| Temporary Actions ▶

| Permanent Actions ▶

Restoration, Enhancement, and Creation

Please Write in Town, City, Borough, or Inland Wetlands Agency*

Title of Official Completing this Form*

Name of the Official Verifying and Completing this Form*

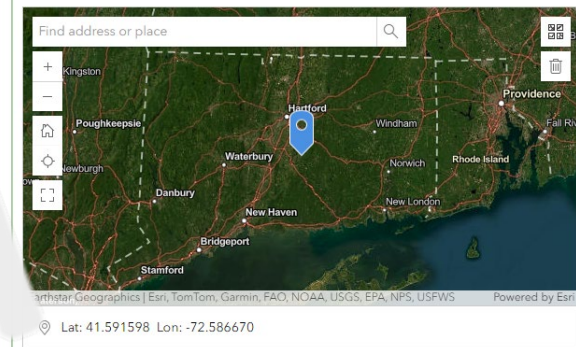
Verify the information above was entered accurately and reflects the action taken by the Inland Wetlands Agency.

Submit

| Geolocation ▶

Location Selection*

Please type in an address and tap or click the map once to move the geoint. Drag the map with a finger or mouse to change locations. Click the icon on the top-right of the map to change the basemap.



Program Housekeeping

2024 Regulation Advisory

- Will include updates from 2021-2024 legislative sessions that may impact municipal inland wetlands agency business or regulations.
- Will include a revised permit timeframe chart to reflect 2021 changes

Revisions to DEEP's Inland Wetlands Regulations

- NOT the municipal model regulations
- Eliminate outdated and redundant provisions (e.g., definitions that repeat the statute, references to appeals to courts that no longer exist, provisions that are inconsistent with case law and statute since 1974)
- Clarify process for regulating activities on state-owned wetlands
- Provide for implementation of DEEP's wetland mitigation policy

Municipal Training Needs & Wants Survey

Website Updates

Division-wide push to make our webpages easily navigable, useful, and streamlined.

For wetlands pages:

- Easier to find resources
- Updated factsheets
- **NEW!** Outreach Materials

Website Updates

Division-wide push to make our webpage streamlined.

For wetlands pages:

- Easier to find resources
- Updated factsheets
- **NEW!** Outreach Materials



Questions?



REGULATORY PROGRAM UPDATES

Regulatory Programs administered by LWRD



Inland Wetlands
(state actions) &
Water Quality
Certification



Water Diversion Non-
Consumptive



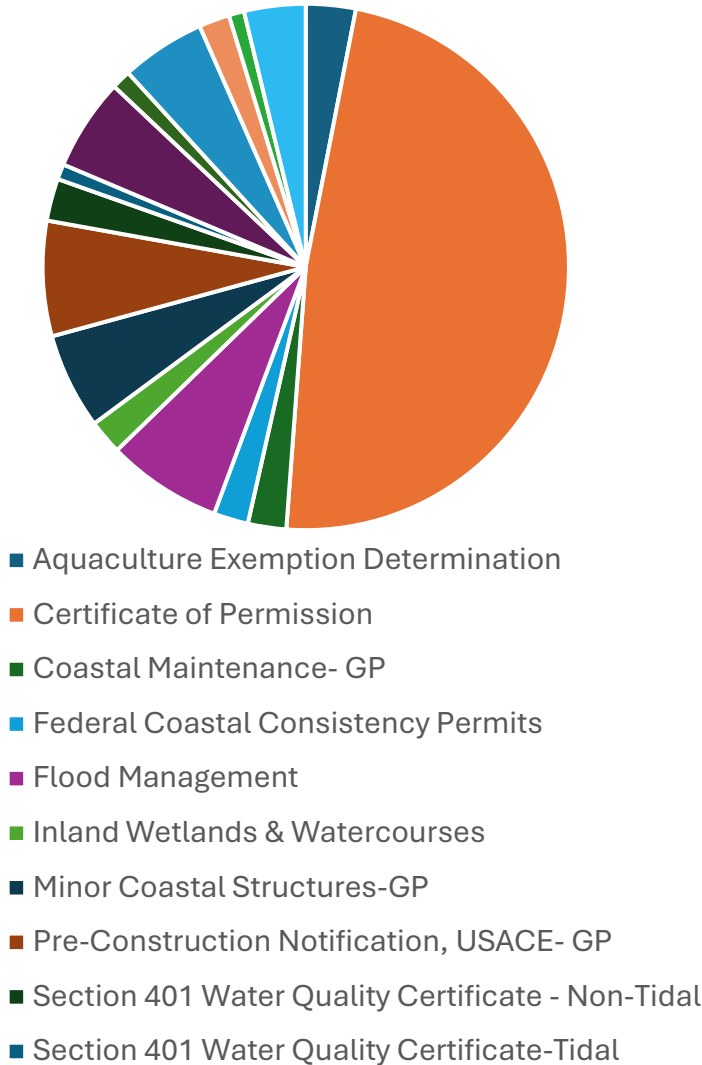
Structures, Dredging & Fill
and Tidal Wetlands



Flood
Management

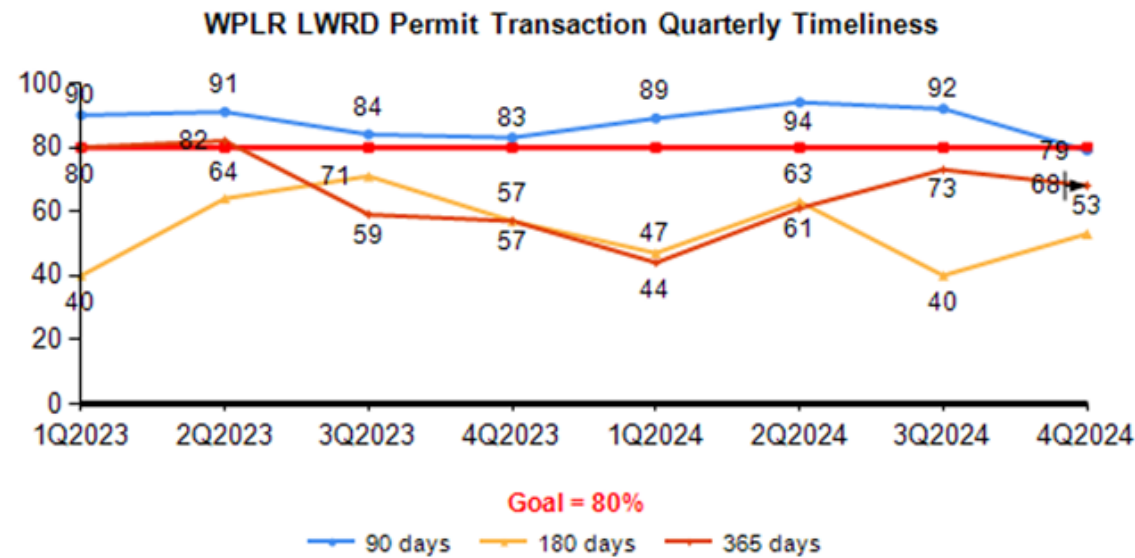
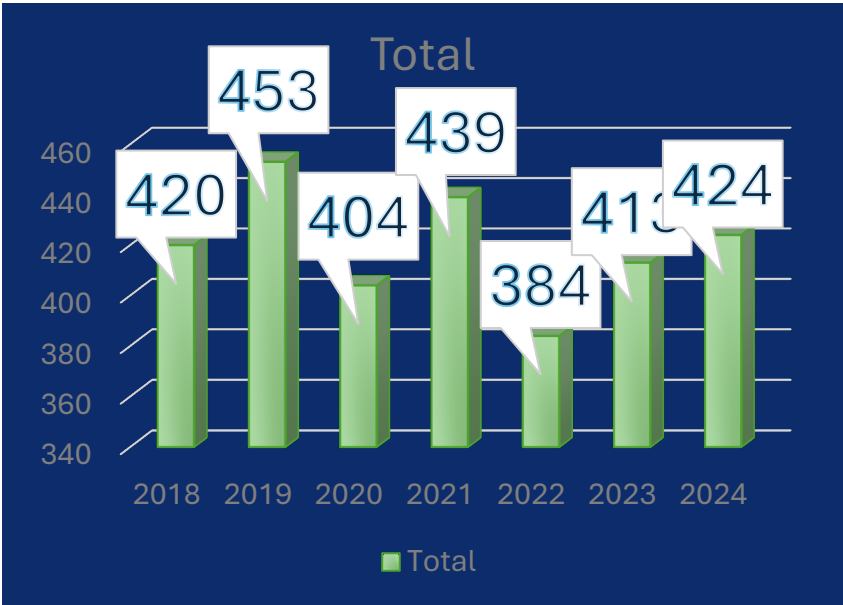
APPLICATION RECEIVED BY 2024 PROGRAM TYPE

High Volume Program / Process	Number of Applications
Certificate of Permission	204
Flood Management	30
Pre-Construction Notice	30
Coastal Minor Structures GP	25
Structures, Dredging & Fill	24 (SDF/TW/401 = 64)
Emergency Authorizations	30+ sites
Division total	424



DEEP dive into permitting metrics revealed the following time consumers

- Pre-Application meetings
- COP Eligibility discussions
- Level of design when authorized, proposed modifications due to constructability issues
- Timeline of other agencies, divisions
- Backlog Statistics
 - **27% of the pending applications are in the division's backlog**
 - **60% of applications in our backlog are missing information**
 - **11% of applications in our backlog were never uploaded to the FTP site**



Process Improvements

- Continuous Improvement on our Master Application Package
 - The electronic application submission process will be simplified by eliminating the need to send an email to DEEP.LWRDRegulatorySubmittals@ct.gov. instead, the email from CPPU will contain the FTP upload instructions
 - Applications forms are being updated, hope to be available within 6 to 9 months.



Process Improvements

On deck Stakeholder Engagement Meeting
3/18/2025

- Pilot a new application review framework
 - Establish a transparent process that has clear path based on the information provided in the application
- Improvements to the Coastal Regulatory Program. LWRD held a Workshop in July of 2024 with American Council of Engineering Companies of CT on how DEEP might improve the regulatory process for the coastal permitting programs

Website Improvements

- Work group meeting regularly to make website more user friendly
- New guidance to be added when available

Clarity on COP eligibility

- Reduce “grey area”
- Limit scope of COP to what was originally intended

New GPs

- Take activities we frequently see under COP to reduce COP volume
- Modify existing GPs

Better communication between LWRD and consultants

- Regular meetings
- Improved communication via email, website, etc.

Clear Guidance

- Summary templates with guidance made public, fact sheets, etc.
- Definitions added where applicable

Innovative Approaches in Regulatory

The Department strongly supports the beneficial use of dredged sediment for a variety of potential uses, including restoring or creating wetland and island habitats. However, these alternatives are relatively new in Connecticut. Developing beneficial use opportunities for habitat restoration in a manner that is practical, environmentally-beneficial and protective of the environment and human health is complex and will require considerable investigation and stakeholder engagement.



DOT Pilot Project Thin Layer Placement as mitigation for the replacement of Bridge No. 02713, carrying State Route 156 over the Four Mile River in Old Lyme and East Lyme, CT. The site consists of a 10,000 square foot panel, defined by manmade drainage ditches,

DEEP restoring 82 acres of degraded salt marsh by restoring full tidal flow and flushing to the Bride Brook estuary by dredging approximately 5,652 cubic yards of material from Bride Brook and place the dredged material on 174,240 sf of existing degraded tidal wetland marsh in the form of thin layer deposition.

Common Issues – Non-Compliance



For past reporting year:

276 complaints received

180 inspections performed

49 enforcement actions issued

\$108,960 collected in civil penalties and SEP funds

Construction Methodology. The permit application, including design drawings, studies and engineering computations shall demonstrate the project can be constructed as shown.

For example: Will the project be constructed from the upland vs. from the water? Is there access to the site? Does the applicant have all the necessary property rights to complete the project?

The Licensee/contractor make changes to the authorized structures without DEEP notification or approval. Condition number 16 of the General Conditions for LWRD Licenses requires a preapproval for any modification to a structure or methodology.

Common Issues – Non-Compliance

- LWRD Enforcement Section actions:

Formal

Referrals to the AG' Office 1

Consent Orders 6

Informal

Field NOV's 2

Warning Letters 5

NOV's 7

Notices of Non-Compliance 28

Failure to submit required post-license documents, such as tidal wetland restoration monitoring reports, as-built drawings, shared dock agreements, photos of structure/fill removal, etc... It's important to read the license itself including all the enclosures that are included with the license.

The Licensee and/or their contractor do not read the entire License, this leads to noncompliance with many of the conditions, such as posting the first page of the license at the work site or flagging tidal wetland limits. It's important to read the license itself including all the enclosures included with the license.

Compliance Assistance & Enforcement Initiatives

- **Coastal Property Owner Outreach:** bi-annual presentations of the Connecticut Beach Association's Guide to Coastal Activities and Permitting. The presentations are open to beach associations and anyone with interest in coastal property. The event includes going over the guide with LWRD staff, as well as other applicable DEEP staff, with the ability for audience members to ask specific questions throughout. Commonly addressed non-compliance issues include: "grandfathering," beach raking and grading, unauthorized docks, fences, signs, and groins below Mean High Water, as well as information regarding the Public Trust.
- **Realtor Outreach:** Presenting to Connecticut licensed realtors regarding coastal permitting and enforcement. LWRD staff presents to various groups of realtors to address commonly found violations that often are unknowingly inherited by new home owners. Audience size varies from local realty agency branch to agents from statewide realtors of a specific agency.

What You Own

"INTELLIGENCE" CHECKLIST

- structures that appear to be in
- aters, tidal wetlands, or contacted
- ides
- ut when they were installed
- mine if there are authorizations
- for outstanding violations

ie FEMA Compliance

for FEMA flood zones

flood insurance rate maps

mine insurance responsibilities

nsc.fema.gov

ocal municipality

mine town jurisdiction and

itting requirements

town land records for past

erty notices, site plans, and survey

DEEP

gulatory and enforcement history

ermitting and general info

at DEEP at:

RDPermitInfo@ct.gov

0-424-3019

Department of Energy & Environmental Protection
Land & Water Resources Division
79 Elm St
Hartford, CT 06106
DEEPLWRDPermitInfo@ct.gov
portal.ct.gov/DEEP/Coastal-Resources

Photos by: Paul Fusco and Kate Perzanowski

Connecticut Department of
ENERGY & ENVIRONMENTAL PROTECTION

CONNECTICUT ENERGY & ENVIRONMENTAL PROTECTION

COASTAL PROPERTY OWNER GUID

Compliance Assistance & Enforcement Initiatives

- **Website Reorganization:** Reviewing and re-writing LWRD specific webpages to make it easier for users to find information, and easier to comprehend.
- **New Compliance Assurance Initiative:** to help increase permitting awareness, a new compliance assurance method is being tested in order to try and bring permitting information to interested parties without the fear of penalties. When asked for general permit information for a property- LWRD compliance staff will give coastal permitting information (or lack of) to those requesting, without follow-up questioning. Notes will be given regarding permitting status, but the goal is to prevent buyers from unknowingly inheriting violations and realtors to be able to obtain the information without fear of entrapping clients in a violation.
- **Dock Violation Backlog:** establishing a new SOP on addressing backlogged dock violations that will shorten the duration of informal enforcement and make issuing removal orders simpler and more efficient



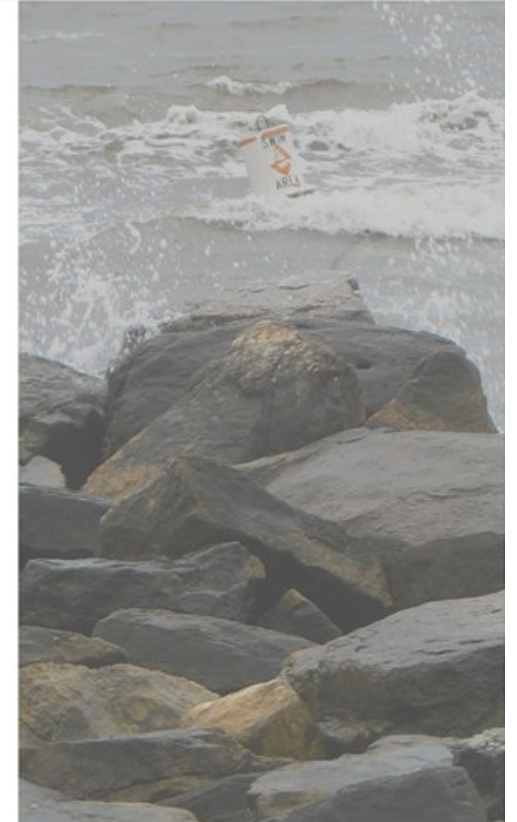
Land and Water Resources Division

Connecticut Beach Association's Guide to Coastal Activities and Permitting

Contact: DEEP.LWRDPermitInfo@ct.gov

Content Created: May 2022

Content Revised: March 2024



Questions



AUGUST 18TH STORM EVENT



August 18, 2024 Storm Event



-Up to 16 inches of rain fell in 6-8 hours in some locations

-In some areas in CT, this was around the 1,000-year flood event

-Peak rainfall amounts exceeded 3" of water per hour,

7" in 3 hours in a band from Monroe to Oxford

Connecticut General Statutes § 22a-6k

“Emergency Authorization for Regulated Activity”



(a) The Commissioner of Energy and Environmental Protection may issue an emergency authorization for any activity regulated by the commissioner under section 22a-32, **subsection (h) of section 22a-39**, 22a-54, 22a-66, 22a-174, 22a-208a, 22a-342, 22a-368, 22a-403, 22a-430, 22a-449 or 22a-454 provided he finds that



(1) such authorization is ***necessary to prevent, abate or mitigate an imminent threat to human health or the environment***; and



(2) such authorization is ***not inconsistent with the federal Water Pollution Control Act, the federal Rivers and Harbors Act, the federal Clean Air Act or the federal Resource Conservation and Recovery Act***.



Such emergency authorization ***shall be limited by any conditions the commissioner deems necessary to adequately protect human health and the environment***.

Emergency authorizations for state roads and infrastructure under CT DOT jurisdiction

- To conduct immediate emergency repairs and replacements for state infrastructure damaged by the August 18, 2024 storm event, DOT originally provided a 23-site list which the EA covered. There have been additions to this list that have been approved by DEEP per the EA special conditions.
- Expires 180 days from issuance (2/17/2025)
- Special Condition 5 required submission of as-built plans for activities 1-7.
- Special Condition 9 & 10 required coordination with DEEP NDDDB for sites within NDDDB polygons and DEEP Fisheries staff regarding potential impacts to aquatic habitat.
- Special Condition 11: *“Any future phases of work shall require submission and approval of all applicable authorizations prior to commencement.”*

TOWN	RT # / Road Name	Cross Street / Pole #	Brief Description of Closure
Southbury	RT 6 and 67	Main Street South	Road Closed due to Flooding
Southbury	RT 6 @ Woodbury T.L.	Mansion House Road	Road Closed due to Flooding
Southbury Oxford	SR 487 Kettletown Rd.	RT 67 Kettletown State Park	Rd Closed due to Washed Out Road & Culvert & Bridge Damage
Woodbury	RT 317 @ Transylvania Road	Hollow Road	Road Closed due to Flooding
Roxbury	RT 317 @ Bacon Road	Bacon Road	Road Closed due to Flooding Culvert damage
Southbury	RT 172 @ Bruce Brook Road	Constitution Hill	Road Closed due to Flooding Bridge Damage
Southbury	RT 188 @ RT 67	Bridle Path Road	Road Closed due to Flooding Culvert Damage
Danbury	SR 805 @ White Turkey	Nabby Road	Road Closed due to Flooding
Bethel	RT 53 @ Nashville Road	Cherry Lane	Road Closed due to Flooding
Redding	RT 53 @ John Reed School	Great Pasture Road and Umdawaug	Road Closed due to Flooding
Newtown	RT 25 @ Ethan Allen Road	Button Shop Road	Road Closed due to Flooding
Danbury	RT 6 Old Newtown	Eagle Road	Road Closed due to Flooding
Redding	RT 107 Glenn Hill Road	RT 53	Road Closed due to Wash Out E/B Lane
Oxford	RT 34 @ Loughlin Road	Loughlin Road	Road Closed due flooding causing Bridge to Wash Out
Oxford	Rt.188 @ Southbury Line	Edmonds Road to Hogs back Road	Road Closed due to flooding causing Culvert collapse
Oxford	RT 67 @ Chestnut Tree Hill Road	To RT 67 Seymour Town Line	Rd Closed due to Flooding causing Culvert and Bridges damage
Seymour	RT 313 @ River Street	To Rt. 67	Road Closed due to Flooding
Ansonia	RT 115 @ State Street	Liberty Street	Road Closed due to Wall Washing in Road Mud Slides
Newtown	SR 860 @ Wasserman Way	To 184	Road Closed due to flooding
Monroe	RT 34 @ RT 111	RT 111	Road closed due to flooding causing Bridge to wash out
Oxford	RT 42 @ Old State # 3	Old State Road # 3	Culvert Washed on E/B Lane
Newtown	RT 34 @ Hawley Lane	To RT 111	Road Closed due to flooding Road Under Mining
Southbury	RT 67 @ Community House	To Old Waterbury Road	Utility Poles, Trees down and Road undermining

Phase Approach

Phase 1

- Immediate repair and replacement of state roadway and railway infrastructure that were damaged during the August 18th storm event.
 - In-kind placement of damaged infrastructure, repairs, and stabilization measures
 - Culverts
 - Bridges
 - Utilities
 - Etc.

Phase 2

- Separate coordination for repairs that go past Phase 1 work, but are still associated with the August 18th storm event
 - Follow the existing Emergency Procedures

Resource Concerns

Fisheries

- Special Condition 10. Fisheries Coordination – Site Specific
 - Rock weirs
 - Boulder placement
 - Shading

Wetlands/Watercourse Impacts

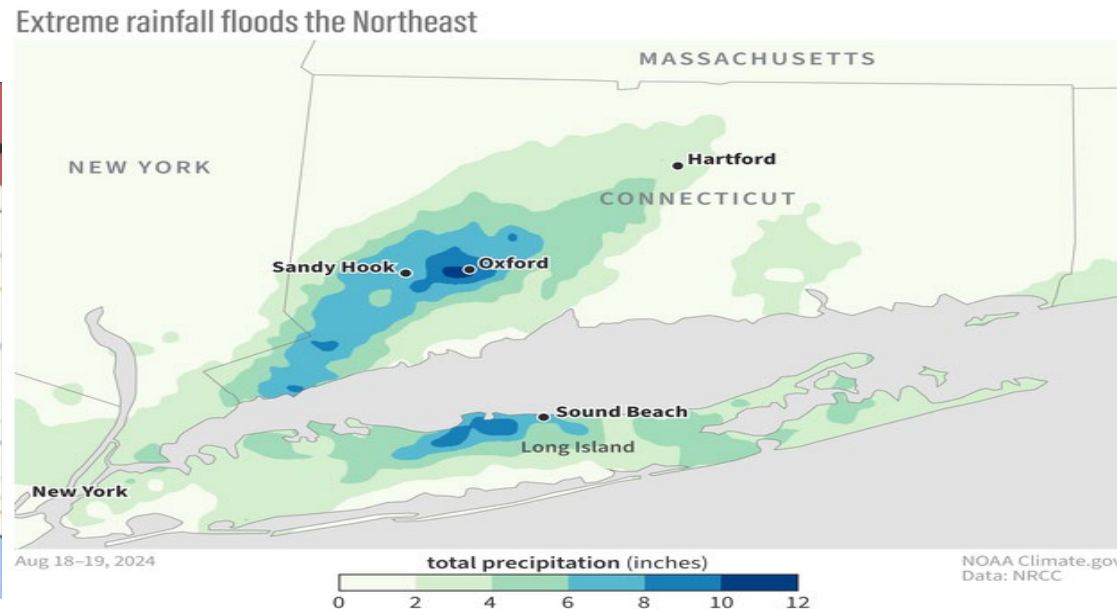
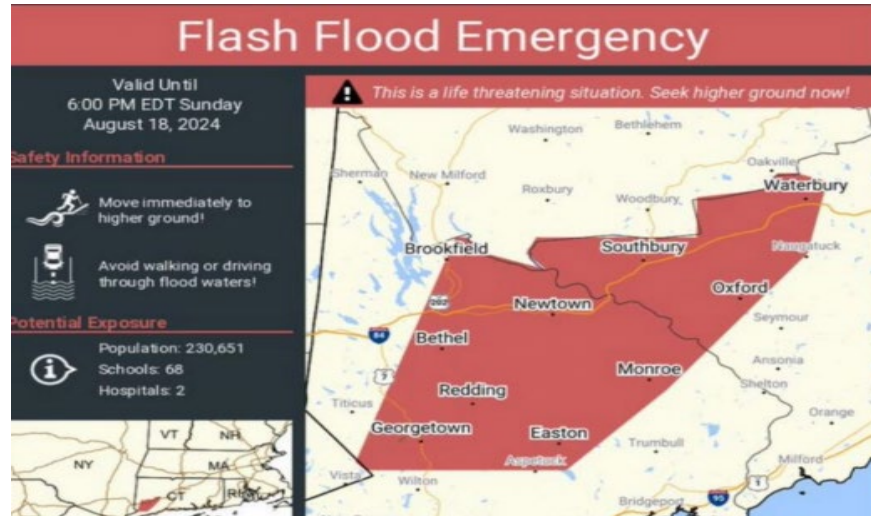
- Special Condition 4. Report for estimation of wetland and watercourse impact values.



August 18, 2024 Storm Event

FACTS:

- OXFORD, SOUTHBURY, ANSONIA, MONROE, NAUGATUCK, NEWTOWN, SEYMOUR, REDDING, ROXBURY, WATERTOWN, WESTON, WOODBURY, & BEACON FALLS
- ROUTES 34, 67, 111, 188, I-84, 313, 115, 53, 107, 317, 313, 6, 73, 317, & METRO-NORTH RAILROAD WATERBURY BRANCH - IMPACTED IN THIS AREA



August 18, 2024 Storm Event



Damage inventory (Overview): 3 CTDOT Districts

- Bridges impacted - 5
- Major Structure Repair(Drainage Assets) – 7
- Locations – over 32 discreet reconstruction locations
- Shoulders, MBR, CB Systems – Over 55 discreet locations
- Roadways, Utilities, Railroad Infrastructure
- Debris removed – over 45, 20 - yard bins



Damage inventory – cont'd:

- Over 2,400 CY Rip-Rap placed
- Approximately 2,800 LF, MASH / MBR installed
- Approximately 1,800 LF, Full Depth Shoulder Reconstruction
- Approximately 2,200 LF, Full Depth Road Reconstruction
- HMA (All forms) – 2550+ Tons placed
- Processed Aggregate – 6500+ Tons placed
- Over 350 Yds³ Concrete poured
- 52 shoulder locations repaired



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile
Brook Intersection at Loughlin Rd, Oxford



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



boulders along the channel

August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



August 18, 2024...

Route 34 Bridge No. 00944 over Eight Mile Brook
Intersection at Loughlin Rd, Oxford



MEMORANDUM

TO
Mr. Jeff Caiola
Assistant Director
Land and Water Resources Division
Department of Energy and
Environmental Protection
79 Elm Street, Hartford

Statewide Emergency Declaration
CTDOT Blanket EA Request
Rain Event 08/18/2024

DATE 08/21/2024

FROM
Christine Xenelis
Assistant Transportation Planning
Director
Office of Environmental Planning
Department of Transportation
2800 Berlin Turnpike, Newington

On August 18, 2024, western reaches of the Connecticut received up to 16-inches of rainfall within a 24-hour period. The torrential rains have resulted in historic flooding and widespread damage to CTDOT's rail and roadway infrastructure.

As a result of this rain event that occurred on August 18, 2024., Garrett T. Eucalitto, Commissioner, has declared that an emergency condition exists that demands immediate attention for the safety of the traveling public.

Additionally, in a letter dated August 19, 2024, the Honorable Governor Ned Lamont proclaimed a state of civil preparedness emergency pursuant to Section 28-9 of the Connecticut General Statutes to protect the life and property of Connecticut residents.

The CTDOT proposes to coordinate with CTDEEP on a two phased approach to repair rail, roadway, and bridge infrastructure. Phase 1 will be to outline the infrastructure and stabilization measures to restore safety to the traveling public to pre-storm conditions. Phase 2 will be to follow-up and coordinate with CTDEEP on the proposed permanent measures for restoration to CTDOT infrastructure.

The CTDOT is requesting a Blanket EA from the CTDEEP to cover Phase 1 repairs. Phase 1 will include but not limited to the following measures:

- Install erosion and sedimentation controls to prevent further degradation to regulated areas.
- Clear and grub vegetation within the footprint of work activities.
- Install water-handling including but not limited to cofferdams, temporary bypass pipes/hoses, temporary bypass pumps and dewatering.
- Install infrastructure to cross wetlands, watercourses, or floodplains to reestablish bridges, roadways, and rails to pre-storm conditions.
- Install slope stabilization/embankments measures.
- Install temporary access within wetlands, watercourse, and floodplains for repairs and/or stabilization.
- Remove sediment and debris from within wetlands, watercourses, and floodplains. All debris removed will be disposed of at an approved upland facility.
- Construct or repair drainage structures.

- Clean and/or restore man-made drainage systems or stormwater BMPs including but not limited to reestablishing riprap.
- Repair or reconstruct roadways, including the placement of fill in wetlands, watercourses, and floodplains.
- Reestablish watercourses into their pre-storm configuration including placement of streambed material.
- Disturb more than one acre of soil without requirement to register pursuant to the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activity.
- Install a new and/or repair sections of damaged pipe for drainage and watercourses.
- Reestablishment and placement of riprap protection at inlet and outlet of pipes, culverts, and bridges.
- Replace and/or repair culvert and bridges structures in-kind including full or partial replacement of endwalls, headwalls or wingwalls.
- Repair and/or replace utilities and associated fill located within roadway embankments, attached to culvert and bridge structures or within wetlands, watercourses, and floodplains.

Phase 2 will include continued coordination with CTDEEP under the Departments establishment Emergency Authorization Procedures for any activity not already addressed under Phase 1.

The Department of Transportation continues to assess storm-related damage to the state's rail and roadway infrastructure. The latest information regarding road and structure failures including associated environmental resources is attached for your review and consideration. Future developments will be communicated with the Department of Energy and Environmental Protection as they are received.

Signed:  Christine Xenelis
Christine Xenelis
Transportation Assistant Planning Director

Date: 8/21/2024

Attachment

cc: Mr. William Sigmund – Ms. Farrah Ashe
Mr. Mathew Gocłowski – Mr. Andrew Miano – Mr. Michael Steeves
Mr. Brian Golembiewski – Mr. Chris Yacavone
Ms. Tammy Turley (USACE) - Mr. Daniel M. Breen (USACE) – Ms. Eva M. Szigeti (USACE)

Nicholas Lockwood
bcc: Kimberly Lesay – Kevin Carifa
Paul Rizzo
John Lee – Judith Nemecek
Dominic LaRosa – John Antonucci
Mary Baier – Edwin Rodriguez - Jane Witherell
Andrew Piraneo – Nicholas Lockwood



Connecticut Department of Energy and Environmental Protection License*

Emergency Authorization

Licensee(s): Connecticut Department of
Transportation

Licensee Address(s): 2800 Berlin Turnpike
Newington, CT 06111

License Number(s): N/A

Municipality: Statewide

Project Description: Emergency repairs and replacements for state infrastructure
damaged by 08-18-2024 storm event.

Project Address/Location: Statewide

Waters: Waters statewide

Authorizing CT Statute(s) CGS Section 22a-6k(a)
and/or Federal Law:

Applicable Regulations of N/A
CT State Agencies:

Agency Contact: Land & Water Resources Division,
Bureau of Water Protection & Land Reuse, 860-424-3019

License Expiration: One hundred eighty (180) days from the date of issuance of this
license

Project Site Plan Set: N/A

License Enclosures: LWRD General Conditions for Emergency Authorizations; Site
List

*Connecticut's Uniform Administrative Procedure Act defines License to include, "the whole or part of any agency permit, certificate, approval, registration, charter or similar form of permission required by law..."

Route 34 Bridge No. 00944 over Eight Mile Brook Intersection at Loughlin Rd, Oxford



Rev Date

SITE X	
Title of Project	
Approximate Completion Date	
Location Description	
Latitude and Longitude	
Existing Structure Type and Dimensions	
New Structure Type and Dimensions	
Identification Number	
Watercourse Name	

Wetland Permanent Impact S.F.	Watercourse Permanent Impact S.F.	Total Watercourse and Wetland Impact S.F.
X	X	X

APPENDIX C—Post Construction Photos



11/08/2024

FROM
Christine Xenelis
Assistant Transportation Planning
Director
Office of Environmental Planning
Department of Transportation
2800 Berlin Turnpike, Newington

Per Terms and Conditions No. 9 of the CTDEEP Blanket ED Authorization dated 08/21/2024 regarding the storm event on 8/18/2024, CTDOT is providing a list of NDDB locations.

Site Number	Mile Point	Town	District	Route Number/Road Name	Cross Street/Pole Number	Bridge Number	Latitude/Longitude (DD)	Brief Description of Closure/Damage	NDDB Species Present	Watercourse Present
Site 4	Rt 34 @ MP 7.48	Oxford	4	Rt 34 @ Loughlin Road	Loughlin Road	00944	+41.384347N -73.164178W	Road closed due to flooding caused bridge to wash out, total bridge deck and roadway damage, road undermining along one shoulder of intersecting road, large debris along roadway, exposed culvert	Bald Eagle, Eastern Box Turtle, & Plants	Yes - Eightmile Brook / Housatonic River

WATER RESOURCE MITIGATION PROGRAM



Mitigation = Compensation for Loss

“Compensatory Mitigation”



= Taking action to **restore, create, and/or enhance** water resources, with a goal of **gaining resource area and/or improving resource functions, to compensate for impacts.**

- Mitigation may only occur after avoidance and minimization have been achieved.
- Compensation is required typically for permanent, long-term impacts to water resources.
- In some scenarios, alternatives such as land preservation may be accepted as compensation.

Definitions

Mitigation Methods

Creation: Establishment of a new wetland or other water resource that did not previously exist by manipulating the physical, chemical, and/or biological characteristics of an area. Creation results in a gain of water resource area and its associated functions/values.

Restoration: Re-establishment of a former water resource to natural/historic conditions by manipulating the physical, chemical and/or biological characteristics of an area. Restoration results in a gain of water resource area and its associated functions/values.

Enhancement: Improvement of an existing water resource by adding or heightening its functions/values through manipulation of the physical, chemical, and/or biological characteristics of a resource. Enhancement does not result in a gain of water resource area but it does improve and/or add to existing resource functions/values.

Preservation: (*Certain scenarios only*) Putting a legally enforceable mechanism into place to permanently protect land, to remove a threat to or prevent the decline of existing water resources.

Mitigation Program Goals

Standardize Mitigation Strategy

Establish consistency and predictability

Align with Federal Mitigation Law

Avoid duplicative state + federal mitigation

Streamline Permitting

*Reduce burden on permittees;
Avoid a mitigation project per permit*

Consolidate Mitigation

Promote robust watershed-level compensation

✓ Add Transparency to Regulatory Process

Guidance, Criteria

✓ Strengthen Compensation in CT

Better-sited, better-managed, more robust projects

✓ Offer Additional Compensation Options / Tools in Toolkit

Grow CT options to include watershed-level mitigation banks & ILF, which offer 'resource credits' as compensation

✓ Transition to Expert Management

Stimulate CT economy by bringing expert mitigation providers to CT

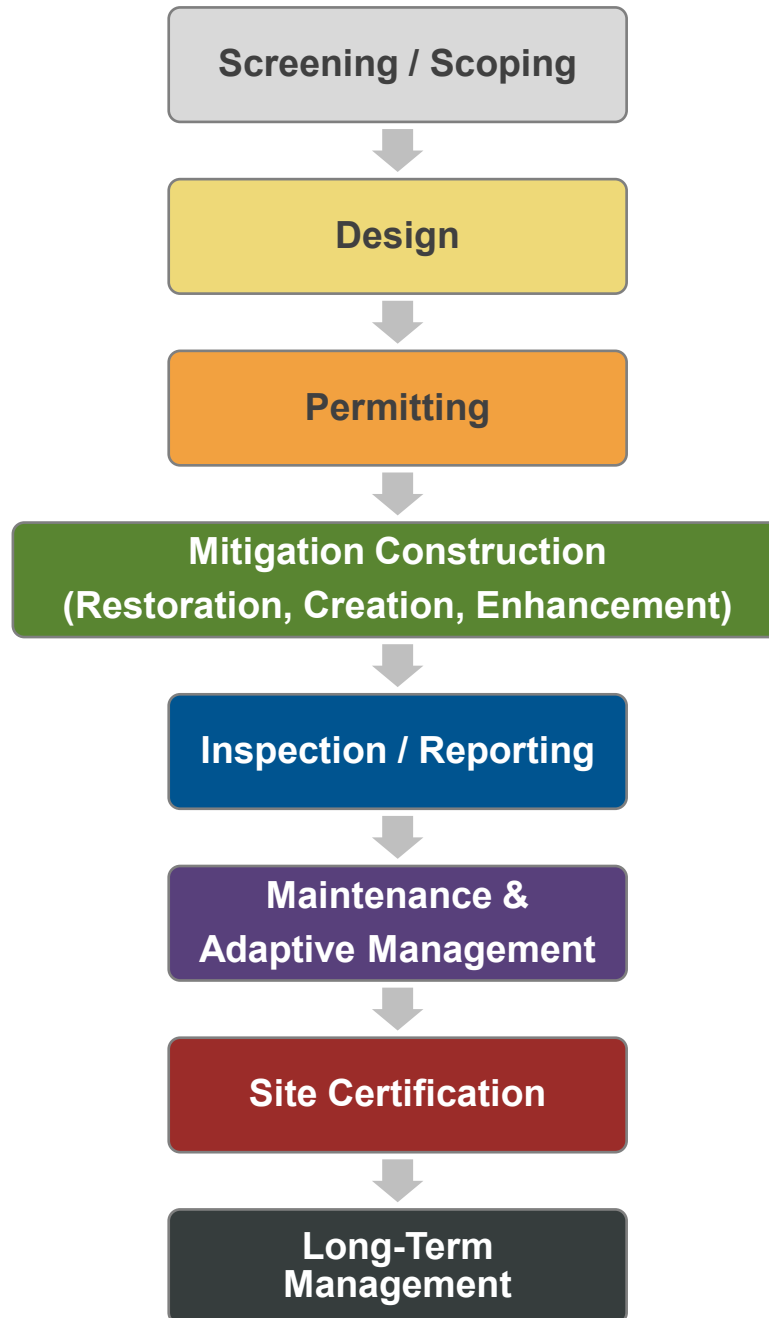
✓ Reduce Permittee Burden

Eliminate the need for a Mitigation Plan to be approved for every construction project, reducing workload and permit timeframes.

✓ Compensation at time of authorization

Mitigation Project Process

*... and the
permittee burden*



The Lift

Site Selection
Pre-Application Consultation

Mitigation Plan
[in Permit Application]

Work Commencement
Mitigation As-Built

Monitoring / Reporting

Adaptive Management

Certification of Project

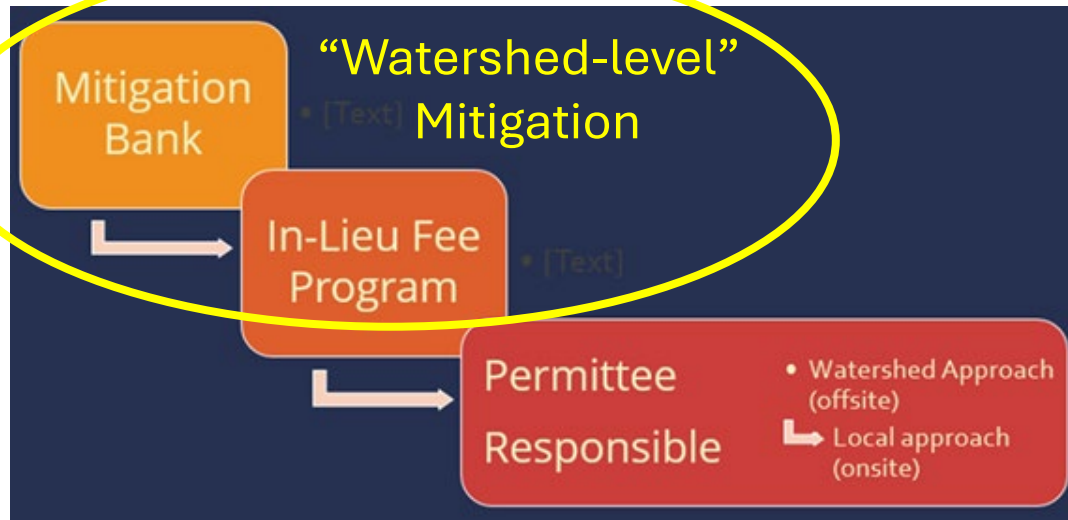
*[Transfer to Long-Term Manager
under Site Protection Instrument
per Mitigation Plan]*

3 Regulatory Mechanisms for Mitigation

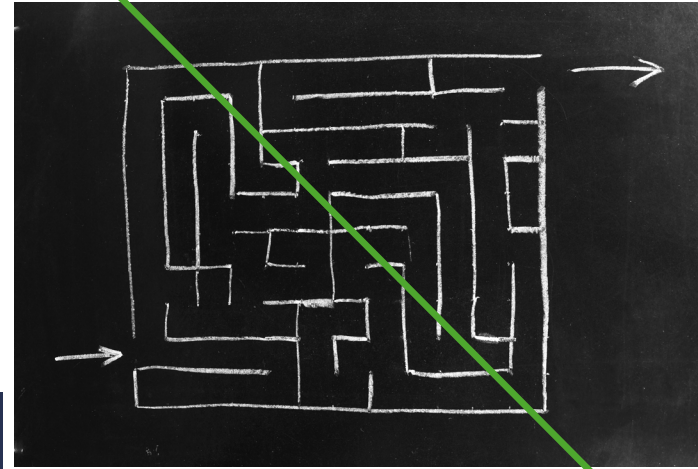
1) Mitigation Banking (MB)

2) In-Lieu Fee (ILF)

3) Permittee-Responsible (PRM)



“The Mitigation Hierarchy”



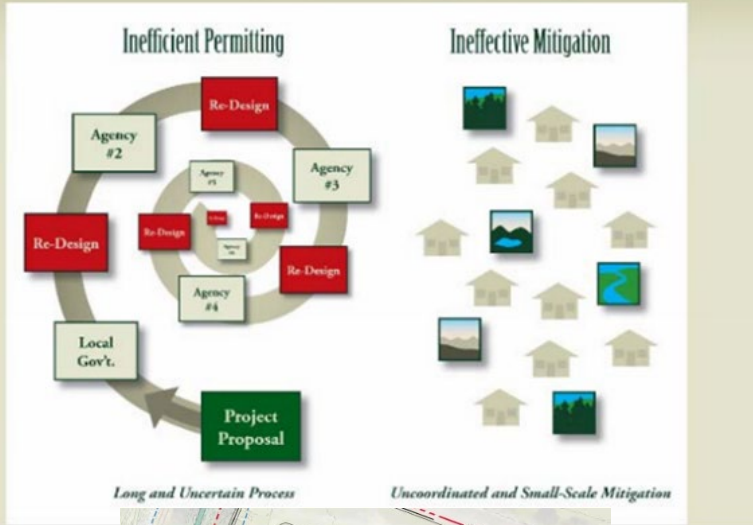
Regulatory Mechanisms for Mitigation

PERMITTEE RESPONSIBLE MITIGATION (PRM) = Water resource creation, restoration, or enhancement activities **provided by the permittee** to compensate for resource impacts. With PRM, project proponents submit a Mitigation Plan for approval with the permit application and the permittee is responsible for all aspects of mitigation until goals are met.

IN-LIEU FEE (ILF) = A program where **permittees purchase future mitigation credits** during the permit process, to compensate for impacts to water resources. ILF funds are deposited into a protected fund for watershed-level mitigation projects, and the ILF administrator is responsible for ensuring mitigation projects are performed. Mitigation occurs after impacts and funds are allocated, with temporal resource loss.

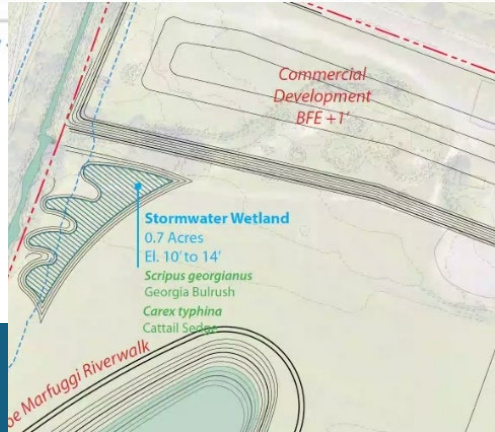
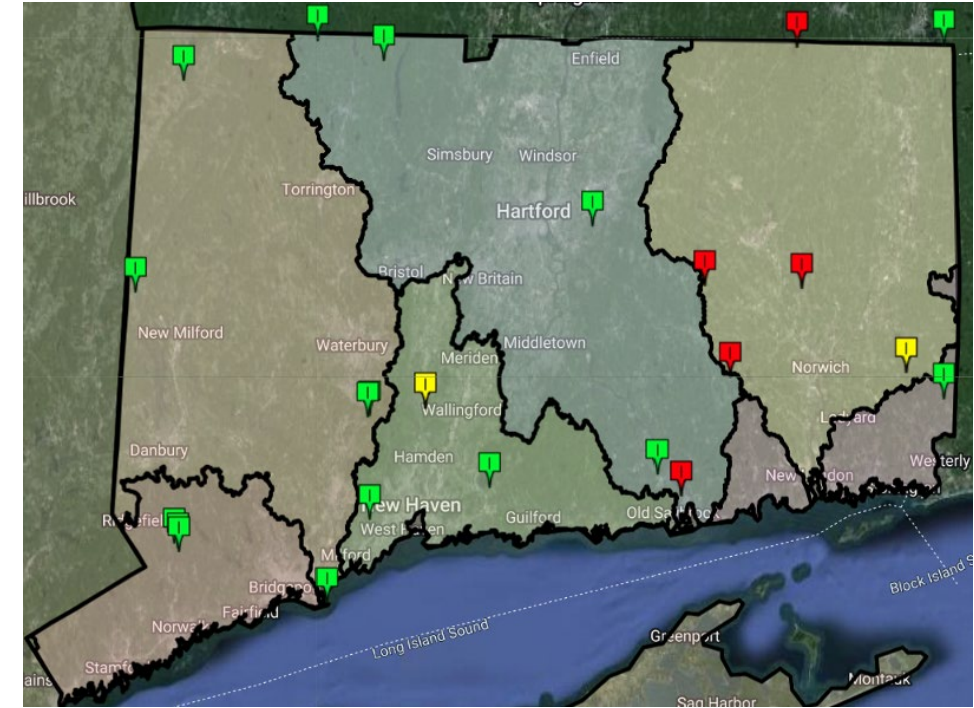
MITIGATION BANK = A **built mitigation site** where water resources are restored, created, and/or enhanced, then set aside **for future sale as mitigation credits** to offset impacts. The bank administrator (sponsor) performs mitigation to create the bank site, which gets approved for operation (credit sale) by federal and state agencies. Permittees then purchase 'resource credits' from the mitigation bank during the permit process, to offset impacts in advance of the impact, so there is no temporal resource loss.

The problems with project-by-project permitting:



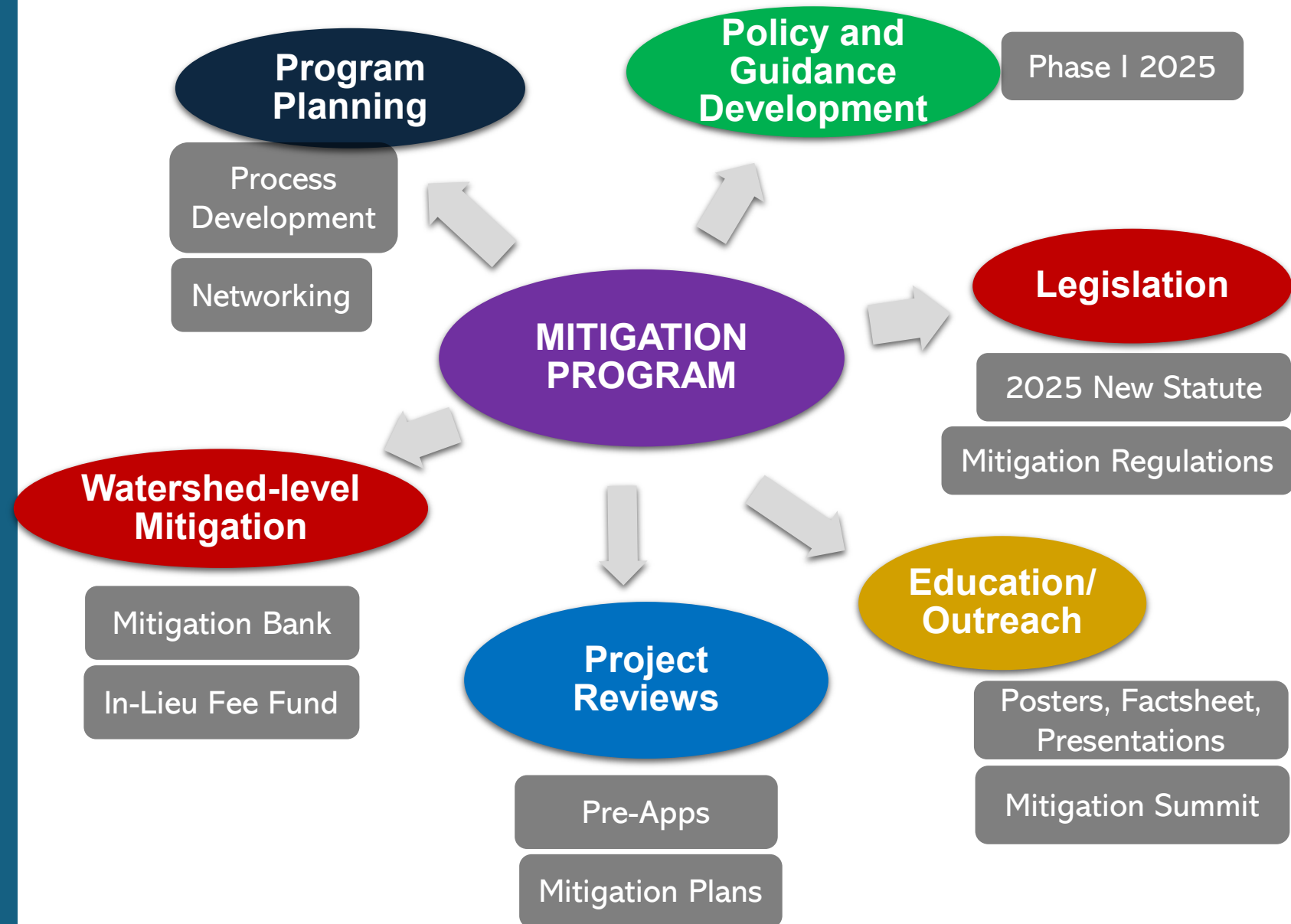
<<< From Onsite
by Permittee
(PRM)

To Offsite
by Experts >>>
(Watershed-
Level)



Shifting the Paradigm

Program Universe



2025 Legislative Proposal



General Assembly

January Session, 2025

Governor's Bill No. 6868

LCO No. 4388



Referred to Committee on ENVIRONMENT

Introduced by:

Request of the Governor Pursuant
to Joint Rule 9

AN ACT ENHANCING ENVIRONMENTAL PERMITTING PREDICTABILITY.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

- 1 Section 1. Section 22a-6aa of the general statutes is repealed and the
- 2 following is substituted in lieu thereof (*Effective October 1, 2025*):

2025 Legislative Proposal



New Statute Proposed:

Raised Bill HB-6868

Sec 2. Watershed-Level Mitigation



Elements of The Proposal:

- ✓ **Permit Condition for Watershed-level Compensation**
 - ^ **Offsite projects, via ILF and Banking**
- ✓ **State Actions for: A) State projects, B) Public Trust projects**
- ✓ **Retain qualified mitigation experts**
- ✓ **Long-term management of mitigation sites**
- ✓ **Protection of mitigation in perpetuity**
- ✓ **In-kind compensation or similar**
- ✓ **Commissioner approval of all mitigation projects**

2025 Legislative Proposal



“How it Could Work”

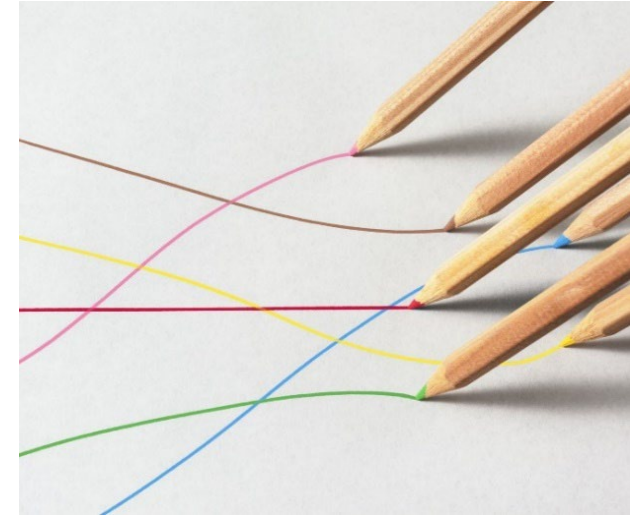
- 1. At time of permit issuance, permittee may satisfy mitigation requirements by purchasing ‘resource credits’ from a watershed-level mitigation bank or ILF fund, as compensation to offset impacts.**
- 2. The compensation ‘resource credit’ purchase gets routed from the permittee to an expert mitigation contractor, to fund an approved mitigation project, relieving the permittee of responsibility.**

> Banking: Compensation resource is already approved and built, so the ‘resource credit’ purchased by permittee is a reimbursement which goes directly to contractor.

> ILF: Compensation resource credits sit in a protected account as funds, which get disbursed to projects via an RFP process after an interagency team (including DEEP) reviews/votes to approve projects.

Mitigation Guidance - Phase I

1. **Glossary**
2. **Factsheet: CT Mitigation Past, Present, Future**
3. **Mitigation Threshold/Ratio Criteria**
4. **Template Permit Conditions** (*Internal use only*)
5. **Mit. Pre-Application Consultation Form**
6. **Mit. Work Commencement Form**
7. **Mit. Monitoring Report Form**
8. **Mit. Certification of Compliance Form**



Timeline

End 2024: Internal DEEP Reviews
Winter/Spring 2025: External Reviews
Summer 2025: PN/Finalization
Fall 2025: Public Release

Mitigation Tools & Support

Materials

- Guidance
- Templates
- SOPs
- Standard License Conditions
- Mitigation Updates to LWRD
 - Application Forms/Instructions
- More to come! Phase II guidance, Ratio Calculators, GIS tools, etc.



Technical Support

- Mitigation Pre-Apps
- Mitigation Plan Reviews
- Monitoring Report Reviews
- Site Visits
- Internal & External Training
- Education & Outreach

Mitigation Website: <https://portal.ct.gov/deep/water/wetlands/water-resource-mitigation>

Mitigation Email: WaterResourceMitigation@ct.gov





TITLE SLIDE

3/7/2025

Connecticut Department of Energy & Environmental Protection