

Applicant: General Public, State of Connecticut

Effective Date: XX, 2021

Expiration Date: XX, 2026

**DEPARTMENT OF THE ARMY
REGIONAL GENERAL PERMITS FOR THE
STATE OF CONNECTICUT
&
LANDS LOCATED WITHIN THE
BOUNDARIES OF AN INDIAN RESERVATION¹**

The New England District of the U.S. Army Corps of Engineers (Corps) hereby issues twenty-five (25) Regional General Permits (GPs), listed in Appendix A, for activities subject to Corps jurisdiction in waters of the United States (U.S.), including navigable waters, within boundaries of the State of Connecticut and lands located within the boundaries of an Indian reservation as well as in adjacent ocean waters to the seaward limit of the outer continental shelf. These GPs are issued in accordance with Corps regulations at 33 CFR 320 - 332 [see 33 CFR 325.5(c)(1)] and authorizes activity-specific categories of work that are similar in nature and cause no more than minimal individual and cumulative adverse environmental impacts. These GPs will provide protection to the aquatic environment and the public interest while effectively authorizing activities that have no more than minimal individual and cumulative adverse environmental effects.

GENERAL CRITERIA

In order for activities to qualify for these GPs, they must meet the terms and eligibility criteria and stipulations listed in Appendix A – General Permits as well as the Appendix B General Conditions.

Projects may qualify for the following:

- Self-Verification (inland) - Self -Verification Notification (SV) is required
- Self-Verification (coastal) - SVNf NOT required, except for GP12. Corps relies on Connecticut Department of Energy and Environmental Protection and applicant/agent submittals.
- Pre-Construction Notification (PCN) -
 - Inland - Application to and written approval from the Corps is required.
 - Coastal - Notification to Corps provided by CT DEEP or by applicants as necessary. Written approval from the Corps is required.

If your project is ineligible for Self-Verification (SV), it may be screened under PCN or may require an Individual Permit. The thresholds for activities eligible for Self-Verification and PCN are defined in Appendix A. These GPs do not affect the Corps Individual Permit review process or activities exempt from Corps regulation.

¹ Indian reservation lands are considered a sovereign nation and are therefore acknowledged separately from the State of Connecticut for purposes of this General Permit. For projects located within the boundaries of a reservation, required submittals are not made to the State of Connecticut but instead to the applicable Tribal Natural Resources office.

SECTION 1
**REVIEW CATEGORIES AND APPLICATION PROCEDURES FOR PROJECTS WITHIN
NON-TIDAL WATERS AND WETLANDS WITHIN THE STATE OF CONNECTICUT AND
LANDS LOCATED WITHIN AN INDIAN RESERVATION**

I. JURISDICTION AND ACTIVITIES COVERED:

Authorizations are required for activities that will involve the discharge of dredged or fill material and certain discharges associated with excavation into Waters of the United States, including wetlands. These activities are regulated by the Corps under Section 404 of the Clean Water Act (CWA), see 33 CFR 323 (See **General Condition 2**).

II. REVIEW PROCESS:

1. State and Local Approvals:

For authorizations under these GPs to be valid and before commencing any work within Corps jurisdiction, applicants must apply for and obtain all required State and local approvals (see **General Condition 1**).

Water Quality Certification (WQC) under Section 401 of the Federal CWA (33 USC Sec. 1341). Section 401(a)(1) of the Clean Water Act requires that applicants proposing to discharge dredged or fill material into waters of the U.S. obtain a WQC or waiver from the certifying state water pollution control agency, which is the Connecticut Department of Energy and Environmental Protection (CT DEEP) or the U.S. EPA on Indian reservation lands.

The CT Department of Energy and Environmental Protection (CT DEEP) has waived WQC for GPs #10 through 15 and granted WQC for GP #1-9 and #16-23 provided those activities meet the criteria as contained in the attached **Appendix A – General Permits** document for the purpose of the Corps' issuance of these General Permits.

CT DEEP has granted WQC for all **Self-Verification (SV) activities** provided those activities meet the criteria as contained in **Appendix A – General Permits document**.

A written determination of concurrence of eligibility for Section 401 Water Quality Certification prior to the start of construction from the Commissioner is required for all **Pre-Construction Notification (PCN) activities**. Applicants seeking a written concurrence of eligibility for PCN activities must submit an application to the Connecticut Department of Energy and Environmental Protection (CT DEEP) on such form as the Commissioner may prescribe and with such information as the Commissioner deems necessary to fulfill the purposes of Section 401 of the Federal Clean Water Act. Upon completion of the review and evaluation of such application, the Commissioner will issue either a written concurrence of eligibility determination of Section 401 Certification upon such terms, limitations or conditions as the Commissioner deems necessary, or a written determination that an individual (regular) Section 401 Water Quality Certification is required for the proposed activity-(ies).

The U.S. EPA granted WQC for activities located on lands within the boundaries of an Indian Reservation.

2. Self-Verification Review Category:

a. Self-Verification – An application to the Corps is not required. However, submittal of a Self-Verification package to the Corps in accordance with Section 2. c. below, at least two weeks prior to commencement of work authorized by these GPs, is required.

b. Eligibility Criteria - Activities in Connecticut and lands located within the boundaries of an Indian reservation that meet the following criteria are eligible under Self-verification of this General Permit if they:

- are subject to Corps jurisdiction (See **Appendix B - General Condition 2**);
- meet the criteria of Self-Verification in the attached **Appendix A - General Permits**; and
- meet the applicable **Appendix B - General Conditions** (GCs) of the GPs.

Project proponents seeking Self-Verification authorizations must comply with all the General Conditions and other relevant federal laws such as the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Consequently applicant consultation with the Corps and outside experts such as the State Historic Preservation Office (Connecticut Department of Economic and Community Development), Connecticut Indian Tribes (See **Appendix D**) and the National Park Service is required for self-verification, when there is a likelihood of the presence of resources of concern and the proposed work has the potential to affect these resources. Applicants should review the General Conditions in Appendix B for all the requirements. Projects with potential to affect these resources will be subject to review under pre-construction notification process in Section 3. below.

c. How to Obtain Self-Verification Verification - Prospective permittees are required to confirm that the proposed activity meets all the applicable self-verification eligibility criteria, terms, and conditions of the GPs as discussed above. Activities may be eligible for SV under these GPs after submittal of the **Self-Verification Notification (SV)** and the required supporting documentation in **Appendix E** below. Prospective permittees must also:

- i. Confirm that the activity meets all the applicable terms and conditions of SV,
- ii. Provide notification to the CT SHPO and the State of Connecticut federally recognized Tribes and/or Tribal Historic Preservation Officers (THPOs) listed in Appendix D,
- iii. Obtain an Official Species List of federally threatened and endangered species that may occur in the activity's action area (see GC 12 for web links and procedures), and
- iv. Submit the SV along with a site location map, the project plans, transmittal notifications to SHPO in item ii. above, and the Endangered Species Act (ESA) species lists (*including the email address for the person who generated the lists*) to the Corps of Engineers.

Submissions for self-verification should be submitted to the Corps and CT DEEP at least two-weeks prior to start of project construction. Digital submittals by email, compact disc, or thumb drive, are encouraged.

By Email (preferred): cenae-r-ct@usace.army.mil

By USPS:

U.S. Army Corps of Engineers
New England District, Regulatory Division
Connecticut Permits
696 Virginia Road
Concord, Massachusetts 01742-2751

By USPS:

State of Connecticut
Department of Energy & Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

If the activity qualifies for authorization under self-verification you will receive a verification from the Corps.

If it is determined that the work is not eligible under self-verification, you will be notified as soon as possible, within 14-days of receipt.

3. Pre-Construction Notification (PCN) Review Category:

a. Pre-Construction Notification – Application to, and written verification from, the Corps is required.

No work under PCN may proceed until written verification from the Corps has been received.

b. Eligibility Criteria - Activities in Connecticut and lands located within an Indian reservation that meet the following criteria are eligible under PCN of this General Permit

- are subject to Corps jurisdiction (See **General Condition 2**),
- meet the criteria of PCN in the attached **Appendix A – General Permits**, and
- meet the applicable **Appendix B - General Conditions** (GCs) of the GPs.

c. Applying for authorization through the PCN process: Applicants must submit a digital copy of the items below to the Corps (please see Section 1A below for the information you should include in your PCN application) :

- Corps application form (ENG Form 4345) found at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>
- 8.5” x 11” or 11” x 17” drawings,
- Wetlands functions and values assessment (see [Highway Methodology Workbook Supplement](#))
- Wetland delineation documentation (data sheets) of federal wetland boundary keyed to paired transect plots on the project existing condition plan(s) (see

<https://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/Wetland-Delineation-Manual/> for more information) and delineation (based on ordinary high water) and description (length, width, flow character, water quality and streambed condition) of any streams at the project site,

- The CT DEEP Inland Water Resource Impact Table, Attachment 16 at https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Land_Use_Permits/LWRD/waterresourceimpactpdf.pdf,
- Completed CT SHPO Project Notification Form with verification of transmittal to the State Historic Preservation Office (Connecticut Department of Economic and Community Development). The CT SHPO Form is available on the CT SHPO website under Historic Preservation – Environmental Review at https://portal.ct.gov/-/media/DECD/Community-Development/Documents/Permit-Ombudsman/Project_Notification_Form_final.pdf
- Invasive Species Control Plan (see the Corps New England District web page at <https://www.nae.usace.army.mil/Missions/Regulatory/Invasive-Species/> for more information),
- Summary of any proposed mitigation (see the Corps New England District web page at <https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/> for the Corps 2020 Compensatory Mitigation Standard Operating Procedures).

Please note that digital submissions by email, compact disc or thumb drive are encouraged and preferred. Information about our electronic correspondence submittal process can be found at <https://www.nae.usace.army.mil/Missions/Regulatory/Submitting-Electronic-Correspondence/>.

By Email (preferred): cenae-r-ct@usace.army.mil

By USPS:

U.S. Army Corps of Engineers
New England District, Regulatory Division
Connecticut Permits
696 Virginia Road, Concord, Massachusetts 01742-2751

If the digital file application is too large for an electronic email attachment, you may also send a request to the email address above for a secure file transfer protocol (FTP) link. If a hard copy or large-scale drawings are required for the evaluation, Corps staff will notify you directly and request them. Or mail it via thumb drive.

Applicants must concurrently submit three copies of the following to the CT DEEP at the address below:

- the Corps application form,
- 8.5” x 11” or 11” x 17” drawings and one large-scale drawing,
- wetlands functions and values assessment,
- Federal wetlands delineation documentation (data sheets),
- CT DEEP addendum, and
- a plan describing any proposed mitigation.

By Email: DEEP.OPPD@ct.gov

By USPS:
State of Connecticut
Department of Energy & Environmental Protection
Central Permit Processing Unit
79 Elm Street
Hartford, CT 06106-5127

NOTE: Applicants must submit all project revisions and modifications to both agencies.

The Corps will coordinate review of all PCN activities with federal and state agencies as required to ensure that the proposed activity results in no more than a minimal impact to the aquatic environment. To be eligible and subsequently authorized under this general permit as a PCN an activity must:

- Meet the **Eligibility Criteria** in 3. b. above,
- Result in no more than minimal impacts to the aquatic environment, as determined by the Corps in conjunction with the interagency review team which consists of federal and state resource agencies, and
- Comply with all of the permit's applicable General Conditions in Appendix B. In some instances, this may require project modifications involving avoidance, minimization, and/or compensatory mitigation for unavoidable impacts to ensure the net effects of a project are minimal.
- Receive written concurrence of eligibility with the 2021 GP WQC from CT DEEP before start of work.

4. Emergency Situation Procedures: “Written approval to proceed” under these emergency procedures is required. Contact the Corps immediately in the event of an emergency to obtain information on the verification process and coordination requirements. Corps regulation at 33 CFR 325.2 (e) (4) states that an “emergency” is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures.” Emergency work is subject to the same terms and conditions of these GPs as non-emergency work, and similarly, must qualify for authorization under these GPs; otherwise an Individual Permit shall be required. Upon notification the Corps will determine if a project qualifies for emergency procedures under the GPs and whether work may proceed prior to submittal of an application. Where an application is required Corps staff will work with all applicable agencies to expedite verification according to established procedures in emergency situations.

5. Individual Permit Procedures: Work that is **NOT** eligible for authorization under the GPs as defined in the attached **Appendix A – General Permits**, or that does not meet the applicable terms and conditions of the GPs, will require review under the Corps Individual Permit procedures (see 33 CFR Part 325.1). The applicant shall submit the appropriate application materials (including the Corps ENG 4345 application form) to the Corps of Engineers. General information and application can be obtained at the Corps web site noted in Section 3. above.

Water Quality Certification for Individual Permits: under Section 401 of the Federal CWA (33 USC Sec. 1341). Section 401(a)(1) of the Clean Water Act requires that applicants proposing to discharge dredged or fill material into waters of the U.S. obtain a WQC or waiver from the certifying state water pollution control agency, which is the (CT DEEP) or the U.S. EPA on

Indian reservation lands. If the proposed work includes a discharge of fill or dredged material in waters of the U.S. and will require an Individual WQC from the CT DEEP, an applicant must submit a certification pre-filing meeting request to that agency at least 30-days prior to submitting the 401 WQC certification request. The CT DEEP is not obligated to respond to the pre-filing meeting request or to grant the meeting, but the agency may choose to grant one where early joint interagency and applicant coordination has the opportunity to promote efficiency in the Section 401 decision making process. A 401 WQC certification request must be submitted simultaneously to the 401 certifying pollution control agency (CT DEEP) and the Corps. Information pertaining to the federal regulation is available at <https://www.epa.gov/CWA-401> and state-specific information can be found at the CTDEEP web site at http://www.ct.gov/deep/cwp/view.asp?a=2709&q=324168&depNav_GID=1643.

SECTION 2:

REVIEW CATEGORIES & PROCEDURES FOR PROJECTS WITHIN TIDAL, COASTAL AND NAVIGABLE WATERS OF THE STATE OF CONNECTICUT

Connecticut'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), Mystic and Stonington (Town & Borough) [Section 22a-94(a) CGS].

Navigable Waters: Navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. The Connecticut River has been determined to be a navigable water of the United States. [Refer to Title 33 CFR Part 329]

I. CORPS JURISDICTION

- Work and structures that are located in, under or over any navigable water of the U.S. (defined at 33 CFR 329) that affect the course, location, condition, or capacity of such waters; or the excavating from or depositing material in navigable waters. (Regulated by the Corps under Section 10 of the Rivers and Harbors Act of 1899);
- The discharge of dredged or fill material into waters of the U.S. (defined at 33 CFR 328), which is regulated by the Corps under Section 404 of the Clean Water Act (CWA)
- The transportation of dredged material for the purpose of disposal in the ocean. The Corps regulates these activities under Section 103 of the Marine Protection, Research and Sanctuaries Act. See 33 CFR 324
- Use or alteration of a Civil Works project by another party is subject to approval by the U. S. Army Corps of Engineers under Section 408 of the Rivers and Harbors Act of 1899 after determining that the alteration proposed will not be injurious to the public interest and will not impact the usefulness of the Civil Works project..

II. STATE AUTHORIZATIONS:

Connecticut Department of Energy & Environmental Protection, Land and Water Resources Division (CT DEEP) approvals:

In order for authorizations under these GPs to be valid and before commencing any work within Corps jurisdiction, applicants are responsible for applying for and obtaining any of the following required State or local approvals (see **Appendix B - General Condition 1**):

Water Quality Certification (WQC) Issuance or waiver under Section 401 of the Federal CWA (33 USC Section 1341). Section 401(a)(1) of the Clean Water Act requires that applicants obtain a WQC or waiver from the state water pollution control agency (CT DEEP) or EPA for Indian reservation lands to discharge dredged or fill material into waters of the U.S.

Coastal Zone Management Consistency (CZM) - Concurrence under Section 307 of the Federal CZM Act of 1972, as amended. Section 307(c) of the CZM of 1972, as amended, requires applicants to obtain a certification or waiver from CT DEEP, Land and Water Resources Division that the activity complies with the state's CZM program for activities affecting a state's Coastal Area.

Project proponents involving dredging/excavation and associated disposal within the Byram River must also coordinate with NY Department of State (NYDOS) directly to obtain a certification or waiver that the activity complies with NYDOS' CZM program. Also, all projects with disposal at any of the Long Island Sound Disposal Sites require NY DOS CZM consistency. Additional information can be found at their website:
<http://www.dos.ny.gov/opd/programs/consistency/>.

III. CORPS AUTHORIZATIONS:

1. Regional General Permit Self-Verification (SV) – Applicants should submit a copy of their state permit application package directly to the Corps. Applicants should not submit Appendix E to the Corps unless specifically required (see GP 12.) CT DEEP, Land and Water Resources Division will forward copies of their approvals to the Corps. If the Corps determines that a project meets SV, the Corps will forward verification of eligibility to the applicant.

SV Eligibility Criteria

Activities in Connecticut and lands located within the boundaries of an Indian reservation may proceed without application or notification to the Corps if they:

- are subject to Corps jurisdiction
- meet the definition of Self-Verification in **Appendix A - General Permits**, and
- meet the **Appendix B -General Conditions** of the GPs

Note: Activities subject to Corps jurisdiction that are NOT regulated by the DEEP will be subject to the Pre-Construction Notification (PCN) screening requirements of the GPs as noted below.

Project proponents seeking eligibility under the SV category must comply with the General Conditions of the GPs and other federal laws such as the National Historic Preservation Act, the Endangered Species Act (ESA) and the Wild and Scenic Rivers Act. Therefore, consultation with the Corps and/or outside experts such as the State Historic Preservation Office and any appropriate Indian tribes is recommended when there is a likelihood of the presence of resources of concern.

2. Regional General Permit Pre-Construction Notification (PCN) (notification/application and written authorization required)

Projects not eligible under the SV category of the GPs may be reviewed under PCN category, provided they meet the criteria.

PCN Eligibility Criteria

Activities in Connecticut and lands located within the boundaries of an Indian reservation that meet the following criteria **require written approval from the Corps**:

- are subject to Corps jurisdiction,
- meet the definition of PCN in this Section and meets the criteria in **Appendix A - General Permit Activities**
- meet the **Appendix B - General Conditions** of the GPs

3. PCN process for each of the following CT DEEP approvals:

a. CT DEEP, Land and Water Resources Division regulated activities

Structures and Dredging Permit Applications: Applicants/agents shall submit to the Corps, a copy of the DEEP Permit Consultation Form for U.S. Army Corps of Engineers Review along with project plans. The Corps will then coordinate this information with the interagency review team (see paragraph 4 below) and then return the form to applicants/agents for their submission to DEEP.

Certificates of Permission (COPs), General Permits (GPs) and Modifications: Applicants/agents shall submit to the Corps copies of application packages and approvals. If a project is determined to meet any of the PCN activities and is complete, the Corps will coordinate these projects with the interagency review team. If the Corps determines that an Individual permit or additional information is required, the Corps will coordinate directly with the applicant/agent.

NOTE: For projects which involve dredging and open water disposal - Applicants/agents must submit requests for sampling plans to the DEEP and the Corps simultaneously, along with other required information specific to dredging/open water disposal, a detailed open water disposal site alternative analysis, and a completed New York State, Department of State (NYS DOS) Federal Consistency Assessment Form found at <http://nyswaterfronts.com/downloads/pdfs/fcaf2.pdf>. Please see our website at <http://www.nae.usace.army.mil/Regulatory/> for a list of all required additional information.

Please note for dredging projects, CT DEEP requires a completed Pre-Submission Consultation form, LWRD Application Pre-Submission Consultation Form Dredging (ct.gov) <https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Land_Use_Permits/LWRD/consultdredgingpdf.pdf>, to be submitted with any license application to DEEP. For further guidance on the CT DEEP consultation process please refer to the following document - Reference for Coastal/Tidal Dredging (ct.gov) <https://portal.ct.gov/-/media/DEEP/Permits_and_Licenses/Land_Use_Permits/LWRD/referencedredgingpdf.pdf>

b. Aquaculture activities regulated by the Connecticut Department of Agriculture

This refers to marine and land-based aquaculture activities, including associated structures regulated by the Department of Agriculture, Bureau of Aquaculture (DA/BA), Connecticut General Statutes Section 22-11h.

Applicants should apply directly to the DA/BA using the Joint Application for Aquaculture form found at: http://www.nae.usace.army.mil/reg/Permits/CT_AquacultureApplication.pdf. The DA/BA will forward a copy of the aquaculture application package to the Corps, the State of Connecticut Department of Energy & Environmental Protection's (CT DEEP) Boating Division, Marine Fisheries Division, and CT DEEP, Inland Water Resources Division (IWRD) for activities impacting inland waters.

These application packages for marine-based activities will be screened by the Corps, the Federal resource agencies, and the CT DEEP with input from the CT DEEP Boating and Marine Fisheries Divisions. Screening will also initiate review of the application by the CT DEEP for Coastal Zone Management consistency concurrence. The CT DEEP will make a determination on the completeness of the application for CZM consistency review and/or the eligibility of the activity for state aquaculture permit exemption within 30 days from the date of the screening meeting.

4. Review Procedures:

The Corps will coordinate review of all PCN activities with federal and state agencies as necessary. To be eligible and subsequently authorized, an activity must meet the eligibility criteria listed above and result in no more than minimal impacts to the aquatic environment as determined by the Corps. This may require project modifications involving avoidance, minimization, and/or compensatory mitigation for unavoidable impacts to ensure the net effects of a project are minimal. Applicants are responsible for applying for the appropriate state and local approvals. Authorizations under these GPs are not valid until all required CT DEEP authorizations are granted.

Emergency Situation Procedures: 33 CFR 325.2 (e)(4) states that an "emergency" is a situation which would result in an unacceptable hazard to life, a significant loss of property, or an immediate, unforeseen and significant economic hardship if corrective action requiring a permit is not undertaken within a time period less than the normal time needed to process the application under standard procedures." Notification to the Corps is required. The Corps will determine if a project qualifies as an emergency and will work with all applicable agencies to expedite authorization in emergency situations. If the project qualifies as an emergency, authorization under these General Permits is not required.

Individual/Standard Permit Procedures: Work that is not eligible under PCN activities as described therein or that does not meet the terms and general conditions of the GPs, will require the submission of an application to the Corps for an Individual Permit (see 33 CFR Part 325.1). The applicant should submit all the appropriate application materials, including the Corps ENG 4345 application form, at the earliest possible date. General information and application can be obtained at our website at <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx> or by calling us. Individual WQC and CZM consistency concurrence are required, when applicable, from the State of Connecticut before Corps issuance of an individual permit. Individual Water Quality Certification must be obtained from EPA for activities on lands located within the boundaries of an Indian reservation. The Corps encourages applicants to concurrently apply for a Corps Individual Permit and state permits.

Water Quality Certification for Individual Permits: under Section 401 of the Federal CWA (33 USC Sec. 1341). Section 401(a)(1) of the Clean Water Act requires that applicants proposing to discharge dredged or fill material into waters of the U.S. obtain a WQC or waiver from the certifying state water pollution control agency, which is the (CT DEEP) or the U.S. EPA on Indian reservation lands. If the proposed work includes a discharge of fill or dredged material in waters of the U.S. and will require an Individual WQC from the CT DEEP, an applicant must submit a certification pre-filing meeting request to that agency at least 30-days prior to submitting the 401 WQC certification request. The CT DEEP is not obligated to respond to the pre-filing meeting request or to grant the meeting, but the agency may choose to grant one where early joint interagency and applicant coordination has the opportunity to promote efficiency in the Section 401 decision making process. A 401 WQC certification request must be submitted simultaneously to the 401 certifying pollution control agency (CT DEEP) and the Corps. Information pertaining to the federal regulation is available at <https://www.epa.gov/CWA-401> and state-specific information can be found at the CTDEEP web site at http://www.ct.gov/deep/cwp/view.asp?a=2709&q=324168&depNav_GID=1643.

SECTION 3- Content of Preconstruction Notification

DIGITAL SUBMISSIONS ARE ENCOURAGED. Applications should be emailed to cenae-r-ct@usace.army.mil or to the Corps project manager if one has been assigned.

Information required for all projects:

- The Corps application form ([ENG Form 4345](#)) **is required** for all inland activities. The form can be obtained electronically at www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Obtain-a-Permit. For coastal activities the CT DEEP LWRD Structures, Dredging & Fill or Certificate of Permission applications can be substituted for the Corps form in coastal waters provided it includes all the information required below. **Submit a copy of the CT DEEP application directly to the Corps.**
- All anticipated direct, indirect, and secondary impacts, both permanent and temporary, to waters of the U.S. (in wetlands, and waterward of OHW in inland waters and the HTL in coastal waters) in square feet, acres, or linear feet (for stream and bank impacts), and cubic yards or other appropriate units of measure. The New England District Compensatory Mitigation Guidance is a resource for assessing secondary impacts (see www.nae.usace.army.mil/missions/regulatory/mitigation.aspx).
- For the discharge of dredged or fill material into waters of the U.S., include a statement describing how impacts to waters of the U.S. are to be avoided and minimized. For the remaining impacts, include a statement describing how aquatic resource function is being replaced through compensatory mitigation, or explain why compensatory mitigation should not be required for the proposed impacts.
- For any activity that will alter or temporarily or permanently occupy or use a Corps Federally authorized civil works project, the PCN application must include a statement confirming that the project proponent has submitted a written request for section 408 permission from the Corps. See GC 8(c) and (d).
- Information on historic properties (see GC 11), including a copy of the CT SHPO form found at: https://portal.ct.gov/-/media/DECD/Historic-Preservation/01_Programs_Services/Environmental-Review/ProjectNotificationForm_2021.pdf
Information on Federal threatened or endangered species present at the site including a copy of the USFWS IPAC Official Species List, the NOAA Section 7 Species List (see GC 12) and the email address of the person who generated the list.
- If applicable, a restoration plan showing how all temporary fills and structures will be removed and the area restored to pre-project conditions (see GC 17).
- Photographs of wetland and/or waterway to be impacted. Photos at low tide are preferred for work in coastal waters.
- An Invasive Species Control Plan (see GC 27). For sample control plans, see www.nae.usace.army.mil/missions/regulatory/invasive-species.
- Provide a description of the federal wetlands and aquatic habitats at the site and provide a map of their locations within the project area. Provide an assessment of the impacts expected from the project on the wetlands and aquatic resource functions. For inland wetlands (wetlands not subject to tidal inundation) include the Corps of Engineers Federal Wetland delineation data sheets consistent with the North Central/Northeast Delineation Manual Supplement and include the federal wetland boundary keyed to paired transect plots on the project's existing condition plan(s)
- Provide any historic information available that you may have of project area, e.g., existing Corps permit numbers, the names under which the permits were obtained if the permit numbers are

unknown, construction dates and proof of prior existence (aerials, photos, town hall records, affidavits, state or local permits, etc.) to verify “grandfathering.”

- If the project is in the Federal Emergency Management Agency designated floodplain or floodway, state whether the project will adversely affect the hydraulic characteristics of these features or existing floodplain storage capacity (see GC 5).

For dredging projects, include:

- Sampling plan requests – submit completed Dredged Material Evaluation checklist found at [Dredged Material Evaluation Checklist, Sampling and Analysis Plan Requirements from Applicant \(army.mil\)](#)
- Whether the work is new, improvement or maintenance dredging and the method of handling/transporting the dredged material.
- Grain-size of material to be dredged (e.g., silty sand). Provide any existing sediment grain size and bulk sediment chemistry data from the proposed project or nearby projects.
- Information on any recent spills of oil and/or other hazardous materials and/or nearby outfalls. Document the information source, e.g., EPA database, the harbormaster or fire chief.
- Total footprint of the dredged area when characterizing impact to resources.
- Discuss alternatives to open-water disposal.

1. Plans for all projects shall include:

- Drawings, sketches, or plans that are legible, reproducible (color is encouraged, but features must be distinguishable in black and white), drawn to scale, and no larger than 11”x17”. Numeric and graphic/bar scales must agree, and plan details must be measurable using a standard engineer’s scale on printed plans. Reduced plans are not acceptable. Show the north arrow and wetland and waterway area impacts. Provide a color locus map and, if necessary, a plan overview of the entire property with a key index to the individual impact sheets.
- Datum in plan and elevation views.
 - The horizontal datum shall be in the NAD 83 Connecticut State Plane Coordinate System (Long Island Sound) in U.S. survey feet.
 - The vertical data in coastal projects shall be referenced to either MLLW or the North American Vertical Datum of 1988 (NAVD 88). Both the distance and depth units shall be U.S. survey feet. See <https://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/VerticalDatumLetter.pdf>
- Existing and proposed conditions, and plan views and cross sections for all work.
- Limits and area (SF) of temporary and permanent fill to be placed in any wetlands or waterway, including construction access and work areas, cofferdams, bedding, and backfill. Show delineation of all wetlands including salt marsh; other special aquatic sites (vegetated shallows, mudflats, riffles and pools, coral reefs, and sanctuaries and refuges); other waters, such as lakes, ponds, vernal pools, and perennial, intermittent, and ephemeral streams; on the project site. Use Federal delineation methods and include Corps wetland delineation data sheets (see GC 2) for all wetlands. Vegetated shallow survey guidance is located at <https://www.nae.usace.army.mil/Missions/Regulatory/Jurisdiction-and-Wetlands/>. Maps of vegetated shallows in Connecticut can be obtained online from CT ECO at <https://cteco.uconn.edu/viewer/index.html?viewer=advanced>
- Copies of NRCS Topographic Map (identify the quad name and year) or NOAA Navigation chart (identify chart number) if in coastal waters marked to show the project location and/or site boundaries.

- Ebb and flood in tidal waters and direction of flow in non-tidal waters.
- Indicate the relationship of the proposed work site to waters of the U.S., i.e. adjacent wetlands, tidal influence or hydraulic connectivity through culverts, or other conveyances, etc.
- Total plan of development, including the proposed use of dependent upland and wetland areas.
- Names or numbers of all roads in the site's vicinity.
- Name and addresses of adjoining property owners on the plan view.
- For typical pipeline cross-sections, the details of the bedding and backfill to be used in wetlands and waterways. Show proposed trench dams and detail for inland projects.
- Adjacent Federal navigation project (FNP) (anchorage or channel) and/or state/local navigation projects, distance to them, the authorized depths of the FNP, and state plane coordinates of seaward end(s) of structures near an FNP.
- The 100, 500-year and regulatory floodway boundaries as shown on the community's current FEMA National Flood Insurance Program maps, if applicable.
- A statement regarding how the project proponent has determined the absence or presence of vegetated shallows, mudflats, or riffles and pools, e.g., personal visual observation, divers, online maps, conversations with local officials, etc. Note: a submerged aquatic vegetation survey may be required.
- Presence or absence of shellfish beds near the site and how such was determined, e.g. personal visual observation, divers, online maps, conversations with local officials, etc. Note: a shellfish survey may be required.

1a. Plans for structures shall also include:

- The MLLW, MHW and HTL elevations in tidal waters, and OHW in non-tidal navigable waters.
- Water depths around the project in all views.
- Dimensions of the existing and proposed structures. Show the location and dimensions of existing bulkheads and/or shoreline stabilization on adjacent properties and, if applicable, how the proposed work will tie into existing structures.
- For piers and other structures, the minimal height of structures frame above the marsh.
- For floats, the methods of securing them (piles, bottom anchors) and for keeping them off substrate (skids, stops) at low water.
- Any existing structures and moorings in waters adjacent to the proposed activity, their dimensions, and the distance to the limits and coordinates of any proposed mooring field, reconfiguration zone or aquaculture activity. Provide the coordinates for all corners based on the Connecticut State Plane Coordinate System. Specify the maximum number of slips and/or moorings within proposed reconfiguration zones. If no structures exist or are proposed, state this on the project plans.
- The dimensions of the structure or work and extent of encroachment waterward of MHW and from a fixed point on the shoreline or upland.
- Shoreline of adjacent properties and property boundary offset for structures.
- In narrow waterbodies, the distance to opposite shoreline, waterway width, and structures across from proposed work.
- For reconfiguration zones, the coordinates of the corners and specify the maximum number of slips and/or moorings within the zone.
- A description of the type of vessels that would use the facility, and any plans for sewage pump-out facilities, fueling facilities and contingency plans for oil spills.

1b. Plans for projects involving fill shall also include:

- All locations of discharges of dredged or fill material waterward of the HTL or OHW.
- Describe historic permanent fill previously authorized by the Corps, if known, and the date of authorization.
- The MLLW, MHW and HTL elevations in tidal waters, and OHW elevation in lakes and non-tidal streams.
- Structures, if any, proposed to be erected on the fill.
- Limits of wetlands (label: wetland boundary) and waterways (labels: OHW or HTL) on all views.
- Limits of temporary and permanent fill to be used in any wetland or waterway, including construction access and work areas, cofferdams, bedding, and backfill.
- Area (SF) of each fill that is waterward of the OHW in non-tidal waters, waterward of the HTL intidal waters, and in wetlands. State if the fill is permanent or temporary.
- Disposal site of the excess excavated material. If necessary, submit an additional sheet showing the location of the proposed disposal site. Provide quantity of excess excavated material.
- Existing and proposed ground or waterway contours or spot elevations on all views.
- Mitigation areas clearly identifying each area and showing the boundaries and SF of each area.
- Total plan of development, including the proposed use of dependent upland and wetland areas.

1c. Plans for projects involving dredging shall also include:

- The area (SF) and volume (CY) of material to be dredged waterward of MHW for each dredgelocation.
- Dredge boundaries.
- Bathymetry for existing, proposed, and historical (include dates and Corps permits) dredge depths
- The likely final angle of repose of the side cuts based on the physical characterization of the material to be dredged and based upon the high/ medium/low, wave or current energy of the location.
- Whether the dredging is new, maintenance, improvement, or a combination.
- A description of the area to be dredged, i.e. open water, existing channel, wetlands, uplands, etc.
- Location of the disposal site (include location sheet).
- The methods and areas used to retain or prevent dredged material from running back into the wetland or waterway. Provide the capacity of the storage area and points of runback, including the overflow route, into the aquatic system.
- For beach nourishment, identify the disposal footprint, existing and proposed nourishment profiles (multiple profiles are appropriate if the site is more than 150 feet long or non-contiguous), total fill area (SF) and volume (CY), fill area and volume waterward of the HTL, and delineation of dunes, banks, existing beach vegetation, and contours. Also identify the substrate type (fine sand, sand, cobble, boulder) and/or grain-size of existing material.
- Show the finished top elevation of the disposal site.
- For open-water disposal, explain why inland or beneficial reuse sites are not practicable.
- Identification and description of any potential impacts to Essential Fish Habitat and threatened or endangered species.
- Note: For projects proposing open water, nearshore disposal, or beach nourishment, contact the Corps as early as possible for sampling and testing protocols. Sediment testing, including physical (e.g., grain-size analysis), chemical and biological testing may be required. Sampling and testing of sediments without such contact should not occur and if done, will be at the applicant's risk.

2. Information that may also be required:

- Purpose and need for the proposed activity.
- Alternatives analysis.
- Schedule of construction activity.
- Location and dimensions of adjacent structures.
- Prospective permittees may be required to describe and identify potential adverse effects of the project on Essential Fish Habitat (refer to the NOAA Fisheries' EFH Mapper found at www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper).
- Identification of potential discharges of pollutants to waters, including potential impacts to impaired waters, in the project area.
- Whether work will occur behind a temporary cofferdam or whether silt curtains will be deployed during project construction.
- Number and type (drill barge, work boat, tugboat, etc.) of temporary work vessels to be used.
- Number of permanent recreational vessels associated with a coastal structure.
- Number, size (diameter) and type (timber, steel, cement, combination, other) of pilings associated with a project in tidal waters and installation method (vibratory hammer, impact hammer, combination) for such pilings.

GP 1. AIDS TO NAVIGATION & TEMPORARY RECREATIONAL STRUCTURES (Section 10; navigable waters of the United States) The placement of aids to navigation and regulatory markers that are approved by and installed in accordance with the requirements of the U.S. Coast Guard (see 33 CFR, chapter I, subchapter C, part 66) and/or requirements of the State of Connecticut, Dept. of Energy & Environmental Protection Boating Division (see Connecticut General Statutes Section 15-121 and the corresponding Regulations of Connecticut State Agencies). The installation of temporary buoys, markers, floats, or similar structures solely for recreational use or short-term events such as water-skiing competitions, fireworks display or seasonal swim floats.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
1A. INLAND	Not Applicable These activities in inland waters (as defined in Appendix A, Page 1) do not require Corps authorization.	Not Applicable These activities in inland waters (as defined in Appendix A, Page 1) do not require Corps authorization.
1B. COASTAL <i>Self-Verification Notification (SV) IS NOT REQUIRED</i>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Aids to Navigation/temporary structures in Submerged Aquatic Vegetation (SAV; eelgrass). • Aids to Navigation/temporary structures in Federal Navigation Projects (FNPs). FNPs are comprised of Federal Channels, anchorages and turning basins. Please click on the link below for more information: http://www.nae.usace.army.mil/Missions/Navigation/Connecticut-Projects/ on the limits of these Federal projects. • Temporary structures in place longer than one season and/or not removed within 30 days after use is discontinued. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Aids to navigation and regulatory markers (both permanent and temporary) approved by the USCG and/or State of Connecticut Boating Division that are not located within Corps Federal Navigation Projects (FNPs). • Temporary buoys, markers, floats, etc. for recreational use during specific seasonal or short-term events, provided they are not located within Corps FNPs, are in place no longer than the defined seasonal timeframe and are removed within 30 days after use is discontinued. 	<p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Aids to Navigation/temporary structures in Submerged Aquatic Vegetation (SAV; eelgrass). • Aids to Navigation/temporary structures in Federal Navigation Projects (FNPs*). FNPs are comprised of Federal Channels, anchorages and turning basins. • Temporary structures in place longer than one season and/or not removed within 30 days after use is discontinued.

GP 2. REPAIR OR MAINTENANCE OF EXISTING CURRENTLY SERVICEABLE, AUTHORIZED OR GRANDFATHERED STRUCTURES & FILLS, REMOVAL OF STRUCTURES (Section 10 & 404; tidal and non-tidal waters of the U.S.) Repair, rehabilitation, or

replacement of any previously authorized, currently serviceable structure, or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3, provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification. Minor deviations in the structure's configuration or filled area, including those due to changes in materials, construction technique requirements of other regulatory agencies, or current construction codes or safety standards that are necessary to make the repair, rehabilitation, or replacement are authorized. Includes removal of structures and fill and accumulated sediment/debris. Stream, river, brook, or other watercourse crossings are not eligible under **GP 2** (See **GP 19**). Maintenance dredging, beach nourishment or beach restoration are not eligible under **GP 2** (See **GP 7**).

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>2A. INLAND</p> <p><i>Self-Verification Notification (SV) IS REQUIRED</i></p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent fill > 1,000 SF. • Temporary fill > 5,000 SF. • New riprap. • Unconfined fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps). • Fill in riffle and pool complexes and non-tidal vegetated shallows with <i>Vallisneria americana</i> (also known as water celery, American eelgrass or tapegrass), or a vernal pool depression that is located within waters of the U.S. • Unconfined work in streams with diadromous fish occurring between April 1 and June 30. (see Appendix H) <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Permanent fill ≤ 1,000 SF. • Temporary fill ≤ 5,000 SF. • Replacement of existing riprap is permitted if it does not extend beyond the previously authorized footprint or beyond the toe of slope into the streambed. • Drawdown of impoundment for dam/levee repair provided it does not exceed 18 months and one growing season (April through September). • Stream channel modification is limited ONLY to the minimum necessary to complete repair, rehabilitation, or replacement of the serviceable structure or fill. • Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary discharges, such as sandbag cofferdams, access fills, 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent fill > 5,000 SF. • New permanent discharges of fill for modification of existing culverts in streams that will adversely affect the hydraulic characteristics of a waterway or a FEMA designated floodplain. • New riprap fill that exceeds the minimum necessary to protect the existing fill/structure. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent fill ≤ 5,000 SF. • Temporary fill ≤ 10,000 SF (except for construction mats). • New riprap. • Removal of accumulated sediments and debris in the vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) and/or the placement of new or additional riprap, minimum necessary to protect the structure. • The removal of accumulated sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. Excavated materials must be deposited and retained in an area that has no waters of the United States. • Any bank stabilization measures not directly associated with the existing structure requires a separate authorization under GP 9.

<p>GP 2A (Continued)</p>	<p>etc. are necessary for construction activities or dewatering of construction sites.</p> <ul style="list-style-type: none"> • Temporary fill must consist of materials that minimize impacts to water quality and be placed in a manner, that will not be eroded by expected high flows. Additionally, they shall not exceed 25% of the width of the stream channel as measured beyond ordinary high water. Upon completion of work all temporary fill must be removed in their entirety and the affected area(s) returned to pre-construction elevation, condition, and re-vegetated as appropriate. 	
<p>GP 2 (continued) 2B. COASTAL Repair or Maintenance of Existing Currently Serviceable, Authorized or Grandfathered Structures & Fills, Removal of Structures</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • New fill (temporary or permanent) • Impacts (structures or work) in Special Aquatic Sites (SAS)* – also refer to 40 CFR 230.3 and Subpart E and definitions herein. • Unconfined fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps). <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Bulkhead replacement via installation of new bulkhead within 18” of existing bulkhead & associated backfill. • Work to previously authorized and currently serviceable tide gates with a Corps-approved operation and maintenance plan and structural repair (no fill) for tide gates that will not change the hydraulic regime (e.g. modify existing flow, periodicity or circulation of waters), solely convey stormwater and/or that convey authorized National Pollution Discharge Elimination System discharges. <p>* SAS includes mud flats, saltmarsh, vegetated shallows (submerged aquatic vegetation), sanctuaries and refuges, coral reefs, and riffle and pool complexes.</p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • New fill (temporary or permanent) > 5,000 SF in waters and wetlands • Impacts (structures or work) > 1,000 SF in tidal Special Aquatic Sites (SAS) (other than vegetated shallows), and shellfish beds. • Impacts (structures or work) and fill > 100 SF in tidal vegetated shallows (e.g. eelgrass & widgeon/turtlegrass). <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Fill and impacts (structures or work) ≤ 5,000 SF in waters and wetlands • Removal of accumulated sediments and debris in the vicinity of existing structures (e.g., bridges, culverted road crossings, water intake structures, etc.) • Removal of bridge structures subject to Coast Guard jurisdiction are covered under GP 8, provided the Coast Guard issues a bridge permit. • Any bank stabilization measures not directly associated with the structure requires a separate authorization under GP 9. • The removal of a accumulated sediment is limited to the minimum necessary to restore the waterway in the vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend farther than 200 feet in any direction from the structure. Excavated materials must be deposited and retained in an area that has no waters of the United States. <p>Note: Grandfather dates include work performed & structures installed before 1968 & fill placed before 1975 for Corps purposes only.</p>

GP 3. MOORINGS (Section 10; navigable waters of the U. S.): New private, non-commercial, non-rental, single-boat moorings & temporary moorings including moorings to facilitate construction or dredging; minor relocation of previously authorized moorings and mooring field expansions, boundary reconfigurations or modifications of previously authorized mooring fields and maintenance and replacement of moorings.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
3A. INLAND	<p>Not Applicable</p> <p>These activities in inland waters (as defined in Appendix A, Page 1) do not require Corps authorization.</p>	<p>Not Applicable</p> <p>These activities in inland waters (as defined in Appendix A, Page 1) do not require Corps authorization.</p>
<p>3B. COASTAL</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • New moorings located in a Federal navigation projects, including anchorages • New moorings located in tidal Submerged Aquatic Vegetation (SAV) • New moorings within >1000 SF within Special Aquatic Sites (SAS) (except tidal SAV) • New moorings located in shellfish beds. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Private, non-commercial, non-rental, single-boat moorings as well as temporary moorings needed to facilitate construction or dredging. • Minor relocation of previously authorized moorings provided no impact to SAS or shellfish beds. • Must receive local harbor master or municipal commission authorization. • Replacement of existing moorings within SAS (e.g. eelgrass) with low impact mooring technology that prevents mooring chains from resting or dragging on the bottom substrate at all tides, helical anchors, or equivalent SAS protection systems. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Moorings in Federal Navigation Channels <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • New moorings, including expansion of existing mooring fields, that are associated with an existing or proposed boating facility*. • Private moorings without harbor master or local approval. • Moorings located such that they, and/or vessels docked or moored at them, are within the buffer zone of the horizontal limits of a Federal Anchorage. The buffer zone is equal to 3 times the authorized depth of that channel. • New individual moorings in SAS, including eelgrass. Locating moorings in SAS should be avoided to the maximum extent practicable. If SAS cannot be avoided, plans should show elastic mooring systems that prevent mooring chains from resting or dragging on the bottom substrate at all tides, helical anchors, or equivalent SAS protection systems, where practicable. <u>The Corps may require an eelgrass survey to document presence or absence of SAS to determine the appropriate type and amount of compensatory mitigation for impact to SAS.</u> • Temporary and permanent impacts to >1000 SF of SAS (except tidal SAV) or intertidal habitats. • Temporary and permanent impacts to: (1) >100 SF of tidal SAV; or (2) ≤100 SF of tidal SAV if compensatory mitigation isn't required. <p><i>*Boating Facility: Facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockminiums, etc.</i></p>

GP 4. PILE-SUPPORTED STRUCTURES & FLOATS, INCLUDING BOAT LIFTS/HOISTS & OTHER MISCELLANEOUS STRUCTURES & WORK (Section 10 and 404; navigable waters of the U.S.) New, expansions, reconfigurations, or modifications of structures for navigation access including floats, stairs/pads, and boat/float lifts.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
4A. INLAND	<p>Not Applicable</p> <p>These activities in inland waters (as defined in Appendix A, Page 1) do not require Corps authorization.</p>	<p>Not Applicable</p> <p>These activities in inland waters (as defined in Appendix A, Page 1) do not require Corps authorization.</p>
<p>4B. COASTAL</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • New structures or floats associated with a boating facility.* • Structures located over, or within 25-feet of Submerged Aquatic Vegetation (SAV). • Structures or floats located within the buffer zone (3x the authorized depth of the FNP) of the horizontal limits of FNPs. • Pile-supported structures within Shellfish Concentration Areas as designated by the Connecticut Department of Environmental Protection, Coastal Area Management Program under CGS Sec. 22a-90. • Hammered steel piles. • Wooden piles > 12 inches in diameter. • Structures or floats that extend across >25% of the waterway width at mean low water. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Private residential piers/floating docks/miscellaneous structures with a length limit not to exceed 40 feet beyond mean high water and to a depth of -4 feet mean low water and limited to 4 feet in width (see eligibility criteria below for additional requirements). • The fixed pier component of the dock located in tidal wetlands shall be constructed such that the lowest horizontal member of the fixed pier is no lower than five (5) feet off the surface of any underlying wetland area. • Wooden piles for a single and complete project ≤ 25 piles. • Floats and lifts must be supported at least 18 inches above the intertidal and shallow sub-tidal substrate during all tidal cycles. • Private boat lifts. • Letter of no objection from riparian property owner is required for new structures within 25 feet of riparian property line extensions. • Reconfiguration of existing authorized structures, both private or commercial, provided those structures do not extend beyond the existing footprint** of the facility or extend further waterward of MHW, or encroach into Special Aquatic Sites (SAS) or shellfish beds. • Access stairs. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Structures in a Federal Navigation Channel or in the buffer zone • New structures associated with an existing boating facility that are located beyond the existing footprint of the facility. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Wave attenuation structures and timber groins. • New structures within an existing boating facility, provided those structures do not extend beyond the existing footprint of the facility. • Structures that are located within 25 feet of riparian property line extensions unless the properties are owned by the same owner. If not, the Corps may require a letter of no objection from the abutter(s). • Structures or work in or affecting coastal waters (as defined on Appendix A, Page 1) that are not defined under any other GP activity. <p><i>*Boating Facility: Facilities that provide for a fee, rent, or sell mooring space, such as marinas, yacht clubs, boat clubs, boat yards, town facilities, dockminiums, etc.</i></p> <p><i>** Footprint is defined as the limit of structures, such as docks, pilings, piers, or platforms, at an established marina or docking facility. The seaward limit of structures may be connected with imaginary lines as required on a plan or map to define the limit of the existing or proposed footprint.</i></p>

GP 5. BOAT RAMPS & MARINE RAILWAYS (Sections 10 & 404; tidal and non-tidal waters of the U.S.) Activities required for the construction of boat ramps & marine railways, including associated excavation & discharges of fill.
Dredging in coastal waters of the U.S. is not eligible under GP 5 (see GP 7).

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>5A. INLAND</p> <p><i>Self-Verification Notification (SV) IS REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Unconfined fill or excavation discharges in waterways identified as a habitat for Atlantic sturgeon and shortnose sturgeon, including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA) • Fill or excavation discharges in vegetated shallows with <i>Vallisneria americana</i> (also known as water celery, American eelgrass or tapegrass). • Boat ramps located within 25 feet of riparian property line extensions <u>unless</u> the properties are owned by the same owner or a letter of no objection from the abutter is provided. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Ramp construction with ≤5,000 SF of temporary & permanent impact • Ramps constructed in inland waters that support a nadromous fish (see Appendix H) provided construction occurs during low (at or below the normal water elevation) or no-flow condition and/or behind a cofferdam between July 1 and March 31. The cofferdam shall be constructed of non-erodible materials (steel sheets, aqua barriers, or geotextile liner; earthen cofferdams are not permissible). 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill >1/2 acre. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill ≤1/2 acre • Boat ramps located within 25 feet of an abutting riparian property line with a letter of no objection from the abutter(s).
<p>5B. COASTAL</p> <p>Note: If boat ramps are located within 25 feet of a riparian property line and the property is not held by the same owner, the Corps may require a letter of no objection from the abutter(s) or require an appropriate buffer if one is needed.</p>	<p><u>These activities are not eligible for SV</u></p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >1/2 acre of waters and wetlands. • Permanent and temporary impacts >1000 SF in tidal SAS, other than vegetated shallows. • Impacts >100 SF in Submerged Aquatic Vegetation (SAV). <p><u>Eligible Under PCN:</u></p> <ul style="list-style-type: none"> • Boat ramps and marine railways in coastal waters and/or impacting tidal wetlands. • Boat ramps are located within 25 feet of riparian property line extensions unless the properties are owned by the same owner. • Permanent and temporary impacts ≤1/2 acre of waters and wetlands. • Permanent and temporary impacts ≤1000 SF in tidal SAS, other than vegetated shallows. • Impacts ≤100 SF in tidal vegetated shallows.

GP 6. Utilities including lines, outfall and intake structures and appurtenant features (Sections 10 & 404; tidal & non-tidal waters of the U.S.): Activities required for (a) The construction, maintenance, relocation, repair, & removal of utility lines, including outfall and intake structures, and the associated excavation, backfill, or bedding for utility lines; (b) The construction, maintenance or expansion of utility line substation facilities associated with a power/utility line in waters of the U.S.*; and (c) The construction and maintenance of foundations for overhead utility line towers, poles, and anchors provided the foundations are the minimum size necessary and separate footings for each tower leg (rather than a larger single pad) are used where feasible. This GP authorizes the construction of access roads to facilitate construction of the above activities provided the activity, in combination with all other activities included in one single and complete project, does not cause the permanent loss of greater than 1/2 acre of waters of the U.S. Impacts resulting from mechanized pushing, dragging, temporary side-casting of excavated material or other similar activities that redeposit excavated soil material shall be figured into the area limit determination. Access roads used solely for the construction of the utility project (i.e. not used for maintenance) must be removed upon completion of the work. Utility line activities that are not regulated by the Corps, but involve temporary fill within Corps jurisdiction, should be evaluated under GP 21.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>6A. INLAND</p> <p><i>Self-Verification Notification (SV) IS REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Outfalls. • New riprap. • Fill in riffle and pool complexes and non-tidal vegetated shallows with <i>Vallisneria americana</i> (also known as water celery, American eelgrass or tapegrass) or a vernal pool depression that is located within waters of the U.S. • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps) • Unconfined work or silt producing activities in streams with diadromous fish between April 1 and June 30. (See Appendix H) • <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Cumulative permanent and temporary impacts of $\leq 5,000$ SF of fill) for each single and complete project (see GC 5) provided none of the individual single and complete linear project impact areas for the entire project exceed the threshold for the SV ($\leq 5,000$ SF). • Replacement of existing riprap with no footprint expansion. • Intake structures that are dry hydrants used exclusively for firefighting (see below for additional eligibility criteria). • Dry streambed installation of utility lines or mains with bypass diversion that conveys a seasonal minimum flow downstream. See also GC 21 for instream flow maintenance and aquatic connectivity requirements. • No permanent change to preconstruction contour or loss of streambed. • Backfill of the trench over the pipe and to the ground surface shall occur with native materials, to the extent practicable for industry standard, and may not facilitate wetland or waterway drainage below, or on, the ground 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill $> 1/2$ acre. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill $\leq 1/2$ acre. • Utility activities including excavation and trench backfill with impact to riffle and pools or vegetated shallows. • New outfalls and/or intakes. • New riprap armoring for utility-related structures and scour protection. • Temporary utility access roads for construction (see GP 18. and GP 19. for permanent maintenance access roads) • Streambed installation of utility lines or mains via open-cut trench excavation in flowing waters or dam and pump diversion. • Temporary fills necessary to conduct the utility work is allowed, provided the utility line activity is within Corps jurisdiction and the cumulative impact of both permanent and temporary fill for each single and complete project (see GC 6) wetland and/or waterway crossing does not exceed the 1/2 acre “single and complete” project threshold for PCN. • Material resulting from trench excavation may be temporarily side cast into waters of the United States for no more than three months, provided the material is properly stabilized and not placed in such a manner that it is dispersed by currents or other forces or alters flow and circulation patterns. • Temporary fill, including fill for construction access roads, must be removed upon completion of work and the area shall be completely restored to pre-construction elevation and condition, and re-vegetated with native species as appropriate.

<p>6A. INLAND (continued) Utilities including lines, outfall and intake structures and appurtenant features.</p> <p><i>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</i></p>	<p>surface. Trench plugs shall be installed, as needed, to prevent drainage of waters and wetlands.</p> <ul style="list-style-type: none"> • Replacement of existing riprap only if it does not extend beyond the previously authorized footprint or exceed 1 cubic yard per running foot below ordinary high water. • Activities may not intentionally or unintentionally impound waters, including wetlands. • Intake structures such as dry hydrants, if located within a stream, intake must be equipped with an appropriately sized mesh screen to prevent entrainment and the intake velocity must not exceed 0.5 foot-per-second to prevent impingement of aquatic organisms. • Construction occurs during low (at or below the normal water elevation) or no-flow condition and/or behind a cofferdam between July 1 and March 31 in streams with diadromous fish (See Appendix H). The cofferdam shall be constructed of non-erodible materials (steel sheets, aqua barriers, sandbag, or geotextile liner; earthen cofferdams are not permissible). • Material resulting from trench excavation may be temporarily side cast into waters of the United States for no more than 30-days, provided the material is properly stabilized and is not placed in such a manner that it is dispersed by currents or other forces or alters flow and circulation patterns. • Temporary fill, including fill for construction access roads, must be removed upon completion of work and the area shall be completely restored to pre-construction elevation and condition, and re-vegetated with native species as appropriate. • Pad/foundations are the minimum size necessary and are configured as a separate footing for each tower leg (rather than a larger single pad). • Impacts in waters or wetlands resulting from mechanized pushing or dragging, and temporary side cast of excavated material from trenches shall be figured into the 4,999 SF “single and complete” project category threshold. 	<ul style="list-style-type: none"> • Pad/foundations are the minimum size necessary and is configured as a separate footing for each tower leg (rather than a larger single pad). • Impacts in waters or wetlands resulting from mechanized pushing or dragging, and temporary side cast of excavated material from trenches shall be figured into the 1/2 acre “single and complete” project category threshold.
<p>6B. COASTAL Utilities including lines, outfall and intake structures and appurtenant features.</p>	<p><u>These activities are not eligible for SV</u></p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill >1/2 acre of waters and wetlands. • Permanent and temporary fill >1000 SF in tidal Special Aquatic Sites (SAS) other than vegetated shallows. • >100 SF in tidal Submerged Aquatic Vegetation (SAV). • New tide gates that are not affiliated with a permitted stormwater discharge or a authorized National Pollutant Discharge Elimination system. • Work that includes blasting. • Staging of equipment in wetlands during construction.

**6B. COASTAL
(continued)
Utilities including
lines, outfall and
intake structures
and appurtenant
features.**

Eligible Under PCN:

- Permanent and temporary fill $\leq 1/2$ acre of waters and wetlands.
- Permanent and temporary fill ≤ 1000 SF in tidal Special Aquatic Sites (SAS) other than vegetated shallows.
- ≤ 100 SF in tidal vegetated shallows.
- Overhead utility lines constructed over Section 10 waters and submarine utility lines that are routed in or under such waters.
- Storm water outfalls.
- New intake structures.
- Trench excavation, bedding and backfill.

GP 7. DREDGING (Section 10; navigable waters of the U.S.), TRANSPORT & DISPOSAL OF DREDGED MATERIAL (Sections 10, 404 & 103; tidal waters of the U.S.), BEACH NOURISHMENT (Sections 10 & 404; tidal waters of the U.S.); ROCK REMOVAL (Section 10, navigable waters of the U.S.) & ROCK RELOCATION (Sections 10 & 404; tidal waters of the U.S.); New, improvement* and maintenance** dredging, including: (a) Disposal of dredged material at a confined aquatic disposal, beach nourishment, near shore, designated open water or ocean water disposal site, provided the Corps finds the dredged material to be suitable for such disposal; (b) Beach nourishment not associated with dredging; (c) Beach grading or raking and (d) Rock removal and relocation for navigation.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
7A. INLAND	Not Applicable to Inland Waters (as defined in Appendix A, Page 1)	Not Applicable to Inland Waters (as defined in Appendix A, Page 1)
<p>7B. COASTAL</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Maintenance dredging with >100 SF of impacts to tidal Submerged Aquatic Vegetation (SAV) or with >1000 SF of tidal Special Aquatic Sites (SAS) (except tidal SAV), intertidal habitats, natural rocky habitats, or shellfish areas. • Work in waterways identified as a habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps and waterway descriptions). • Beach nourishment and beach grading. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Maintenance dredging (any yardage amount) with contained upland disposal provided work occurs between October 1 and January 31 of the calendar year, the dredge area is < 100 feet away from tidal SAV or <1000 SF of tidal SAS (except tidal SAV), intertidal habitats, natural rocky habitats or shellfish areas., there is no return water from upland dewatering practices, and proper siltation controls are used and maintained to prevent inadvertent runback into a adjacent waterway or wetland. • Rock/boulder relocation with ≤200 SF of impact to subtidal bottom and no impact to SAV or shellfish beds. • Not located within 100 feet of vegetated shallows (SAV) or shellfish areas. • Beach grooming or raking between November 1 and January 31. <p><i>*Improvement is dredging to deeper depths in areas previously dredged after being authorized by the Corps.</i></p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • New dredging (not previously authorized) with >1000 SF of impacts to intertidal areas or tidal SAS • Maintenance dredging and/or disposal with >1/2 acre of impacts to tidal SAS other than vegetated shallows (saltmarsh, mudflats). • New dredging for the primary purpose of mining or borrowing sand for beach nourishment. • Rock removal and relocation for navigation with impacts >1/2 acre. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • New dredging (not previously authorized) with ≤1000 SF of impacts to intertidal areas or tidal SAS • Work with ≤100 SF of impact to SAV. • Maintenance dredging and/or disposal with ≤1/2 acre of impacts to tidal Special Aquatic Sites (SAS) other than vegetated shallows (saltmarsh, mudflats). • New and improvement* dredging. • Dredged material disposal including open water disposal, confined aquatic disposal cells (CAD cells), near-shore disposal or beach nourishment. • Beach nourishment and beach grading. • Beach grooming or raking not eligible under SV. • Rock removal mechanically or by blasting (see below for additional criteria) • For work that includes blasting, a blasting plan must be submitted and approved by the Corps, CT DEEP and National Marine Fisheries Service (NMFS). <p><i>**Maintenance dredging includes areas and depths previously dredged after being authorized by the Corps.</i></p>

GP 8. DISCHARGES OF DREDGED OR FILL MATERIAL INCIDENTAL TO THE CONSTRUCTION OF BRIDGES ((Sections 10 & 404; navigable waters of the U.S.): Discharges of dredged or fill material incidental to the construction and modification of bridges across navigable waters of the U.S., including cofferdams abutments, foundation seals, piers, approach fills, and temporary construction and access fills provided that the USCG authorizes the construction of the bridge structure under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
8A. INLAND	<p>GP 8. is not applicable to bridges over inland waters or wetlands that are not tidally influenced or regulated as navigable under Section 10 (see definitions on Appendix A Page 1 and at 33 CFR Part 329; Definition for Navigable Waters of the United States.</p> <p>For projects that are not subject to Coast Guard regulations see eligibility criteria for GP 2, GP 18, or GP 19.</p>	<p>GP 8. is not applicable to bridges over inland waters or wetlands that are not tidally influenced or regulated as navigable under Section 10 (see definitions on Appendix A Page 1 and at 33 CFR Part 329; Definition for Navigable Waters of the United States.</p> <p>For projects that are not subject to Coast Guard regulations see eligibility criteria for GP 2, GP 18, or GP 19.</p>
<p>8B. COASTAL</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Construction of causeways and approach fills. • Fill in Special Aquatic Sites (SAS) or shellfish beds. • Discharges of dredged or fill material in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon, including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the freshwater tidal segments of the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps and waterway descriptions) <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Permanent or temporary discharges of dredged or fill material incidental to the construction and/or modification of bridges. • Pier foundations. • Cofferdam and water handling facilities. • Bridges authorized by the U.S. Coast Guard under Section 9 of the Rivers and Harbors Act of 1899 or other applicable laws including 2002 transfer of authorities to Secretary of Homeland Security under 6 U.S.C. 552(d). 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill >1 acre of waterways. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill <1 acre of waterways. • Permanent and temporary fill ≤1000 SF in tidal SAS, other than SAV. • Permanent and temporary fill <100 SF in Submerged Aquatic Vegetation (SAV).

GP 9. NEW SHORELINE & BANK STABILIZATION PROJECTS AND LIVING SHORELINES (Sections 10 & 404; tidal and non-tidal waters of the U.S.): Bank stabilization activities necessary for erosion protection along the banks of lakes, ponds, streams, estuarine and ocean waters, and any other open waters. Includes bulkheads, seawalls, riprap, revetments, or slope protection & similar structures, specifically for the purpose of shoreline protection. Also includes vegetative planting, soil bioengineering or alternative techniques that rely on a substantial biological component (e.g. fringe wetland, shellfish reef) or include discharges associated with planned shoreline retreat to maintain, restore or enhance the natural continuity of the land-water interface and natural ecological processes. See GP 2 for replacement of existing bank stabilization structures/fills.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>9A. INLAND</p> <p><i>Self-Verification Notification (SV) IS REQUIRED</i></p> <p>As built drawings are required for bank stabilization under this category.</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Vertical stone structures or embankments angled steeper than 1 V: 1 H. • New bulkheads & retaining walls. • Fill beyond the toe of slope within the streambed (see definition). • The use of grouted riprap, poured/unformed concrete/asphalt or a asphalt pieces. • The total amount of area filled, graded, or excavated, in SF, below the OHWM, exceeds the length of the activity along the shoreline • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps) <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Stream, river, or brook bank stabilization projects ≤60 linear feet (in total for more than one stream bank). • Work conducted “in-the-dry” (i.e. work that occurs when the stream is waterward of the activity and work occurs behind an installed cofferdam). • Unconfined instream work for installation & removal of cofferdams in waters that support diadromous fish (see Appendix H), occurs between July 30 and September 30 • Unconfined instream work for installation & removal of cofferdams in waters that do not possess diadromous fish occurs between June 1 through September 30. • Soft biodegradable (see definition) stabilization measures such as bioengineered fiber roll revetments or equivalent, shall be used wherever practicable. • Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. • After construction, temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be revegetated, as appropriate. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Bank stabilization >300 LF in total length including both stream banks. • Stream channelization or relocation activities. • The use of grouped riprap, poured/unformed concrete, poured asphalt or asphalt pieces. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Bank stabilization ≤300 LF in total length including both stream banks. • Utilize rock only in lower portion or toe of the riprap and woody structures/features, biodegradable fabric, etc. in the upper portions • Incorporate soil in the upper portions of the project with appropriate woody (usually willow) plantings as near average water elevations as possible and herbaceous plantings elsewhere • Provide a temporary or permanent buffer strip (streamside area where protection promotes growth and sustenance of woody vegetation) along the project length to provide for vegetation stability where grazing or recreational use may impact plant growth. Preferably, plantings should be on slopes of 3:1 or flatter and irrigated, if possible. <p>NOTE: The elevation at which the mean annual flow occurs is the division between “upper” and “lower”</p>

<p>GP 9 (continued)</p> <p>9B. COASTAL New shoreline & bank stabilization projects</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p> <p>As built drawings are required for bank stabilization under this category.</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Shoreline bank stabilization and living shoreline projects >100 linear feet. • >1 cubic yard of fill per linear foot placed between the high tide line (HTL) and mean low water (MLW) • Discharges of fill material within Special Aquatic Sites (SAS), including mudflats, tidal wetlands, Submerged Aquatic Vegetation (SAV) and/or shellfish beds. • Vertical stone structures or embankments angled steeper than 1V: 1H. • New bulkheads. • Work in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps and waterway descriptions) • Unconfined in-water work from May 1 through September 30 <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Shoreline, bank stabilization and living shoreline projects ≤100 linear feet. • <1 cubic yard of fill per linear foot placed between the high tide line (HTL) and mean low water (MLW) • Living shoreline sill material (see definition) such as coir logs, coir mats, native oyster shell, native wood debris, native rounded rock and cobble (cannot include angular riprap) and other structural materials must be adequately anchored, of sufficient weight, or installed in a manner that prevents relocation in most wave action or water flow conditions, except for extremely severe storms, and must be properly maintained. • Sand fill placed landward of the living shoreline sill shall consist of coarse sand or native cobble consistent with the existing site and may not raise the elevation of the shoreline above the elevation of adjacent tidal wetland. • As built drawings are required for coastal shoreline, bank stabilization and living shorelines under this category. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Shoreline & bank stabilization projects >300 linear feet. • Living shorelines >1,500 linear feet in length. • New breakwaters, groins, and jetties. • Discharge of fill material >1,000 sf within SAS, including mudflats, tidal wetlands, or shellfish beds and >100 sf in vegetated shallows/SAV. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Living shorelines ≤1500 linear feet • Shoreline & bank stabilization projects ≤300 linear feet.
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GP 10. AQUATIC HABITAT RESTORATION, ESTABLISHMENT & ENHANCEMENT ACTIVITIES (Sections 10 and 404; tidal and non-tidal waters of the U.S.):

Activities in waters of the United States associated with the restoration, enhancement and establishment of wetlands and riparian areas, including invasive, non-native or nuisance species control; the restoration and enhancement of non-tidal streams and waters including removal of artificial features and stream obstructions (dams, culverts, berms, weirs, walls); and vegetative enhancement; installation of fish ladders, rock ramps and in-stream natural habitat features; the relocation or conversion of non-tidal waters & associated wetlands for reestablishment of natural stream morphology and reconnection of the floodplain; removal of agricultural drainage tile and filling of drainage ditches; the restoration and enhancement of native shellfish, finfish and wildlife habitat where it currently exists or once existed and the rehabilitation or enhancement of tidal streams, tidal wetlands and tidal open waters provided that state and federal agencies concur that the activities will result in net increase to aquatic resource functions and services; modification to existing tide gates that are not eligible under GP 2 because they will change the hydraulic regime but where state and federal agencies concur that such changes will be ecologically beneficial; activities for enhancement of existing wildlife impoundments where state and federal agencies concur that current or proposed management practices will not adversely affect existing ecological diversity or the work will have a net increase in overall aquatic resource functions and services. Baseline survey and hydraulic analysis may be required to demonstrate eligibility.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>10A. INLAND</p> <p><i>Self-Verification Notification (SV) IS REQUIRED</i></p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p> <p>GP 10 (continued)</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent & temporary fill >1/2 acre of waters and/or wetlands. • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps). • New drainage ditch discharges or deepening (including side-casting of excavated material in wetland) to eliminate mosquito breeding habitat (see GP 22). • Stream channelization or channel reconstruction and alignment • Aquatic habitat conversion. • Fill in a vernal pool depression that is located within waters of the U.S <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • ≤5,000 SF of permanent or temporary wetland or waterway fill and/or excavation discharges. • Placement of boulders clusters, woody debris clumps, log vanes or deflectors in waters for fish habitat restoration. • Temporary fill and excavation in stream discharges associated with mechanical removal of small relict dams (≤4-ft high and 15-ft. long) • Fill and excavation discharges are authorized provided the activity is supported in writing by a state or non-Corps Federal environmental resource management agency. • Relict small-dam removals may not result in hydraulic modification or loss (upland conversion) of wetland habitat upstream of the structure and no permanent fill/discharges other than in situ gravel, cobble, or stone for stream bed restoration. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Conversion of wetland to open water. • New wildlife, waterfowl impoundments or fish ponds. • Stream channelization. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Pond or lake restoration or enhancement for water quality or ecological habitat renovation. • Dam removals not eligible under SV. • Stream channel reconstruction, relocation, realignment, and stream bed modification • Installation of fish ladders • Management of existing wildlife or waterfowl impoundments

	<ul style="list-style-type: none"> • Work must occur “in-the-dry” (behind cofferdams). See Appendix H for time of year restrictions for work in waterways (including installation of cofferdams) for streams with diadromous fish. • Unconfined instream work, including installation and removal of cofferdams in streams that do not possess diadromous fish is limited only from July 1 through September 30. • Removal of non-native invasive, exotic or nuisance vegetation. 	
<p>10B. COASTAL Aquatic habitat restoration, establishment & enhancement activities.</p> <p><i>Self-Verification Notification (SV) IS NOT REQUIRED</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent fill in, or conversion of, tidal wetland. • Work in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps). • New or improvement dredging (deepening) discharges (including side-casting of excavated material from ditching) to eliminate mosquito breeding habitat. (see GP 23). • Thin layer deposition for saltmarsh restoration. • Seed shellfish, spat or cultch placed in submerged aquatic vegetation and may not result in degradation of habitat for other aquatic resources. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Special Aquatic Sites (SAS) planting and transplanting ≤ 100 SF. • Placement of seed shellfish, spat or cultch in tidal waters for the restoration or enhancement of existing, publicly managed, recreational shellfish beds (native seed stock only). • Removal of non-native invasive, exotic or nuisance vegetation. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Conversion of wetland to open water, except for new salt pannes. • New wildlife, waterfowl impoundments or fish ponds. • New tide gate installation. • Artificial reefs. • Permanent and temporary impacts >1/2 acre in tidal waters. • Permanent and temporary impacts >1000 SF in tidal SAS, other than vegetated shallows. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Integrated Marsh Management in tidal waters and wetlands for combined wetland enhancement, mosquito control and reduction which may include draining of ponded dieback areas through excavation of runnels with handheld tools or low-impact ground equipment; blocking or unclogging of historic mosquito ditches or tidal creeks to restore tidal flushing and natural salinity levels; excavation of new salt pannes to increase shorebird and waterfowl foraging habitat and larvivorous fish habitat. • Pro-active saltmarsh restoration with thin layer discharge completed by the State of Connecticut Wetland Habitat and Mosquito Management program provided there is no net loss of wetland area. These thin layer discharge activities are excluded from the 1 acre threshold limit of permanent and temporary direct and indirect disturbance if the work is completed by the State of Connecticut Wetland Habitat and Mosquito Management program and the state and federal agencies concur that the work will not adversely affect existing ecological diversity or will have a net increase in overall aquatic resource functions and services.

GP 11. FISH & WILDLIFE HARVESTING ACTIVITIES (Sections 10 and 404; tidal waters of the U.S.) Activities in tidal waters of the United States associated with fish and wildlife harvesting and harvesting devices including pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging, fish aggregating devices, and small fish attraction devices such as open water fish concentrators (sea kites, etc.).

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
11A. INLAND <i>Self-Verification Notification (SV) is required</i>	GP 11. is not applicable to inland waters or wetlands that are not tidally influenced or navigable under Section 10 (see definitions on Appendix A Page 1 and 33 CFR Part 329; Definition for Navigable Waters of the United States	GP 11. is not applicable to inland waters or wetlands that are not tidally influenced or navigable under Section 10 (see definitions on Appendix A Page 1 and 33 CFR Part 329; Definition for Navigable Waters of the United States.
11B. COASTAL <i>Self-Verification Notification (SV) is not required.</i>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • New fish nets or traps in the Connecticut and Housatonic Rivers • Permanent impacts to Special Aquatic Sites (SAS), including intertidal mudflats, salt marshes and Submerged Aquatic Vegetation (SAV). • Placement in Federal Navigation Projects (FNPs) or interference with navigation. FNPs are comprised of Federal Channels, anchorages and turning basins. Please click on the link below for more information: http://www.nae.usace.army.mil/Missions/Navigation/Connecticut-Projects/ on the limits of these Federal projects. • Fish harvesting activities in SAS. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Activities associated with fish and wildlife harvesting devices including pound nets, crab traps, crab dredging, eel pots, lobster traps, duck blinds, clam and oyster digging and dredging, small fish aggregating and attraction devices such as open water fish concentrators (sea kites, etc.). • All gear, except for permanent mooring tackle shall be removed when not in use and stored at an upland location above mean high water and outside of wetland, including saltmarsh. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Artificial Reefs, impoundment(s) or semi-impoundment(s) of water • >1/2 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts. • Temporary and/or permanent fill or excavation in SAV >100 SF. • Permanent fill or excavation in other SAS >1000 SF. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • ≤1/2 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts. • Temporary and/or permanent fill or excavation in SAV ≤100 SF • Permanent fill or excavation in other SAS ≤1000 SF • Devices (structures) proposed to be used or located in tidal SAS, including salt marsh, mudflats and SAV.

GP 12. OIL SPILL & HAZARDOUS MATERIAL RESPONSE OPERATIONS (Sections 10 and 404; tidal and non-tidal waters of the U.S.): a.

Activities conducted in response to a discharge or release of oil and hazardous substances that are subject to the National Oil and Hazardous Substances Pollution Contingency Plan (40 CFR 300) including containment, cleanup, and mitigation efforts, provided activities are done under either (i) The Spill Prevent, Control & Countermeasure Plan require by 40 CFR 112.3; (ii) The direction or oversight of the Federal on-site coordinator designated by 40 CFR 300; or (iii) Any approved existing State, regional or local contingency plan provided that the Regional Response Team concurs with the proposed response efforts or does not object to the response effort. **b.** Activities required for the cleanup of oil releases in waters of the U.S. from electrical equipment that are governed by EPA's polychlorinated biphenyl (PCB) spill response regulations at 40 CFR 761. **c.** Booms placed in tidal waters. **d.** Use of structures & fills for spill response training exercises. Special Aquatic Sites (SAS) must be restored in place to pre-impact elevations. **Note: For activities listed under a. or b. above that require Self-verification, permittees have up to two weeks following commencement of these activities to submit the Self-verification. Note: For activities in waters identified as habitat for Atlantic sturgeon and Shortnose sturgeon and coastal waters of Long Island Sound, the permittee should contact the Corps at (978) 318-8338 as soon as possible after the work under GP 12 a.-c. begins, to that the Corps can address effects of the activities under the Federal Endangered Species Act.**

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>12A. INLAND</p> <p><i>Self-Verification Notification (SV) is required</i></p>	<p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Temporary waterway and wetland fill and a associated secondary impacts, conducted in accordance with a. or b. above (no acreage limit) provided SAS are restored in place to pre-impact elevation • Temporary fill for spill response training exercises provided no impacts to Special Aquatic Sites (SAS), vernal pool depressions located within waters of the U.S. or not located in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA). 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • >1 acre of permanent waterway and/or wetland fill and a associated secondary impacts. • Establishment of new sites for disposal of hazardous/toxic waste. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • <1 acre of permanent waterway and/or wetland fill & secondary impacts to include impacts for spill response training exercises. • The activity is planned/scheduled, not an emergency response & will cause turbidity or sediment resuspension or deposition waters or wetlands.
<p>GP 12 12B. COASTAL</p> <p><i>Self-Verification Notification (SV) may be required</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Training activities with impacts to tidal Special Aquatic Sites (SAS), including Submerged Aquatic Vegetation (SAV), natural rocky habitats and/or shellfish beds. • Clean up activities are planned, scheduled, or not conducted during the initial emergency response. • Training activities in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps). <p><u>Eligible under SV without SV Notification:</u></p> <ul style="list-style-type: none"> • Booms placed in navigable waters of the U.S. for oil and hazardous substance containment, absorption, and prevention, provided they are removed upon completion of the cleanup. <p><u>Eligible under SV with SV Notification:</u></p> <ul style="list-style-type: none"> • Temporary fill or impacts for spill response training exercises with ≤1000 SF of impact to tidal waters and temporary structures with no impacts to SAS and in place for ≤30 days. 	<p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • The activity is planned or scheduled, not an emergency response, and will cause turbidity or sediment resuspension or deposition in waters or wetlands. • Permanent structures or impacts for spill response training exercises.

GP 13. CLEANUP OF HAZARDOUS & TOXIC WASTE (Sections 10 and 404; tidal and non-tidal waters of the U.S.) Specific activities to affect the containment, stabilization, or removal of hazardous or toxic waste materials, including court ordered remedial action plans or related settlements which are performed, ordered, or sponsored by a government agency with established legal or regulatory authority.

Activities undertaken entirely on a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) site by authority of CERCLA, are not required to obtain permits under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>13A. INLAND</p> <p><i>Self-Verification Notification (SV) is required</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> Stream channelization, relocation, or loss of streambed including impoundments. Establishment of new disposal sites or expanding existing sites used for the disposal of hazardous or toxic waste. Permanent discharges in, or conversion of, SAS or a vernal pool depression that is located within waters of the U.S. Fill in waters identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. See GC #12 for a hyperlink to the NOAA ESA maps). <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> ≤5,000 square feet of permanent or temporary waterway and/or wetland fill and, associated secondary impacts. Special Aquatic Sites (SAS) must be restored in place and at pre-impact elevation, to the maximum extent practicable. <p>Note: Permittees have up to two weeks following commencement of these activities to submit the Self-verification.</p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> >1/2 acre of permanent or temporary waterway and/or wetland fill and associated secondary impacts. Establishment of new disposal sites or expansion of existing sites for the disposal of hazardous or toxic waste. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> ≤1/2 acre of permanent or temporary waterway and/or wetland fill and associated secondary impacts, and temporary fills. Special Aquatic Sites must be restored in place and at pre-impact elevation, to the maximum extent practicable.
<p>13B. COASTAL</p> <p><i>Self-Verification Notification (SV) is not required.</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> Fill in waters or wetlands. All cleanup activities except for the use of booms <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> Booms placed in waters for containment, absorption, and prevention, provided they are removed upon completion of the cleanup. 	<p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> Permanent and temporary impacts to include waterway or wetland fill and associated secondary impacts,

GP 14. SCIENTIFIC MEASUREMENT AND MONITORING DEVICES (Sections 10 and 404; tidal and non-tidal waters of the U.S.) Scientific devices for measuring and recording scientific data, such as staff gauges, tide and current gauges, meteorological stations, water recording and biological observation devices, water quality testing and improvement devices, and similar structures. Also eligible are small temporary weirs and flumes constructed primarily to record water quantity and velocity provided the discharge is less than 25 cubic yards. Upon completion of the use of the installed device it, and any other structures of fills associated with the device (e.g. foundations, anchors, buoys, lines, etc.), must be removed and the site restored to preconstruction elevation and condition, to the greatest extent practicable.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
14A. INLAND <i>Self-Verification Notification (SV) is required</i>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >1,000 SF • Fill in inland waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps). • Fill in a vernal pool depression that is located within waters of the U.S. • Biological sampling devices. • Weirs and flumes. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts are ≤1,000 SF • Devices do not restrict or concentrate movement of aquatic organisms. Upon completion of use, the device and any associated fill material shall be removed in their entirety. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >5,000 SF <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤5,000 SF
14B. COASTAL <i>Self-Verification Notification (SV) is not required</i>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent impacts to tidal Submerged Aquatic Vegetation (SAV) or natural rocky habitats. • Fill in waters and wetlands. • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps) • Interference with navigation or encroachment into a Federal Navigation Project. <p><u>Eligible under SV:</u></p> <ul style="list-style-type: none"> • Non-fill temporary or permanent impacts ≤1,000 SF of tidal SAS (except SAV). • Devices in tidal waters that do not restrict or concentrate movement of aquatic organisms and will not adversely affect the course, condition, or capacity of a waterway. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >5,000 SF. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤5,000 SF.

GP 15. SURVEY AND EXPLORATORY SURVEY ACTIVITIES (Sections 10 and 404; tidal and non-tidal waters of the U.S.) Survey activities such as soil borings, core sampling, seismic exploratory operations, plugging of seismic shot holes and other exploratory-type bore holes, exploratory trenching (mechanical land clearing of the upper soil profile to expose bedrock or substrate for the purpose of mapping or sampling the exposed material) and historic resources surveys.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>15A. INLAND</p> <p><i>Self-Verification Notification (SV) is required</i></p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent fill >5,000 SF • Drilling and discharge of excavated material from test wells for oil and gas exploration. • Exploratory trenching in waterways. • Blasting. • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps). • Fill in a vernal pool depression that is located within waters of the U.S. <p><u>Eligible under SV with SV Notification:</u></p> <ul style="list-style-type: none"> • Temporary impacts ≤5,000 SF in non-tidal waters and wetlands. • Exploratory trenching in wetland ≤1,000 SF provided that the excavated organic topsoil is set aside from dug subsoil for restoration purposes. The trench must be restored to its preconstruction elevation upon completion of the work and shall not facilitate wetland or waterway drainage on, or below, the ground surface. Backfill of the trench shall occur with native subsoil from the trench and the stockpiled organic topsoil will be restored to the wetland surface. • Discharges for drill entry and exit pits and drilling mud recovery. <p><u>Eligible under SV without SV Notification:</u></p> <ul style="list-style-type: none"> • Wetland delineation, soil surveys, sampling plots, historic resource surveys. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent structures or drilling and discharge of excavated material from test wells for oil and gas exploration. • Permanent and temporary fill >1/2 acre. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary fill ≤1/2 acre. • Seismic surveying. • Exploratory trenching
<p>15B. COASTAL</p> <p><i>Self-Verification Notification (SV) is not required</i></p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent or temporary fill or permanent structures • Drilling & discharge of excavated material from test wells for oil & gas exploration and seismic exploration. • Exploratory trenching and silt producing activities. • Temporary structures or work in Special Aquatic Sites (SAS) (including Submerged Aquatic Vegetation (SAV)). • Temporary structures or work with >100 SF impact to natural rocky habitats or >1,000 to intertidal areas. • Blasting. • Interference with navigation. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >1/2 acres; >1,000 SF in SAS, other than SAV; or > 100 SF in SAV <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤1/2 acres; ≤1000 SF in SAS, other than SAV; or ≤100 SF in SAV.

GP 15 (continued)

- Biological sampling devices.
- Work in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. This includes, but is not limited to, the Housatonic River, Naugatuck River, Quinnipiac River, Connecticut River, Salmon River, Thames River and Yantic River (See GC #12 for a hyperlink to the NOAA ESA maps)

Eligible as SV:

- Temporary structures $\leq 1,000$ SF removed when survey is concluded.
- Sampling plots, resource surveys, soil borings, and core sampling.

GP 16. AQUACULTURE AND MARICULTURE ACTIVITIES (Section 10; navigable waters of the United States) The installation of buoys, floats, racks, rafts, trays, predator nets, lines, tubes, posts, or other structures in navigable waters for the containment and cultivation of indigenous species of shellfish and seaweed/kelp. Also authorized are anchored upweller floats, spat-collection structures, small-scale shellfish hatchery seawater intake/discharge structures, and discharges of dredged or fill material associated with cultivation such as the placement of shellfish seed, cultch or spatted-shell on bottom or “brushing of the flats”. Depth of cultch or spatted-shell must comply with Special Conditions in Section 5, Part (h), items (1) through (7) of [CT DEEP, General Permit for Coastal Maintenance \(DEEP-OLISP-GP2015-02\)](#) and must not result in visible degradation of habitat for other aquatic resources. All structures must be permitted by State of Connecticut Navigation Safety/Boating Access Unit and marked in conformance with applicable State or U.S. Coast Guard Aids to Navigation.

NOTE: All facilities must be installed and operated in compliance with the attached Appendix C Aquaculture Conditions.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
16A. INLAND	<u>Not applicable to inland waters.</u>	<u>Not applicable to inland waters.</u>
16B. COASTAL	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • New aquaculture activities within 100 feet of submerged aquatic vegetation (SAV). • Permanent impacts to natural rocky habitat >100 SF. • Structures in or within a distance of three times the authorized depth of a Federal Navigation Project (FNP). • Depth of cultch or spatted-shell does not comply with the Special Conditions in Section 5, Part (h), items (1) through (7) of CT DEEP, General Permit for Coastal Maintenance (DEEP-OLISP-GP2015-02), will result in visible degradation of habitat for other aquatic resources and/or will impact natural shellfish beds. • Culture of non-indigenous species or aquatic nuisance species**. • Kelp/sea weed or fin fish aquaculture. • Attendant features such as docks, piers, or boat ramps (see GP 4 or GP 5). • Structures in established danger zones or restricted areas designated in 33 CFR part 334. • Aquaculture activities that will result in conversion of habitat type (soft bottom to hard, or vice versa). • Intertidal aquaculture (gear between mean high water and mean lower low water). 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • New or expansion of existing impoundment(s) or semi-impoundment(s) of water for the culture of holding of motile aquatic organisms. • Structures and work for fin fish culture. • Aquaculture activities that may obstruct navigation or has the potential for greater than minimal impact on navigation or other existing public uses. • Structures for the culture of non-indigenous species that are not present in the waterbody. • Aquaculture activities with $\geq 2,500$ SF SAV. <p><u>Eligible Under PCN includes work excluded under SV*:</u></p> <ul style="list-style-type: none"> • Activities with in-water ropes, lines and chains including, but not limited to, vertical drop lines, horizontal longlines or suspended gear for the rearing of shellfish or seaweed. • Cages, racks, trays, predator netting or other structures on the ocean bottom or floating on the water surface to contain, cultivate or depurate shellfish or other indigenous aquatic organisms. • Activities that involve a change from authorized gear for bottom culture to floating or suspended gear. • Structures for the culture of non-indigenous species that have been nativized or have been previously cultured in the waterbody. • Temporary, seasonal structures for aquaculture including, but not limited to, cages, trays, racks, or floating bags with impact to <2,500 SF tidal submerged aquatic vegetation or SAV habitat.***

Self-Verification Notification (SV) is not required

GP 16 (continued)

Eligible as SV:

- Placement of seed shellfish, spatting-shell, or cultch for commercial shellfish aquaculture on leased grounds when performed in compliance with the conditions in Section 5h of the CT DEEP General Permit for Coastal Maintenance (DEEP-OLISP-GP-2015-02).
- Temporary (<6 months) structures including cages, bags, upwellers or other aquatic organism containment devices for research, educational or experimental aquaculture in water depths ≤ 10 feet mean lower low water (MLLW) providing the gear area is $<1,000$ SF and the project is under the direct supervision of the CT Dept. of Agriculture, Bureau of Aquaculture.
- Suspended cages or bags located wholly below and within the footprint of an existing authorized fixed or floating structure in water depths ≤ 10 feet MLLW provided no loose lines and there is a vertical clearance of at least 2 feet between the bottom of the gear and the sea floor at MLLW
- Land-based shellfish hatchery or nursery intake and/or outlet provided diameter is ≤ 3 inches and properly screened to prevent entrainment or impingement of aquatic organisms.
- Shellfish upweller floats ≤ 160 sf in area with a vertical clearance of at least 2 feet between the bottom of the gear and the sea floor at MLLW.

****The Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 defined: (a) nonindigenous species as “any species or other viable biological material that enters an ecosystem beyond its historic range, including any such organism transferred from one country into another”; and (b) aquatic nuisance species as “a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural, or recreational activities dependent upon such waters.”**

***See “A Guide for Marine Aquaculture Permitting in Connecticut” for application materials at <https://shellfish.uconn.edu/commercial/>.**

*****Boundaries of submerged aquatic vegetation may be required to be surveyed at the project site. See Corps website for survey guidance: [https://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/Submerged Aquatic Vegetation Survey Guidance\(Updated 7-12-2016\).pdf](https://www.nae.usace.army.mil/Portals/74/docs/regulatory/JurisdictionalLimits/SubmergedAquaticVegetationSurveyGuidance(Updated7-12-2016).pdf)**

<p>GP 17.</p>	<p><u>NEW AND EXPANSION OF RECREATIONAL, RESIDENTIAL, INSTITUTIONAL AND COMMERCIAL DEVELOPMENTS (Section 404 – Inland, Non-Tidal Waters of the United States).</u> Discharges of dredged or fill material for the construction or expansion of residences and residential subdivisions; commercial and institutional buildings or subdivisions; recreational facilities such as playing fields, bikeways, trails, etc.; and attendant features including but not limited to roads, parking lots, garages, , yards, and utilities.. This GP authorizes attendant features if they are necessary for the use of the project purpose. Fill area includes all temporary and permanent fill, and regulated discharges associated with excavation. See GPs 18 & 19 for crossings in inland waters and/or wetlands.</p>	
<p>17-1A. INLAND</p> <p>Self-Verification Notification (SV) is required</p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p>	<p style="text-align: center;">SELF-VERIFICATION (SV)</p> <p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >5,000 square feet • Impacts in Special Aquatic Sites (SAS), other wetlands. • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps) • Fill in a vernal pool depression that is located within waters of the U.S. <p><u>Eligible as SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤5,000 square feet 	<p style="text-align: center;">PRE-CONSTRUCTION NOTIFICATION (PCN)</p> <p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >1 acre • Stormwater treatment or detention systems or subsurface sewerage disposal systems. • New road and driveway crossings. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤1 acre • Impacts in non-tidal SAS.
<p>17-1B. COASTAL</p>	<p><u>These activities are not eligible for SV</u></p>	<p><u>These activities are not eligible for PCN (Individual Permit required)</u></p>

GP 18. WETLAND CROSSINGS FOR LINEAR TRANSPORTATION PROJECTS (INLAND) Section 404; non-tidal waters of the U.S.

Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, railways, trails, airport runways, and taxiways) and attendant features

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>18A. INLAND</p> <p><i>Self-Verification Notification (SV) is required</i></p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p>	<p><u>Excluded in SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >5,000 SF • Work in Special Aquatic Sites (SAS) other than wetlands. • Slip lining or culvert relining that changes invert elevation. • Work that results in flooding (impoundment) or impedes wetland drainage from the upgradient side of the wetland crossing. • Fill in a vernal pool depression that is located within waters of the U.S. <p><u>Eligible as SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤5,000 SF • Permanent wetland crossings shall be constructed in such a manner as to preserve hydraulic and ecological connectivity, at its present level, between the wetlands on either side of the road or fill feature. Crossing structures commonly include but are not limited to spans and culverts. To meet this condition, spans or culverts should be placed at least every 50 feet with an opening at least 2 feet high and 3 feet wide at ground level. Closed bottom culverts should be embedded at least 6 inches and should have a natural bottom substrate within the structure. Alternative crossing designs that preserve wetland hydraulic and ecological connectivity (e.g. “rock sandwiches”) may also be considered. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >1 acre <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤1 acre • Work in Special Aquatic Sites. • Slip lining or culvert relining that changes invert elevation. • OR if screened and determined eligible by interagency CT DEEP and Corps agreement.
18B. COASTAL	<u>These activities are not eligible for SV.</u>	<u>These activities not eligible for PCN (Individual Permit required).</u>

GP 19. STREAM, RIVER, AND BROOK CROSSINGS (NOT INCLUDING WETLAND CROSSINGS (Sections 10 and 404; tidal and non-tidal waters of the U.S.)) Activities required for the construction, expansion, modification, or improvement of linear transportation projects (e.g., driveways, roads, highways, railways, bikeways, trails, airport runways, and taxiways) and attendant features, provided that work is performed in accordance with Connecticut General Permit Stream Crossing Best Management Practices to the extent practicable - See Appendix G. Wetland crossings see **GP 18**.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>19A. INLAND</p> <p><i>Self-Verification Notification (SV) is required</i></p> <p>Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed.</p>	<p><u>Excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent & temporary impacts >5,000 SF. • Stream relocations; dams, dikes; new culvert crossings perennial streams. • Slip lining or culvert relining that changes invert elevation. • Open trench excavation in flowing waters. • Fill in waterways identified as habitat for Atlantic sturgeon and shortnose sturgeon including designated critical habitat, foraging, and overwintering areas. (See GC #12 for a hyperlink to the NOAA ESA maps). See Appendix H for time of year restrictions. • Fill in a vernal pool depression that is located within waters of the U.S. <p><u>Eligible under SV:</u> Permanent and temporary impacts ≤5,000 SF for crossings for provided:</p> <ul style="list-style-type: none"> • All drainage culverts and bridges shall be designed to pass the appropriate flood frequency to the extent practicable: • Drainage Area less than 1 square mile - shall pass the 50-year flood frequency with 1 foot of freeboard. • Drainage Area greater than 1 square mile but less than 10 square miles shall pass the 100-year flood frequency with 1 foot of freeboard • Drainage Area greater than 10 square miles but less than 1,000 square miles shall pass the 100-year with 2 feet of freeboard. • Bridges and culverts along stocked watercourses and watercourses which may support fish shall be designed to allow passage of fish as may be recommended by the Department of Environmental Protection Fisheries and Wildlife Divisions. • The location of new bridges and culverts shall minimize the relocation of watercourses. • Where applicable, rigid structural floors at bridges and culverts should be depressed below the normal streambed, to allow an alluvial streambed to form over them, and shall anticipate if the streambed is degrading. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts >1 acre. • Wetland crossings (see GP 18). <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Permanent and temporary impacts ≤1 acre. • OR if screened and determined eligible by interagency CT DEEP and Corps agreement.

	<ul style="list-style-type: none"> • The use of solid parapet walls at bridges and culverts located in the sag part of vertical curves is discouraged. • Debris barriers shall be used upstream of structures prone to blockage by debris. • The use of a single large culvert or bridge opening is preferred over use of multiple small openings. • Unconfined, in-stream work, not including installation and removal of cofferdams, is limited to the low-flow period, July 1 – September 30 unless the agencies require a different resource-driven time of year restriction. • Cofferdam installation is allowed only between July 1 and March 31, but work occurring behind a cofferdam may occur at any time (See Appendix H). • OR if screened and determined eligible by interagency CT DEEP and Corps agreement. 	
<p>GP 19(continued)</p> <p>19B. COASTAL</p>	<p><u>These activities are not eligible for SV.</u></p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Permanent impacts that are >1/2 acre in tidal waters. • Permanent impacts that are >1 000 square feet in tidal Special Aquatic Sites (SAS) other than vegetated shallows. • Permanent impacts that are >100 square feet in tidal vegetated shallows. • Temporary impacts >1 acre in tidal waters. <p><u>Eligible Under PCN:</u></p> <ul style="list-style-type: none"> • Permanent impacts that are ≤1/2 acre in tidal waters of the U.S. • Permanent impacts that are ≤1 000 square feet in tidal Special Aquatic Sites (SAS) other than vegetated shallows. • Permanent impacts that are ≤100 square feet in tidal vegetated shallows • Temporary impacts ≤1 acre in tidal waters

GP 20. ENERGY GENERATION AND RENEWABLE ENERGY AND HYDROPOWER PROJECTS (Sections 10 and 404; tidal and non-tidal waters of the U.S.) Structures and work and discharges of dredged or fill material into waters of the U.S. for the construction, expansion, modification or removal of: (a) land-based renewable energy production facilities (e.g. solar and wind) and their attendant features; (b) water-based wind or hydrokinetic renewable energy generation pilot projects and their attendant features; and (c) discharges of dredged or fill material associated with hydropower projects. Attendant features may include, but are not limited to, land-based collection and distribution facilities, control facilities, and parking lots.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
20A INLAND <i>Self-Verification Notification</i>	<u>This activity is not eligible for SV.</u>	<u>Excluded under PCN (Individual Permit required):</u> <ul style="list-style-type: none"> • Projects with >1 acre of permanent and/or temporary impact in waters and wetlands. <u>Eligible Under PCN includes work excluded under SV:</u> <ul style="list-style-type: none"> • Projects with ≤1 acre of permanent and/or temporary impact in waters and wetlands Note: Construction mats of any area necessary to conduct activities do not count towards the impact thresholds and should be removed as soon as work is completed. <i>Mechanical clearing of areas within Corps jurisdiction without grubbing or other soil disturbance >1 acre as a secondary impact may still be eligible for PCN at the discretion of the Corps.</i>
20B. COASTAL	<u>This activity is not eligible for SV.</u>	<u>Excluded under PCN (Individual Permit required):</u> <ul style="list-style-type: none"> • Projects with >1 acre of permanent and/or temporary impacts waters and wetlands. <u>Eligible Under PCN:</u> <ul style="list-style-type: none"> • Projects with ≤1 acre of permanent and/or temporary impacts in waters and wetlands. • Temporary and/or permanent fill or excavation in ≤1,000 SF of Submerged Aquatic Vegetation (SAV) • Permanent fill or excavation in ≤5,000 SF in Special Aquatic Sites (SAS) (except for SAV)

GP 21. TEMPORARY FILL NOT ASSOCIATED WITH A REGULATED GENERAL PERMIT ACTIVITIES (Section 404; non-tidal waters of the U.S.) Temporary discharges, such as sandbag/earth cofferdams, access fills, etc., necessary for construction activities or dewatering of construction sites.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
<p>21A. INLAND</p> <p><i>Self-Verification Notification (SV) is required</i></p>	<p><u>Excluded in SV:</u></p> <ul style="list-style-type: none"> • Temporary impacts >5,000 SF not associated with construction mats. • Temporary fill in a vernal pool depression that is located within waters of the U.S. <p><u>Eligible as SV:</u></p> <ul style="list-style-type: none"> • Construction mats of any area necessary to conduct activities. • Construction mats must be removed as soon as work is completed (See general condition #17 Temporary Fill) <p>NOTE: Construction mats of any area necessary to conduct activities do not count towards the 5,000 SF threshold and should be removed as soon as work is completed.</p>	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • Temporary impacts >1 acre. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • Temporary impacts ≤ 1 acre. <p>NOTE: Construction mats of any area necessary to conduct activities do not count towards the 1-acre threshold and should be removed as soon as work is completed.</p>
<p>21-B. COASTAL</p>	<p><u>These activities are excluded under SV.</u></p>	<p><u>These activities are excluded under PCN (Individual Permit required).</u></p>

GP 22. MODIFICATION AND IMPROVEMENT OF EXISTING MINOR DRAINAGE FEATURES AND MOSQUITO CONTROL

(SECTION 10 & 404) Discharges to modify the cross-sectional configuration of currently serviceable drainage ditches constructed in waters of the U.S., for the purpose of improving water quality by regrading the drainage ditch with gentler slopes, which can reduce erosion, increase growth of vegetation, and increase uptake of nutrients and other substances by vegetation. Also authorized are mosquito reduction activities that do not meet **GP 10** (integrated marsh management). See **GP 2** for repair, rehabilitation, or replacement of authorized fills or repairs with no change in overall configuration of modification in use.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
22A. INLAND	<u>These activities are excluded under SV.</u>	<u>These activities are excluded under PCN (Individual Permit Required)</u>
22B. COASTAL <i>Self-Verification Notification (SV) is not required</i>	<p><u>Excluded in SV:</u></p> <ul style="list-style-type: none"> • Construction of new ditches or relocation of existing drainage ditches. • New fill (temporary or permanent) discharges including side-casting or stockpiling in wetlands. • Impacts (structures or work) in Special Aquatic Sites (SAS) refer to 40 CFR 230.3 and Subpart E and definitions herein. • Activities where the reshaping of the drainage ditch will increase drainage capacity beyond the original as-built capacity or expand the area drained by the drainage ditch as originally constructed (i.e., the capacity of the drainage ditch must be the same as originally constructed and it cannot drain additional wetlands or waters). • Impacts to Submerged Aquatic Vegetation (SAV) • Impacts to natural rocky habitat >100 SF • Impacts to intertidal or shellfish areas >1,000 SF <p><u>Eligible as SV:</u></p> <ul style="list-style-type: none"> • Impacts to Special Aquatic Sites (SAS) within areas ≤1,000 SF. • The location of the centerline of the reshaped drainage ditch shall be approximately the same as the location of the centerline of the original drainage ditch. 	<p><u>Excluded under PCN (Individual Permit required):</u></p> <ul style="list-style-type: none"> • >1 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts. • Temporary and/or permanent fill or excavation in SAV >1,000 SF. • Permanent fill or excavation in other SAS >5,000 SF. <p><u>Eligible Under PCN includes work excluded under SV:</u></p> <ul style="list-style-type: none"> • ≤1 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts. • Temporary and/or permanent fill or excavation in SAV ≤1,000 SF. • Permanent fill or excavation in other SAS ≤5,000 SF.

GP 23. AGRICULTURAL ACTIVITIES (Section 404; non-tidal and non-navigable waters of the U.S.) Regulated discharges of dredged or fill material in waters of the U.S. for agricultural activities, including the construction of building pads for farm buildings. Authorized activities include: (a) installation, placement, or construction of drainage tiles, ditches, or levees; mechanized land clearing; land leveling; the relocation of existing serviceable drainage ditches; and similar activities; (b) construction of farm ponds, excluding perennial streams, provided the farm pond is used solely for agricultural purposes; and (c) discharges of dredged or fill material to relocate existing serviceable drainage ditches constructed in non-tidal streams.

	SELF-VERIFICATION (SV)	PRE-CONSTRUCTION NOTIFICATION (PCN)
23A. INLAND	<u>These activities are excluded under SV.</u>	<u>Excluded under PCN (Individual Permit Required):</u> <ul style="list-style-type: none"> • Construction of aquaculture ponds. • >0.50 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts. <u>Eligible under PCN:</u> <ul style="list-style-type: none"> • ≤0.50 acre temporary or permanent impacts, fill, excavation, and/or secondary impacts
23B. COASTAL	<u>These activities are excluded under SV.</u>	<u>These activities are excluded under PCN (Individual Permit Required).</u>

APPENDIX B - GENERAL CONDITIONS

1. Other Permits. Applicants must also obtain other Federal, State, or local authorizations required by law. Applicants are responsible for applying for and obtaining all required State or local approvals. Work that is not regulated by the State, but is subject to Corps jurisdiction, may be still be eligible for these General Permits (GPs).

2. Federal Jurisdiction.

a. Applicability of these GPs shall be evaluated with reference to federal jurisdictional boundaries (e.g. mean high water mark, high tide line, ordinary high water mark, and wetland boundary). Activities shall be evaluated with reference to “waters of the U.S.” under the Clean Water Act (33 CFR 328) and “navigable waters of the U.S.” under Section 10 of the Rivers and Harbors Act of 1899 (33 CFR 329). Prospective permittees are responsible for ensuring that the boundaries used satisfy the federal criteria defined at 33 CFR 328 – 229. These sections prescribe the policy, practice, and procedures to be used in determining the extent of the Corps jurisdiction.

b. Permittees shall identify on project plans wetlands, other special aquatic sites (SAS) including vegetated shallows (or submerged aquatic vegetation, SAV) and mudflats, and other waters, such as lakes and ponds, and perennial and intermittent streams on the project site. Wetlands shall be delineated in accordance with the Corps of Engineers Wetlands Delineation Manual.

3. Mitigation (Avoidance, Minimization, and Compensatory Mitigation)

a. Activities shall be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to waters of the United States (U.S.) to the maximum extent practicable at the project site (i.e., on site). Consideration of mitigation (avoiding, minimizing, rectifying, reducing, or compensating) is required to the extent necessary to ensure that the adverse effects to the aquatic environment are no more than minimal.

b. Applicants should consider riparian/forested buffers for stormwater management and low impact development (LID) best management practices (BMPs) to reduce impervious cover and manage stormwater to minimize impacts to the maximum extent practicable.

c. Compensatory mitigation¹ for unavoidable impacts to waters of the U.S., including direct, secondary and temporal², will generally be required for projects with permanent impacts that exceed the SV area limits, and may be required for temporary impacts that exceed the SV area limits, to offset unavoidable impacts which remain after all appropriate and practicable avoidance and minimization has been achieved and to ensure that the adverse effects to the aquatic environment are no more than minimal. Proactive restoration projects or temporary impact work with no secondary effects may generally be excluded from this requirement.

The Corps **Connecticut In-Lieu Fee Program** allows Corps permittees, as compensation for their project impacts to aquatic resources of the United States in Connecticut to make monetary payment *in-lieu* of permittee-responsible mitigation. Information is provided at

<https://www.nae.usace.army.mil/Missions/Regulatory/Mitigation/In-Lieu-Fee-Programs/CT/>. Please note that this only applies to Corps required mitigation and additional Connecticut Dept. of Energy and Environmental Protection (CT DEEP) mitigation may be required.

4. Discretionary Authority. Notwithstanding compliance with the terms and conditions of this permit, the Corps retains discretionary authority to require an Individual Permit review based on concerns for the aquatic environment or for any other factor of the public interest [33 CFR 320.4(a)]. This authority is invoked on a case-by-case basis whenever the Corps determines that the potential consequences of the proposal warrant Individual Permit review based on the concerns stated above. This authority may be invoked for projects with cumulative adverse environmental effects that are more than minimal, or if there is a special resource or concern

¹ Compensatory mitigation projects provided to offset losses of aquatic resources must comply with the applicable provisions of 33 CFR 332. See also the New England District Compensatory Mitigation Guidance at <http://www.nae.usace.army.mil/Missions/Regulatory/Mitigation.aspx>

² Temporal loss: The time lag between the losses of aquatic resource functions caused by the permitted impacts and the replacement of aquatic resource functions at the compensatory mitigation site(s) (33 CFR 332.2).

associated with a particular project. Whenever the Corps notifies an applicant that an Individual Permit may be required, authorization under these GPs is voided and no work may be conducted until a Corps Individual Permit is obtained or until the Corps notifies the applicant that further review has demonstrated that the work may be reviewed under these GPs.

5 Fills Within 100-Year Floodplains. The activity shall comply with applicable Federal Emergency Management Agency (FEMA)-approved State of Connecticut or local floodplain management requirements. Permittees should contact FEMA and/or the State of Connecticut regarding floodplain management requirements

6. Single and Complete Projects. The term “single and complete project” is defined at 33 CFR 330.2(i) as the total project proposed or accomplished by one owner/developer or partnership or other association of owners/developers. The GPs shall not be used for piecemeal work and shall be applied to single and complete projects.

a. For non-linear projects, a single and complete project must have independent utility. Portions of a multi-phase project that depend upon other phases of the project do not have independent utility. Phases of a project that would be constructed, even if the other phases were not built, can be considered as separate single and complete projects with independent utility.

b. Unless the Corps determines the activity has independent utility, all components of a single project and/or all planned phases of a multi-phased project (e.g., subdivisions should include all work such as roads, utilities, and lot development) shall be treated together as constituting one single and complete project.

c. For linear projects such as power lines or pipelines with multiple crossings, a “single and complete project” is all crossings of a single water of the U.S. (i.e. single waterbody) at a specific location. For linear projects crossing a single waterbody several times at separate and distant locations, each crossing is considered a single and complete project. However, individual channels in a braided stream or river, or individual arms of a large, irregularly-shaped wetland or lake, etc., are not separate waterbodies, and crossings of such features cannot be considered separately. If any crossing requires a PCN review or an individual permit review, then the entire linear project shall be reviewed as one project under PCN or the individual permit procedures.

7. Use of Multiple General Permits. The use of more than one GP for a single and complete project is prohibited, except when the acreage loss of waters of the U.S. authorized by the GPs does not exceed the acreage limit of the GPs with the highest specified acreage limit. For example, if a road crossing over waters is constructed under GP 19, with an associated utility line crossing authorized by GP 6, if the maximum acreage loss of waters of the U.S. for the total project is ≥ 1 acre it shall be evaluated as an IP.

8. Corps Property and Federal Projects.

a. Corps projects and property can be found at: www.nae.usace.army.mil/Missions/Civil-Works

b. In addition to any authorization under these GPs, proponents must contact the Corps Real Estate Division at (978) 318-8585 for work occurring on or potentially affecting Corps properties and/or Corps-controlled easements to initiate reviews and determine what real estate instruments are necessary to perform work. Permittees may not commence work on Corps properties and/or Corps-controlled easements until they have received any required Corps real estate documents evidencing site-specific permission to work.

c. Any proposed temporary or permanent modification or use of a Federal project (including but not limited to a levee, dike, floodwall, channel, anchorage, seawall, bulkhead, jetty, wharf, pier or other work built but not necessarily owned by the United States), or any use which would obstruct or impair the usefulness of the Federal project in any manner, and/or would involve changes to the authorized Federal project’s scope, purpose, and/or functioning, is not eligible for SV and will also require review and approval by the Corps pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) (Section 408)

d. A PCN is required for all work in, over, under, or within a distance of three times the authorized depth of a Corps Federal Navigation Project (FNP) and may also require permission under Section 408.

e. Any structure or work that extends closer than a distance of three times the project’s authorized depth to the horizontal limits of any FNP shall be subject to removal at the owner’s expense prior to any future Corps dredging or the performance of periodic hydrographic surveys.

f. Where a Section 408 permission is required, written verification for the PCN will not be issued prior to

the decision on the Section 408 permission request.

9. National Lands. Activities that impinge upon the value of any National Wildlife Refuge, National Forest, National Marine Sanctuary or any area administered by the National Park Service, U. S. Fish and Wildlife Service (USFWS) or U.S. Forest Service are not eligible for SV and require either a PCN or Individual Permit.

10. Wild and Scenic Rivers.

a. The following activities in designated rivers of the National Wild and Scenic River (WSR) System, or in a river designated by Congress as a “study river” for possible inclusion in the system, require a PCN or IP unless the National Park Service (NPS) has determined in writing to the proponent that the proposed work will not adversely affect the WSR designation or study status:

- i. Activities that occur in WSR segments, in and 0.25 miles up or downstream of WSR segments, or in tributaries within 0.25 miles of WSR segments;
- ii. Activities that occur in wetlands within 0.25 miles of WSR segments;
- iii. Activities that have the potential to alter free-flowing characteristics in WSR segments

The district engineer will coordinate the application with the NPS or its designee with direct management responsibility for that river.

b. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency responsible for the designated Wild and Scenic River or study river (e.g. National Park Service, U.S. Forest Service, Bureau of Land Management, U. S. Fish and Wildlife Service).

c. As of January 27, 2021, designated rivers in Connecticut include: the West Branch of the Farmington River from Colebrook to Canton (designated river); the Eightmile River and tributaries in Salem, Lyme and East Haddam (designated river); the Lower Farmington River from Canton to Windsor (study river – including its tributary Salmon Brook) and the Wood & Pawcatuck Rivers. Additional information can be found at:

<http://www.rivers.gov/connecticut.php>

11. Historic Properties.

a. No undertaking shall cause effects (defined at 33 CFR 325 Appendix C and 36 CFR 800) on properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places³, including previously unknown historic properties within the permit area, unless the Corps or another Federal action agency has satisfied the consultation requirements of Section 106 of the National Historic Preservation Act (NHPA). The State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officer (THPO) and the National Register of Historic Places can assist with locating information on:

- i. previously identified historic properties; and
- ii. areas with potential for the presence of historic or cultural resources, which may require identification and evaluation by qualified historic preservation and/or archaeological consultants or tribal entities in consultation with the Corps and the SHPO and/or THPO(s).

b. For activities eligible for SV, proponents must document that the activity will not cause effects as stated in 9(a). To comply with this condition, both SV and PCN prospective permittees shall notify the CT SHPO and applicable THPOs, consistent with the procedures and forms herein, and request their identification of historic properties and cultural resources. Documentation of the inquiry/transmittal to the SHPO/THPO shall be included with the SV (if one is required) or PCN submittal. A PCN or IP is required if any activity may have an adverse effect on a historic property or cultural resource.

c. Proponents must submit a PCN to the Corps, as soon as possible, if the authorized activity may cause effects as stated in 9(a) to ensure that the Corps is aware of any potential effects of the permitted activity on any historic property or cultural resource so that the consultation requirements of Section 106 of NHPA can be satisfied.

³ The majority of historic properties are not listed on the National Register of Historic Places and may require identification and evaluation by qualified historic preservation and/or archaeological consultants in consultation with the Corps and the SHPO and/or THPO(s).

d. All PCN (inland projects) submittals shall: i) show notification to the SHPO and applicable THPO(s)⁴ for their identification of historic properties or cultural resources, ii) state which historic properties or cultural resources may be affected by the proposed work or include a vicinity map indicating the location of them, and iii) include any available documentation from the SHPO or THPO(s) indicating that there are, or are not, historic properties or cultural resources affected. Starting consultation early in project planning can save proponents time and money.

e. If you discover any previously unknown historic, cultural or archeological remains and artifacts while accomplishing the activity authorized by this permit, you must immediately notify the district engineer of what you have found, and to the maximum extent practicable, avoid construction activities that may affect the remains and artifacts until the required coordination has been completed. The district engineer will initiate the Federal, Tribal and state coordination required to determine if the items or remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

f. Federal agencies should follow their own procedures for complying with the requirements of Section 106 of the NHPA. Along with the application, Federal permittees shall provide the Corps with the appropriate documentation to demonstrate compliance with those requirements.

g. Federal and non-federal applicants should coordinate with the Corps before conducting any onsite archeological work (reconnaissance, surveys, recovery, etc.) requested by CT SHPO or the THPOs, as the Corps will determine the Permit Area for the consideration of historic properties based on 33 CFR 325 Appendix C. This is to ensure that work done is in accordance with Corps requirements.

12. Federal Threatened and Endangered Species.

a. No activity is authorized by these GPs which:

- i. Is likely to directly or indirectly jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act (ESA), or which will directly or indirectly destroy or adversely modify the critical habitat or proposed critical habitat of such species;
- ii. "May affect" a listed species or critical habitat, unless Section 7 consultation addressing the effects of the proposed activity has been completed;
- iii. Is "likely to adversely affect" a listed species or critical habitat unless Section 7 consultation has been completed by the Corps or another lead action agency in coordination with the Corps under the provisions of a Programmatic Agreement (PA) or Programmatic Consultation (PC); or
- iv. Violates the ESA.

b. All prospective permittees shall attach to their SVNF or PCN application an Official Species List obtained from the U.S. Fish and Wildlife Service's Information for Planning and Consultation (IPaC) found at: <https://ecos.fws.gov/ipac> and provide the email address of the person who generated the list.

c. For proposed activities in waters with tidal influence, prospective permittees should also refer to the National Oceanic and Atmospheric Administration (NOAA) Fisheries' Section 7 Mapper for federally-listed species found at: <https://noaa.maps.arcgis.com/apps/webappviewer/index.html>.

Several tidal freshwater waterways in Connecticut have been identified as foraging and overwintering areas, or designated as critical habitat, for the endangered Atlantic sturgeon and shortnose sturgeon. The extent of these waterways is highlighted below. NOTE: the list of waters below does not include higher salinity coastal tidal creeks and brackish waterways which also possess habitat for these species, so it is strongly recommended that applicants refer to the NOAA Section 7 mapper (link above) for all work in waterways that may have tidal influence:

- Mainstem Housatonic River from Long Island Sound (LIS) to the upstream limit of the Derby Dam in Shelton, CT (Atlantic sturgeon critical habitat; migrating and foraging habitat for Atlantic sturgeon and shortnose sturgeon).
 - Naugatuck River confluence with the Housatonic River up to the Naugatuck River Reservoir dam in Ansonia, CT.

⁴ Appendix D, #3 Historic Resources, provides a notification form and contact information.

- Quinnipiac River from LIS to the bridge/intersection of Quinnipiac Street and River Road, Wallingford, CT (migrating and foraging habitat for Atlantic sturgeon and shortnose sturgeon).
- Mainstem Connecticut River from LIS to the Massachusetts Border (Atlantic sturgeon critical habitat; spawning, migrating and foraging for Atlantic sturgeon; overwintering, migrating and foraging for shortnose sturgeon).
 - Salmon River confluence at Connecticut River to the dam at Powerhouse Road, Leesville, CT
 - Farmington River confluence with the Connecticut River to Tunxis Road, Tariffville, CT
 - Pataconk Brook confluence with the Connecticut River to North Quarter Park, Chester, CT
 - Confluence of Hamburg Cove with the Connecticut River to Eightmile River at Joshuatown Road/Old Hamburg Road, Hamburg, CT.
 - Lord Creek confluence with the Connecticut River to Coult's Hole and Mack Creek to Lord Hill Lane, Lyme, CT.
 - North Cove confluence with Connecticut River and Falls River confluence in North Cove to River Road, Essex, CT.
 - Mattabassett River confluence at the Connecticut River to Rt. 3, northeast of Newfield Street in Middletown, CT
 - Coginchaug River confluence with the Mattabassett River to Johnson Street north of the Providence & Worcester Railroad
 - Selden Creek, Lyme, CT.
- Mainstem of the Thames River to Norwich, Connecticut (migrating and foraging habitat for Atlantic sturgeon and shortnose sturgeon)
 - Shetucket River confluence with Thames River up to Greenville Dam, Greenville, CT
 - Yantic River confluence with the Thames River to Yantic Falls, Norwich, CT.
 - Horton Cove confluence with the Thames River to Stony Brook and Mohegan Brook, Montville, Connecticut.
 - Poquetanuck Cove confluence with the Thames River to Poquetanuck Brook at Shingle Road, Poquetanuck, Connecticut.

d. A PCN is required if a threatened or endangered species, a species proposed for listing as threatened or endangered, or designated or proposed critical habitat (all hereinafter referred to as “listed species or habitat”), as identified under the ESA, may be affected by the proposed work. An activity may remain eligible for SV if the only listed species affected is the northern long-eared bat (*Myotis septentrionalis*), and only after Section 7 consultation has been completed by the Corps under the 4(d) Rule Streamlined Consultation.

e. Federal agencies shall follow their own procedures for complying with the requirements of the ESA while ensuring that the Corps and any other federal action agencies are included in the consultation process.

f. Non-federal representatives designated by the Corps to conduct informal consultation or prepare a biological assessment shall follow the requirements in the designation document(s) and the ESA. Non-federal representatives shall also provide the Corps with the appropriate documentation to demonstrate compliance with those requirements. The Corps will review the documentation and determine whether it is sufficient to address ESA compliance for the GP activity, or whether additional ESA consultation is necessary.

g. The requirements to comply with Section 7 of the ESA may be satisfied by a Programmatic Agreement (PA) or Programmatic Consultation (PC) with the Corps, New England District or another federal agency. New England District PAs and PCs are found at: www.nae.usace.army.mil/Missions/Regulatory

13. Pile Installation and Removal and Related Time of Year Restrictions.

a. Derelict, degraded, or abandoned piles and sheet piles in the project area shall be removed in their entirety as practicable and properly disposed of in an upland location and not in wetlands. In areas of fine-grained substrates, piles/sheets shall be removed by direct, vibratory, or clamshell pull method in order to

minimize potential turbidity and sedimentation impacts. If removal is not practicable, said piles/sheets shall be cut off or driven to a depth of, at least, one foot below substrate.

b. Work involving pile installation and/or removal should occur “In-the-dry” or adhere to the applicable waterbody’s time-of-year restrictions in Appendix H.

c. Vibratory hammers used to install any size and quantity of wood, concrete, or steel, or impact hammers limited to one hammer and <50 piles installed/day with the following: wood piles of any diameter, concrete piles ≤18-inches diameter, steel piles ≤12-inches diameter if: (1) the hammer is ≤3,000 pounds and a wood cushion or equivalent is used between the hammer and steel pile, or (2) a soft start is used. Soft starts require an initial set of three strikes from the impact hammer at 40% energy, followed by a 1-minute waiting period between subsequent three-strike sets. The soft-start procedure shall be conducted any time hammering ceases for more than 30 minutes.

14. Navigation.

a. No activity may cause more than a minimal adverse effect on navigation.

b. Any safety lights and signals prescribed by the U.S. Coast Guard, through regulations or otherwise, must be installed and maintained at the permittee's expense on authorized facilities in navigable waters of the U.S.

c. Any structure or work that extends closer to the horizontal limits of any Corps Federal 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. This is applicable to SV and PCN.

d. 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.

e. The permittee understands and agrees that if future U.S. operations 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, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the U.S. No claim shall be made against the U.S. on account of any such removal or alteration.

f. A PCN is required for all work in, over or under an FNP or its buffer zone unless otherwise indicated in Appendix A. as the work may also require a Section 408 permit.

15. Federal Liability. In issuing these permits, 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 U.S. 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 permit; (d) design or construction deficiencies associated with the permitted work; and/or (e) damage claims associated with any future modification, suspension, or revocation of this permit.

16. Heavy Equipment in Wetlands. Operating heavy equipment other than fixed equipment (drill rigs, fixed cranes, etc.) within wetlands shall be minimized, and such equipment shall not be stored, maintained or repaired in wetlands, to the maximum extent practicable. Where construction requires heavy equipment operation in wetlands, the equipment shall either have low ground pressure (typically <3 psi), or it shall be placed on swamp/construction/timber mats (herein referred to as “construction mats”) that are adequate to support the equipment in such a way as to minimize disturbance of wetland soil and vegetation. Construction mats are to be placed in the wetland from the upland or from equipment positioned on swamp mats if working within a wetland. Dragging construction mats into position is prohibited. Other support structures that are capable of safely supporting equipment may be used with written Corps authorization. Similarly, the permittee may request written authorization from the Corps to waive use of mats during frozen or dry conditions. An adequate supply of spill containment equipment shall be maintained on site. Construction mats should be managed in accordance with the following construction mat best management practices:

- Mats should be in good condition to ensure proper installation, use and removal.
- Where feasible, mats should be carried and not dragged unless they are being used as a grading implement.
- Where feasible, place mats in a location that would minimize the amount needed for the wetlands crossing.
- Minimize impacts to wetland areas during installation, use, and removal.
- Install adequate erosion & sediment controls at approaches to mats to promote a smooth transition to, and minimize sediment tracking onto, swamp mats.
- In most cases, construction mats should be placed along the travel area so that the individual boards are resting perpendicular to the direction of traffic. No gaps should exist between mats. Place mats far enough on either side of the resource area to rest on firm ground.
- Provide standard construction mat BMP details to work crews.
- Construction mats shall be thoroughly cleaned before re-use to minimize spread of invasive species.

17. Temporary Fill.

a. Temporary fill, including but not limited to construction mats and corduroy roads shall be **entirely** removed as soon as they are no longer needed to construct the authorized work. Temporary fill shall be placed in its original location or disposed of at an upland site and suitably contained to prevent its subsequent erosion into waters of the U.S.

b. All temporary fill and disturbed soils shall be stabilized to prevent its eroding into waters of the U.S. where it is not authorized. Work shall include phased or staged development to ensure only areas under active development are exposed and to allow for stabilization practices as soon as practicable. Temporary fill must be placed in a manner that will prevent it from being eroded by expected high flows.

c. Unconfined temporary fill authorized for discharge into waters of the U.S. shall consist of material that minimizes impacts to water quality (e.g. washed stone, stone, etc.).

d. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable when temporary structures, work, and discharges of dredged or fill material, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Materials shall be placed in a location and manner that does not adversely impact surface or subsurface water flow into or out of the wetland. Temporary fill authorized for discharge into wetlands shall be placed on geotextile fabric or other appropriate material laid on the pre-construction wetland grade where practicable to minimize impacts and to facilitate restoration to the original grade. Construction mats are excluded from this requirement.

e. Construction debris and/or deteriorated materials shall not be located in waters of the U.S.

18. Restoration of Inland Wetland Areas.

a. Upon completion of construction, all disturbed wetland areas (the disturbance of these areas must be authorized) shall be stabilized with a wetland seed mix containing only plant species native to New England and shall not contain any species listed in the “Invasive and Other Unacceptable Plant Species” Appendix D in the “New England District Compensatory Mitigation Guidance” found at <http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Mitigation/CompensatoryMitigationGuidance.pdf>

b. The introduction or spread of invasive plant species in disturbed areas shall be controlled. If swamp or timber mats are to be used, they shall be thoroughly cleaned before re-use.

c. In areas of authorized temporary disturbance, if trees are cut they shall be cut at or above ground level and not uprooted in order to prevent disruption to the wetland soil structure and to allow stump sprouts to revegetate the work area, unless otherwise authorized.

d. Wetland areas where permanent disturbance is not authorized shall be restored to their original condition and elevation, which under no circumstances shall be higher than the pre-construction elevation. Original condition means careful protection and/or removal of existing soil and vegetation, and replacement back to the original location such that the original soil layering and vegetation schemes are approximately the same, unless otherwise authorized.

19. Coastal Bank Stabilization. Projects involving construction or reconstruction/maintenance of bank stabilization structures within Corps jurisdiction should be designed to minimize environmental effects, effects to neighboring properties, scour, etc. to the maximum extent practicable. For example, vertical bulkheads should only be used in situations where reflected wave energy can be tolerated. This generally eliminates bodies of water where the reflected wave energy may interfere with or impact on harbors, marinas, or other developed shore areas. A revetment is sloped and is typically employed to absorb the direct impact of waves more effectively than a vertical seawall. It typically has a less adverse effect on the beach in front of it, abutting properties and wildlife. For more information on this topic, go to the Corps Coastal Engineering Manual (supersedes the Shore Protection Manual), located at <https://www.publications.usace.army.mil/USACE-Publications/Engineer-Manuals/u43544q/636F617374616C20656E67696E656572696E67206D616E75616C> Select “Products/ Services,” “Publications.” Part 5, Chapter 7-8, a (2) c.

20. Soil Erosion and Sediment Controls. Appropriate soil erosion and sediment controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be permanently stabilized at the earliest practicable date. Permittees are encouraged to perform work within waters of the U.S. during periods of low-flow or no-flow, or during low tides.

21. Aquatic Life Movements & Management of Water Flows.

a. No activity may substantially disrupt the necessary life cycle movements of those species of aquatic life indigenous to the waterbody, including those species that normally migrate through the area, unless the activity’s primary purpose is to impound water. Unless otherwise stated, activities impounding water in a stream require a PCN to ensure impacts to aquatic life species are avoided and minimized. All permanent and temporary crossings of waterbodies (e.g., streams, wetlands) shall be:

i. Suitably culverted, bridged, or otherwise designed and constructed to maintain low flows to sustain the movement of those aquatic species; and

ii. Properly aligned and constructed to prevent bank erosion or streambed scour both adjacent to and inside the culvert. Permanent and temporary crossings of wetlands shall be suitably culverted, spanned or bridged in such a manner as to preserve hydraulic and ecological connectivity between the wetlands on either side of the road.

b. To avoid adverse impacts on aquatic organisms, the low flow channel/thalweg shall remain unobstructed during periods of low flow, except when it is necessary to perform the authorized work.

c. To the maximum extent practicable, the pre-construction course, condition, capacity, and location of open waters must be maintained for each activity, including stream channelization and storm water management activities. The activity must be constructed to withstand expected high flows. The activity must not restrict or impede the passage of normal or high flows, unless the primary purpose of the activity is to impound water or manage high flows. The activity may alter the preconstruction course, condition, capacity, and location of open waters if it benefits the aquatic environment (e.g., stream restoration or relocation activities).

d. Refer to Appendix G for Stream Crossing Best Management Practices.

22. Discharge of Pollutants. All activities involving any discharge of pollutants into waters of the U.S. authorized under these GPs shall be consistent with applicable water quality standards, effluent limitations, standards of performance, prohibitions, and pretreatment standards and management practices established pursuant to the CWA (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 EPA. Applicants may presume that state water quality standards are met with issuance of the Section 401 WQC (Applicable only to the Section 404 activity).

23. Spawning, Breeding, and Migratory Areas

a. Jurisdictional activities and impacts such as excavations, discharges of dredged or fill material, and/or suspended sediment producing activities in jurisdictional waters that provide value as fish migratory areas, fish

and shellfish spawning or nursery areas, or amphibian and migratory bird breeding areas, during spawning or breeding seasons shall be avoided and minimized to the maximum extent practicable.

b. Jurisdictional activities in waters of the U.S. that provide value as breeding areas for migratory birds must be avoided to the maximum extent practicable. The permittee is responsible for obtaining any “take” permits required under the USFWS’s regulations governing compliance with the Migratory Bird Treaty Act or the Bald and Golden Eagle Protection Act. The permittee should contact the appropriate local office of the USFWS to determine if such “take” permits are required for a particular activity.

24. Storage of Seasonal Structures. Coastal structures, such as pier sections and floats, that are removed from the waterway for a portion of the year (often referred to as seasonal structures) shall be stored in an upland location, located above mean high water (MHW) and **not** in tidal wetlands. These seasonal structures may be stored on the fixed, pile-supported portion of the structure that is seaward of MHW. This is intended to prevent structures from being stored on the marsh substrate and the substrate seaward of MHW.

25. Environmental Functions and Values. The permittee shall make every reasonable effort to carry out the construction or operation of the work authorized herein in a manner that minimizes any adverse impacts on existing fish, wildlife, and the environmental functions to the extent practicable. The permittee will discourage the establishment or spread of plant species identified as non-native invasive species by any federal or state agency.

26. Vernal Pools.

a. A PCN is required if a discharge of dredged or fill material is proposed within a vernal pool depression located within waters of the U.S.

b. GC 24(a) above does not apply to projects that are within a municipality that meets the provisions of a Corps-approved vernal pool Special Area Management Plan (SAMP) and are otherwise eligible for SV, and the applicant meets the requirements to utilize the vernal pool SAMP.

27. Invasive Species.

a. The introduction, spread, or the increased risk of invasion of invasive plant or animal species on the project site, into new or disturbed areas, or areas adjacent to the project site caused by the site work shall be avoided. Hence, swamp and timber mats shall be thoroughly cleaned before reuse.

b. Unless otherwise directed by the Corps, all applications for PCN inland projects proposing fill in Corps jurisdiction shall include an Invasive Species Control Plan. Additional information can be found at www.nae.usace.army.mil/missions/regulatory/invasive-species and <https://cipwg.uconn.edu/>

28. Permit/Authorization Letter On-Site. For PCN projects, the permittee shall ensure that a copy of these GPs and the accompanying authorization letter are at the work site (and the project office) whenever work is being performed, and that all personnel with operational control of the site ensure that all appropriate personnel performing work are fully aware of its terms and conditions. The entire permit authorization shall be made a part of any and all contracts and sub-contracts for work that affects areas of Corps jurisdiction at the site of the work authorized by these GPs. This shall be achieved by including the entire permit authorization in the specifications for work. The term “entire permit authorization” means these GPs, including General Conditions and the authorization letter (including its drawings, plans, appendices, and other attachments) and also includes permit modifications. If the authorization letter is issued after the construction specifications, but before receipt of bids or quotes, the entire permit authorization shall be included as an addendum to the specifications. If the authorization letter is issued after receipt of bids or quotes, the entire permit authorization shall be included in the contract or sub-contract as a change order. Although the permittee may assign various aspects of the work to different contractors or sub-contractors, all contractors and sub-contractors shall be obligated by contract to comply with all environmental protection provisions contained within the entire authorization letter, and no contract or sub-contract shall require or allow unauthorized work in areas of Corps jurisdiction.

29. Inspections. The permittee shall allow the Corps to make periodic inspections at any time deemed necessary in order to ensure that the work is being or has been performed in accordance with the terms and conditions of this permit. To facilitate these inspections, the permittee shall complete and return to the Corps the Work-Start Notification Form and the Compliance Certification Form when either is provided with an authorization letter. The Corps may also require post-construction engineering drawings for completed work or post-dredging survey drawings for any dredging work.

30. Maintenance. The permittee shall maintain the activity authorized by these GPs in good condition and in conformance with the terms and conditions of this permit. This does not include maintenance dredging projects. Maintenance dredging is subject to the review thresholds in Appendix A – General Permit #7 as well as any conditions included in a written Corps authorization. Maintenance dredging includes only those areas and depths previously authorized and dredged. Some maintenance activities may not be subject to regulation under Section 404 in accordance with 33 CFR 323.4(a) (2).

31. Property Rights. Per 33 CFR 320.4(g)(6), these GPs do 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.

32. Transfer of GP Verifications. If the permittee sells the property associated with a General Permit authorization, the permittee may transfer the General Permit authorization to the new owner by submitting a letter to the Corps to validate the transfer. A copy of the General Permit authorization letter must be attached to the letter, and the letter must include the following statement: “The terms and conditions of these General Permits, including any special conditions, will continue to be binding on the new owner(s) of the property”. This letter should be signed by both the seller and new property owner(s).

33. Modification, Suspension, and Revocation. These GPs and any individual authorization issued thereof 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.

34. 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 DEEP or a 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 and/or restoration.

35. 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 authorization will not be valid, and the U.S. government may institute appropriate legal proceedings.

36. 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 Corps.

37. Enforcement cases. These GPs do not apply to any existing or proposed activity in Corps jurisdiction associated with an on-going Corps 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.

38. Previously Authorized Activities.

a. Completed projects that received prior authorization from the Corps (via SV or PCN), shall remain authorized in accordance with the original terms and conditions of those authorizations, including their terms, general conditions, and any special conditions provided in a written verification.

b. Activities authorized pursuant to 33 CFR Part 330.3 (“Activities occurring before certain dates”) are not affected by these GPs.

39. Duration of Authorization.

a. These GPs expire five years from the date issued as listed at the top of the cover sheet. Activities authorized by these GPs that have either commenced (i.e., are under construction) or are under contract to commence in reliance upon this authorization will have an additional year from the expiration date to complete the work. The permittee must be able to document to the Corps’ satisfaction that the project was under construction or under contract by the expiration date of these GPs. If work is not completed within the one-year extended timeframe, the permittee must contact the Corps. The Corps may issue a new authorization provided the project meets the terms and conditions of the CT GPs in effect at the time.

b. Activities authorized under these GPs will remain authorized until the GP expires, 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 completed under the SV or PCN authorizations of these GPs will continue to be authorized after its expiration date.

Tammy R. Turley
Chief, Regulatory Division

Date

APPENDIX C

GENERAL PERMIT 16 - STANDARD AQUACULTURE TERMS AND CONDITIONS

DEPARTMENT OF THE ARMY/STATE OF CONNECTICUT

2021 Connecticut General Permit

1. Aquaculture activities under this General Permit as identified within Appendix A, General Permit #16 are subject to the current Conditions and Requirements of the Connecticut General Permit in addition to these Standard Aquaculture Terms and Conditions.
2. The permittee shall ensure that a copy of the project authorization (including its drawings, plans, appendices, and other attachments) is present on the vessel that attends the work site (and the project office), and that all appropriate personnel performing work at the site are fully aware of its terms and conditions.
3. All gear, including buoys shall be marked and maintained in a manner that will make it identifiable to the specific aquaculture project/lease.
4. Before the authorized structures are installed the project proponent **must** contact the CT DEEP Boating Division, Navigation Safety/Boating Access Unit, P.O. Box 280, 333 Ferry Road, Old Lyme, CT 06371-0280 to either obtain a waiver as to the need to install gear-area boundary marker buoys or submit a permit application and receive authorization for Regulatory Markers ([Link to Regulatory Marker Permit](#)). If CT DEEP Boating regulation does not apply, the applicant shall contact the U.S. Coast Guard (USCG), First District; Sector Long Island Sound, 120 Woodward Avenue, New Haven, CT 06512 (203-468-4401) or SECLISSPWMarineEvent@uscg.mil to coordinate the proper buoy markers per 33 CFR 64. The permittee shall install and maintain lights, markings, and other features as the CT DEEP/USCG requires. *Note:* Documentation of this coordination will be necessary for existing operations that seek reconfigurations and/or new approvals for structures from the Dept. of Army and for authorizations from the CT DA/BA.
5. If the authorized gear is inadvertently shifted to a location outside of the bounds of the approved perimeter (as a result of adverse environmental conditions, breakage, or other unforeseen event), the permittee must submit the enclosed Aquaculture Gear Recovery Form to the Dept. of Agriculture, Bureau of Aquaculture within 48 hours of discovery (phone: 203-874-0696; facsimile: 203-783-9976; email: lori.scianna@ct.gov) and submit a courtesy copy to the Corps (phone: 978-318-8688; facsimile: 978-318-8303 or via email: cenae-r-ct@usace.army.mil). This condition is to facilitate notification of marine safety police and regulatory agencies so that the public can be alerted to the presence of free-floating gear and to prompt mitigating action before the lost gear becomes a threat to either navigation, marine animals or the environment, either individually or cumulatively.

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6. Gear may not be located over or within beds of submerged aquatic vegetation (SAV) such as eelgrass or turtle grass, and coastal wetlands (salt marsh), nor shall such beds or vegetated marsh areas be damaged or removed. Routine lease activity including cage maintenance, washing etc. shall not occur within 25 feet of the edge of beds of SAV.
7. All gear shall be designed and deployed in such a manner as to limit, to the greatest extent practicable, negative impacts on avian resources such as, but not limited to, shore birds, wading birds, or members of the waterfowl group. This is meant to include nesting, feeding or resting activities by migratory birds identified at 50 CFR 10.13.
8. To prevent introduction of aquatic nuisance species, no material that has been taken from a different waterbody may be reused in the current project area, unless it has been treated in accordance with the applicable regional/Connecticut aquatic nuisance species management plan (see https://www.fws.gov/anstaskforce/State%20Plans/CT_ANS_Plan.pdf).
9. Installation of structures, their mooring tackle and lines and any attendant vessels shall not create a hazard or interfere with existing navigation uses in the waterway, and structures shall be set back from the Federal Navigation Project (FNP) a distance of at least 200 feet. A list of Connecticut FNP projects can be obtained from the U.S Army Corps of Engineers <http://www.nae.usace.army.mil/Missions/Navigation/Connecticut-Projects/>
10. The right of the public to traverse or utilize the waters not physically occupied by authorized structures and/or moored vessels within the areal limits of the authorized gear perimeter shall not be impeded.
11. The placement of cultch shall comply with all of the Special Conditions in Section 5, part (h), items (1) through (7) of the Connecticut DEEP, General Permit for Coastal Maintenance (DEEP-OLISP-GP2015-02) as listed below:
 - Such placement of cultch shall only be conducted by a licensed shellfish operator in beds or areas designated for shellfishing under section 26-194 or section 26-242 of the General Statutes.
 - Such placement of cultch shall be conducted only in appropriate locations for colonization by oysters, based upon factors of salinity, water quality, water circulation patterns and substrate composition.
 - Such placement of cultch shall not be conducted in areas of tidal wetlands or submerged aquatic vegetation beds.

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GENERAL PERMIT 16 - STANDARD AQUACULTURE TERMS AND CONDITIONS

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- (Prior to the commencement of such placement of cultch, such licensed shellfish operator obtains all required authorizations from the Department of Agriculture Bureau of Aquaculture and Laboratory and the local shellfish commission, as applicable.
 - Prior to the commencement of such placement of cultch, such licensed shellfish operator obtains permission in writing from the owner or lessee of such shellfish bed or area.
 - Such placement of cultch shall be conducted in such a manner that it does not exceed a layer of cultch on the seafloor greater than 12” in depth.
 - Such placement of cultch shall be conducted such that the placement does not exceed 1,500 bushels per acre of seafloor.
12. The permittee shall be responsible to remove all gear and associated equipment within the leased or designated shellfish area if the operator surrenders or loses the right to its use.
13. The subject aquaculture activity shall not discernibly interfere with natural sedimentation and erosion processes.
14. Suspended cages or nets for the rearing or grow out of shellfish are permitted as Self Verification, provided they are located wholly below and within the footprint of an existing, authorized fixed or floating structure and provided there is a vertical clearance of at least 2 feet between the bottom of the gear and the sea floor at MLW. The structures that the gear will be adhered to must be in conformance with the structures permit for that “site.”
15. Aquaculture projects authorized herein shall not interfere with public shore access at or below mean high water or interfere with the access to any riparian or littoral property.
16. The following may be required as Special Conditions of an authorization to protect Federally listed species:
- a. In season, the gear site shall be visited by an attendant surface vessel at least once a week, site conditions permitting. During the off season the vertical mooring lines will be visited bi-weekly. Any noticeable difference in surface buoy or line tension such as any gaps in the horizontal line or movement of vertical lines will prompt an investigation into the tension of that line. If a problem is identified, it will be corrected that day. This condition has been included to ensure that if an entanglement or other issue related to the stability of the system arises, that it will be expeditiously addressed by the permittee.

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- b. Seasonal gear including cages, lines and buoys shall be removed during the offseason or when not in use. The gear shall be stored in upland areas to minimize the effects of habitat exclusion, loss, or alteration.
- c. Any in-water lines, ropes, or chains must be made of materials and installed in a manner to minimize or avoid the risk of entanglement by using thick, heavy, and taut lines that do not loop or entangle.
- d. For lines that are suspended in the water column, the permittee shall maintain all project equipment, including vertical mooring lines, to ensure that constant tension is kept on the line at all tides. This requirement for counterweight on the vertical lines is intended to minimize the likelihood that the lines will entangle as they will hang straight down and will be less likely to wrap around appendages of endangered marine sea turtles/mammals.
- e. On-board staff will maintain a vigilant watch for protected resources (sea turtles, whales, sturgeon, or marine mammals). during all transit vessel speeds shall be kept to a minimum and operate below a speed limit of 10 knots, where feasible.
- f. Each sighting of a federally listed threatened or endangered sea turtle or fish shall be recorded and the following information shall be provided:
 - a. Date, time, coordinates of vessel
 - b. Visibility, weather, sea state
 - c. Vector of sighting (distance, bearing)
 - d. Duration of sighting
 - e. Species and number of animals
 - f. Observed behaviors (feeding, diving, breaching, etc.)
 - g. Description of interaction with aquaculture facility
- e. If any listed species of sea turtle is observed to be entangled or otherwise interacting with the facility's structure, the permittee (or onboard staff) shall immediately contact NOAA Stranding Hotline at (866) 755-NOAA (6622) and email incidental.take@noaa.gov. The permittee should also contact the NOAA Fisheries Protected Resources Division, Gloucester, MA at (978) 281-9328. This condition is included to ensure that the proper authorities will be consulted in case of gear interaction with protected resources.

APPENDIX D
CONTACTS FOR CONNECTICUT REGIONAL GENERAL PERMITS:

1. FEDERAL

U.S. Army Corps of Engineers
New England District, Regulatory Division
696 Virginia Road
Concord, Massachusetts 01742-2751
(800) 343-4789 or (978) 318-8335
(978) 318-8303 - fax
cenae-r-ct@usace.army.mil – email

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

Federal Endangered Species (F&WS):
U. S. Fish and Wildlife Service
70 Commercial Street, Suite 300
Concord, New Hampshire 033015087
(603) 223-2541

Federal Endangered Species & Essential Fish Habitat (NMFS)
National Marine Fisheries Service
55 Great Republic Drive
Gloucester, MA 01930
(978) 281-9102
(978) 281-9301 - fax

U.S. Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Boston, Massachusetts 02109
(617) 918-2000

2. STATE OF CONNECTICUT

Department of Energy & Environmental Protection
Website: <https://portal.ct.gov/DEEP/Permits-and-Licenses/Permits-and-Licenses>

Land and Water Resource Division (LWRD)
Website: <https://portal.ct.gov/DEEP/Permits-and-Licenses/Land-and-Water-Resource-Division-LWRD-Applications>
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3034

(State Endangered Species) Bureau of Natural Resources
Wildlife Division
Natural Diversity Data Base
79 Elm Street
Hartford, Connecticut 06106-5127
(860) 424-3011

(Aquaculture Projects)
Connecticut Department of Agriculture
Bureau of Aquaculture & Laboratory
PO Box 97
Milford, CT 06460
(203) 874-0696

3. HISTORIC RESOURCES

Tribal Historic Preservation Officers

Mashantucket Pequot Tribal Nation
Marissa Turnbull, THPO
550 Trolley Line Boulevard
P. O. Box 3202
Mashantucket, Connecticut 06338-3202
Phone (860) 396-6887
Fax (860) 396-6914

Mohegan Tribe of Indians of Connecticut
James Quinn, Tribal Historic Preservation Officer
13 Crow Hill Rd.
Uncasville, CT 06382
Phone (860) 862-6393
Fax (860) 862-6395

Archaeological Information

State Historic Preservation Office
Department of Economic and Community Development
Mary Dunne, State Historic Preservation Officer
45 Columbus Boulevard, Suite 5
Hartford, Connecticut 06103
(860) 256-2800 (main)
(860) 256-2764 (direct)

Office of State Archaeology
Sarah Sportman, CT State Archaeologist
354 Mansfield Road, Unit 1176
Storrs, Connecticut 06269
860-486-5248

4. ORGANIZATIONAL WEBSITES

U. S. Army Corps of Engineers – New England District

www.nae.usace.army.mil/missions/regulatory.aspx

U. S. Army Corps of Engineers Headquarters www.usace.army.mil (click “Regulatory Permits”)

U.S. Environmental Protection Agency www.epa.gov/owow/wetlands/

National Marine Fisheries Service www.nmfs.noaa.gov

U.S. Fish and Wildlife Service www.fws.gov

National Park Service www.nps.gov/rivers/index.html/

Federal Emergency Management Agency www.fema.gov

Connecticut Dept. of Energy & Environmental Protection <http://www.ct.gov/deep/site/default.asp>

Connecticut Dept. of Agriculture, Bureau of Aquaculture & Laboratory
<http://www.ct.gov/doag/cwp/view.asp?a=3768&q=451508&doagNav=>

U.S. Environmental Protection Agency, Region 1 – [Urban](http://www.epa.gov/nps/urban-runoff-low-impact-development) Runoff: Low Impact Development

<https://www.epa.gov/nps/urban-runoff-low-impact-development>

U.S. Environmental Protection Agency – Green Infrastructure website www.epa.gov/greeninfrastructure



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

Appendix E: Self-Verification Notification Form

This form is required for all **inland projects in Connecticut**, but **not** required if work is done within boundaries of **Mashantucket Pequot or Mohegan Tribal Lands**. At least two weeks before work commences, complete all fields (write “none” if applicable) below, send this form, Official Endangered Species List, documentation of THPO and SHPO notification, project plans (not required for projects involving the installation of construction mats only) and any state or local approval(s) to:

Permits & Enforcement Branch B		CT DEEP
U.S. Army Corps of Engineers		79 Elm Street
696 Virginia Road	<i>and</i>	Hartford, CT 06106-5127
Concord, MA 01742-2751		
<i>or</i> cenae-r-ct@usace.army.mil		

State Permit Number: _____ Date of State Permit: _____

Permittee: _____
 Address, City, State & Zip: _____
 Phone(s) and Email: _____

Agent: _____
 Address, City, State & Zip: _____
 Phone(s) and Email: _____

Contractor: _____
 Address, City, State & Zip: _____
 Phone(s) and Email: _____

Project Name: _____
 Project Location (provide detailed description & locus map): _____
 Address, City, State & Zip: _____
 Lat. ° N, Long ° (Decimal Degrees): _____
 Waterway Name: _____

Proposed Work Dates: Start: _____ Finish: _____

Work will be done under the Following CT General Permits (circle all that apply):

Inland waters/wetlands:
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

Navigable waters:
 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23

Area of Wetland Impacts (SF): Permanent: _____ Temporary: _____

Area of Waterway Impacts (SF): Permanent: _____ Temporary: _____

TOTAL Project Impact (SF): Permanent: _____ **Temporary:** _____
 Describe the Specific Work that Will be Undertaken in Waters and Wetlands: _____

Have the THPOs and the CT SHPO been notified of the proposed work per CT GP Procedures?
 (see GC 10) _____ Yes _____ No

Are there federally listed endangered/threatened species, other than the northern long-eared bat, present?
 (see GC 11) _____ Yes _____ No

Confirm no SAVs (coastal or inland) are present or will be impacted: _____ Yes _____ No

Applicable to GPs:

1	2	3	4	5	6	7	8	9		11	12	13	14	15	16	17				22				
---	---	---	---	---	---	---	---	---	--	----	----	----	----	----	----	----	--	--	--	----	--	--	--	--

Confirm No FNPs (coastal only) present or impacted (see GC 7): _____ Yes _____ No

Applicable to GPs:

1		3	4							11		13		15	16									
---	--	---	---	--	--	--	--	--	--	----	--	----	--	----	----	--	--	--	--	--	--	--	--	--

Confirm no unconfined work with impact to diadromous fish (see Appx. H): _____ Yes _____ No

Applicable to GPs

	2			5	6		8	9	10								19							
--	---	--	--	---	---	--	---	---	----	--	--	--	--	--	--	--	----	--	--	--	--	--	--	--

Confirm work complies with Stream Crossing BMPs (see Appx G): _____ Yes _____ No

Applicable to GPs:

	2																19						23		
--	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	----	--	--	--	--	--	----	--	--

If GP 19 & work does not comply with Appendix G identify date of Interagency Meeting where waiver was granted: Date of Meeting: _____

Identify interagency participants: CT DEEP: _____ USACE _____

Will your project include any secondary effects?

(Secondary effects include, but are not limited to, non-tidal waters or wetlands drained, flooded, fragmented, or mechanically cleared resulting from a single and complete project. See Appendix F - Definitions.) If YES, describe here: _____

Your signature below, as permittee, indicates that you accept and agree to comply with the terms, eligibility criteria, and general conditions for Self-Verification under the Connecticut General Permits.

Permittee Signature: _____ **Date:** _____

APPENDIX F - DEFINITIONS

Artificial or Living Reef: A structure which is constructed or placed in waters for the purpose of enhancing fishery resources and commercial and recreational fishing opportunities.

Biodegradable: A material that decomposes into elements found in nature within a reasonably short period of time and will not leave a residue of plastic or a petroleum derivative in the environment after degradation. In contrast, degradable plastics break down into plastic fragments that remain in the environment after degradation. Examples of biodegradable materials include jute, sisal, cotton, straw, burlap, coconut husk fiber (coir) or excelsior. In contrast, degradable plastics break down into plastic fragments that remain in the environment after degradation. Photodegradable, UV degradable or Oxo-(bio)degradable plastics are not considered biodegradable under this GP.

Boating facilities: These provide, rent or sell mooring space, such as marinas, boat/yacht clubs, boat yards, dockminiums, town facilities, dockminiums, etc. Not classified as boating facilities are piers shared between two abutting properties or town mooring fields that charge an equitable user fee based on the actual costs incurred.

Compensatory mitigation: The restoration (re-establishment or rehabilitation), establishment (creation), enhancement, and/or in certain circumstances preservation of aquatic resources for the purposes of offsetting unavoidable adverse impacts which remain after all appropriate and practicable avoidance and minimization has been achieved.

Construction mats: Construction, swamp and timber mats (herein referred to as “construction mats”) are generic terms used to describe structures that distribute equipment weight to prevent wetland damage while facilitating passage and providing work platforms for workers and equipment. They are comprised of sheets or mats made from a variety of materials in various sizes. A timber mat consists of large timbers bolted or cabled together. This does not include “corduroy roads”.

Corduroy roads: Roads made from cut trees and/or saplings with the crowns and branches removed, and the trunks lined up next to one another. Corduroy roads are typically installed as permanent structures.

Cumulative Effects: The changes in an aquatic ecosystem that are attributable to the collective effect of a number of individual 1) discharges of dredged or fill material, or 2) structures. Although the impact of a particular discharge may constitute a minor change in itself, the cumulative effect of numerous such piecemeal changes can result in a major impairment of the water resources and interfere with the productivity and water quality of existing aquatic ecosystems. See 40 CFR 230.11(g).

Currently serviceable: Useable as is or with some minor maintenance, but not so degraded as to essentially require reconstruction.

Direct effects: Effects that are caused by the activity and occur at the same time and place.

Dredged material & discharge of dredged material: These are defined at 33 CFR 323.2(c) and (d). The term dredged material means material that is excavated/dredged from waters of the United States.

Dredging:

- **Improvement Dredging:** For the purposes of these GPs, this is dredging deeper than previously authorized by the Corps or dredged.
- **Maintenance Dredging:** For the purposes of these GPs, this is dredging from an area previously authorized by the Corps or dredged. The Corps may require proof of authorization and dredging. Maintenance dredging typically refers to the routine removal of accumulated sediment to maintain the design depths of serviceable navigation channels, harbors, marinas, boat launches and port facilities. Maintenance dredging is conducted for navigational purposes and does not include any expansion of the previously dredged area. The Corps may review a maintenance dredging activity as new dredging if sufficient time has elapsed to allow for the colonization of SAS, shellfish, etc.
- **New Dredging:** For the purposes of these GPs, this is dredging of an area that has never been authorized by the Corps and dredged, including expansion of previously dredged areas.

Discharge: The term “discharge” means any discharge of dredged or fill material into waters of the United States.

Enhancement: The manipulation of the physical, chemical, or biological characteristics of an aquatic resource to heighten, intensify, or improve a specific aquatic resource function(s). Enhancement results in the gain of selected aquatic resource function(s), but may also lead to a decline in other aquatic resource function(s). Enhancement does not result in a gain in aquatic resource area.

Ephemeral stream: An ephemeral stream has flowing water only during, and for a short duration after, precipitation events in a typical year. Ephemeral stream beds are located above the water table year-round. Groundwater is not a source of water for the stream. Runoff from rainfall is the primary source of water for stream flow.

Establishment (creation): The manipulation of the physical, chemical or biological characteristics present to develop an aquatic resource that did not previously exist at an upland site. Establishment results in a gain in aquatic resource area.

Expansions: Work that increases the footprint of fill, depth of basin or drainage feature, structures or floats, or slip capacity.

Footprint (boating facility): The limit of structures, such as docks, pilings, piers or platforms, at an established marina or docking facility. The seaward limit of structures may be connected with imaginary lines as required on a plan or map to define the limit of the existing or proposed footprint.

Fill material & discharge of fill material: These are defined at 33 CFR 323.2(e) and (f). The term fill material is defined as material placed in waters of the U.S. where the material has the effect of either replacing any portion of a water of the U.S. with dry land or changing the bottom elevation of any portion of a water of the U.S.

Federal navigation projects (FNPs): These areas are maintained by the Corps; authorized, constructed and maintained on the premise that they will be accessible and available to all on equal terms; and are comprised of Corps Federal anchorages, Federal channels and Federal turning basins. Information, including the limits, is provided at <http://www.nae.usace.army.mil/Missions/Navigation.aspx>

FNP Buffer Zone: The buffer zone of a Corps FNP is equal to three times the authorized depth of the FNP. For additional information see <http://www.nae.usace.army.mil/Missions/Navigation/Connecticut-Projects/>

Historic Property: Any prehistoric or historic district, site (including archaeological site), building, structure, or other object included in, or eligible for inclusion in, the National Register of Historic Places maintained by the Secretary of the Interior. This term includes artifacts, records, and remains that are related to and located within such properties. The term includes properties of traditional religious and cultural importance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria (36 CFR part 60).

In the dry: Work that is done under dry conditions, e.g., work behind cofferdams or when the stream or tide is waterward of the work.

Intermittent stream: An intermittent stream has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from rainfall is a supplemental source of water for stream flow.

Indirect effects: Effects that are caused by the activity and are later in time or farther removed in distance, but are still reasonably foreseeable.

Individual Permit: A Department of the Army authorization that is issued following a case-by-case evaluation of a specific structure or work in accordance with the procedures of 33 CFR 322, or a specific project involving the proposed discharge(s) in accordance with the procedures of 33 CFR 323, and in accordance with the procedures of 33 CFR 325 and a determination that the proposed discharge is in the public interest pursuant to 33 CFR 320.

Living Shoreline: Living shorelines stabilize banks and shores in coastal waters along shores with small fetch and gentle slopes that are subject to low-to mid-energy waves. A living shoreline has a

footprint that is made up mostly of native material. It incorporates vegetation or other living, natural “soft” elements alone or in combination with some type of harder shoreline structure (e.g., oyster or mussel reefs or rock sills) to dissipate wave energy and to collect naturally deposited sediment for added protection and stability.

Maintenance:

a. The repair, rehabilitation, or replacement of any previously authorized, currently serviceable structure or fill, or of any currently serviceable structure or fill authorized by 33 CFR 330.3 – “Activities occurring before certain dates,” provided that the structure or fill is not to be put to uses differing from those uses specified or contemplated for it in the original permit or the most recently authorized modification.

- Minor deviations in the structure’s configuration or filled area, including those due to changes in materials, construction techniques, or current construction codes or safety standards that are necessary to make repair, rehabilitation, or replacement are authorized.
- Currently serviceable means useable as is or with some maintenance, but not so degraded as to essentially require reconstruction.
- No seaward expansion for bulkheads or any other fill activity is considered SV maintenance.
- Only structures or fills that were previously authorized and are in compliance with the terms and condition of the original authorization can be maintained as a non-regulated activity under 33 CFR 323.4(a)(2), or in accordance with the SV or PCN thresholds in Section V.

b. The state’s maintenance provisions may differ from the Corps and may require reporting and written authorization from the state.

c. Contact the Corps to determine whether stream crossing replacements require a PCN.

d. Exempted Maintenance. In accordance with 33 CFR 323.4(a)(2), any discharge of dredged or fill material that may result from any of the following activities is not prohibited by or otherwise subject to regulation under Section 404 of the CWA: “Maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, bridge abutments or approaches, and transportation structures. Maintenance does not include any modification that changes the character, scope, or size of the original fill design.”

Navigable waters of the United States: Navigable waters of the United States are those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. The Connecticut River has been determined to be a Navigable water of the United States. Refer to Title 33 CFR Part 329.

Ordinary High Water Mark (OHW): A line on the shore established by the fluctuations of water and indicated by physical characteristics, or by other appropriate means that consider the characteristics of the surrounding areas. See 33 CFR 328.3(e).

Perennial stream: A perennial stream has flowing water year-round during a typical year. The water table is located above the stream bed for most of the year. Groundwater is the primary source of water for stream flow. Runoff from rainfall is a supplemental source of water for stream flow.

Practicable: Available and capable of being done after taking into consideration cost, existing technology, and logistics in light of overall project purposes.

Preservation: The removal of a threat to, or preventing the decline of, aquatic resources by an action in or near those aquatic resources. This term includes activities commonly associated with the protection and maintenance of aquatic resources through the implementation of appropriate legal and physical mechanisms. Preservation does not result in a gain of aquatic resource area or functions.

Re-establishment: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former aquatic resource. Re-establishment results in rebuilding a former aquatic resource and results in a gain in aquatic resource area.

Rehabilitation: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of repairing natural/historic functions to a degraded aquatic resource. Rehabilitation results in a gain in aquatic resource function, but does not result in a gain in aquatic resource area.

Restoration: The manipulation of the physical, chemical, or biological characteristics of a site with the goal of returning natural/historic functions to a former or degraded aquatic resource. For the purpose of tracking net gains in aquatic resource area, restoration is divided into two categories: reestablishment and rehabilitation.

Secondary effects: These are effects on an aquatic ecosystem that are associated with a discharge of dredged or fill materials, but do not result from the actual placement of the dredged or fill material. Information about secondary effects on aquatic ecosystems shall be considered prior to the time final Section 404 action is taken by permitting authorities. Some examples of secondary effects on an aquatic ecosystem are a) aquatic areas drained, flooded, fragmented, or mechanically cleared, b) fluctuating water levels in an impoundment and downstream associated with the operation of a dam, c) septic tank leaching and surface runoff from residential or commercial developments on fill, and d) leachate and runoff from a sanitary landfill located in waters of the U.S. See 40 CFR 230.11(h).

Shellfish dredging/harvesting: Shellfish dredging typically consists of a net on a frame towed behind a boat to capture shellfish and leave the sediment behind. Dredges may skim the surface, utilize hydraulic jets, toothed rakes or suction apparatus.

Special aquatic sites: These include inland and saltmarsh wetlands, mud flats, vegetated shallows (submerged aquatic vegetation), sanctuaries and refuges, coral reefs, and riffle and pool complexes. These are defined at 40 CFR 230.3 and listed in 40 CFR 230 Subpart E.

Stream bed: The substrate of the stream channel between the OHW marks. The substrate may be bedrock or inorganic particles that range in size from clay to boulders. Wetlands contiguous to the streambed, but outside of the OHW marks, are not considered part of the streambed.

Stream channelization: The manipulation of a stream's course, condition, capacity, or location that causes more than minimal interruption of normal stream processes. A channelized stream remains a water of the United States.

Structure: An object that is arranged in a definite pattern of organization. Examples of structures include, without limitation, any pier, boat dock, boat ramp, wharf, dolphin, weir, boom, breakwater, bulkhead, revetment, riprap, jetty, artificial island, artificial reef, permanent mooring structure, power transmission line, permanently moored floating vessel, piling, aid to navigation, or any other manmade obstacle or obstruction.

Submerged Aquatic Vegetation: Submerged aquatic vegetation such as eelgrass is known to play a critical ecosystem role. The U.S. Environmental Protection Agency (EPA) has designated SAV (referred to as vegetated shallows in the Section 404(b)(1) Guidelines), including eelgrass, as "special aquatic sites" under the 404(b)(1) Guidelines due to its important role in the marine ecosystem for nesting, spawning, nursery cover and forage areas for fish and wildlife. Furthermore, the MAFMC has designated SAV, including eelgrass as a Habitat Area of Particular Concern (HAPC) for summer flounder EFH and the NEFMC has designated SAV as part of the nearshore juvenile Atlantic cod HAPC. Seagrasses provide important ecological services including fish and shellfish habitat, and shore-bird feeding habitats, nutrient and carbon cycling, sediment stabilization, and biodiversity (Thayer et al 1984, Fonseca and Cahalan 1992, Fonseca et al., 1998, Kenworthy et al 1998, Orth et al., 2006). In many locations along the east coast, eelgrass coverage has declined by fifty percent or more since the 1970's (Thayer et al. 1975, Short et al. 1993, Short and Burdick 1996). Loss of eelgrass is attributed to reduced water quality and clarity resulting from elevated inputs of nutrients or other pollutants such as suspended solids and disturbances such as dredging (Kemp et al. 1983, Short et al. 1993, Short and Burdick 1996, Orth et al. 2006). Eelgrass may also be adversely affected through shading and burial or smothering resulting from turbidity and subsequent sedimentation (Deegan and Buchsbaum 2005, Duarte et al. 2005, Johnson et al. 2008). In Massachusetts, surveys from 1995 to 2007 have shown statewide declines in seagrass cover in 90% of the embayments where it was studied (Costello and Kentworthy, 2010). In New Hampshire, eelgrass distribution throughout the entire Great Bay Estuary has declined precipitously since 1996, with a loss of 76% in the Great Bay and extirpation of nearly all beds in the Piscataqua River during that time (Short 2013). Given the widespread decline in eelgrass beds in New England, any additional loss to this habitat will likely significantly affect the resources that depend on these meadows. Successful compensatory

mitigation for impacts to SAV can be costly and difficult to implement, making this habitat especially vulnerable to permanent loss.

Temporary impacts: Temporary impacts include waters of the U.S. that are temporarily filled, flooded, excavated, drained or mechanically cleared because of the regulated activity.

Tide gates: Structures such as duckbills, flap gates, manual and self-regulating tide gates, etc. that regulate or prevent upstream tidal flows.

Utility Line: Any pipe or pipeline for the transportation of any gaseous, liquid, liquescent, or slurry substance, for any purpose, and any cable, line, or wire for the transmission for any purpose of electrical energy, telephone, data, and telegraph messages, and radio and television communication. The term utility line does not include activities that drain a water of the U.S., such as drainage tile or French drains, but it does apply to pipes conveying drainage from another area.

Vegetated shallows: Permanently inundated areas that under normal circumstances support communities of rooted aquatic vegetation, such as eelgrass and widgeon grass (*Rupia maritima*) in marine systems (doesn't include salt marsh) as well as a number of freshwater species in rivers and lakes. Note: These areas are also commonly referred to as submerged aquatic vegetation (SAV).

Vernal pools (VPs): Vernal pools (VPs): For the purposes of these GPs, VPs are depressional wetland basins that typically go dry in most years and may contain inlets or outlets, typically of intermittent flow. Vernal pools range in both size and depth depending upon landscape position and parent material(s). In most years, VPs support one or more of the following obligate indicator species: wood frog, spotted salamander, blue-spotted salamander, marbled salamander, Jefferson's salamander and fairy shrimp. However, they should preclude sustainable populations of predatory fish. VP areas are:

- Depression (includes the VP depression up to the spring or fall high water mark, and includes any vegetation growing within the depression),
- Envelope (area within 0-100 feet of the VP depression's edge), and
- Critical terrestrial habitat (area within 100-750 feet of the VP depression's edge).

The envelope and critical terrestrial habitat protect the water quality of the breeding site (e.g., providing shade, leaf litter, and coarse woody material) and support the non-larval life-cycle stages of amphibian species. Note: The Corps may determine that a waterbody should not be designated as a VP based on available evidence.

Weir: A barrier across a river designed to alter the flow characteristics. In most cases, weirs take the form of a barrier, smaller than most conventional dams, across a river that causes water to pool behind the structure (not unlike a dam) and allows water to flow over the top. Weirs are commonly used to alter the flow regime of the river, prevent flooding, measure discharge and help render a river navigable.

Waters of the United States.: Waters of the United States are defined in Title 33 CFR Part 328. These waters include more than navigable waters of the U.S. and are the waters where permits are required for the discharge of dredged or fill material pursuant to Section 404 of the Clean Water Act. Waters of the U.S. include jurisdictional wetlands.

CT DEEP WQC Definitions:

⁽¹⁾ **Special Wetlands:** Include vernal pools, bogs, fens, cedar swamps, spruce swamps, calcareous seepage swamps, and wetlands that 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 bogs, calcareous seepage wetlands, cedar swamps, fens, spruce swamps, and vernal pools apply for the purposes of this GP:

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

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

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

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

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. **All vernal pools are subject to the jurisdiction of the Connecticut Department of Energy and Environmental Protection under Connecticut Water Quality Standards.**

(2) **Threatened, Endangered or Special Concern Species; Significant Natural Communities/Critical Habitats:** Species listed by CT DEEP pursuant to Chapter 495 of the Connecticut General Statute as threatened or endangered species or species of special concern. General locations of threatened and endangered species and species of special concern, and significant natural communities/critical habitats are identified on maps published by the Connecticut Department of Energy and Environmental Protection entitled “Natural Diversity Data Base Areas” and on the CTECO Interactive Map Viewers at www.cteco.uconn.edu.

(3) **Adverse Effect to Hydraulic Characteristics:** An adverse effect to hydraulic characteristics includes an increase in flood water surface elevation, an increase in flood flow velocity or a restriction of flood low conveyance in a manner that would impact upstream, downstream or adjacent property.



Design and construction guidance may be found in the U.S. Forest Service stream simulation manual, “Stream Simulation: An Ecological Approach to Providing Passage for Aquatic Organisms at Road-Stream Crossings”¹. Section 5.3.3 Headcutting Potential and 6.2 Design of the Stream-Simulation Channel Bed are particularly relevant. Sections 7.5.2.3 Construction Methods and 8.2.11 Stream-Simulation Bed Material Placement both show important steps in the project construction. Chapter 6.1 is relevant for proper alignment and construction to prevent bank erosion or streambed scour.

Permanent Crossings in Tidal Streams

These are relevant for new and replacement crossings and culvert extensions.

1. Match the velocity, depth, cross-sectional area, and substrate of the existing stream outside the crossing, if it exists, and size crossings such that they do not restrict tidal flow over the full natural tide range seaward of the crossing. The Corps will typically require a low lying property analysis to ensure flooding is not a concern.
2. Construct crossings in dry conditions.

Permanent Crossings in Non-Tidal Streams

These are relevant for new and replacement crossings and culvert extensions.

1. Span² streams or size culverts or pipe arches such that they are wider than bankfull width (BFW). Spans are strongly preferred as they avoid or minimize disruption to the streambed and avoid entire streambed reconstruction and maintenance inside the culvert or pipe arch (see 4, 5 & 7 below), which may be difficult in smaller structures. The span width of bridges, box culverts and arches at bankfull elevation should be ≥ 1.2 times BFW where practicable. In many cases bankfull width is not necessarily interchangeable with the elevation of ordinary high water.³
2. Embed culverts or pipe arches below the grade of the streambed. This is not required when ledge/bedrock and/or utilities prevents embedment, in which case spans are preferred. The following depths are recommended to prevent streambed washout, and ensure compliance and long-term success:
 - a. $\geq 1-2$ feet for box culverts and pipe arches⁴, or
 - b. $\geq 1-2$ feet and at least 25% for round pipe culverts.
3. Match the culvert gradient (slope) with the stream channel profile.
4. Construct crossings carrying normal flows with a natural bottom substrate within the structure matching the characteristics of the substrate in the natural stream channel and the banks (mobility, slope, stability, confinement, grain and rock size) at the time of construction and over time as the structure has had the opportunity to pass substantial high flow events.

¹ www.nae.usace.army.mil/missions/regulatory.aspx >> “[Stream and River Continuity](#).”

² For the purposes of this GP, spans are bridges, three-sided box culverts, open-bottom culverts or arches that span the stream. The use of bridge piers or similar supports does not prevent a structure from being considered as a span.

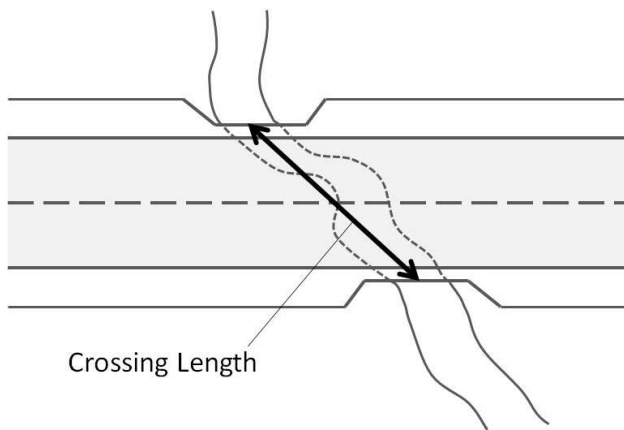
³ BFW corresponds with “bankfull stage” and this should be field delineated in accordance with the U.S. Forest Service also found at <https://www.nae.usace.army.mil/Missions/Regulatory/Stream-and-River-Continuity/>

⁴ For 2(a) and 2(b), deeper embedment depths may be needed if there are elements of the constructed stream bed that are greater than 15 inches in diameter.

5. Construct crossings with appropriate bed forms and streambed characteristics so that water depths and velocities are comparable to those found in the natural channel at a variety of flows at the time of construction and over time. In order to provide appropriate water depths and velocities at a variety of flows and especially low flows, it is usually necessary to reconstruct the streambed (sometimes including a low flow channel) or replicate or preserve the natural channel within the structure. Otherwise, the width of the structure needed to accommodate higher flows will create conditions that are too shallow at low flows. The grain and rock size, and arrangement of streambed materials within the structure should be in accordance with (4) above. Flows could go subsurface within the structure if only large material is used without smaller material filling the voids.

6. *Openness > 0.82 feet (0.25 meters)*

Openness is the cross-sectional area of a structure opening divided by its crossing length when measured in consistent units (e.g. feet). For a box culvert, openness = (height x width)/ length.



For crossing structures with multiple cells or barrels, openness is calculated separately for each cell or barrel. At least one cell or barrel must meet the appropriate openness standard. The embedded portion of a culvert is not included in the calculation of cross-sectional area for determining openness.⁵

Openness > 0.82 feet is recommended to make the structure more likely to pass small, riverine wildlife such as turtles, mink, muskrat and otter that may tend to

avoid structures that appear too constricted. This openness standard is too small to accommodate large wildlife such as deer, bear, and moose. Structures that meet this openness standard are much more likely than traditional culverts to pass flood flows and woody debris that would otherwise obstruct water passage. It is likely that most structures that meet all the other general standards will also meet this openness standard. However, for some very long structures it may be impractical or impossible to meet this standard.

7. Construct banks on each side of the stream inside the span that match the horizontal profile of the existing stream and banks outside the span. To prevent failure, all constructed banks should have a height to width ratio of no greater than 1:1.5 (vertical:horizontal) unless the stream is naturally incised. Tie the banks into the up and downstream banks and configure them to be stable during expected high flows. Use materials that match the up and downstream banks (avoid the use of angular riprap and armored slopes, except where necessary for structural reasons, in which case they should be top-dressed with natural stream bed material). Construct a wildlife shelf on at least one of the banks. The constructed banks (with a wildlife shelf) will allow for terrestrial passage for wildlife and prevent flow from being focused to one side and scouring the bed, especially against the structure's sidewall which may undermine the footings in the case of spans.

⁵ An Openness Ratio Spreadsheet shows how to calculate the open area for embedded pipe culverts to meet the 0.82 standard for openness. See www.nae.usace.army.mil/missions/regulatory.aspx >> Stream and River Continuity.

Temporary Crossings in Non-Tidal Streams

Temporary crossings shall consist of spans, culverts, construction mats or fords designed and constructed as follows:

1. All temporary crossings:
 - a. Impacts to the streambed or banks require restoration to their original condition (see U.S. Forest Service stream simulation manual referenced on page 1 of this document for stream simulation restoration methods). Use geotextile fabric or other appropriate bedding for stream beds and approaches where practicable to ensure restoration to the original grade.
 - b. Avoid excavating the stream or embedding crossings.
2. Culverts:
 - a. Install energy dissipating devices downstream if necessary, to prevent scour.
3. Stream fords: Equipment may ford streams when: it is not feasible to construct a span or culvert (e.g., streams having no or low banks, emergency situations); the natural stream bed and banks consist of ledge, rock or sand that prevents disturbance and turbidity; and there is a stable, gradual approach.
4. Spans: Anchor spans where practicable so they do not wash out during high water.
5. Construction mats: Build construction mat stream crossings in accordance with the Construction Mat BMPs, specifically the Wetland/Stream Channel Crossing section. See www.nae.usace.army.mil/missions/regulatory.aspx >> [State General Permits](#) >> Connecticut General Permit Documents.

APPENDIX H
DIADROMOUS FISH IN CONNECTICUT

DEPARTMENT OF THE ARMY/STATE OF CONNECTICUT
2021 Connecticut General Permit

DIADROMOUS FISH IN CONNECTICUT

Diadromous fish are a type of fish that move between salt and fresh water, usually for feeding or reproduction. Anadromous fish are a subset of diadromous fish which spend most of their lives in the coastal waterway as adults, but then migrate to fresh water to breed. Thus, young anadromous fish begin their life in freshwater, swim to the sea to feed and mature, then return to the rivers of their birth to reproduce. Diadromous fish are some of the more ecologically and economically important fish species in the region.

ANADROMOUS FISH IN CONNECTICUT:

Blueback herring (<i>Alosa aestivalis</i>)	Gizzard shad (<i>Dorosoma cepedianum</i>)
Alewife (<i>Alosa pseudoharengus</i>)	Striped bass (<i>Morone saxatilis</i>)
American shad (<i>Alosa sapidissima</i>)	Sea lamprey (<i>Petromyzone marinus</i>)

HOW TO DETERMINE IF ANY OF THE ANADROMOUS FISH ABOVE ARE AT MY PROJECT SITE

To see if any of the fish species above may be in the waterway affiliated with your project go to the Fisheries Division, Migratory-Fish-Runs-of-Connecticut webpage at <https://portal.ct.gov/DEEP/Fishing/Fisheries-Management/Migratory-Fish-Runs-of-Connecticut>.

ENDANGERED STURGEON IN CONNECTICUT:

Shortnose sturgeon (<i>Acipenser brevirostrum</i>)	Atlantic sturgeon (<i>Acipenser oxyrinchus oxyrinchus</i>)
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The shortnose sturgeon and shortnose sturgeon populations that are present in Connecticut are both listed under the Endangered Species Act. Critical habitat for Atlantic sturgeon was designated in the Connecticut River and the Housatonic River in 2012. Species presence and designated critical habitat can be viewed by going to <https://noaa.maps.arcgis.com/apps/webappviewer/index.html>. See General Condition 11 of this CT GP for more information and conditional requirements.

CATADROMOUS FISH IN CONNECTICUT

American eel (*Anguilla rostrata*)

Catadromous fish spend most of their adult life in fresh water, then migrate to salt water where they return to the Sargasso Sea to reproduce. The only catadromous fish in Connecticut is the American eel, which are found in all waterbodies in Connecticut except for the following locations:

- East Branch Farmington River and tributaries upstream of the Saville Dam in Barkhamsted.
- West Branch Farmington River and tributaries upstream of the Goodwin Dam in Hartland.
- Shepaug River and tributaries upstream of the Shepaug Reservoir Dam in Warren.

CONDITIONS AND TIME OF YEAR RESTRICTIONS (TOYRS) TO PROTECT ANADROMOUS FISH

This General Permit uses conservation recommendations to minimize adverse impact to anadromous fish in Connecticut waterways. **The following conditions are required for work under Self-verification:**

- Unconfined, in-stream work, not including installation and removal of cofferdams, is limited to the low-flow period, July 1 – September 30 unless the agencies require a different resource-driven time of year restriction.
- In-water work is prohibited from April 1 to June 30 unless it occurs behind a cofferdam (see above).
- In non-tidal streams, controls shall only be installed and removed during the approved window for work (July 1 – March 31) and must not encroach >25% of the stream width measured from OHW during the prohibited work window.