



**Connecticut Department of
Energy & Environmental Protection**
Bureau of Water Protection & Land Reuse
Water Planning & Management Division

Instructions for Completing a Request for Authorization under the General Permit for Diversion of Water for Consumptive Use: Filing Categories

Use these instructions to complete a “Request for Authorization under the General Permit for Diversion of Water for Consumptive Use” (Filing Categories) form (DEEP-WPMD-REQ-003). These instructions are not a substitute for the requirements of any relevant statutes or regulations. You should review all applicable laws and the applicable general permit and its specific eligibility requirements prior to completing the Request for Authorization form. Remember, it is your responsibility to comply with all applicable laws and to demonstrate in your request for authorization that the subject activity complies with all conditions for approval under the general permit.

Introduction

The Water Planning and Management Division (WPMD) of the Department of Energy and Environmental Protection’s (DEEP) Bureau of Water Protection and Land Reuse administers the *General Permit for Diversion of Water for Consumptive Use*. DEEP issues several general permits to regulate minor activities considered to have minimal environmental effect. A general permit is issued for one or more geographic locations and applies to an entire category of regulated activity, rather than to individual applicants. Those wishing to have their particular regulated activity authorized under an approved general permit must meet certain requirements and conditions contained within the general permit. Like other permits, general permits have limited duration and must be periodically renewed.

Section 378a of the Connecticut General Statutes (CGS) allows DEEP to issue general permits under the Water Diversion Permit program. The *General Permit for Diversion of Water for Consumptive Use: Filing Categories* (DEEP-WPMD-GP-003) is one of four general permits for the diversion of water for

consumptive use. Other such general permits includes the “Non-filing”, “Reauthorization”, and “Authorization Required” categories of eligible diversions. The “Filing” categories covered by this general permit include:

- Backup Wells
- Large Tidally-influenced Rivers
- Small Supplemental Bedrock Well
- Small Water Supply System

Section 3(a) and 3(b) of the *General Permit for Diversions for Water for Consumptive Use: Filing Categories* lists the provisions and requirements that must be met prior to authorization. You should review the nature of your proposed activity against these criteria.

Who May Apply for General Permit Authorization?

Any person who wishes to conduct a regulated activity authorized under the *General Permit for Diversion of Water for Consumptive Use: Filing Categories* (DEEP-WPMD-GP-003) must submit a *Request for Authorization Form* to the commissioner.

Any activity which causes, allows or results in the withdrawal from or the alteration, modification or diminution of the instantaneous flow of the waters of the state is a regulated activity unless such activity is properly registered with the commissioner under CGS section 22a-368 or is exempt from the Act under CGS section 22a-377(a) or section 22a-377(b)-1 of the Regulations of Connecticut State Agencies (RCSA). The Act defines “instantaneous flow” to mean the volume of water that would occur in waters at a given point at any given moment (see CGS section 22a-367). We distinguish two kinds of diversions, *consumptive* and *non-consumptive*. These instructions consider consumptive uses only.

Consumptive use diversions are diversions which withdraw or remove more than 50,000 gallons of surface or ground water during any twenty-four hour period from waters of the state including, but not limited to, any withdrawal or removal for public or private water supply, industrial use, irrigation, hydropower generation, flood management, water quality management, recreation, landscaping ponds and decorative water fountains, or any other purpose. Consumptive use diversions with minimal environmental effect may be authorized under one of the four consumptive use general permits as listed in the previous section. In accordance with CGS section 22a-379, each person or municipality holding a diversion permit authorizing a consumptive use diversion is required to pay an annual permit fee of \$750.00 to DEEP.

Non-consumptive diversions are diversions that divert waters of the state due to channelizing, damming, collecting, piping, culverting, filling, relocating or dredging such waters or the detaining of storm water for the purpose of storm water management. In general, non-consumptive diversions of waters draining from a watershed of less than 100 acres are exempt (see RCSA section 22a-377(b)-1). Non-consumptive diversions may be authorized under other general permits administered by

WPMD. See the *List of General Permits* (DEEP-FS-004) in order to determine whether your activity is eligible for authorization under any of the other WPMD general permits.

How to Apply

Your request for authorization should be submitted simultaneously to DEEP, to certain municipal land-use agencies of the town where the subject activity is located, and to any town in which the activity may have an effect.

1. Submit to each municipal agency listed in Part VIII of the *Request for Authorization* form one copy of your completed *Request for Authorization* form (DEEP-WPMD-REQ-003) and all of its attachments, *and*
2. Submit to DEEP:
 - an original and one copy of the completed *Request for Authorization* form (DEEP-WPMD-REQ-003) including all its attachments;
 - the general permit fee (check or money order payable to the “*Department of Energy and Environmental Protection*”);

All DEEP items must be mailed as a package to:

CENTRAL PERMIT PROCESSING UNIT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL
PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

DEEP Action on Requests for Authorization

The *General Permit for Diversion of Water for Consumptive Use – Filing Categories* is a “filing-only” type of general permit whereby your activity is considered authorized upon receipt by DEEP of a complete and sufficient request for authorization. DEEP will review your request for authorization for consistency with the general permit. If the request for authorization is found to be timely, complete, and consistent with the general permit, the requestor will receive a brief notification of such

finding. If the request is found to be incomplete or insufficient, the requestor will receive a brief notification of such finding as well as an explanation of other options for authorizing your activity. If the request is rejected for any reason, a new general permit authorization fee must be submitted with any new request for authorization.

Instructions for Completing the Request for Authorization Form

A request for authorization is made on a form provided by DEEP and contains specific information about the requester and the ongoing activity. Requests for approval under the *General Permit for Diversion of Water for Consumptive Use: Filing Categories* (DEEP-WPMD-GP-003) are made using form DEEP-WPMD-REQ-003. The *Request for Authorization Form* is self-explanatory and, where necessary, directs you to various paragraphs in Section 4(c) of the general permit for a detailed description of the information required to complete a request for authorization. After reviewing these instructions, the *Request for Authorization* form and the general permit, should you have any questions, please contact DEEP's Water Planning and Management Division at 860-424-3704.

Please complete one Request for Authorization form for each eligible category and for eligible activities proposed at other sites.

Part I: Eligible Diversion Activity and Fee Information

Each eligible activity and its associated fee is listed in this section of the form. Place a check mark by the activity being reauthorized. Complete one *Request for Reauthorization* for each current authorization you wish to reauthorize. A 50% discount applies for requests submitted by municipalities. The request for reauthorization will not be processed without the fee. General permit fees are not refundable. Payment should be in the form of a check or money order made payable to “*Department of Energy and Environmental Protection*”.

Part II: Requester Information

If there are any changes or corrections to your company/facility or individual mailing or billing address or contact information, please complete and submit the [Request to Change Company/Individual Information](#) to the address indicated on the form. If there is a change in name of the entity holding a DEEP license or a change in ownership, contact the Office of Planning and Program Development (OPPD) at 860-424-3003.

When completing this part, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying an entity registered with the Secretary of the State, fill in the name exactly as it is shown on such registration. Please note, for those entities registered with the Secretary of State, the registered name will be the name used by DEEP. This information can be accessed at [CONCORD](#)). If identifying an *individual*, provide the legal name (include suffix) in the following format: First Name; Middle Initial; Last Name; Suffix (Jr, Sr., II, III, etc.). If the requestor is a governmental body, identify the city or town of such body followed by the relevant department, board or division.
- *Phone* - Unless otherwise indicated, the phone number provided should be the number where the corresponding individual can be contacted during daytime business hours.
- *Contact Person* - Provide the name of the specific individual within the company whom DEEP may contact.
- *E-Mail* – Requestors must provide an accurate email address when completing their request form. The email address may be used for future correspondence from the DEEP to your business.

1. *Requestor* - Complete the information concerning the requestor.
2. *Billing Contact* – If the requestor is not the billing contact, complete this section.
3. *Primary Contact* - If you have authorized a consultant, engineer, attorney or other individual to act for you during the processing of this request, complete this section. DEEP will direct copies of all correspondence and inquiries to this primary contact. Please be aware that for legal reasons there will be circumstances when DEEP will notify the requestor instead of the primary contact.
4. *Attorney* - It is not required that a requestor be represented by an attorney or any other agent. If you do have an attorney, complete this section.
5. *Property Owner* - If the requestor is not the owner of the affected property, complete this section.
6. *Facility Owner* - If the requestor is not the owner of the affected facility or equipment, complete this section.
7. *Engineers or Consultants* - List any engineers or other consultants employed or retained to assist in preparing the request or to design, construct or operate the proposed activity. Be sure to identify the service that is being provided by each.

Part III: Site Information

1a. Site Location

The site name, if applicable, should be the name by which the site is commonly known and/or uniquely identified.

The information given as the location address should be the address of the property at which the proposed activity will take place. Include the street address and municipality. If the property does not have a street number,

describe the location in terms of the distance and direction from an obvious landmark such as an intersection with another roadway, a bridge, or a river. For example, "... on River Street, approximately 1000 feet north of its intersection with Bear Swamp Road."

Please provide a project number, if one has been assigned.

- 1b. Prepare and attach to the request as Attachment 'A' a project location map and as Attachment 'B' a site plan. Please refer to Section 4(c)(2)(A)(xii) and (xiii) of the general permit for a description of what the map and plan must depict. See Figure A, at the end of these instructions, for an example of how a project location map must be labeled when submitted.

- 1c. Also please provide, if known, the latitude and longitude of the withdrawal location.

- 1d. For basin number(s) refer to the Connecticut Geological and Natural History Survey's map entitled "Natural Drainage Basins in Connecticut" viewable on the DEEP website at www.ct.gov/deep.

2. *Name of wetlands and watercourses* - Indicate the name of any wetlands and watercourses involved with or potentially affected by the subject activity. Many wetlands and most watercourses are named on United States Geological Survey (USGS) topographic quadrangle maps. Please use the "official" names for wetlands and watercourses given on the USGS maps or. In the case where the wetland or watercourse is not named on the USGS map, indicate the name of the watercourse immediately downstream and indicate that the subject wetland or watercourse is an unnamed tributary to that wetland or watercourse.

3. *Public Water Supply Watersheds* - Public water supply watershed land maps are on file with the town clerk's office in the

subject town. You may also simply contact the water utility for this information.

4. *Coastal Management Act Consistency*

Activities within the state's coastal area must be consistent with the Connecticut Coastal Management Act, i.e., sections 22a-90 through 22a-112 of the Connecticut General Statutes (CGS). You may be required to complete a *Coastal Consistency Review Form* (DEEP-APP-004) to demonstrate that the activity is consistent with the standards and policies of the Connecticut Coastal Management Act. To determine whether this requirement pertains to you, you must first decide if your activity is, or is proposed to be, located in either the coastal area or the coastal boundary.

The *coastal area*, as defined in CGS section 22a-94 (a), includes the land and water within the following towns:

Branford	Guilford	Old Saybrook
Bridgeport	Hamden	Orange
Chester	Ledyard	Preston
Clinton	Lyme	Shelton
Darien	Madison	Stamford
Deep River	Milford	Stonington (Borough and Town of)
East Haven	Montville	Stratford
East Lyme	New London	Waterford
Essex	New Haven	West Haven
Fairfield	North Haven	Westbrook
Greenwich	Norwalk	Westport
Groton (City and Town of)	Norwich	
	Old Lyme	

The *coastal boundary*, as defined in CGS section 22a-94(b), is a designated region within the coastal area. It is delineated on DEEP-approved coastal boundary maps which are available for review at the DEEP WPMD, the DEEP File Room, and municipal offices of towns located in the coastal area. Copies of these maps may also be purchased from DEEP Maps and Publications. The map can also be viewed at: www.cteco.uconn.edu/map_catalog.asp (Select the town and then select coastal boundary. If the town is not within the coastal boundary you will not be able to select the coastal boundary map.)

Activities within the coastal boundary:

If your activity is, or is proposed to be, located in the coastal boundary, and you are applying for a new authorization or a modification of an existing authorization where the physical footprint of the subject activity changes, you must complete a [Coastal Consistency Review Form](#) (DEEP-APP-004) and submit it with your registration as Attachment C.

For renewals or other modifications located within the coastal boundary, you are not required to submit a *Coastal Consistency Review Form* with your initial registration materials. However, DEEP may notify you that submission of this form is required to process your registration depending upon the specific activities to be conducted and their potential impact on coastal resources.

Activities outside the coastal boundary but within the coastal area:

For general permit registrations for activities located outside of the coastal boundary, but within a town in the coastal area, you are not required to submit a *Coastal Consistency Review Form* with your initial registration materials. However, DEEP may notify you that submission of this form is required to process your registration depending upon the specific activities to be conducted and their potential impact on coastal resources.

If you need copies of the *Coastal Consistency Review Form*, refer to the Available Resources Section at the end of these instructions. For assistance in completing the form, or if you have questions on this process, call WPMD at 860-424-3034.

5. *Natural Diversity Data Base (NDDB) - Endangered or Threatened Species*

Section 26-310 (a) of the Connecticut General Statutes states that each state agency, in consultation with the DEEP

commissioner, shall conserve endangered and threatened species and their essential habitats, and shall ensure that any activity authorized, funded or performed by such agency does not threaten the continued existence of any endangered or threatened species or result in the destruction or adverse modification of habitat designated as essential to such species.

Please refer to “Requests for Natural Diversity Data Base State Listed Species Reviews” located on the DEEP website at: www.ct.gov/deep/nddbrequest to determine if your activity, including any areas beyond the immediate footprint of the project and beyond the property line that will be either directly or indirectly affected, is located within an area identified as a habitat for endangered, threatened or special concern species. Include areas such as equipment and materials staging areas, areas receiving discharge and dredge material disposal areas. If applicable, prior to submitting the subject request, you must submit a Request for NDDB State Listed Species Review” form (DEEP-APP-007) to NDDB. Please note that NDDB review generally takes 4 to 6 weeks. You must then submit a CT NDDB response and copies of any other correspondence to and from the NDDB, including a copy of the completed Request for NDDB State Listed Species Review” form (DEEP-APP-007) with your request as Attachment D.

6. *Aquifer Protection Areas*

Aquifer protection areas are defined in CGS section 22a-354a through 22a-354bb and are the areas that contribute water to public water supply wells. Many towns within the state are required to establish Aquifer Protection Areas. Level A areas are final, regulated areas under the aquifer protection program. Level B areas are preliminary approximations of aquifer protection areas that have not yet been mapped to final standards, so the shape of the area may change when final mapping is completed.

Level B maps provide an approximation of the Aquifer Protection Areas.

Review the [Aquifer Protection Area](#) maps to determine if your site is located in a Level A or Level B mapped aquifer protection area and check the appropriate box.

If your site is within a Level A aquifer protection area and your business is registered with either the local aquifer protection agency or DEEP, then no action is required.

If your site is within a Level A aquifer protection area and your business is not already registered, check the [Table of Regulated Land Uses](#) to determine if your activity is required to be registered under the Aquifer Protection Area Program. If you determine your activity is required to be registered, then contact the [local aquifer protection agent](#) or DEEP to take appropriate actions.

If your site is within a Level B aquifer protection area, then no action is required at this time. However, you may be required to register under the Aquifer Protection Area Program in the future when the area is delineated as Level A.

If the diversion is within a Level A area and is one of the [regulated activities](#), as defined in RCSA section 22a-354i-1(34), and is within 3,000 feet of and in the same subregional basin as an Aquifer Protection Area, then include a statement signed by a duly authorized representative of the water company operating that Aquifer Protection Area, as required by Section 4(c)(2)(xv) of the General Permit for Diversion of Water for Consumptive Use – “Filing Categories” (DEEP-WPMD-GP-003), as Attachment E.

For more information on the Aquifer Protection Area Program visit the DEEP website at www.ct.gov/deep/aquiferprotection or contact the program at 860-424-3020.

7. *Conservation or Preservation Restriction*

If the activity which is the subject of the registration is located within a conservation or preservation restriction area, proof of written notice of the registration to the holder of such restriction or a letter from the holder of such restriction verifying that the registration is in compliance with the terms of the restriction, must be submitted as Attachment F, in accordance with CGS section 47-42d. The municipality where the site is located may have information concerning such restrictions.

8. *Floodplains Management* - Floodplains and floodways are delineated on maps adopted by the Federal Emergency Management Agency (FEMA) for each municipality in accordance with the regulations of the National Flood Insurance Program (44 CFR 59 et seq.) and, for certain rivers having state stream channel encroachment lines, by the commissioner. Such maps are on file with the affected town.

8a. The terms “fill” and “structure” are defined in the general permit, but generally mean anything placed on the ground, whether or not such ground is under or above water.

If fill or structures are placed within a FEMA floodway, your request must include an analysis prepared by a licensed engineer documenting the hydraulic effect of the activity. In the case of substantive hydraulic impacts, the engineer should review the following guidance document: *Model Hydraulic Analysis, Supplemental Guidelines for Preparing Hydraulic Analyses in Permit Applications Submitted to the Inland Water Resources Division* (DEP-IWRD-GUID-001, Rev. 02/13/02).

8b. If the requester has a Flood Management (FM) Certification for the subject activity, provide the FM certification number in the space provided.

9. *Existing Conditions* - Describe the present uses of the property on which the subject activity is proposed. Describe all natural and man-made features including wetlands, watercourses, fish and wildlife habitat, floodplains and any existing structures potentially affected by the subject activity. Such features should be depicted on the site plan included as *Attachment B*.

Part V: Project Summary

This part of the form is comprised of narrative and data describing the subject activity. The specific information that is required is described in Part V of the *Request for Authorization Form*. Most of this information is self-explanatory except for item 7 – “Small Water Supply System”. The point from which the upstream watershed is measured is that point on the nearest intermittent or perennial stream or river (indicated on a current United States Geologic Survey 7.5 minute series topographic quadrangle and located in the same basin as the subject well) as determined by drawing a straight line from the well to the nearest portion of that stream or river. Also note that if any private or public wells were identified within 1500 feet of the subject diversion, you would not be eligible for this category.

Part VI: Supporting Documents

Please label all attachments as referenced in the *Request for Authorization* form and these instructions and be sure to include the name of the requester as indicated on the *Request* form. Check the appropriate box by each applicable attachment as verification that all applicable attachments have been submitted.

This part of the *Request for Authorization* form is a summary check list of required information that is appended to your request for authorization. The *Request for Authorization* form instructs requesters to include certain information as attachments.

In addition to the information requested in Parts IV and V of the *Request for Authorization* form,

you must prepare and attach to the request as *Attachment A*, a project location map. See Figure A, at the end of these instructions, for an example of how a project location map must be labeled when submitted.

All requesters are encouraged to include with their *Request for Authorization* form, any additional information not specifically requested that may assist DEEP staff as *Attachment H*.

Part VII: Copy to Municipal Agencies

Pursuant to CGS section 22a-378a, any person who requests authorization under these general permits is required to provide certain municipal agencies and commissions with notice of such request. A complete copy of your *Request for Authorization* form and all of its attachments comprises such notice and must be submitted to these agencies and commissions at the same time you submit your request to DEEP.

If the subject activity may have an affect in an adjacent municipality, a complete copy of your *Request for Authorization* form, including all of its attachments, must also be submitted to the listed agencies and commissions of the adjacent municipality.

If a town's wetlands agency and conservation commission are combined, please note this on Part VII of the *Request for Authorization* form when listing the name and address of the agency.

Part VIII: Requester Certification

After the request for authorization has been completed it must be reviewed and signed by both the requester and the individual(s) who actually prepared the request for authorization. By their signature, they certify that, to the best of their knowledge and belief, the information contained on the request form, including all attachments, is true, accurate and complete.

The certification of the request for authorization package shall be signed as follows:

1. For an individual(s) or sole proprietorship: by the individual(s) or proprietor, respectively;
2. For a corporation: by a principal executive officer of at least the level of vice president, or his agent;
3. For a limited liability company (LLC): by a manager, if management of the LLC is vested in a manager(s) in accordance with the company's "Articles of Organization", or by a member of the LLC if no authority is vested in a manager(s);
4. For a partnership: by a general partner;
5. For a municipal, state, or federal agency or department: by either a principal executive officer, a ranking elected official, or by other representatives of such registrant authorized by law.

A request for authorization will be considered insufficient unless all required signatures are provided.

IMPORTANT: A diversion is authorized under the *General Permit for Diversion of Water for Consumptive Use – Filing Categories (DEEP-WPMD-GP-003)* upon receipt, by the commissioner, of a complete, sufficient *Request for Authorization* and appropriate fee, in accordance with Section 4 of that general permit.

Available Resources:

Below is a list of possible resources for specific information required for this request for authorization. Be sure to also check the DEEP website, www.ct.gov/deep and your local town hall or library for maps and other reference materials.

For general assistance regarding a diversion activity, contact the WPMD at 860 424-3704.

For the subject general permit, registration form, and other required documents visit the DEEP website at:

www.ct.gov/deep/inlandwaterpermitapps

- USGS Topographic Quadrangle Map: www.usgs.gov (USGS) Topographic Quadrangle Map: (www.ct.gov/deep/gis); DEEP Maps and Publications, 860-424-3555, or USGS Office, 303-202-4700, or US Geological Survey, Western Distribution Branch, Box 25286, Denver Federal Center, Denver, CO 80225 (sells USGS maps and publications) www.usgs.gov
- Coastal Boundary Areas: Town Hall and/or DEEP Maps and Publications; "Coastal Boundary Map". Additional information: Office of Long Island Sound Programs: 860-424-3034
 - www.cteco.uconn.edu/map_catalog.asp
 - magic.lib.uconn.edu/connecticut_data.html#water
- [Coastal Consistency Review Form](#)
- Coastal Resource Maps: Town Hall and/or DEEP Maps and Publications 860-424-3555
- Endangered or Threatened Species Areas: DEEP Maps and Publications, 860-424-3555
"State and Federal Listed Species and Natural Communities"; www.ct.gov/deep/endangeredspecies
- Aquifer Protection Area Maps:
 - www.ct.gov/deep/aquiferprotection, DEEP Maps and Publications
 - Drainage Basins: DEEP Maps and Publications, "Natural Drainage Basins in Connecticut", 1988; www.ct.gov/deep/gis
 - State and federal statutes and regulations are available for review at various locations:
 - **On the web:**
 - State Statutes: www.cga.ct.gov/lco/statutes-index.asp
 - DEEP website for Statutes and Regulations: www.ct.gov/deep/laws-regs
 - US EPA website for Federal Laws, Regulations (Code of Federal Regulations; CFR), Policy, Guidance and Legislation: www.epa.gov/lawsregs
 - **Book Format:**
 - State Library (Hartford)
 - University Law Schools (UCONN-Hartford, Yale)
 - Superior Courthouse Libraries (located throughout the state)
 - Town Halls and Libraries (statutes)

Affirmative Action, Equal Employment Opportunity and Americans with Disabilities

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act (ADA). Please contact us at (860) 418-5910 or deep.accommodations@ct.gov if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint.

Figure A- Project Location Map Sample

USGS Quadrangle Map: Clinton
Map Scale: 1:24,000 (1"=2,000')

- Boundary of site
- Areas of regulated activities on site
- Proposed well field (with site boundary)
- Proposed well (site boundary too small to show)
- Project area
- Multiple project areas

