



Connecticut

State Profile

Introduction

The CT Department of Energy and Environmental Protection (DEEP) Bureau of Water Protection and Land use's Land and Water Resources Division (LWRD), regulates a variety of activities in tidal wetlands and in tidal, coastal or navigable waters of the state through two different permit programs: Structures, Dredging and Fill; and Tidal Wetlands.

The Authorizing Statutes include Sections 22a-359 through 22a-363f of the Connecticut General Statutes (CGS) (Structures, Dredging and Fill), CGS Sections 22a-28 through 22a-35 (Tidal Wetlands), and CGS Sections 22a-90 through 22a-112 (Connecticut Coastal Management Act). The U.S. Army Corps of Engineers (USACE) New England District (NAE) conducts most of the dredging activities in the state. Relevant federal agencies are consulted on all coastal permit applications.

Permit Table

Permit	Authority	Description
Dredging & Coastal Placement	CT General Statutes (CGS) Sections 22a-359 through 22a-363f and 22a-28 through 22a-35	CT Dept of Energy and Environmental Protection (DEEP) provides 3 permit options: general, certificate of permission, and individual. Living shorelines are a special case.
State Water Quality Certification	CGS Sections 22a-426	Section 401 State Water Quality Certificate from DEEP
Public Land Rights	Sec. 22a-361 (a) (1)	Requires royalty payment for sediment removed if to be used for non-public, e.g., construction but an exemption for beach nourishment exists. Intent was to prevent mining of sand/gravel.
Other State	CGS Section 22a-209f	DEEP Beneficial Use Determination Authorization ("BUD Authorization"), Solid Waste Program, not under coastal program jurisdiction if upland

Policies

- **BUDM Encouraged:** Develop a long range planning program for the continued maintenance and enhancement of federally maintained navigation facilities to effectively and efficiently plan and provide for environmentally sound dredging and disposal of dredged materials. CGS Sec. 22a-92(c)(1)(C)
- **NBS Encouraged:** Promotes use of non-structural alternatives like living shorelines. The "creation" of wetlands is allowed for the "purpose of shellfish and finfish management, habitat creation and dredge spoil disposal. Restoration and enhancement of degraded intertidal flats is encouraged. CCMA, CGS Section 22a-92(b)(2)(D) and (E)
- **NBS Required:** Dredged material that is clean sand must be offered as beach nourishment but otherwise nourishment sand must be trucked in from upland to avoid fisheries contamination. CGS 22a-92(c)(2)(e)
- **Hydrodynamics Required:** Degrading natural erosion patterns through the significant alteration of littoral transport of sediments in terms of deposition or source reduction must be minimized. CGS section 22a-93(15)(C)
- **Hydrodynamics Required:** Uses that substantially accelerate erosion or lead to significant despoliation of tidal flats are disallowed. CGS Sec. 22a-92(b)(2)(C)
- **Hydrodynamics Required:** Degrading existing circulation patterns of coastal waters through the significant patterns of tidal exchange or flushing rates, freshwater input, or existing basin characteristics and channel contours must be minimized. CGS section 22a-93(15)(B)

Physical Sediment Conditions

- **Qualitative:** Enforced via permit conditions: Imported sand must match the grain size and color of the existing beach sand.

Sand Source

- No statewide policy but BUDM projects typically use sediment from a USACE dredging project or an upland sand source.

Water Quality

- Degradation of water quality must be avoided or minimized. Temporary degradation may be acceptable if BMPs are employed. CGS section 22a-93(15)(A), Sec. 22a-426-8 (a)(1-4)
- Sediments must be screened for contaminants of concern and managed in accordance with Remediation Standard Regulations. Dredged sediment is considered solid waste (contaminated) or clean fill (which can include treated sediment to reduce contamination to an acceptable level) Sec. 22a-426-4 (g) (3), 20 Sec. 22a-426-4 (k), Regs CT State Agencies, Sec. 22a-209-1

Endangered Species & Critical Habitat

- **Minimize:** Degrading or destroying essential wildlife, finfish or shellfish habitat through significant alteration of the composition, migration patterns, distribution, breeding or other population characteristics of the natural species or significant alteration of the natural components of the habitat must be minimized. CGS section 22a-93(15)(G)
- Windows restrict dredging activities to avoid impacts with migrations, winter flounder, shellfish (for example, Oct through Jan or April depending on species); disturbance of piping plover nesting areas during the nesting season (mid-April to mid-August).

Placement Guidelines & Restrictions

- N/A

Resources

- **Overview of the CT Coastal Permit Program:**
<https://portal.ct.gov/DEEP/Coastal-Resources/Coastal-Permitting/Overview-of-the-Connecticut-Coastal-Permit-Program>
- **Comprehensive Materials Management Strategy (CMMS), Public Act 14-94 :**
https://portal.ct.gov/-/media/DEEP/waste_management_and_disposal/Solid_Waste_Management_Plan/CMMSFinalAdoptedComprehensiveMaterialsManagementStrategy.pdf.pdf
- **USACE Long Island Sound Dredged Material Management Plan:**
<https://www.nae.usace.army.mil/Missions/Projects-Topics/Long-Island-Sound-DMMP/>

