

## Section 7: Application Requirements

7.1 Any person intending to conduct a regulated activity, including work within the 100' upland review area, or to renew or modify a permit to conduct such activity, shall apply for a permit on the proper form provided by the IWWC. The application shall contain the information described in this Section and any other information the IWWC may reasonably require. Application forms may be obtained in the office of the IWWC.

7.2 A prospective applicant may request preliminary review with the IWWC to discuss whether or not a proposed activity involves a regulated or significant impact activity.

7.3 The application shall contain such information as is deemed necessary for a fair and informed determination by the IWWC. The IWWC may require the use of a soil scientist or other qualified individual as defined by CGS 22A-36 through 45 as revised to delineate the wetlands and a licensed surveyor, or any other person acceptable to the IWWC, to include the delineation on the plan. All applications shall include the following information below in writing or on maps or drawings.

- .1 Applicant's name
- .2 Home and business mailing addresses
- .3 Telephone numbers (if the applicant is a Limited Liability Corporation or a Corporation the managing member's or responsible corporate officer's name, address, and telephone number)
- .4 Property owner's name, mailing address and telephone number
- .5 Written consent of the land owner (if the applicant is not the owner of the land upon which the subject activity is proposed and/or the holder of any conservation or preservation restriction)
- .6 Applicant's interest in the land
- .7 Geographical location of the land
- .8 Description of the land including:
  - a) Sufficient detail to allow identification of the inland wetlands and watercourses
  - b) Area(s) (in acres or square feet) of wetlands or watercourses to be disturbed
  - c) Soil type(s)
  - d) Wetland vegetation
  - e) Purpose and a description of the proposed activity
  - f) Proposed erosion and sedimentation control
- .9 Site plan showing:
  - a) The proposed activity and existing and proposed conditions in relation to wetlands and watercourses.
  - b) Further activities associated with, or reasonably related to, the proposed regulated activity which may have an impact on wetlands or watercourses.
  - c) In the event that the project will be completed in phases, the application must provide an overview as to what has been done prior and what is proposed for the future. The IWWC may take into account these descriptions in rendering a decision.

- .10 Names and mailing addresses of owners of adjacent land and land directly across the street.
- .11 Statement by the applicant that the applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate or misleading information.
- .12 Authorization for the members and agents of the IWWC to inspect the subject land, at reasonable times, during the pendency of an application and for the life of the permit.
- .13 Completed DEEP reporting form; the IWWC shall revise or correct the information provided by the applicant and submit the form to the Commissioner of Energy and Environmental Protection in accordance with Section 22a-39-14 of the Regulations of Connecticut State Agencies.
- .14 Any other information the IWWC deems necessary to the understanding of what the applicant is proposing and
- .15 Submission of the appropriate filing fee based on the fee schedule established in Section 19 of these regulations.

7.4 Based on the nature and anticipated effects of the activity, the IWWC or its Agent, may require additional information including, but not limited to, the following:

- 7.4.1 Additional site plan information for the proposed activity and the land which will be affected including:
  - a. Existing and proposed conditions
  - b. Wetland and watercourse boundaries
  - c. Land contours
  - d. Boundaries of land ownership
  - e. Proposed alterations and uses of wetlands and watercourses
  - f. Other pertinent features of the land and the proposed activity
  - g. Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U.S. Natural Resources Conservation Service.
  - h. Alternatives which would cause less or no environmental impact to wetlands or watercourses and why the alternative, as set forth in the application, was chosen.
  - i. Other management practices and mitigation measures which may be considered as a condition of issuing a permit for the proposed regulated activity including, but not limited to, measures to:
    - .1 Prevent or minimize pollution or other environmental damage
    - .2 Maintain or enhance existing environmental quality, or
    - .3 In the following order of priority: restore, enhance and create productive wetland or watercourse resources

**Note:** All such alternatives may be required to be diagrammed on a site plan or drawing as determined by the IWWC.

- j. Engineering reports and analyses and additional drawings to fully describe

the proposed activity including any filling, excavation, drainage or hydraulic modifications to watercourses and the proposed erosion and sedimentation control plan.

- k. Description of the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed activity on these communities and wetland functions.
- l. Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application and each alternative which would cause less or no environmental impact to wetlands or watercourses, and a description of why each alternative considered was deemed neither feasible nor prudent.
- m. Analysis of chemical or physical characteristics of any fill material.
- n. Management practices and other measures designed to mitigate the impact of the proposed activity.

7.5 The applicant shall certify whether:

- a. Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality;
- b. Water drainage from the project site will flow through and impact the drainage system within the adjoining municipality; or,
- c. Water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

7.6 Three copies of all application materials shall be submitted to comprise a complete application unless an applicant is otherwise directed, in writing, by the IWWC. Large maps shall be a size consistent with Connecticut General Statutes §7-31.

7.7 Any application to renew or amend an existing permit shall be filed with the IWWC in accordance with Section 8 of these regulations at least sixty-five (65) days prior to the expiration date of the permit. Any application to renew or amend such an existing permit shall contain the information required under Section 7 of these regulations provided:

- a. The application may incorporate the documentation and record of the prior application;
- b. The application shall describe the extent of work completed at the time of filing and the schedule for completing the activities authorized in the permit;
- c. The application shall state the reason why the authorized activity was not initiated or completed within the time specified in the permit;
- d. The application shall describe any changes in facts or circumstances involved with or affecting wetlands or watercourses or use of the land for which the permit was issued;
- e. The IWWC may, prior to the expiration of a permit, accept an untimely application to renew such permit if the authorized activity is ongoing and allow the continuation of

work beyond the expiration date if, in its judgment, the permit is likely to be renewed and the public interest or environment will be best served by not interrupting the activity;

7.8 Any application to renew a permit shall be granted upon request of the permit holder unless the IWWC finds that there has been a substantial change in circumstances which requires a new permit application or an enforcement action has been undertaken with regard to the regulated activity for which the permit was issued (See 11.6 to 11.9). Such application to renew a permit can be approved provided (a) no permit issued during the time period from July 1, 2006 to July, 2009, inclusive shall be valid for more than eleven years; (b) no permit issued prior to July 1, 2006 or after July 1, 2009 may be valid for more than ten years and (c) permits issued prior to July 1, 2011, if not expired as of May 9, 2011, may be valid for up to 14 years.

Table 7.9. Permit Renewals

Permit Approved	Valid for
Prior to 7-1-06	10 years
Between 7-1-06 to 7-1-09	11 years
After 7-1-09	10 years
Prior to 7-1-11 (if not expired as of 5-9-11)	Up to 14 years
Everything else	2-5 years

## Section 8: Application Procedures

8.1 All petitions, applications, or requests shall be submitted to the IWWC or its Agent.

8.2 The IWWC shall, in accordance with Connecticut General Statutes Section 8-7d(f) and 22a-42b, notify the clerk of any adjoining municipality of the pendency of any application, petition, appeal, request or plan concerning any project on any site in which:

- a. any portion of the property affected by a decision of the IWWC is within five hundred feet of the boundary of an adjoining municipality;
- b. a significant portion of the traffic to the completed project on the site will use streets within the adjoining municipality to enter or exit the site;
- c. a significant portion of the sewer or water drainage from the project on the site will flow through and significantly impact the drainage or sewerage system within the adjoining municipality; or
- d. water run-off from the improved site will impact streets or other municipal or private property within the adjoining municipality.

Such notice shall be made by certified mail, return receipt requested, and shall be mailed within seven days of the date of receipt of the application, petition, appeal, request or plan.

8.3 When an application is filed to conduct or cause to be conducted a regulated activity upon an inland wetland or watercourse, any portion of which is within the watershed of a water