



Connecticut Department of
Energy & Environmental Protection
Bureau of Water Protection & Land Reuse
Office of Long Island Sound Programs

Instructions for Completing the Coastal Consistency Review Form

Use these instructions to complete the Coastal Consistency Review Form DEEP-APP-004. These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing this application. Remember, it is your responsibility to comply with all applicable laws.

Introduction

The *Coastal Consistency Review Form* (DEEP-APP-004) is designed to help applicants for licenses or permits issued by the Department of Energy and Environmental Protection (DEEP) to properly assess proposed activities for consistency with all applicable policies and standards in Connecticut's Coastal Management Act (CCMA), codified in sections 22a-90 through 22a-112 of the Connecticut General Statutes (CGS), as amended, and where necessary, to modify such activities to render them fully consistent.

Which Activities Require Coastal Consistency Review and Approval?

The *Coastal Consistency Review Form* must be completed and attached to DEEP permit applications for new activities or to expand existing activities within the *coastal boundary*.

Any DEEP permit applications for activities located outside the coastal boundary, but within a town in the *coastal area*, may be required to include a completed *Coastal Consistency Review Form* upon determination by DEEP that such activities may generate potential adverse impacts to on-site or downstream resources.

Applicants for structures, dredging, filling, tidal wetlands and/or marine mining permits from the

DEEP Office of Long Island Sound Programs (OLISP) need not submit this form since the consistency evaluation is integrated into those applications.

Please note that activities requiring more than one DEEP permit require a coastal consistency review form for *each* permit. For example, a new water discharge structure waterward of the high tide line in tidal, coastal and navigable waters with an associated new discharge would require both (1) a discharge permit application with the coastal consistency review form completed and attached, and (2) a coastal structures permit application with an integrated coastal consistency evaluation. The coastal management policies and standards applicable to the *discharge* are likely, in most cases, to differ from those applicable to the placement of the required *pipe structure* in tidal, coastal or navigable waters or tidal wetlands.

For assistance in completing the form, or if you have questions on the process, call OLISP at 860-424-3034.

Coastal Area and 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 OLISP, 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. OLISP 860-424-3034, DEEP Maps and Publications 860-424-3555 and the DEEP File Room 860-424-4180 are all located at 79 Elm Street, Hartford, CT. Please call the appropriate office in advance for hours of operation.

**Coastal Consistency Review Form
Instructions (DEEP-APP-004)**

In order to assess an activity's consistency with the CCMA, you must read and understand the policies and standards that apply. These policies and standards are contained in, or referenced by, CGS sections 22a-92 and 22a-93.

This form has been designed so that it may be completed using the "Reference Guide To Coastal Policies And Definitions." This document excerpts and indexes the CCMA's policies and standards in a manner which should facilitate the coastal consistency application process. Copies of the guide are available on the DEEP website www.ct.gov/deep/permits&licenses (Environmental Permitting/Common Forms).

When additional space is necessary to answer a question stated in the form, please insert additional sheets by the appropriate question. Label each sheet with the applicant's name,

along with the corresponding part number and question number indicated on the form.

Part I: Project Information

For the purposes of these instructions, site or project site refers to the property at which the proposed regulated activity is to be conducted.

1. **Applicant** - Complete the information concerning the applicant.
2. **Preparer**- Complete the information concerning the entity who completed the form.
3. **Street Address or Description of Location of the Project Site** - Clearly identify the project site by address or if more appropriate, a description of its location. Be sure to indicate the city or town in the space provided.
4. **Brief Description of the Proposed Project** - Provide a brief description of the proposed project, which is the subject of the permit application(s). For example, "Construction of a steam-generated power plant."
5. **Will the proposed project be located within the coastal boundary as defined in CGS section 22a-94(b)?** Refer to DEEP approved coastal boundary maps. See the Coastal Area and Boundary section on page 1 and 2 of these instructions for availability.

If the proposed activity is within the *coastal boundary*, complete this entire form.

If the proposed activity is within the *coastal area* but outside the *coastal boundary*, you need only to complete Parts I, VI VII and VIII.

Complete the following question only if an endangered or threatened species review has not been prepared or submitted for the proposed activity as part of another DEEP license application.

6. **Will the proposed activity be located within an area identified as a habitat for endangered, threatened or special concern 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 is located within an area identified as a habitat for endangered, threatened or special concern species. If applicable, prior to submitting the subject application, 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 application.

Part II: Identification of Applicable Coastal Uses and Activity Policies and Standards

Part II of this form provides a list of all statutory goals and policies for land and water *uses* and other activities in the coastal boundary which are established in, or referenced by, section 22a-92 of the CCMA. Using the "Reference Guide

to Coastal Policies and Definitions", carefully identify all policies applicable to the proposed activity by checking the applicable boxes. Please note that the "General Development" policies apply to *all* activities/work in the coastal boundary and therefore must be addressed by all applicants completing this form.

Part III: Consistency With Applicable Coastal Uses and Activity Policies And Standards

After the identification of applicable coastal activity goals and policies, explain how the proposed activity is consistent with such goals and policies and describe any mitigation proposed to offset adverse impacts. Again, because all activities invoke the "General Development" policies, consistency *must* be addressed in every case.

Part IV: Identification of Applicable Coastal Resources and Coastal Resource Policies

After a careful, field-verified determination of on-site and adjacent coastal resources, the identified coastal resources and their associated coastal management policies must be checked off in the appropriate box(es) in Part IV. Note that there is a box provided for the identification of resources, which are off-site, but "within the influence of the project." This is particularly applicable to "downstream" resources; for example, those which could be affected by project drainage, sedimentation, and/or erosion.

Please note that "General Resources" policies apply to all activities/work and accordingly, are pre-checked on the application form.

Additionally, "Shorelands" are statutorily defined as, "...those land areas within the coastal boundary exclusive of coastal hazard areas..." and thus must be identified for *any* site which is not *entirely* within the coastal hazard area or some other resource category.

Coastal Resource Maps are useful for general guidance and are available for review at OLISP, 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. Reference to these maps, however, may not be substituted for field verification by the form preparer, or by surveys conducted by qualified personnel where warranted by the presence of specific resources.

Part V: Consistency with Applicable Coastal Resource Goals and Policies

After identifying applicable coastal resources and coastal resource goals and policies in Part IV, explain how the proposed activity is consistent with such coastal resource goals and policies, and describe any mitigation measures proposed to offset adverse impacts. For example, if "Tidal Wetlands" are identified on-site, wetland protection measures including setbacks, buffer areas, conservation easements and other protective measures should be described in this part, since the applicable policies require their strict protection. If off-site tidal wetlands could be affected by on-site road construction, sediment and erosion control measures should be detailed.

Part VI: Identification of Potential Adverse Impacts

This part requires the identification of applicable potential adverse impacts to (1) coastal resources and (2) water-dependent uses. To assist you, each statutorily defined adverse impact category is listed with its statutory citation. Refer to the definitions of adverse impacts in section 22a-93(15) and 22a-93(17) of the CCMA or the "Reference Guide to Coastal Policies and Definitions" before completing this part. Because this part requires identification of *potential* adverse impacts, checking the applicable category does not establish a presumption or conclusion that an adverse impact *will* result, only that the category applies and that either the project location, activity or both create the potential for adverse impacts. Please note that potential water-dependent use impacts apply at all sites, which abut *marine or tidal waters*, including tidal wetlands.

Part VII: Consistency with Adverse Impact Policies

Explain how all potential adverse impacts identified in Part VI, as applicable, have been avoided, eliminated or mitigated. For example, potential water-quality impacts might be minimized through stormwater pre-treatment practices such as preservation of permeable surfaces that reduce runoff prior to discharge off-site. Impacts to water-dependent uses would be avoided by replacing an existing water-dependent use with a new use, which is also water-dependent and appropriate to the subject property.

Part VIII: Remaining Adverse Impacts

To complete the final part of this form, identify any adverse impacts, which remain after incorporating all measures to eliminate or minimize such adverse impacts, and explain why no feasible or prudent alternatives exist that would further avoid or reduce such impacts.

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.