



# CT DEEP'S COASTAL PROPERTY OWNER'S GUIDE

Presented by: [Brian Golembiewski](#) and [Katie Perzanowski](#)  
Land and Water Resources Division





## LAND & WATER RESOURCES DIVISION

“The Land & Water Resources Division is committed to the protection, restoration and management of Connecticut’s tidal and non-tidal waters, wetlands, natural resources and the appropriate use of floodplains, aquifers, coastal areas and Long Island Sound.”



# COASTAL PERMITTING

## Coastal Permitting Module

DEEP regulates all activities conducted in tidal wetlands and in tidal, coastal or navigable waters in Connecticut under the **Structures, Dredging and Fill Act** (Conn. Gen. Statutes (CGS) Sec. 22a-359 - 22a-363f, inclusive) and the **Tidal Wetlands Act** (CGS Sec. 22a-28 - 22a-35, inclusive).

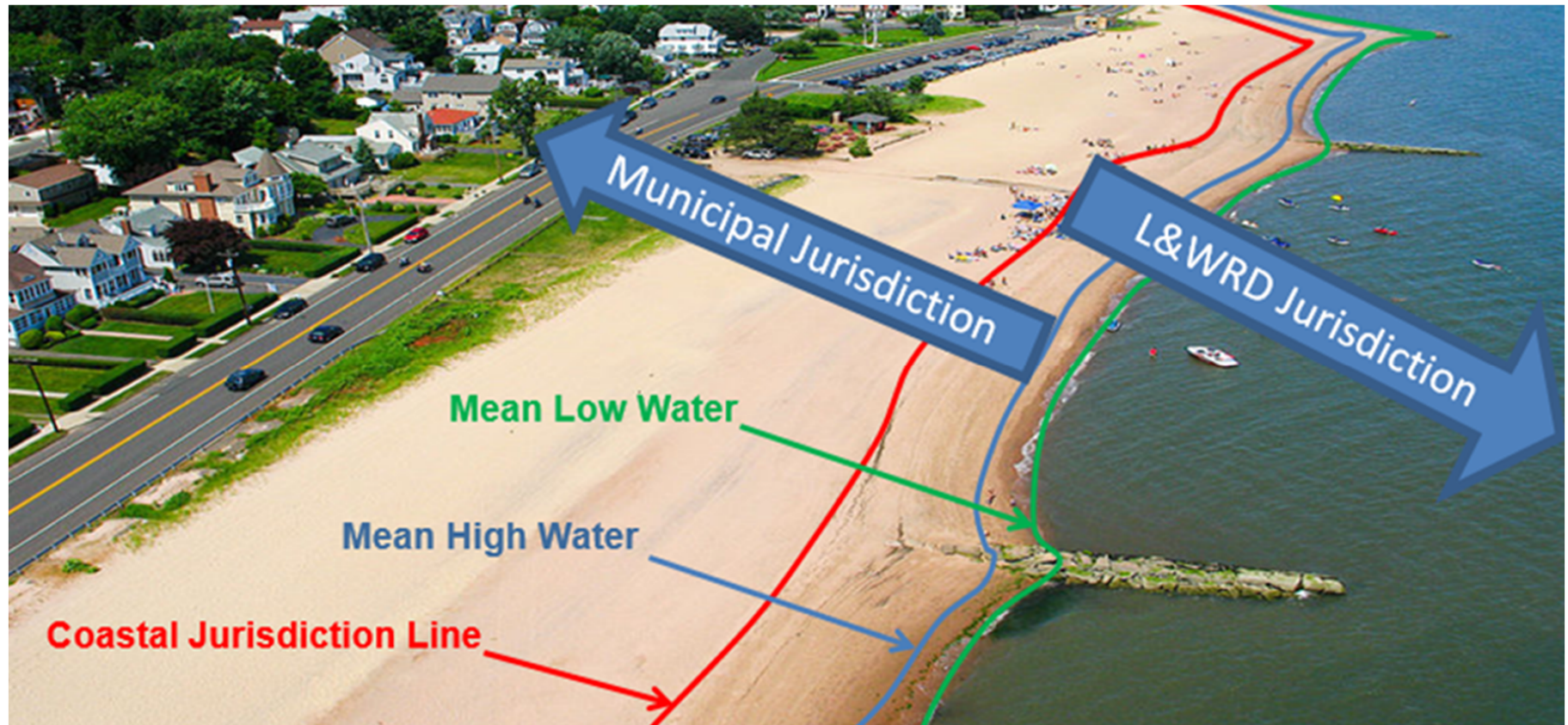
The major objectives of the coastal permitting program are to avoid or minimize navigational conflicts, encroachments into the state's public trust area, and adverse impacts on coastal resources and uses, consistent with the **Connecticut Coastal Management Act** (CGS Sec. 22a-90 - 22a-112, inclusive).





# COASTAL JURISDICTION LINE

A series of elevations computed for each regulated Town using the highest predicted tides.





# COASTAL PERMITTING

## Tidal Wetlands Jurisdiction:

Border on or lie beneath tidal waters

Banks, bogs, salt marshes, swamps, meadows, etc...

Now or formerly connected to tidal waters

Ground surface at or below one foot above the extreme high tide (1 Year Frequency Tidal Flood on USACOE Flood Profiles Sept. 1988)

<http://www.nae.usace.army.mil/Portals/74/docs/regulatory/Forms/TidalFloodProfiles.pdf>

Capable of growing plants listed in statute







Connecticut Department of Energy & Environmental Protection

## LWRD ENFORCEMENT

Protect and restore our inland and coastal water resources through enforcing CT's Structures, Dredging, and Fill, Tidal Wetlands, and 401 Water Quality Certification.

**Offer technical assistance to applicants and consultants to help achieve proper compliance.**

Help identify, prevent, and resolve floodplain management issues through the National Flood Insurance Program—Community Assistance Program—State Support Service Element (NFIP-CAP-SSSE).

Assist with Freedom of Information Act (FOIA) requests, data management, and offer assistance through our DuJour program.

10/31/2023



## COASTAL PROPERTY "DUE DILIGENCE" CHECKLIST



Identify structures that appear to be in coastal waters, tidal wetlands, or contacted by high tides

- Find out when they were installed
- Determine if there are authorizations
- Look for outstanding violations



Determine FEMA Compliance

- Check for FEMA flood zones
- Check flood insurance rate maps
- Determine insurance responsibilities
- Visit [msc.fema.gov](https://www.msc.fema.gov)



Contact local municipality

- Determine town jurisdiction and permitting requirements
- Check town land records for past property notices, site plans, and survey maps



Contact DEEP

- For regulatory and enforcement history
- For permitting and general info

## COMPLIANCE ASSISTANCE

**Creating informative graphics (infographics) targeting common violation areas and audiences, e.g.:**

- Unpermitted structures
- Unauthorized work
- Beach Associations
- New homeowners – “grandfathered in”

**Process** – Identify problems and solutions, compile relevant information, condense to meaningful concise advice, add visual graphics for easier digestion

**Success:** “Coastal Property Owner’s Guide”

- [Poster](#) and [Brochure](#), [Beach Association Guide](#)





# COASTAL PROPERTY OWNER'S GUIDE



Connecticut Department of Energy & Environmental Protection

## Are you interested in buying, selling, or doing work at a coastal property?

Many owners and potential buyers are unaware of state environmental laws, the responsibility to permit structures, and the need to comply with FEMA floodplain standards. If you don't have a permit from the CT Department of Energy & Environmental Protection (DEEP) for shoreline structures, new construction, or substantial repairs, it is likely unauthorized and a violation.

*Even if someone else installed it, or you were misinformed that it is "grandfathered," it is your responsibility to find out if the structure or new repairs require a permit. If you own the property, you own the violation.*



Don't let your dream home turn into a nightmare. If you are a prospective buyer/seller, contractor, or real estate professional, please do your due diligence. To submit a permit inquiry, or for more info, contact: [DEEPLWRDPermitInfo@ct.gov](mailto:DEEPLWRDPermitInfo@ct.gov).



## Does your property feature:



### Docks

- Usually a fixed pier, ramp, and float.
- Directly regulated by DEEP; must be authorized. If you don't have a DEEP license in hand, it may be a problem.



### Seawalls & Bulkheads

- Vertical structures that halt erosion at the shoreline.
- DEEP approval is required for any installation, maintenance work, or modifications to such structures.



### Jetties & Groins

- Captures sand or keeps the mouth of streams open.
- Has significant impacts to beaches and neighboring properties.



### Stairs & Boardwalks

- Stairs and walkways along the shore need DEEP authorization.
- Can have negative impacts on public access to the shoreline and coastal resources.



### Revetments & Armor

- Armored slope built to protect against erosion.
- Significant statutory limitations to the installation of such structures.



### Filled Areas

- Unauthorized fill in coastal waters and tidal wetlands is a DEEP violation.
- Very likely that removal will be required at your expense.

## Regulations

### FEMA & Flooding

Every municipality in CT participates in the National Flood Insurance Program (NFIP). Check with the community's planning and zoning department to learn zoning regulations and previous flooding impacts. Be familiar with flood zones and evacuation routes.

### Town & Federal

Some of the same structures and construction activities are also regulated by local municipalities and by the US Army Corps of Engineers. It is likely that you will need to contact DEEP, Corps, and the town for work along the shoreline.

### DEEP Regulatory

DEEP regulates CT's shoreline under the Structures, Dredging, & Fill, Tidal Wetlands, and the 401 Water Quality Certification programs. Simplified permit types are available for minor and older structures and activities.

10/31/2023

# Coastal Property Owner's Guide

Are you interested in buying, selling, or doing work at a coastal property? Many owners and potential buyers are unaware of state environmental laws, the responsibility to permit structures, and the need to comply with FEMA floodplain standards. If you don't have a permit from the CT Department of Energy & Environmental Protection (DEEP) for shoreline structures, new construction, or substantial repairs, it is likely unauthorized and a violation. Even if someone else installed it, or you were misinformed that it is "grandfathered," it is still your responsibility to find out if the structure or new repairs require a permit. If you own the property, you own the violation.

**Don't let your dream home turn into a nightmare.** If you are a prospective buyer/seller, contractor, or real estate professional, please do your due diligence. To submit a permit inquiry, or for more info, contact: [DEEPLWRDPermitInfo@ct.gov](mailto:DEEPLWRDPermitInfo@ct.gov)

## Does your property feature:

### Docks

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## Property "Due Diligence" Checklist:

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Contact DEEP

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Learn more at [portal.ct.gov/deep/coastal-resources](http://portal.ct.gov/deep/coastal-resources)

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. Reasonable accommodations will be made for individuals with disabilities. If you are requesting a communication aid or service, have a hearing preference or require some other type of accommodation, or if you want to file an ADA or other discrimination complaint, please contact the facilities office to provide an accommodation. Please report all accommodations to help us provide the best possible listening session of any agency hearing, meeting, project or event.

Photographs by Paul Davis and Katie Perkowski

# Coastal Property Owner's Guide - Poster

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Distributed to coastal realtors and municipalities.

Same information as guide but as a 13" x 19" infographic.



# EXAMPLE OF VIOLATION:

Before:



After:



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Connecticut Department of Energy & Environmental Protection



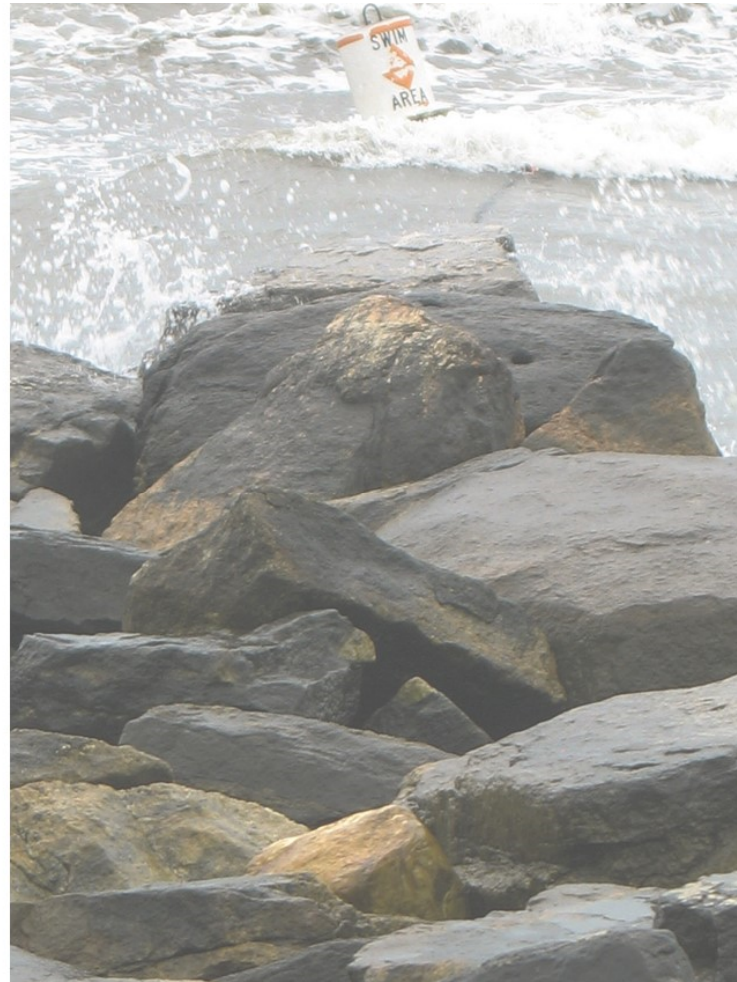
Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

Land and Water Resources Division

# Connecticut Beach Association's Guide to Coastal Activities and Permitting

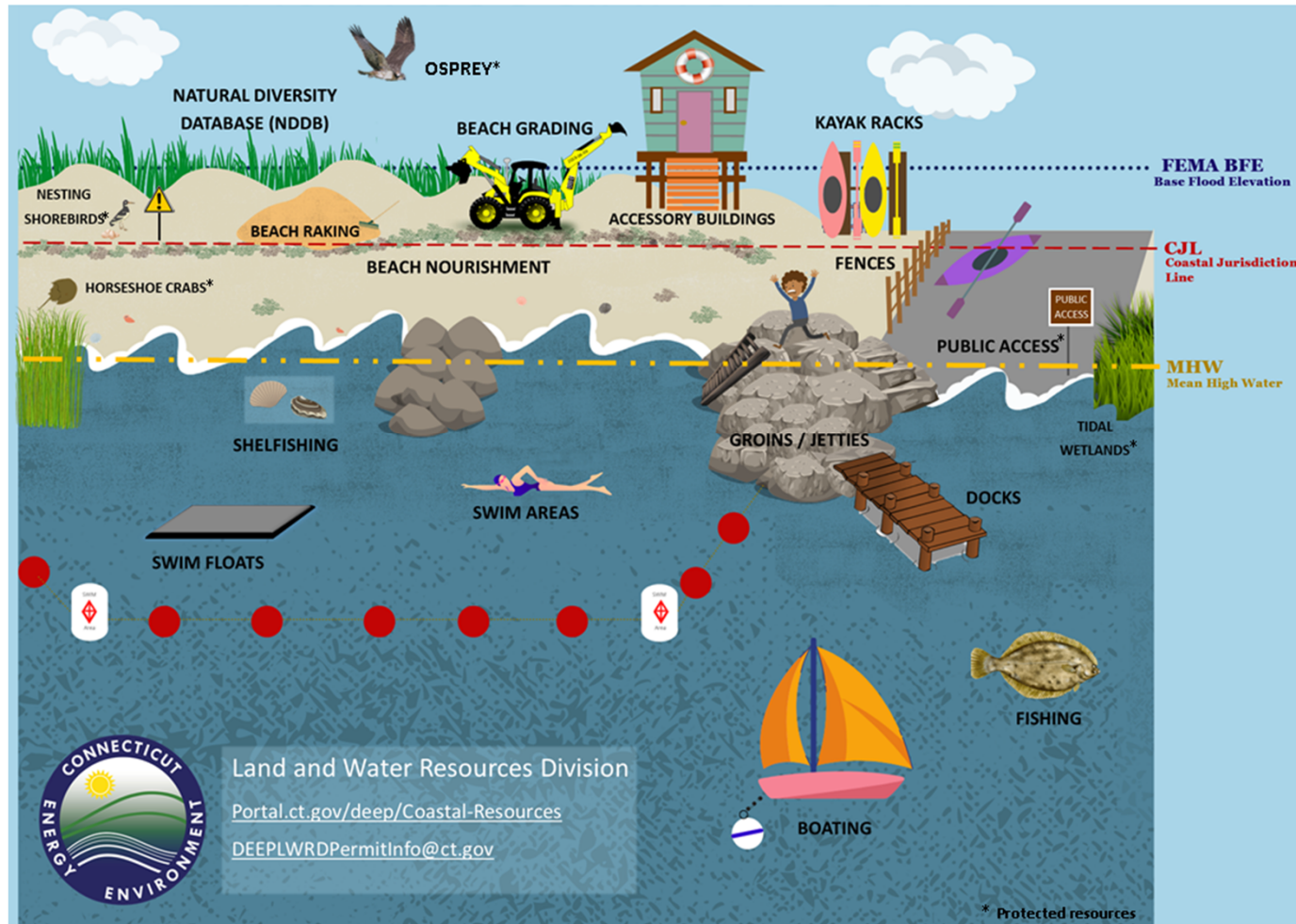
Contact: [DEEPLWRDPermitInfo@ct.gov](mailto:DEEPLWRDPermitInfo@ct.gov)

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## PROTECTED RESOURCES AND COMMON BEACH ACTIVITIES THAT REQUIRE APPROVAL



### Common Violations:

- Unauthorized structures
- Beach nourishment and grading
- Blocking of public access
- Filling in wetlands



A photograph of a coastal scene at sunset. The sun is low on the horizon, casting a warm orange glow across the sky and reflecting on the water. Waves are breaking against a long, low stone wall that runs along the shore. The foreground shows the wet sand and the white foam of the waves. A semi-transparent circular overlay is positioned on the left side of the image, containing the text "QUESTIONS?".

QUESTIONS?