

Sec. 22a-409-1. Definitions. Registration of dams and similar structures.

(a) Definitions.

As used in Sections 22a-409-1 and 22a-409-2 of the Regulations of Connecticut State Agencies:

- (1) "Abutment" means natural ground that borders on either end of the dam structure.
- (2) "Acre-foot" means a unit of volume of water equal to 43,560 cubic feet or 325,853 gallons (one foot depth over one acre).
- (3) "Appurtenance" means any structure or mechanism other than the dam itself which is associated with its operation.
- (4) "Arterial roadway" means a roadway that provides a high level of mobility and that is frequently the route of choice for buses and trucks, as provided in the U.S. Department of Transportation document entitled "Highway Functional Classification Concepts, Criteria and Procedures, 2013 edition".
- (5) "Breach" means an alteration of a dam either deliberately or accidentally in such a way as to release its impounded waters resulting in partial or total failure of the dam.
- (6) "Collector roadway" means a roadway that collects traffic from local roadways and connects traffic to arterial roadways, as provided in the U.S. Department of Transportation document entitled "Highway Functional Classification Concepts, Criteria and Procedures, 2013 edition".
- (7) "Commissioner" means the Commissioner of Energy and Environmental Protection, or such commissioner's designated representative.
- (8) "Certificate of Dam Registration" or "(CDR)" means a form issued by the commissioner to the owner that acknowledges receipt of all required information regarding a dam registration and a one-time payment of the registration fee.
- (9) "CT Dam ID Number" means a unique identifying number assigned to a dam registered and regulated by the State of Connecticut.
- (10) "Dam" means any barrier of any kind whatsoever which is capable of impounding or controlling the flow of water, including but not limited to storm water retention or detention dams, flood control structures, dikes and incompletely breached dams.
- (11) "Dam failure" has the same meaning as provided in section 22a-411a-1 of the Regulations of Connecticut State Agencies (RCSA).
- (12) "Dam height" means the vertical distance from the crest of a dam or similar structure to the downstream toe of such dam or similar structure.
- (13) "Embankment" means the fill material, usually earth or rock, placed with sloping sides providing a barrier which impounds water.
- (14) "Flood" means any high flow, overflow, or inundation by water which causes or threatens damage to persons or property.
- (15) "Hazard potential" means probable damage that would occur if the structure failed, in terms of loss of human life and economic loss or environmental damage.
- (16) "Local roadway" means a roadway that provides a high level of accessibility used to provide direct access to multiple properties, as provided in the U.S. Department of Transportation document entitled "Highway Functional Classification Concepts, Criteria and Procedures, 2013 edition".
- (17) "Operator" means the person(s) in control of, or having responsibility for, the daily

operation of the dam as designated by the owner on the dam registration form required by subsection (b) of this section.

(18) “Owner” means the person(s) having legal ownership of the dam.

(19) “Person” has the same meaning as provided in section 22a-2(b) of the Connecticut General Statutes.

(20) “Professional engineer” means an individual who is currently licensed and registered under section 20-302 of the Connecticut General Statutes.

(21) “Regulated dam” means a dam subject to the jurisdiction of the Department of Energy and Environmental Protection pursuant to section 22a-401 of the Connecticut General Statutes.

(22) “Regulatory inspection” means an inspection required in accordance with section 22a-409(c) of the Connecticut General Statutes and section 22a-409-2(c) of the Regulations of Connecticut State Agencies.

(23) “Spillway design flood” or “SDF” means the largest flood that a given structure is designed to pass safely.

(24) “Structure” means the dam, its appurtenances, abutments and foundation.

(25) “Toe” means the base portion of the impounding structure which intersects with natural ground at the upstream and downstream sides.

(26) “100-year flood” means a statistical designation that there is a 1 in 100 chance that a flood of this intensity will occur at a particular geographical location during any year.

(b) **Registration.** The owner of any dam or similar structure required to be registered by section 22a-409(b) of the Connecticut General Statutes and that is not already registered shall register any such dam or similar structure with the commissioner on or before October 1, 2015. All registrations shall be submitted on a form prescribed by the commissioner and shall provide the following:

(1) The name, address, telephone number, and email address of the dam owner and operator;

(2) The name of the dam and impoundment and the CT Dam ID Number, if known;

(3) The street address of the dam location or the street address nearest to the dam location;

(4) The parcel ID number of the property where the dam is located, i.e. map, block, and lot number, or as otherwise designated by the town;

(5) The present condition of the dam;

(6) Whether there is a low-level outlet, and whether the low-level outlet is operable;

(7) A map showing the location of the dam in context to surrounding streets;

(8) A description of the materials used in constructing the dam;

(9) The dimensions of the impoundment;

(10) The dimensions of the spillway;

(11) A statement of the use(s) of the impounded water;

(12) A check or money order payable to the DEEP Dam Safety Program for the amount of the registration fee required in accordance with section 22a-409(b) of the General Statutes; and

(13) Any other relevant information which the commissioner deems necessary.

(c) **Changes in registration information.** The owner shall report any change in the

following information provided in the registration to the commissioner not later than ten (10) days from the date of such change:

(1) The name, address, telephone number, and email address of the dam owner or operator; and

(2) The name of the dam or its impoundment.

(d) **Certificate of Dam Registration (CDR).** Upon review of a complete registration, the commissioner shall issue a Certificate of Dam Registration (CDR) to the owner of the dam. A registration form shall not be deemed complete by the commissioner until all information specifically required by statute or regulation is submitted with the appropriate fee.

(e) **Fees.**

(1) The commissioner shall waive the registration fee for any dam which is owned by the State of Connecticut.

(2) Wherever an impoundment is formed by two or more dams, there shall be a single registration fee based on the highest dam forming the impoundment.

(3) Wherever a dam is owned by two or more owners there shall be a single registration fee.

(f) **Forfeiture and Injunction.** Failure to register a dam not previously registered, by October 1, 2015 shall subject the owner of the dam to the forfeiture and injunction provisions of section 22a-407 of the Connecticut General Statutes, as amended.

(g) **Violations.** Any violation of these regulations shall subject the owner of the dam to the injunction provisions of section 22a-6(3) of the Connecticut General Statutes, as amended, or an administrative civil penalty pursuant to sections 22a-6b-1 to 22a-6b-15 of the Regulations of Connecticut State Agencies or both.

(Effective June 23, 1986; Amended February 3, 2016)