

Permitting and Other Key Approvals

DECD Office of the Permit Ombudsman

Maya Loewenberg
Permit Ombudsman



DECD Office of the Permit Ombudsman

Public Act 10-158 enacted in 2010 requires :

- Creation of the Office of the Permit Ombudsman within DECD
- Expedited permitting for qualified economic development projects that need environmental, public health and transportation permits

Qualifying Projects

- Remediate and Redevelop brownfields
- Compatible with responsible growth
- Transit-oriented development
- Green businesses
- Create 50 jobs in enterprise zones or 100 such jobs elsewhere in the state



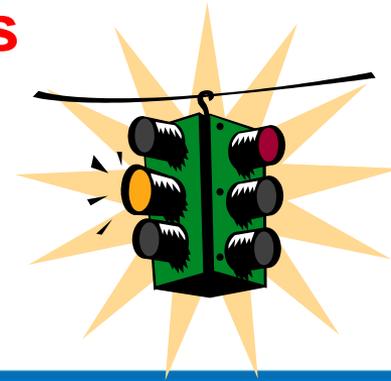
The Expedited Permitting Process

How does the office expedite the process?

- MOU that allows partner agencies (DOT, DEEP and DPH) to “*waive or modify the applicable procedural rules prescribing forms, fees, procedures or time limits for the review or processing of permit applications...*”

Connecticut Environmental Policy Act

- Environmental assessment, abatement and monitoring do not require CEPA review
- **Demolition of facilities may require CEPA review if it involves potential impacts to historic architectural resources**
- **Soil Remediation may require CEPA review if it impacts archaeological resources**



DECD State Historic Preservation Office

- Successor to the former Connecticut Historical Commission.
- Part of DECD since 2011.
- SHPO's role in the DECD-funded Brownfield's program is primarily under CEPA

SHPO Review

- SHPO reviews State and Federally funded projects to ensure that potential impacts (effects) to significant historic properties are considered as part of project planning.
- “Significant” historic properties are those which are listed in, or eligible for listing in, the State or National Registers of Historic Places
- CT Register of Historic Places:

www.nationalregisterofhistoricplaces.com/CT/state.html#pickem

Review Process

- Project Applicant submit a Project Notification Form to SHPO with basic information about the proposed work and any existing buildings which may be altered or demolished.
- Project Notification form
- [http://www.ct.gov/cct/lib/cct/Project Notification Form April 2013.pdf](http://www.ct.gov/cct/lib/cct/Project%20Notification%20Form%20April%202013.pdf)
- *SHPO will respond with their comments within 30 days of receipt.*

Results of Review

- **NHPA** - “No Historic Properties Affected” – there are no concerns for SHPO with the project and no further review or investigations are needed.
- **NAE**- “No Adverse Effects” – is used when an undertaking may impact an historic resource, but not so much that it adversely affects the resource.

Results of Review

- **CNAE**-“Conditional No Adverse Effect” is used with conditions, listed as necessary steps to take to avoid an adverse effect.
- **AE**- “Adverse Effect” – is used when the undertaking may significantly impact an historic resource so much that it diminishes the character of the recourse.

Conditions

- “No Adverse Effects” comments may be accompanied by conditions to minimize or mitigate losses to historic properties.
 - Typical conditions include:
 - Photographic documentation of buildings prior to their alteration.
 - Design changes to retain original historic materials or features (“Historic Fabric”).

CEPA Process

If SHPO review concludes in an “Adverse Effect” DECD conducts an early public scoping process to gather relevant information and comments from other State agencies and the public.

CEPA Scoping

- Publish a Scoping Notice for the proposed project on the Environmental Monitor at the CEQ website
- Conduct a Public Scoping Meeting if requested by groups representing more than 25 people
- DECD will take into consideration the comments received and prepare a written memorandum that documents its findings and determination of the proposed action's environmental significance
- Post the memorandum on the Environmental Monitor website unless DECD determines that an Environmental Impact Evaluation shall be prepared.

Ask Questions/Consult Early

- Most potential problems can be resolved through early coordination.

- Avoid > Minimize > Mitigate

Environmental Review Coordinators

Todd Levine
Architectural Historian
Todd.Levine@ct.gov

Catherine Labadia
Archaeologist
Catherine.Labadia@ct.gov

Q&A

Maya.Loewenberg@ct.gov
Office of the Permit Ombudsman