



**STATE OF CONNECTICUT
COUNCIL ON SOIL AND WATER CONSERVATION**

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**Environment Committee Public Hearing
February 23, 2009**

**SUPPORT FOR
SENATE BILL 569, AN ACT CONCERNING ENHANCEMENTS TO THE INLAND
WETLANDS AND WATERCOURSES ACT**

The Council on Soil and Water Conservation (Council) strongly supports Senate Bill 569, An Act Concerning Enhancements to the Inland Wetlands and Watercourses Act and urges the Environment Committee's support.

SB 569 will strengthen the ability of Municipal Inland Wetland and Watercourse Commissions to protect local wetlands and watercourses without legal recourse and reduce the municipal economic burden associated with defending commission decisions.

Recent court decisions have placed an increasing legal burden on volunteer commissioners in reviewing and, if appropriate, denying a permit, even with extensive evidence indicating the proposed development would impact the wetland resources.

SB 569 clarifies the intent and purpose of the Act by stating that **the applicant, not the town, must prove by a preponderance of evidence** that the proposed activity will not negatively impact the wetland or watercourse, and that the municipal wetland agency can rely on comments and reports from state agencies such as the CT-DEP and the Department of Public Health, as well as reports from Conservation Districts, the Environmental Review Team (ERT) and private environmental consultants.

Passage of this legislation is critical to the long term statewide protection of wetlands and watercourses.

The Council urges the Environment Committee to approve SB 569 to strengthen local ability to administer the Inland and Watercourses Act efficiently and effectively.

The Council's mission is to advise and assist the Commissioner of Environmental Protection in conserving and protecting the land, water and other natural resources of the State in order to preserve and enhance quality of life for present and future generations.

Please contact Suellen McQuin, Executive Director at 860-767-9594 or by email at ct.eswc@att.net .
Thank you.