



Trout Unlimited – CT Council

February 23, 2009

Representative Richard Roy, Chairman  
Senator Edward Meyer, Chairman  
Joint Committee on Environment  
State of Connecticut General Assembly  
300 Capitol Avenue  
Hartford, CT 06106

Re: HB 5820: AAC Natural Vegetation Near Wetlands and Watercourses

Dear Chairmen and Members of the Environment Committee:

I appreciate the opportunity to submit this written testimony in support of HB 5820 on behalf of Trout Unlimited's Connecticut Council, which represents eight chapters with nearly 3,000 members in the state of Connecticut. Trout Unlimited (TU) is the nation's leading coldwater conservation organization based on grassroots membership dedicated to the conservation, restoration and protection of North America's coldwater habitats and the watersheds they depend on.

Allowing our wetlands and watercourses a chance to perform naturally is in our best interest as human beings from a drinking water standpoint. By protecting the riparian areas we are also cost-effectively controlling erosion, sedimentation, water temperature, dissolved nutrients, and chemicals, while mitigating the impacts of flood waters. Riparian vegetation is an important element in bank strength, trapping of flood debris, the supply of in-stream woody debris, and aquatic nutrients, in addition to important roles in aesthetics and terrestrial ecology. Modification of the natural vegetation along streams and rivers increases the potential to degrade our states water quality, and increases the risk and subsequent higher costs resulting from the severity of flooding in our communities.

HB 5820 provides economic benefit. The improved water quality that results from keeping watersheds in a more natural condition results in substantial cost savings related to treatment of water. A study found for every 10 percent increase in forest cover in the source area, treatment and chemical costs decreased approximately 20 percent.

HB 5820 is a very simple bill that protects the state's water quality and decreases the risks of flood damage and erosion risks at very low costs.

1. The bill does not create any new regulated areas. Rather, the bill increases the level of scrutiny in a minimum area;
2. The bill creates a presumption that removal of vegetation in the greater of the first 100 feet as measured from the outer boundary of any given wetland or watercourse, or the FEMA Regulated 100 year floodway, will impact the wetland or watercourse and requires inland wetland agents to protect the vegetation in this area to the maximum extent possible;
3. The bill retains the exemption for agriculture and forestry that currently exists. Agriculture and forestry, with the exception of clear cutting are completely exempt from regulation;
4. The bill allows inland wetland agents to continue to review beyond the minimum area but requires agencies to use certain criteria when using their discretion to determine the area. This language does not give greater jurisdiction than currently exists; the bill only codifies certain non-exclusive criteria currently in DEP model regs to guide the extent of jurisdiction;
5. The bill exempts DEP remediation and restoration activities; the bill exempts activities solely for natural resource management that further the natural vegetation's functions in maintaining or restoring the biological and ecological integrity of the wetland or watercourse. This exemption allows for removal of invasive species where appropriate as well as bank restoration projects that many cities and towns have to perform because of past decisions to remove vegetation.

Water and air are arguably the most important assets to human life, social and economic welfare and the health of the flora and fauna we share this world with. For that reason we implore you to make this small, but significant step to protect our valuable resources by supporting and immediately furthering HB 5820.

Respectfully submitted,

Ted L. Gardziel  
National Leadership Chair  
Connecticut Council of Trout Unlimited

cc: CT TU Executive Committee