



COUNCIL ON ENVIRONMENTAL QUALITY

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TESTIMONY

DATE: March 8, 2010

PRESENTED TO: Environment Committee
Connecticut General Assembly

PRESENTED BY: Karl J. Wagener
Executive Director

SUBJECT: Raised Bill No. 205, AAC Enhancements to the Inland Wetlands
and Watercourses Act

The Council on Environmental Quality recommends adoption of Raised Bill 205, and also asks that you consider adding a sentence regarding the training requirements for members and staff of municipal wetlands agencies. This bill is a particularly appropriate place to enforce existing training requirements, as the underlying bill anticipates agency members applying more analysis to their decisions.

The Council's recommendation would require each municipal inland wetlands agency to state on the record, at the beginning of each meeting and public hearing, the number of agency members and staff persons who have completed the DEP's wetlands training program.

There is nothing theoretical about the effect of training on the performance of wetlands agencies. In 2008, the Council determined through regression analyses that one factor alone stood out as a significant predictor of an agency's performance: whether or not the agency was in compliance with the statutory training requirement.

There are four points to keep in mind:

- 1) Existing law requires one person on each agency to complete training.
- 2) Approximately 30 municipalities do not comply with this minimal requirement.
- 3) Training leads conclusively to wetlands conservation.
- 4) Our recommendation is no-cost/low-cost: the DEP already is offering the training, in various areas of the state, and by **existing law each municipality gets a voucher to attend for free.**

The underlined sentence below is the Council's recommended language for addition to Section 2 of the bill:

“(d) At least one member of the inland wetlands agency or staff of the agency shall be a person who has completed the comprehensive training program developed by the commissioner pursuant to section 22a-39. Failure to have a member of the agency or staff with training shall not affect the validity of any action of the agency. The commissioner shall annually make such program available to one person from each town without cost to that person or the town. Each inland wetlands agency shall hold a meeting at least once annually at which information is presented to the members of the agency which summarizes the provisions of the training program. The commissioner shall develop such information in consultation with interested persons affected by the regulation of inland wetlands and shall provide for distribution of video presentations and related written materials which convey such information to inland wetlands agencies. In addition to such materials, the commissioner, in consultation with such persons, shall prepare materials which provide guidance to municipalities in carrying out the provisions of subsection (f) of section 22a-42a, as amended by this act. On and after January 1, 2012, each agency shall state on the record, at the commencement of each hearing or meeting at which the agency will be considering one or more applications, petitions or requests, the number of members and staff that have received a certificate for completing the comprehensive training program issued pursuant to Section 22a-39(n).”