
OLR Bill Analysis

SHB 6809 (as amended by House "A")*

AN ACT CONCERNING FINANCIAL INCENTIVES FOR CERTAIN STREAMSIDE BUFFERS AND TRAINING FOR INLAND WETLAND COMMISSION MEMBERS.

SUMMARY

This bill (1) requires the Department of Energy and Environmental Protection (DEEP) commissioner to update the department's inland wetlands training program and (2) broadens the current training requirement for municipal inland wetlands agencies by requiring all agency members and staff to be trained instead of only one person (§§ 2 & 3).

The bill also allows the DEEP commissioner to use funds available for stormwater infrastructure to acquire conservation easements along streams and rivers in the state. It requires the commissioner to do this regardless of any state statute requiring otherwise and allows her to set the percentage of stormwater infrastructure funds that may be used for it. The property owner of an acquired conservation easement must keep native trees, shrubs, and herbaceous cover along the stream or river instead of lawn (i.e., a vegetated condition buffer) (§ 1).

*House Amendment "A" reverses the removal of a provision specifying that failure to have a trained inland wetlands agency member or staff person does not invalidate an agency's actions.

EFFECTIVE DATE: October 1, 2023, except the conservation easement provision is effective upon passage.

INLAND WETLANDS AGENCY TRAINING

Updated Program

By law, the DEEP commissioner must develop a comprehensive training program for inland wetlands agency members. The bill requires

her to update the training program by June 1, 2024, to include (1) all statutory changes that apply to these agencies and (2) any common law developments that apply to these agencies' considerations and authority. The commissioner must give a copy of the training to the Environment Committee when she updates it.

Under current law, the commissioner distributes the training via video presentations and related written materials. The bill requires her to distribute it online.

Agency Member and Staff Requirement

Current law requires at least one inland wetlands agency member or staff person to complete DEEP's comprehensive training program. The bill instead requires each agency member and staff person to complete the training. However, existing law, unchanged by the bill, specifies that failure to have a trained agency member or staff person does not invalidate an agency's actions.

Under the bill, existing inland wetlands agency members and staff must complete the updated training program by June 1, 2025. Those who are appointed or hired, as applicable, after October 1, 2023, must complete the training within one year after their appointment or hiring date. Agency members must then complete the training at least every five years. Current law has no retraining requirement.

The bill requires inland wetlands agencies to confirm to DEEP, as part of their existing reporting requirements, whether each agency member has completed the training.

Existing law, unchanged by the bill, requires the commissioner to annually make the training available to one person in each town for free.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 5 (03/24/2023)