



General Assembly

February Session, 2024

Raised Bill No. 5218

LCO No. 1118



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT CONCERNING THE ESTABLISHMENT OF RIPARIAN
BUFFERS AND REVISION OF CERTAIN INLAND WETLANDS
PROVISIONS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any
2 provision of the general statutes, the Department of Energy and
3 Environmental Protection may utilize funds available for stormwater
4 infrastructure for the purpose of acquiring conservation easements
5 located along streams and rivers in the state provided any such
6 conservation easement requires the property owner to maintain a buffer
7 along such stream or river in a vegetated condition. The Commissioner
8 of Energy and Environmental Protection may determine the percentage
9 of such funds to be utilized for the purposes described in this section.
10 For purposes of this section, "vegetated condition" means the retention
11 of native trees, shrubs and herbaceous cover in lieu of lawn.

12 (b) The Department of Energy and Environmental Protection shall
13 develop mandatory setbacks for development near streams, rivers and
14 inland wetlands in the state. Not later than January 1, 2025, said

15 department shall submit such proposed setbacks, in accordance with
16 section 11-4a of the general statutes, to the joint standing committee of
17 the General Assembly having cognizance of matters relating to the
18 environment.

19 Sec. 2. Subsections (l) and (m) of section 22a-39 of the general statutes
20 are repealed and the following is substituted in lieu thereof (*Effective*
21 *October 1, 2024*):

22 (l) Develop a comprehensive training program for inland wetlands
23 agency members. Not later than June 1, 2025, the commissioner shall
24 update such comprehensive training program to include all statutory
25 changes applicable to such inland wetland agencies and any common
26 law developments applicable to the considerations and authority of
27 such agencies. The commissioner shall concomitantly submit a copy of
28 such updated comprehensive training program to the joint standing
29 committee of the General Assembly having cognizance of matters
30 relating to the environment;

31 (m) Adopt regulations in accordance with the provisions of chapter
32 54 establishing reporting requirements for inland wetlands agencies,
33 which shall include provisions for reports to the commissioner on
34 permits, orders and other actions of such agencies and development of
35 a form for such reports. Such reports shall include, but not be limited to,
36 a statement from each inland wetlands agency that confirms that each
37 member of such agency completed the training required pursuant to
38 section 22a-42, as amended by this act; and

39 Sec. 3. Subsection (d) of section 22a-42 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective October*
41 *1, 2024*):

42 (d) [At least one] Each member of the inland wetlands agency [or]
43 and staff of the agency shall be a person who has completed the
44 comprehensive training program developed by the commissioner
45 pursuant to section 22a-39, as amended by this act. The commissioner
46 shall make such training program available online. Any existing

47 member of the inland wetlands agency and staff of the agency shall
 48 complete such training program not later than June 1, 2026, and any
 49 member of such agency and staff of the agency who is appointed or
 50 hired, as applicable, after the effective date of this section shall complete
 51 such comprehensive training program not later than one year after such
 52 appointment or hiring, as applicable. Each member of the inland
 53 wetlands agency shall complete such comprehensive training program
 54 not less than every five years thereafter. [Failure to have a member of
 55 the agency or staff with training shall not affect the validity of any action
 56 of the agency.] The commissioner shall annually make such program
 57 available to one person from each town without cost to that person or
 58 the town. Each inland wetlands agency shall hold a meeting [at least]
 59 not less than once annually at which information [is] shall be presented
 60 to the members of the agency [which] that summarizes the provisions
 61 of the training program. The commissioner shall develop such
 62 information in consultation with interested persons affected by the
 63 regulation of inland wetlands and shall provide for distribution of
 64 online video presentations and related written materials [which] that
 65 convey such information to inland wetlands agencies. In addition to
 66 such materials, the commissioner, in consultation with such persons,
 67 shall prepare materials [which] that provide guidance to municipalities
 68 in carrying out the provisions of subsection (f) of section 22a-42a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>October 1, 2024</i>	22a-39(l) and (m)
Sec. 3	<i>October 1, 2024</i>	22a-42(d)

Statement of Purpose:

To develop buffers and setbacks from waterways and wetlands and require certain inland wetlands training and materials.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]