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## OLR Bill Analysis

### sHB 5218

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

#### **SUMMARY**

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

The bill allows DEEP to use funds available for stormwater infrastructure to acquire conservation easements along streams and rivers in the state, regardless of any state law requiring otherwise. DEEP may set the percentage of stormwater infrastructure funds that may be used for this purpose. The property owner of an acquired conservation easement must keep native trees, shrubs, and herbaceous cover along the stream or river instead of lawn, golf courses, and athletic fields (i.e., a “vegetated condition” buffer) (§ 1).

Lastly, the bill requires DEEP to (1) develop mandatory setbacks for development near streams, rivers, and inland wetlands in Connecticut and (2) submit them to the Environment Committee by January 1, 2025 (§ 1).

EFFECTIVE DATE: October 1, 2024, except the provisions on conservation easements and setbacks are effective upon passage.

#### **INLAND WETLANDS AGENCY TRAINING**

##### ***Updated Program***

By law, DEEP must develop a comprehensive training program for municipal inland wetlands agency members. The bill requires it to update the training program by June 1, 2025, 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. DEEP must give a copy of the training to the Environment Committee when it is updated.

Under current law, DEEP distributes the training via video presentations and related written materials. The bill requires online distribution.

### ***Agency Member & 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 generally requires each agency member and staff person to complete the training. It exempts members who are attorneys with inland wetlands experience.

Under the bill, existing inland wetlands agency members and staff must complete the updated training program by June 1, 2026. Those who are appointed or hired after October 1, 2024, 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. By law, failure to have agency members or staff trained does not affect the validity of the agency's actions.

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

## **BACKGROUND**

### ***Related Bill***

sHB 5170 (File 3), favorably reported by the Planning and Development Committee, similarly requires all agency members and staff to complete the training, but has no attorney exemption and uses a four-year renewal period.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 6 (03/08/2024)