



General Assembly

January Session, 2025

Raised Bill No. 7174

LCO No. 5667



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING RIPARIAN BUFFERS AND ASSOCIATED ENVIRONMENTAL PROVISIONS.

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

1 Section 1. Section 22a-38 of the general statutes is amended by adding
2 subdivision (19) as follows (*Effective July 1, 2025*):

3 (NEW) (19) "Riparian buffer" means the area immediately adjacent to
4 and extending outward from a wetlands or watercourse boundary for a
5 distance of not less than one hundred feet.

6 Sec. 2. Subdivision (13) of section 22a-38 of the general statutes is
7 repealed and the following is substituted in lieu thereof (*Effective October*
8 *1, 2025*):

9 (13) "Regulated activity" means any operation within or use of a
10 wetland, [or] watercourse, or riparian buffer involving removal or
11 deposition of material, including, but not limited to, removal of native
12 vegetation, or any obstruction, construction, alteration or pollution, of
13 such wetlands, [or] watercourses or riparian buffers, but shall not
14 include the specified activities in section 22a-40, as amended by this act;

15 Sec. 3. (NEW) (*Effective July 1, 2025*) (a) There are established in the
16 state riparian buffers, as defined in section 22a-38 of the general statutes,
17 as amended by this act.

18 (b) Notwithstanding any provision of the general statutes within any
19 such riparian buffer, for any area that is within: (1) Fifty feet of a
20 watercourse that is within a public drinking water supply area, (2)
21 twenty-five feet of a cold water habitat stream, or (3) ten feet of any other
22 wetland, watercourse or riparian area, the following activities shall be
23 prohibited: (A) The spraying of pesticides, except by permit issued by
24 the Department of Energy and Environmental Protection for invasive
25 species control, (B) the storage of chemicals including fossil fuels,
26 pesticides and fertilizers, and (C) the clear cutting of native vegetation
27 for the establishment of new lawn areas.

28 (c) The Commissioner of Energy and Environmental Protection may
29 enforce the provisions of this section within available resources.

30 Sec. 4. Subsections (f) to (i), inclusive, of section 22a-39 of the general
31 statutes are repealed and the following is substituted in lieu thereof
32 (*Effective October 1, 2025*):

33 (f) Adopt such regulations, in accordance with the provisions of
34 chapter 54, as are necessary to protect the wetlands, [or] watercourses
35 and riparian buffers or any of them individually or collectively;

36 (g) Inventory or index the wetlands, [and] watercourses and riparian
37 buffers in such form, including pictorial representations, as the
38 commissioner deems best suited to effectuate the purposes of sections
39 22a-36 to 22a-45, inclusive, as amended by this act;

40 (h) Grant, deny, limit or modify in accordance with the provisions of
41 section 22a-42a, as amended by this act, an application for a license or
42 permit for any proposed regulated activity conducted by any
43 department, agency or instrumentality of the state, except any local or
44 regional board of education, (1) after an advisory decision on such

45 license or permit has been rendered to the commissioner by the wetland
46 agency of the municipality within which such wetland is located or (2)
47 thirty-five days after receipt by the commissioner of such application,
48 whichever occurs first;

49 (i) Grant, deny, limit or modify in accordance with the provisions of
50 section 22a-42, as amended by this act, and section 22a-42a, as amended
51 by this act, an application for a license or permit for any proposed
52 regulated activity within a municipality which does not regulate its
53 wetlands, [and] watercourses and riparian buffers;

54 Sec. 5. Subdivisions (1) to (4), inclusive, of subsection (a) of section
55 22a-40 of the general statutes are repealed and the following is
56 substituted in lieu thereof (*Effective October 1, 2025*):

57 (1) Grazing, farming, nurseries, gardening and harvesting of crops
58 and farm ponds of three acres or less essential to the farming operation,
59 and activities conducted by, or under the authority of, the Department
60 of Energy and Environmental Protection for the purposes of wetland or
61 watercourse restoration or enhancement or mosquito control. The
62 provisions of this subdivision shall not be construed to include road
63 construction or the erection of buildings not directly related to the
64 farming operation, relocation of watercourses with continual flow,
65 filling or reclamation of wetlands or watercourses with continual flow,
66 clear cutting of timber or native vegetation except for the expansion of
67 agricultural crop land, the mining of top soil, peat, sand, gravel or
68 similar material from wetlands or watercourses for the purposes of sale;

69 (2) A residential home (A) for which a building permit has been
70 issued, or (B) on a subdivision lot, provided the permit has been issued
71 or the subdivision has been approved by a municipal planning, zoning
72 or planning and zoning commission as of the effective date of
73 promulgation of the municipal regulations pursuant to subsection (b) of
74 section 22a-42a, as amended by this act, or as of July 1, 1974, whichever
75 is earlier, and further provided no residential home shall be permitted

76 as of right pursuant to this subdivision unless the permit was obtained
77 on or before July 1, 1987;

78 (3) Boat anchorage or mooring;

79 (4) Uses incidental to the enjoyment and maintenance of residential
80 property, such property defined as equal to or smaller than the largest
81 minimum residential lot site permitted anywhere in the municipality,
82 provided in any town, where there are no zoning regulations
83 establishing minimum residential lot sites, the largest minimum lot site
84 shall be two acres. Such incidental uses shall include maintenance of
85 existing structures and landscaping but shall not include removal or
86 deposition of significant amounts of material from or onto a wetland or
87 watercourse or diversion or alteration of a watercourse or clear cutting
88 of native vegetation within ten feet of any wetlands or watercourse;

89 Sec. 6. Subsection (b) of section 22a-40 of the general statutes is
90 repealed and the following is substituted in lieu thereof (*Effective October*
91 *1, 2025*):

92 (b) The following operations and uses shall be permitted, as
93 nonregulated uses in wetlands, [and] watercourses and riparian buffers,
94 provided they do not disturb the natural and indigenous character of
95 the wetland, [or] watercourse or riparian buffer by removal or
96 deposition of material, removal of native vegetation, alteration or
97 obstruction of water flow or pollution of the wetland, [or] watercourse
98 or riparian buffer:

99 (1) Conservation of soil, vegetation, water, fish, shellfish and wildlife,
100 including the revegetation of riparian buffers with native vegetation
101 and removal of invasive species;

102 (2) Outdoor recreation including play and sporting areas, golf
103 courses, field trials, nature study, hiking, horseback riding, swimming,
104 skin diving, camping, boating, water skiing, trapping, hunting, fishing
105 and shellfishing where otherwise legally permitted and regulated; and

106 (3) The installation of a dry hydrant by or under the authority of a
107 municipal fire department, provided such dry hydrant is only used for
108 firefighting purposes and there is no alternative access to a public water
109 supply. For purposes of this section, "dry hydrant" means a non-
110 pressurized pipe system that: (A) Is readily accessible to fire department
111 apparatus from a proximate public road, (B) provides for the
112 withdrawal of water by suction to such fire department apparatus, and
113 (C) is permanently installed into an existing lake, pond or stream that is
114 a dependable source of water.

115 Sec. 7. Section 22a-41 of the general statutes is repealed and the
116 following is substituted in lieu thereof (*Effective October 1, 2025*):

117 (a) In carrying out the purposes and policies of sections 22a-36 to 22a-
118 45a, inclusive, including matters relating to regulating, licensing and
119 enforcing of the provisions thereof, the commissioner shall take into
120 consideration all relevant facts and circumstances, including but not
121 limited to:

122 (1) The environmental impact of the proposed regulated activity on
123 wetlands, [or] watercourses or riparian buffers;

124 (2) The applicant's purpose for, and any feasible and prudent
125 alternatives to, the proposed regulated activity which alternatives
126 would cause less or no environmental impact to wetlands, [or]
127 watercourses or riparian buffers;

128 (3) The relationship between the short-term and long-term impacts of
129 the proposed regulated activity on wetlands, [or] watercourses or
130 riparian buffers and the maintenance and enhancement of long-term
131 productivity of such wetlands, [or] watercourses or riparian buffers;

132 (4) Irreversible and irretrievable loss of wetland, [or] watercourse or
133 riparian buffer resources which would be caused by the proposed
134 regulated activity, including the extent to which such activity would
135 foreclose a future ability to protect, enhance or restore such resources,

136 and any mitigation measures which may be considered as a condition
137 of issuing a permit for such activity including, but not limited to,
138 measures to (A) prevent or minimize pollution or other environmental
139 damage, (B) maintain or enhance existing environmental quality, or (C)
140 in the following order of priority: Restore, enhance and create
141 productive wetland, [or watercourse resources] watercourses or
142 riparian buffers;

143 (5) The character and degree of injury to, or interference with, safety,
144 health or the reasonable use of property which is caused or threatened
145 by the proposed regulated activity; and

146 (6) Impacts of the proposed regulated activity on wetlands, [or]
147 watercourses or riparian buffers outside the area for which the activity
148 is proposed and future activities associated with, or reasonably related
149 to, the proposed regulated activity which are made inevitable by the
150 proposed regulated activity and which may have an impact on
151 wetlands, [or] watercourses or riparian buffers.

152 (b) (1) In the case of an application which received a public hearing
153 pursuant to (A) subsection (k) of section 22a-39, or (B) a finding by the
154 inland wetlands agency that the proposed activity may have a
155 significant impact on wetlands, [or] watercourses or riparian buffers, a
156 permit shall not be issued unless the commissioner finds on the basis of
157 the record that a feasible and prudent alternative does not exist. In
158 making [his] a finding, the commissioner shall consider the facts and
159 circumstances set forth in subsection (a) of this section. The finding and
160 the reasons therefor shall be stated on the record in writing.

161 (2) In the case of an application which is denied on the basis of a
162 finding that there may be feasible and prudent alternatives to the
163 proposed regulated activity which have less adverse impact on
164 wetlands, [or] watercourses or riparian buffers, the commissioner or the
165 inland wetlands agency, as the case may be, shall propose on the record
166 in writing the types of alternatives which the applicant may investigate

167 provided this subdivision shall not be construed to shift the burden
168 from the applicant to prove that [he] the applicant is entitled to the
169 permit or to present alternatives to the proposed regulated activity.

170 (c) For purposes of this section, (1) ["wetlands or watercourses]
171 wetlands, watercourses or riparian buffers" includes aquatic, plant or
172 animal life and habitats in wetlands, [or] watercourses or riparian
173 buffers, and (2) "habitats" means areas or environments in which an
174 organism or biological population normally lives or occurs.

175 (d) A municipal inland wetlands agency shall not deny or condition
176 an application for a regulated activity in an area outside wetlands, [or]
177 watercourses or riparian buffers on the basis of an impact or effect on
178 aquatic, plant, or animal life unless such activity will likely impact or
179 affect the physical, chemical or thermal characteristics of such wetlands,
180 [or] watercourses or riparian buffers.

181 Sec. 8. Section 22a-42 of the general statutes is repealed and the
182 following is substituted in lieu thereof (*Effective October 1, 2025*):

183 (a) To carry out and effectuate the purposes and policies of sections
184 22a-36 to 22a-45a, inclusive, it is hereby declared to be the public policy
185 of the state to require municipal regulation of activities affecting the
186 wetlands, [and] watercourses and riparian buffers within the territorial
187 limits of the various municipalities or districts.

188 (b) Any municipality may acquire wetlands and watercourses within
189 its territorial limits by gift or purchase, in fee or lesser interest including,
190 but not limited to, lease, easement or covenant, subject to such
191 reservations and exceptions as it deems advisable. The Commissioner
192 of Energy and Environmental Protection shall designate not less than
193 five per cent of funds provided by the Clean Water Act State Revolving
194 Fund to establish a nature-based solutions account to be used to protect,
195 restore and steward wetlands, watercourses and riparian buffers.

196 (c) On or before July 1, 1988, each municipality shall establish an

197 inland wetlands agency or authorize an existing board or commission
198 to carry out the provisions of sections 22a-36 to 22a-45, inclusive, as
199 amended by this act. Each municipality, acting through its legislative
200 body, may authorize any board or commission, as may be by law
201 authorized to act, or may establish a new board or commission to
202 promulgate such regulations, in conformity with the regulations
203 adopted by the commissioner pursuant to section 22a-39, as amended
204 by this act, as are necessary to protect the wetlands, [and] watercourses
205 and riparian buffers within its territorial limits. The ordinance
206 establishing the new board or commission shall determine the number
207 of members and alternate members, the length of their terms, the
208 method of selection and removal and the manner for filling vacancies in
209 the new board or commission. No member or alternate member of such
210 board or commission shall participate in the hearing or decision of such
211 board or commission of which he is a member upon any matter in which
212 he is directly or indirectly interested in a personal or financial sense. In
213 the event of such disqualification, such fact shall be entered on the
214 records of such board or commission and replacement shall be made
215 from alternate members of an alternate to act as a member of such
216 commission in the hearing and determination of the particular matter or
217 matters in which the disqualification arose. For the purposes of this
218 section, the board or commission authorized by the municipality or
219 district, as the case may be, shall serve as the sole agent for the licensing
220 of regulated activities.

221 (d) At least one member of the inland wetlands agency or staff of the
222 agency shall be a person who has completed the comprehensive training
223 program developed by the commissioner pursuant to section 22a-39, as
224 amended by this act. Failure to have a member of the agency or staff
225 with training shall not affect the validity of any action of the agency. The
226 commissioner shall annually make such program available to one
227 person from each town without cost to that person or the town. Each
228 inland wetlands agency shall hold a meeting at least once annually at
229 which information is presented to the members of the agency which

230 summarizes the provisions of the training program. The commissioner
231 shall develop such information in consultation with interested persons
232 affected by the regulation of inland wetlands and shall provide for
233 distribution of video presentations and related written materials which
234 convey such information to inland wetlands agencies. In addition to
235 such materials, the commissioner, in consultation with such persons,
236 shall prepare materials which provide guidance to municipalities in
237 carrying out the provisions of subsection (f) of section 22a-42a, as
238 amended by this act.

239 (e) Any municipality, pursuant to ordinance, may act through the
240 board or commission authorized in subsection (c) of this section to join
241 with any other municipalities in the formation of a district for the
242 regulation of activities affecting the wetlands, [and] watercourses and
243 riparian buffers within such district. Any city or borough may delegate
244 its authority to regulate inland wetlands under this section to the town
245 in which it is located.

246 (f) Municipal or district ordinances or regulations may embody any
247 regulations promulgated hereunder, in whole or in part, or may consist
248 of other ordinances or regulations in conformity with regulations
249 promulgated hereunder. Any ordinances or regulations shall be for the
250 purpose of effectuating the purposes of sections 22a-36 to 22a-45,
251 inclusive, as amended by this act, and, a municipality or district, in
252 acting upon ordinances and regulations shall incorporate the factors set
253 forth in section 22a-41, as amended by this act.

254 (g) Nothing contained in this section shall be construed to limit the
255 existing authority of a municipality or any boards or commissions of the
256 municipality, provided the commissioner shall retain authority to act on
257 any application filed with said commissioner prior to the establishment
258 or designation of an inland wetlands agency by a municipality.

259 Sec. 9. Section 22a-42a of the general statutes is repealed and the
260 following is substituted in lieu thereof (*Effective October 1, 2025*):

261 (a) The inland wetlands agencies authorized in section 22a-42, as
262 amended by this act, shall through regulation provide for (1) the manner
263 in which the boundaries of inland wetland, [and] watercourse and
264 riparian buffer areas in their respective municipalities shall be
265 established and amended or changed, (2) the form for an application to
266 conduct regulated activities, (3) notice and publication requirements, (4)
267 criteria and procedures for the review of applications, and (5)
268 administration and enforcement.

269 (b) No regulations of an inland wetlands agency including
270 boundaries of inland wetland, [and] watercourse and riparian buffer
271 areas shall become effective or be established until after a public hearing
272 in relation thereto is held by the inland wetlands agency. Any such
273 hearing shall be held in accordance with the provisions of section 8-7d.
274 A copy of such proposed regulation or boundary shall be filed in the
275 office of the town, city or borough clerk as the case may be, in such
276 municipality, for public inspection at least ten days before such hearing,
277 and may be published in full in such paper. A copy of the notice and the
278 proposed regulations or amendments thereto, except determinations of
279 boundaries, shall be provided to the commissioner at least thirty-five
280 days before such hearing. Such regulations and inland wetland, [and]
281 watercourse and riparian buffer boundaries may be from time to time
282 amended, changed or repealed, by majority vote of the inland wetlands
283 agency, after a public hearing in relation thereto is held by the inland
284 wetlands agency, in accordance with the provisions of section 8-7d.
285 Regulations or boundaries or changes therein shall become effective at
286 such time as is fixed by the inland wetlands agency, provided a copy of
287 such regulation, boundary or change shall be filed in the office of the
288 town, city or borough clerk, as the case may be. Whenever an inland
289 wetlands agency makes a change in regulations or boundaries it shall
290 state upon its records the reason why the change was made and shall
291 provide a copy of such regulation, boundary or change to the
292 Commissioner of Energy and Environmental Protection no later than
293 ten days after its adoption provided failure to submit such regulation,

294 boundary or change shall not impair the validity of such regulation,
295 boundary or change. All petitions submitted in writing and in a form
296 prescribed by the inland wetlands agency, requesting a change in the
297 regulations or the boundaries of an inland wetland, [and] watercourse
298 and riparian buffer area shall be considered at a public hearing held in
299 accordance with the provisions of section 8-7d. The failure of the inland
300 wetlands agency to act within any time period specified in this
301 subsection, or any extension thereof, shall not be deemed to constitute
302 approval of the petition.

303 (c) (1) On and after the effective date of the municipal regulations
304 promulgated pursuant to subsection (b) of this section, no regulated
305 activity shall be conducted upon any inland wetland, [or] watercourse
306 or riparian buffer without a permit. Any person proposing to conduct
307 or cause to be conducted a regulated activity upon an inland wetland,
308 [or] watercourse or riparian buffer shall file an application with the
309 inland wetlands agency of the town or towns wherein the wetland, [or]
310 watercourse or riparian buffer in question is located. The application
311 shall be in such form and contain such information as the inland
312 wetlands agency may prescribe. The date of receipt of an application
313 shall be determined in accordance with the provisions of subsection (c)
314 of section 8-7d. The inland wetlands agency shall not hold a public
315 hearing on such application unless the inland wetlands agency
316 determines that the proposed activity may have a significant impact on
317 wetlands, [or] watercourses or riparian buffers, a petition signed by at
318 least twenty-five persons who are eighteen years of age or older and
319 who reside in the municipality in which the regulated activity is
320 proposed, requesting a hearing is filed with the agency not later than
321 fourteen days after the date of receipt of such application, or the agency
322 finds that a public hearing regarding such application would be in the
323 public interest. An inland wetlands agency may issue a permit without
324 a public hearing provided no petition provided for in this subsection is
325 filed with the agency on or before the fourteenth day after the date of
326 receipt of the application. Such hearing shall be held in accordance with

327 the provisions of section 8-7d. If the inland wetlands agency, or its agent,
328 fails to act on any application within thirty-five days after the
329 completion of a public hearing or in the absence of a public hearing
330 within sixty-five days from the date of receipt of the application, or
331 within any extension of any such period as provided in section 8-7d, the
332 applicant may file such application with the Commissioner of Energy
333 and Environmental Protection who shall review and act on such
334 application in accordance with this section. Any costs incurred by the
335 commissioner in reviewing such application for such inland wetlands
336 agency shall be paid by the municipality that established or authorized
337 the agency. Any fees that would have been paid to such municipality if
338 such application had not been filed with the commissioner shall be paid
339 to the state. The failure of the inland wetlands agency or the
340 commissioner to act within any time period specified in this subsection,
341 or any extension thereof, shall not be deemed to constitute approval of
342 the application.

343 (2) An inland wetlands agency may delegate to its duly authorized
344 agent the authority to approve or extend an activity that is not located
345 in a wetland or watercourse when such agent finds that the conduct of
346 such activity would result in no greater than a minimal impact on any
347 wetland, [or] watercourse or riparian buffer provided such agent has
348 completed the comprehensive training program developed by the
349 commissioner pursuant to section 22a-39, as amended by this act.
350 Notwithstanding the provisions for receipt and processing applications
351 prescribed in subdivision (1) of this subsection, such agent may approve
352 or extend such an activity at any time. Any person receiving such
353 approval from such agent shall, within ten days of the date of such
354 approval, publish, at the applicant's expense, notice of the approval in a
355 newspaper having a general circulation in the town wherein the activity
356 is located or will have an effect. Any person may appeal such decision
357 of such agent to the inland wetlands agency within fifteen days after the
358 publication date of the notice and the inland wetlands agency shall
359 consider such appeal at its next regularly scheduled meeting provided

360 such meeting is no earlier than three business days after receipt by such
361 agency or its agent of such appeal. The inland wetlands agency shall, at
362 its discretion, sustain, alter or reject the decision of its agent or require
363 an application for a permit in accordance with subdivision (1) of
364 subsection (c) of this section.

365 (d) (1) In granting, denying or limiting any permit for a regulated
366 activity the inland wetlands agency, or its agent, shall consider the
367 factors set forth in section 22a-41, as amended by this act, and such
368 agency, or its agent, shall state upon the record the reason for its
369 decision. In granting a permit the inland wetlands agency, or its agent,
370 may grant the application as filed or grant it upon other terms,
371 conditions, limitations or modifications of the regulated activity which
372 are designed to carry out the policy of sections 22a-36 to 22a-45,
373 inclusive, as amended by this act. Such terms may include any
374 reasonable measures which would mitigate the impacts of the regulated
375 activity and which would (A) prevent or minimize pollution or other
376 environmental damage, (B) maintain or enhance existing environmental
377 quality, or (C) in the following order of priority: Restore, enhance and
378 create productive wetland, [or] watercourse or riparian buffer
379 resources. Such terms may include restrictions as to the time of year in
380 which a regulated activity may be conducted, provided the inland
381 wetlands agency, or its agent, determines that such restrictions are
382 necessary to carry out the policy of sections 22a-36 to 22a-45, inclusive,
383 as amended by this act. No person shall conduct any regulated activity
384 within an inland wetland or watercourse which requires zoning or
385 subdivision approval without first having obtained a valid certificate of
386 zoning or subdivision approval, special permit, special exception or
387 variance or other documentation establishing that the proposal
388 complies with the zoning or subdivision requirements adopted by the
389 municipality pursuant to chapters 124 to 126, inclusive, or any special
390 act. The agency may suspend or revoke a permit if it finds after giving
391 notice to the permittee of the facts or conduct which warrant the
392 intended action and after a hearing at which the permittee is given an

393 opportunity to show compliance with the requirements for retention of
394 the permit, that the applicant has not complied with the conditions or
395 limitations set forth in the permit or has exceeded the scope of the work
396 as set forth in the application. The applicant shall be notified of the
397 agency's decision by certified mail within fifteen days of the date of the
398 decision and the agency shall cause notice of their order in issuance,
399 denial, revocation or suspension of a permit to be published in a
400 newspaper having a general circulation in the town wherein the
401 wetland or watercourse lies. In any case in which such notice is not
402 published within such fifteen-day period, the applicant may provide for
403 the publication of such notice within ten days thereafter.

404 (2) (A) Any permit issued under this section for the development of
405 property for which an approval is required under chapter 124, 124b, 126
406 or 126a shall (i) not take effect until each such approval, as applicable,
407 granted under such chapter has taken effect, and (ii) be valid until the
408 approval granted under such chapter expires or for ten years, whichever
409 is earlier.

410 (B) Any permit issued under this section for any activity for which an
411 approval is not required under chapter 124, 124b, 126 or 126a shall be
412 valid for not less than two years and not more than five years. Any such
413 permit shall be renewed upon request of the permit holder unless the
414 agency finds that there has been a substantial change in circumstances
415 which requires a new permit application or an enforcement action has
416 been undertaken with regard to the regulated activity for which the
417 permit was issued, provided no permit may be valid for more than ten
418 years.

419 (e) The inland wetlands agency may require a filing fee to be
420 deposited with the agency. The amount of such fee shall be sufficient to
421 cover the reasonable cost of reviewing and acting on applications and
422 petitions, including, but not limited to, the costs of certified mailings,
423 publications of notices and decisions and monitoring compliance with
424 permit conditions or agency orders.

425 (f) If a municipal inland wetlands agency regulates activities within
426 areas around wetlands, [or] watercourses or riparian buffers, such
427 regulation shall (1) be in accordance with the provisions of the inland
428 wetlands regulations adopted by such agency related to application for,
429 and approval of, activities to be conducted in wetlands or watercourses
430 and (2) apply only to those activities which are likely to impact or affect
431 wetlands, [or] watercourses or riparian buffers.

432 (g) (1) Notwithstanding the provisions of subdivision (2) of
433 subsection (d) of this section, any permit issued under this section prior
434 to July 1, 2011, that has not expired prior to July 12, 2021, shall expire
435 not less than fourteen years after the date of such approval. Any such
436 permit shall be renewed upon request of the permit holder unless the
437 agency finds that there has been a substantial change in circumstances
438 that requires a new permit application or an enforcement action has
439 been undertaken with regard to the regulated activity for which the
440 permit was issued, provided no such permit shall be valid for more than
441 nineteen years.

442 (2) Notwithstanding the provisions of subdivision (2) of subsection
443 (d) of this section, any permit issued under this section on or after July
444 1, 2011, but prior to June 10, 2021, that did not expire prior to March 10,
445 2020, shall expire not less than fourteen years after the date of such
446 approval. Any such permit shall be renewed upon request of the permit
447 holder unless the agency finds that there has been a substantial change
448 in circumstances that requires a new permit application or an
449 enforcement action has been undertaken with regard to the regulated
450 activity for which the permit was issued, provided no such permit shall
451 be valid for more than nineteen years.

452 Sec. 10. Section 22a-42f of the general statutes is repealed and the
453 following is substituted in lieu thereof (*Effective October 1, 2025*):

454 When an application is filed to conduct or cause to be conducted a
455 regulated activity upon an inland wetland, [or] watercourse or riparian

456 buffer, any portion of which is within the watershed of a water company
457 as defined in section 25-32a, the applicant shall: (1) Provide written
458 notice of the application to the water company and the Department of
459 Public Health; and (2) determine if the project is within the watershed
460 of a water company by consulting the maps posted on said department's
461 Internet web site showing the boundaries of the watershed. Such
462 applicant shall send such notice to the water company by certified mail,
463 return receipt requested, and to said department by electronic mail to
464 the electronic mail address designated by the department on its Internet
465 web site for receipt of such notice. Such applicant shall mail such notice
466 not later than seven days after the date of the application. The water
467 company and the Commissioner of Public Health, through a
468 representative, may appear and be heard at any hearing on the
469 application.

470 Sec. 11. Subsection (a) of section 22a-43 of the general statutes is
471 repealed and the following is substituted in lieu thereof (*Effective October*
472 *1, 2025*):

473 (a) The commissioner or any person aggrieved by any regulation,
474 order, decision or action made pursuant to sections 22a-36 to 22a-45,
475 inclusive, as amended by this act, by the commissioner, a district or
476 municipality or any person owning or occupying land which abuts any
477 portion of land within, or is within a radius of ninety feet of, the
478 wetland, [or] watercourse or riparian buffer involved in any regulation,
479 order, decision or action made pursuant to said sections may, within the
480 time specified in subsection (b) of section 8-8, from the publication of
481 such regulation, order, decision or action, appeal to the superior court
482 for the judicial district where the land affected is located, and if located
483 in more than one judicial district to the court in any such judicial district.
484 Such appeal shall be made returnable to the court in the same manner
485 as that prescribed for civil actions brought to the court, except that the
486 record shall be transmitted to the court within the time specified in
487 subsection (i) of section 8-8. If the inland wetlands agency or its agent
488 does not provide a transcript of the stenographic or the sound recording

489 of a meeting where the inland wetlands agency or its agent deliberates
490 or makes a decision on a permit for which a public hearing was held, a
491 certified, true and accurate transcript of a stenographic or sound
492 recording of the meeting prepared by or on behalf of the applicant or
493 any other party shall be admissible as part of the record. Notice of such
494 appeal shall be served upon the inland wetlands agency and the
495 commissioner, provided, for any such appeal taken on or after October
496 1, 2004, service of process for purposes of such notice to the inland
497 wetlands agency shall be made in accordance with subdivision (5) of
498 subsection (b) of section 52-57. The commissioner may appear as a party
499 to any action brought by any other person within thirty days from the
500 date such appeal is returned to the court. The appeal shall state the
501 reasons upon which it is predicated and shall not stay proceedings on
502 the regulation, order, decision or action, but the court may on
503 application and after notice grant a restraining order. Such appeal shall
504 have precedence in the order of trial.

505 Sec. 12. Section 22a-45 of the general statutes is repealed and the
506 following is substituted in lieu thereof (*Effective October 1, 2025*):

507 Any owner of wetlands, [and] watercourses or riparian buffers who
508 may be denied a license in connection with a regulated activity affecting
509 such wetlands, [and] watercourses or riparian buffers, shall upon
510 written application to the assessor, or board of assessors, of the
511 municipality, be entitled to a revaluation of such property to reflect the
512 fair market value thereof in light of the restriction placed upon it by the
513 denial of such license or permit, effective with respect to the next
514 succeeding assessment list of such municipality, provided no such
515 revaluation shall be effective retroactively and the municipality may
516 require as a condition therefor the conveyance of a less than fee interest
517 to it of such land pursuant to the provisions of sections 7-131b to 7-131k,
518 inclusive.

519 Sec. 13. Section 26-136 of the general statutes is amended by adding
520 subsection (d) as follows (*Effective October 1, 2025*):

521 (NEW) (d) For any existing fishway constructed for a dam located in
522 navigable waters, as determined by the Commissioner of Energy and
523 Environmental Protection, that is not subject to the jurisdiction of the
524 Federal Energy Regulatory Commission, the commissioner shall
525 prescribe, by regulations adopted in accordance with the provisions of
526 chapter 54 or by permit, conditions to ensure safe, timely and effective
527 fish passage and to protect aquatic habitat. Such conditions shall be
528 implemented by, and at the cost of, the owner or operator of any such
529 dam.

530 Sec. 14. (NEW) (*Effective from passage*) (a) On and after January 1, 2026,
531 each property or casualty insurance policy, including, but not limited
532 to, any policy of a captive insurance company, for fossil fuel
533 infrastructure that facilitates or expands the processing, exporting or
534 transporting of oil, methane gas or coal, other than home fuel delivery
535 vehicles, or any other infrastructure related to such activities, including,
536 but not limited to, wells, pipelines, terminals, refineries or utility-scale
537 generation facilities, shall be assessed a five per cent surcharge for the
538 issuance or renewal of any such policy.

539 (b) The Insurance Commissioner shall ensure the deposit of any such
540 surcharge described in subsection (a) of this section to the climate
541 resilience account established by the Commissioner of Energy and
542 Environmental Protection. The Commissioner of Energy and
543 Environmental Protection shall prescribe the allocation of such funds for
544 the purpose of disseminating flood risk data to communities throughout
545 the state, establishing a public awareness effort in those communities
546 with a high risk of such flooding and providing grants to such
547 communities for the construction or installation of climate resilient
548 infrastructure that is designed to mitigate the high risk of such flooding
549 in such communities.

550 (c) The Commissioner of Energy and Environmental Protection, in
551 consultation with the Insurance Commissioner, may adopt regulations,
552 in accordance with the provisions of chapter 54 of the general statutes,

553 to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2025</i>	22a-38(19)
Sec. 2	<i>October 1, 2025</i>	22a-38(13)
Sec. 3	<i>July 1, 2025</i>	New section
Sec. 4	<i>October 1, 2025</i>	22a-39(f) to (i)
Sec. 5	<i>October 1, 2025</i>	22a-40(a)(1) to (4)
Sec. 6	<i>October 1, 2025</i>	22a-40(b)
Sec. 7	<i>October 1, 2025</i>	22a-41
Sec. 8	<i>October 1, 2025</i>	22a-42
Sec. 9	<i>October 1, 2025</i>	22a-42a
Sec. 10	<i>October 1, 2025</i>	22a-42f
Sec. 11	<i>October 1, 2025</i>	22a-43(a)
Sec. 12	<i>October 1, 2025</i>	22a-45
Sec. 13	<i>October 1, 2025</i>	26-136(d)
Sec. 14	<i>from passage</i>	New section

Statement of Purpose:

To establish protections for riparian buffer zones, protect fishways along certain water passages and require certain insurance surcharge fees for environmental measures.

[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.]