



**For the Environment Committee
Testimony of Alicea Charamut, Executive Director
March 17, 2025**

Rivers Alliance was formed to fight for sound water policies at the state and federal levels, to provide education on water resources, and to advocate for any person or group striving to protect water. If you want clean, free-flowing and healthy rivers, and high-quality drinking water, Rivers Alliance is here to help.

Thank you for the opportunity to provide testimony on the following raised bill before you today.

HB 7174 – AN ACT CONCERNING RIPARIAN BUFFERS AND ASSOCIATED ENVIRONMENTAL PROVISIONS – Support with some modifications

Among its key provisions, **HB 7174 incorporates riparian buffers into Connecticut’s laws**—something that is currently missing from our regulatory and statutory framework.

Protecting vegetated riparian buffers is the most effective and cheapest way to reduce the impacts to personal property and threats to the safety and economic health of our communities from intense flooding events such as the flooding that caused devastation in the Naugatuck Valley in August.

Consistent protection of riparian buffers is a critical tool – **yet Connecticut is the only state in the New England without explicit protections for riparian buffers.**

This bill also Protects fish and aquatic habitat by requiring DEEP to adopt regulations to ensure safe, timely, and effective fish passage and protect aquatic habitat on dams that are not subject to FERC jurisdiction. It also offers a mechanism to provide funds to aid municipalities in resiliency projects that would come from a 5% surcharge on insurance policy renewals for fossil fuel infrastructure that facilitates or expands oil, methane gas or coal.

Riparian Buffers – Sections 1-12

- ✓ **Incorporates riparian buffers into state law as a regulated area.**
- ✓ **Defines "riparian buffer" in statute.**
- ✓ **Establishes limited prohibited activities** within specific distances from wetlands and watercourses based on three resource categories.
- ✓ **Protects native vegetation** by regulating cutting and removal
- ✓ **Expands the scope of impacts** to include chemical and thermal effects.

- ✓ **Directs DEEP to designate at least 5% of Clean Water Act State Revolving Fund to establish nature-based solution account.**

Detailed section highlights

Section 1

Provides a definition for riparian buffer as “the area immediately adjacent to and extending outward from a wetlands or watercourse boundary for a distance of not less than one hundred feet.”

This definition allows for the riparian buffer area to be added to wetlands and watercourses as a regulated area.

The **minimum** of 100 feet is a good start. However, **municipalities should be encouraged to select larger riparian buffers that will help to meet water quality and quantity goals for their waters.** There is a considerable amount of data on appropriate buffer widths to aid DEEP and municipalities in setting appropriate buffer widths to achieve various goals for their waterways. UCONN CLEAR and the Northwestern Council of Governments have resources ready and available.

Existing riparian buffer protections should not be weakened by this proposal. There are more protective regulations already in place in some areas to protect riparian buffers and native vegetation along our waterways and we must take care that these strong protections are not undermined by this proposal.

Section 2

Modifies the statute to **add the removal of native vegetation to the list of regulated activities within the regulated area.**

This will ensure that the element that makes buffers most effective – native vegetation – is protected in order to prevent pollution and flooding.

Section 3

This is new language **establishes specific, limited prohibited activities** – spraying of pesticides except by DEEP permit for invasive species control, storage of chemicals, and clear-cutting of native vegetation to establish new lawns - **within a defined, limited distance** from a watercourse within a public drinking water supply area (50 ft), a cold water habitat stream (25 ft) and any other wetland or watercourse or riparian area (10 ft.).

Recommended Modifications:

We suggest changing “the clear cutting of native vegetation for the establishment of new lawn areas” to simply “the clear cutting of native vegetation.” As written there are innumerable ways to get around the prohibition.

We also recommend modifying “(3) ten feet of any other 21 wetland, watercourse or riparian area” to read, ““(3) ten feet of any other 21 wetland, watercourse.” I don’t believe the intent was to establish a boundary that included the proposed regulated area of the riparian buffer. If the intent was to include another defined upland area, the term “riparian” area should be defined.

Section 5

Excludes cutting of native vegetation from “as of right” activities for:

- **agricultural uses except for expansion of crop land**
- **residential uses within ten feet of any wetlands or watercourse**

This allows for more specific protections of the vegetative strip while balancing **environmental protection with property rights**, ensuring riparian buffer protections do not unnecessarily restrict residential land use and do not interfere with planting of crops.

Section 6

Adds removal of native vegetation to a list of activities that constitute a disturbance to wetlands, watercourses, and riparian buffers amongst operations that are considered non-regulated uses.

It also includes language that ensures that **revegetation of riparian buffers and invasive species removal** remain **allowed and encouraged activities**.

Section 7

Includes **chemical and thermal impacts** in regulatory assessments, recognizing that pollution extends beyond physical disturbances

Section 8

Directs DEEP to allocate 5% of the Clean Water Act State Revolving Fund to support nature-based flood and water quality solutions.

Additional Protections for our waters – Sections 13-14

Section 13

Protects fish and aquatic habitat by requiring DEEP to adopt regulations to ensure safe, timely, and effective fish passage and protect aquatic habitat on dams that are not subject to FERC jurisdiction.

Section 14

Establishes a fund that would aid in:

- Disseminating flood risk data to communities
- Establishing a public awareness efforts in communities at high risk of flooding
- Providing grants to communities to construct and install climate resilient infrastructure to mitigate high risk such as flooding.

The funds for this account would come from a 5% surcharge on insurance policy renewals for fossil fuel infrastructure that facilitates or expands oil, methane gas or coal (does not include home delivery vehicles.)

Conclusion

Connecticut **cannot afford to remain the least protective New England state** when it comes to riparian buffers. Without action, we will continue to lose these essential natural defenses, increasing flood risks and water quality degradation.

This bill **may require refinements**, but its core provisions are too important to abandon. We urge the **Environment Committee and legislators** to collaborate with stakeholders to improve and advance the bill.

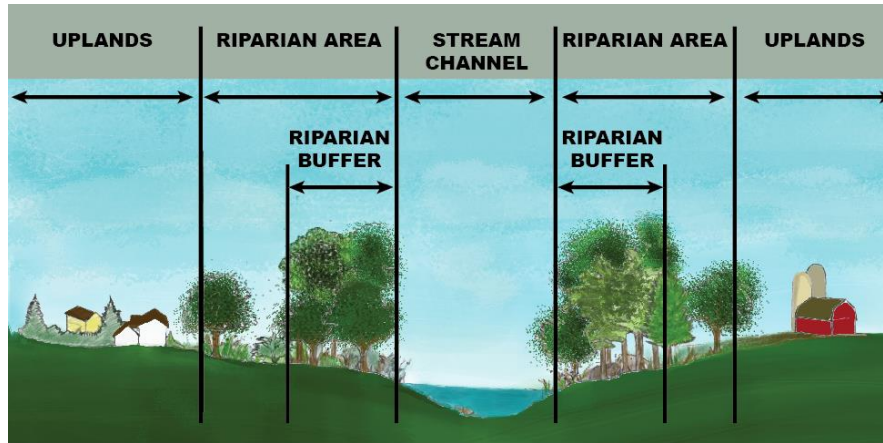
The bottom line: This concept is too important to let die. Let's work together to get it right.

We look forward to working with the committee as this bill moves forward.

Supplemental Information: Riparian Buffers 101

What is a riparian buffer?

A riparian buffer is a vegetated strip of land or area adjacent to a waterbody or other resource (e.g., wetland). It can be either in a natural state or artificially planted.



As proposed in HB 7174, Riparian Buffer is defined as a regulated area with minor changes to regulated activity help to protect that stretch of native vegetation so it can protect us.

Why do we need riparian buffers?

Riparian buffers are a proven, cost-effective way to:

- ✓ **Reduce flooding** and protect communities from weather extremes such as the floods that caused devastation in the Naugatuck Valley in August.
- ✓ **Improve and safeguard water quality** by filtering pollutants and stabilizing streambanks.
- ✓ **Balance environmental protection with property rights** by ensuring responsible land use.

Hands down – the most bang for your buck: An example from a beloved, imperiled lake community

Riparian buffers were identified as the most cost-effective solution to Bantam Lake's water quality issues. Bantam Lake is Connecticut's largest natural lake and provides swimming, fishing, and boating opportunities for the general public. Unfortunately, **Bantam Lake has experienced persistent harmful algal blooms (HABs.)** HABs are naturally occurring cyanobacteria that get out of control when fed by an excess of nutrients in the water. HABs can release toxins that can be a serious public health concern. The presence of HABs makes any direct-contact activity unsafe and will reduce property values. Who wants to live on a lake in which you can't swim or boat safely?

According to the Bantam Lake WBP Pollutant Load Reduction Optimization Analysis for the Bantam Lake Watershed, **riparian buffer improvement is the clear winner when it comes to "bang for your**

buck” in reducing a key nutrient that causes HABs at approximately \$6,000/pound of phosphorus as opposed to engineered solutions that cost between \$30,000 and \$100,000+/pound of phosphorus.

Table 13a. Scenario 1 Results
(Maximum Possible Implementation Extent, No Optimization)

BMP Category	BMP Name	Treated Area (ac)	TP Load Reduction (lb/yr)	TN Load Reduction (lb/yr)	Cost (\$)	Cost per Pound P Reduced (\$ / lb)
Structural	Bioretention Area (HSG A/B)	71.3	61.7	284.0	\$ 8,005,079	\$ 129,700
	Sand Filter (HSG A/B)	71.3	88.5	284.0	\$ 9,289,206	\$ 29,204
	Bioretention w/ ISR (HSG C/D)	116.7	137.9	1,057.4	\$ 13,229,308	\$ 104,951
	Gravel Wetland (HSG C/D)	233.5	221.4	1,748.2	\$ 14,881,912	\$ 95,934
	Wet Pond (HSG C/D)	116.7	96.2	451.2	\$ 5,762,927	\$ 67,226
	Infiltration Basin (HSG A/B)	142.6	221.3	1,757.1	\$ 6,462,056	\$ 59,924
Institutional <i>(aka Non-structural)</i>	Street Sweeping	267.0	11.8	84.7	\$ 331,000	\$ 28,051
	Catch Basin Cleaning	250.0	9.8	70.5	\$ 100,000	\$ 10,204
Agricultural / Other	Riparian Buffer Improvement	343.7	35.9	626.9	\$ 216,000	\$ 6,017
	Livestock Exclusion Fencing	10.6	3.8	51.7	\$ 31,000	\$ 8,158
Totals:		1,623.5	888.2	6,415.6	\$ 58,308,488	\$ 65,645
Note:						
1. Treated runoff depth is 1" for all structural BMPs.						
2. Street Sweeping and Catch Basin Cleaning results are annual.						
3. TP reduction goal is 107 lb/yr.						
4. Color scale for "Cost per pound of P Reduced" ranges from lowest (green) to highest (red).						

Protecting riparian provides the greatest return on investment for protecting **public health, recreation, and property values**. Reestablishing them is cheap **protecting them is free**.

You can also learn everything you need to know about riparian buffers in Connecticut from this [Storymap: The Importance of Streamside Buffers - A Guide for Landowners and Land-Use Decision Makers](#).