

## General Assembly

## Substitute Bill No. 5218

February Session, 2024



## 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:

- 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
- located along streams and rivers in the state provided any such conservation easement requires the property owner to maintain a buffer
- conservation easement requires the property owner to maintain a buffer
  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
- of native trees, shrubs and herbaceous cover in lieu of lawn, golf courses
- 12 and athletic fields.
- (b) The Department of Energy and Environmental Protection shall develop mandatory setbacks for development near streams, rivers and inland wetlands in the state. Not later than January 1, 2025, said department shall submit such proposed setbacks, in accordance with
- 17 section 11-4a of the general statutes, to the joint standing committee of

- the General Assembly having cognizance of matters relating to the environment.
- Sec. 2. Subsections (l) and (m) of section 22a-39 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2024*):
- 23 (l) Develop a comprehensive training program for inland wetlands 24 agency members. Not later than June 1, 2025, the commissioner shall 25 update such comprehensive training program to include all statutory 26 changes applicable to such inland wetland agencies and any common 27 law developments applicable to the considerations and authority of 28 such agencies. The commissioner shall concomitantly submit a copy of 29 such updated comprehensive training program to the joint standing 30 committee of the General Assembly having cognizance of matters 31 relating to the environment;
- 32 (m) Adopt regulations in accordance with the provisions of chapter 33 54 establishing reporting requirements for inland wetlands agencies, 34 which shall include provisions for reports to the commissioner on 35 permits, orders and other actions of such agencies and development of 36 a form for such reports. Such reports shall include, but not be limited to, 37 a statement from each inland wetlands agency that confirms that each 38 member of such agency completed the training required pursuant to 39 section 22a-42, as amended by this act; and
- Sec. 3. Subsection (d) of section 22a-42 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October* 1, 2024):
  - (d) [At least one] (1) Each member of the inland wetlands agency [or] and staff of the agency shall be a person who has completed the comprehensive training program developed by the commissioner pursuant to section 22a-39, as amended by this act. The commissioner shall make such training program available online. Any existing member of the inland wetlands agency and staff of the agency shall

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

(2) The provisions of subdivision (1) of this subsection shall not be construed to apply to any member who is otherwise an attorney with experience in the area of inland wetlands.

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

**ENV** Joint Favorable Subst.

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