

# OFFICE OF FISCAL ANALYSIS

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HB-5222

AN ACT ESTABLISHING A NO-WAKE ZONE ON THE  
PAWCATUCK RIVER.

## AMENDMENT

LCO No.: 3748

File Copy No.: 100

House Calendar No.: 96

### ***OFA Fiscal Note***

#### ***State Impact:***

Agency Affected	Fund-Effect	FY 25 \$	FY 26 \$
Department of Energy and Environmental Protection	GF - Cost	At least 150,000	See Below
UConn	GF - Revenue Gain	Up to 10,000	Up to 10,000

Note: GF=General Fund

***Municipal Impact:*** None

#### ***Explanation***

The amendment makes various changes regarding requirements related to riparian areas and inland wetlands. These changes result in multiple fiscal impacts beginning in FY 25, primarily to the Department of Energy and Environmental Protection (DEEP) as described below.

**Section 501** requires DEEP to propose mandatory setbacks for developments near streams, rivers, and inland wetlands, which results in a cost of approximately \$150,000 in FY 25 for a consultant to carry out the work. This task will require research and is likely to involve a working group and efforts to reach out to stakeholders. The department does not have sufficient staff to complete these activities and produce the report by January 1, 2025. The cost estimate is based on a similar process conducted in recent years on a different topic.

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4/10/24  
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This section also allows DEEP to use stormwater infrastructure funds to acquire conservation easements under certain circumstances. This provision has no fiscal impact as it does not require additional resources to be spent. The department is planning to use existing stormwater infrastructure funds (an American Rescue Plan Act allocation) in other ways.

**Section 502** results in a potential cost to DEEP in FY 25 associated with the requirement to update the inland wetlands training program. While no updates are currently expected, any statutory or legal changes regarding inland wetlands over the next several months would need to be incorporated into the training. If changes must be incorporated, DEEP would contract with Charter Oak State College, which previously developed the courses and would likely make the adjustments. The magnitude of the costs would be commensurate with the scale of any changes.

**Section 503** requires certain members and all employees of town inland wetlands agencies to complete online training and periodic retraining. This is anticipated to result in a cost to DEEP and a commensurate revenue gain to the University of Connecticut (UConn, which hosts the training) of up to \$10,000 in both FY 25 and FY 26. Costs will continue into the out years.

The fiscal impacts in FY 25 and FY 26 are due to higher participation in the online training, in advance of the amendment's June 1, 2026 training deadline. Under current law, only one person from each agency must complete the training, which is already provided by DEEP in the format required by the amendment. It is estimated that approximately 1,350 inland wetlands agency members and staff will need to take the training between FY 25 and FY 26.<sup>1</sup> Assuming training participants are split equally between FY 25 and FY 26, and a projected

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<sup>1</sup> Based on an OFA sample of online town inland wetland agency member listings. Among the 21 town listings viewed, the number of full and alternate members (excluding vacancies) ranged from six to ten, with a median and average of seven. As agency staff would also be subject to the requirement, with one staff person per town, on average eight people for each of 169 towns would engage in training.

per-registrant cost of \$7 per person, a cost of up to \$4,725 is expected in each fiscal year. This is an increase of approximately \$1,200 to \$3,000 beyond the annual per-registrant costs that would otherwise be expected based on participation in prior years (497 registrants in 2022 and 244 in 2023). Additionally, a higher technical customer service volume for UConn is expected to result in a further cost increase of approximately \$7,000 to \$9,000.

This estimate assumes that DEEP and UConn will reach agreement for a new online training contract with similar terms and a \$7 per registrant cost. The current contract expires July 31, 2024. If a different option for offering training is selected by DEEP, the amendment's costs may vary from the information above.

To the extent that numerous inland wetlands commission members are attorneys with inland wetlands experience, and therefore are exempted from the training requirements, the fiscal impact may be less than anticipated, provided the contract costs are adjusted accordingly.

### ***The Out Years***

Section 503 results in out year costs due to the requirements that, excepting members who are inland wetlands attorneys: (1) new members and staff complete training within one year of appointment or hire; and (2) all members must retrain every five years. Out year costs will be less than \$10,000 per year due to the varied timing of these training requirements. Out year costs will vary depending on the number of training participants and the terms of the new training contract.

*The preceding Fiscal Impact statement is prepared for the benefit of the members of the General Assembly, solely for the purposes of information, summarization and explanation and does not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.*