



General Assembly

Amendment

February Session, 2024

LCO No. 3748



Offered by:

REP. GRESKO, 121st Dist.

REP. CALLAHAN, 108th Dist.

To: House Bill No. 5222

File No. 100

Cal. No. 96

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

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. (NEW) (*Effective from passage*) (a) Notwithstanding any
4 provision of the general statutes, the Department of Energy and
5 Environmental Protection may utilize funds available for stormwater
6 infrastructure for the purpose of acquiring conservation easements
7 located along streams and rivers in the state, provided any such
8 conservation easement requires the property owner to maintain a buffer
9 along such stream or river in a vegetated condition. The Commissioner
10 of Energy and Environmental Protection may determine the percentage
11 of such funds to be utilized for the purposes described in this section.
12 For purposes of this section, "vegetated condition" means the retention
13 of native trees, shrubs and herbaceous cover in lieu of lawn, golf courses
14 and athletic fields.

15 (b) The Department of Energy and Environmental Protection shall
16 develop mandatory setbacks for development near streams, rivers and
17 inland wetlands in the state. Not later than January 1, 2025, said
18 department shall submit such proposed setbacks, in accordance with
19 section 11-4a of the general statutes, to the joint standing committee of
20 the General Assembly having cognizance of matters relating to the
21 environment.

22 Sec. 502. Subsections (l) and (m) of section 22a-39 of the general
23 statutes are repealed and the following is substituted in lieu thereof
24 (*Effective October 1, 2024*):

25 (l) Develop a comprehensive training program for inland wetlands
26 agency members. Not later than June 1, 2025, the commissioner shall
27 update such comprehensive training program to include all statutory
28 changes applicable to such inland wetland agencies and any common
29 law developments applicable to the considerations and authority of
30 such agencies. The commissioner shall concomitantly submit a copy of
31 such updated comprehensive training program to the joint standing
32 committee of the General Assembly having cognizance of matters
33 relating to the environment;

34 (m) Adopt regulations in accordance with the provisions of chapter
35 54 establishing reporting requirements for inland wetlands agencies,
36 which shall include provisions for reports to the commissioner on
37 permits, orders and other actions of such agencies and development of
38 a form for such reports. Such reports shall include, but not be limited to,
39 a statement from each inland wetlands agency that confirms that each
40 member of such agency completed the training required pursuant to
41 section 22a-42, as amended by this act; and

42 Sec. 503. Subsection (d) of section 22a-42 of the general statutes is
43 repealed and the following is substituted in lieu thereof (*Effective October*
44 *1, 2024*):

45 (d) [At least one] (1) Each member of the inland wetlands agency [or]
46 and staff of the agency shall be a person who has completed the

47 comprehensive training program developed by the commissioner
 48 pursuant to section 22a-39, as amended by this act. The commissioner
 49 shall make such training program available online. Any existing
 50 member of the inland wetlands agency and staff of the agency shall
 51 complete such training program not later than June 1, 2026, and any
 52 member of such agency and staff of the agency who is appointed or
 53 hired, as applicable, after the effective date of this section shall complete
 54 such comprehensive training program not later than one year after such
 55 appointment or hiring, as applicable. Each member of the inland
 56 wetlands agency shall complete such comprehensive training program
 57 not less than every five years thereafter. Failure to have a member of the
 58 agency or staff with training shall not affect the validity of any action of
 59 the agency. The commissioner shall annually make such program
 60 available to one person from each town without cost to that person or
 61 the town. Each inland wetlands agency shall hold a meeting [at least]
 62 not less than once annually at which information [is] shall be presented
 63 to the members of the agency [which] that summarizes the provisions
 64 of the training program. The commissioner shall develop such
 65 information in consultation with interested persons affected by the
 66 regulation of inland wetlands and shall provide for distribution of
 67 online video presentations and related written materials [which] that
 68 convey such information to inland wetlands agencies. In addition to
 69 such materials, the commissioner, in consultation with such persons,
 70 shall prepare materials [which] that provide guidance to municipalities
 71 in carrying out the provisions of subsection (f) of section 22a-42a.

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

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	<i>from passage</i>	New section
Sec. 502	<i>October 1, 2024</i>	22a-39(l) and (m)
Sec. 503	<i>October 1, 2024</i>	22a-42(d)