

Connecticut Wetland Program Plan



2015 - 2019

Submitted March 2015

Pursuant to:
Enhancing State and Tribal Programs (ESTP) Initiative for Wetland Programs
The Environmental Protection Agency
Region 1

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In 1972, the State of Connecticut enacted the Inland Wetlands and Watercourses Act (the “Act”), sections 22a-36 through 22a-45 of the General Statutes of Connecticut. With this landmark legislation the Connecticut General Assembly formally recognized that Connecticut’s inland wetlands and watercourses are an indispensable, irreplaceable and fragile natural resource with which the citizens of the state have been endowed. Further, the General Assembly acknowledged that these resources are essential to the well-being of Connecticut's citizens, and that it is necessary to balance the need for the economic growth of the state and the use of its land with the need to protect its environment.

Consistent with Connecticut’s long standing commitment to home rule, the Act mandates that any action involving the operation within or use of an inland wetland or watercourse be regulated by municipal inland wetlands agencies (MIWAs). Section 22a-42 of the Act states “it is hereby declared to be the public policy of the state to require municipal regulation of activities affecting the wetlands and watercourses...” Currently, there are 171 such agencies. Under the Act, activities affecting inland wetlands and watercourses are subject to the same regulatory review and consideration regardless of size or quality of the resource. State agency actions involving the operation within or use of an inland wetland or watercourse are regulated by the Connecticut Department of Energy and Environmental Protection (DEEP).

The Act also requires the DEEP to develop a comprehensive training program for MIWA members. MIWAs are comprised of appointed or volunteer citizens that serve terms of specific duration as established by each MIWA. With 171 MIWAs, there is frequent turnover in agency membership. In addition, there is an ever-changing legal and technical regulatory landscape driven by amendments to state laws; judicial decisions, opinions and determinations; and new administrative policies and science. The ability of MIWAs to successfully navigate within this arena and faithfully implement their regulatory responsibilities is dependent upon the DEEP’s capacity to provide effective and comprehensive training and guidance on a continuing basis. It is essential to provide MIWAs with the information and skills necessary to make competent decisions and perform their duties with fidelity. It is also important for the DEEP to educate Connecticut’s citizens on the importance of protecting the functions and values of inland wetlands and watercourses, and to provide guidance and tools that enhance the public’s ability to participate in the MIWA regulatory process.

The Act further mandates that the DEEP gather data on Connecticut MIWAs’ regulatory actions. Analysis of data collected provides the DEEP with an index to gauge regional and state trends in the size, nature and type of inland wetland and watercourse impacts that are permitted, the actions taken to mitigate impacts, and the exemptions from permitting requirements. It is important for the

DEEP to have the ability to collect and evaluate functional data, which provides insight into MIWA actions, and assists the DEEP with identifying training needs.

The DEEP also recognizes that there are a variety of local, state and federal government agencies, as well as nongovernment organizations whose programs and activities contribute to the stewardship of Connecticut's inland wetlands and watercourses. Fostering cooperation between these agencies on common interests related to inland wetland protection and management will provide additional opportunities for educational and regulatory outreach.

Given Connecticut's statutory commitment to home rule, the DEEP has determined educational outreach to have the highest priority and value. The DEEP's ability to deliver comprehensive training and guidance to MIWAs, the public, and the regulated community, and its capacity to develop partnerships, will enhance Connecticut's efforts to restore or maintain the chemical, physical, and biological integrity of the State's inland wetlands and watercourses.

The Connecticut DEEP, Inland Wetlands Management Section, has identified in the Wetland Program Plan strategic actions and activities that may be pursued from 2015 through 2019 to strengthen and coordinate the regulatory capability of Connecticut's MIWAs, to educate Connecticut's citizens on the prudent management and protection of inland wetlands and watercourses, and to work to improve intra-DEEP and inter-agency coordination. Connecticut's Wetland Program Plan is subject to the availability of staff and financial resources. The plan may be revised as the DEEP deems appropriate to address the future direction of a wetland program for the State of Connecticut.

Connecticut's Inland Wetland Program Plan

2015-2019

March 2015

Core Element: REGULATORY

Overall Program Goal: Advance the management and protection of Connecticut's inland wetlands and watercourses; avoid and minimize inland wetland and watercourse alterations and losses; preserve inland wetland and watercourse functions while balancing the need for the economic growth of the state.

Objective 1: Provide training, guidance, resources and tools to effectively implement and enforce regulatory processes

Action (a): Educate Connecticut's municipal inland wetlands agencies					
Activity	2015	2016	2017	2018	2019
Assess training requirements, objectives and needs; explore opportunities for continuing education workshops	X	X	X	X	X
Overhaul the comprehensive (online) training program by upgrading course format and platform; simplifying course navigation; and incorporating current legal, administrative and resource management information	X	X	X		
Evaluate the comprehensive (online) training program to ensure consistency with inland wetland program goals and to gage success; explore options for enhancing the ease of use and efficiency of learning; refine the course as necessary			X	X	X
Create and provide materials (e.g., fact sheets, brochures, presentations, etc.) needed to support training and other educational initiatives	X	X	X	X	X
Explore new training approaches and pursue partnerships as necessary to improve the delivery and effectiveness of training and outreach	X	X	X	X	X
Annually review all training and outreach activities; solicit participant feedback	X	X	X	X	X
Produce an annual training summary report describing the comprehensive (online) training program and continuing education workshops	X	X	X	X	X
Evaluate the <i>Connecticut Inland Wetlands and Watercourses Model Municipal Regulations</i> and amend as necessary to promote consistency among MIWA in the exercise of their regulatory duties; incorporate statutory changes and judicial decisions as applicable; draft a revised document				X	X

Evaluate, update and maintain a website to provide current administrative, legal and regulatory guidance and training information	X	X	X	X	X
Produce a quarterly e-Newsletter to provide timely announcements, guidance and information on topics of programmatic concern; to share information and foster communication on topics of interest; and to solicit feedback from MIWAs, the public and the regulated community	X	X	X	X	X
Organize and conduct “community visits” to establish partnerships and ensure the proper implementation and enforcement of statutes, regulations and judicial decisions			X	X	X

Action (b): Improve the public’s general knowledge of inland wetlands and watercourses and the regulatory structure for accomplishing management and protection					
Activity	2015	2016	2017	2018	2019
Redesign, update and maintain a publicly accessible website in which educational documents on a variety of technical wetland and watercourse topics are made available; improve navigation and address user comments	X	X	X	X	X
Conduct workshops for the general public, consultants and the regulated community to promote a better understanding of the goals, purpose and implementation of the Connecticut Inland Wetlands and Watercourses Act	X	X	X	X	X
Partner with governmental agencies and other groups or organizations with an interest in inland wetland and watercourse regulation and resource protection to enhance management and protection goals; participate in conferences, workshops and other events	X	X	X	X	X

Objective 2: Strengthen and clarify the state regulatory process

Action (a): Update state statutes and state regulations that provide authority and direction for the management and protection of inland wetlands and watercourses					
Activity	2015	2016	2017	2018	2019
Evaluate Connecticut statutes to identify opportunities to strengthen and clarify language which will improve the management and protection of inland wetlands and watercourses	X	X	X	X	X
Propose legislative changes to strengthen and clarify provisions of the CT Inland Wetlands and Watercourses Act with the intent to improve implementation, and the management and protection of inland wetlands and watercourses		X	X	X	X
Evaluate the DEEP’s inland wetlands and watercourses regulations, enacted in 1972, for consistency with current statutory provisions and 40 plus years of intervening judicial decisions		X	X		

Draft new DEEP inland wetlands and watercourses regulations that provide an enhanced ability for DEEP to manage, protect and restore inland wetland and watercourse resources consistent with current law			X	X	X
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Objective 3: Strengthen and improve the monitoring and reporting of Connecticut’s MIWA regulatory actions for status and trend analysis

Action (a): Maximize efficiency and ensure reporting compliance by municipal inland wetlands agencies					
Activity	2015	2016	2017	2018	2019
Evaluate the goals and objectives of MIWA regulatory action reporting to enhance the quality of data being reported and to more effectively identify inland wetland and watercourse impacts and compensatory mitigation efforts		X	X		
Develop a new strategy to collect, store and analyze data reported by MIWAs; focus on inland wetland and watercourse impacts and compensatory mitigation; explore e-reporting			X	X	
Draft an updated MIWA reporting form for regulatory decisions and actions to improve the utility of the data collected				X	X

Objective 4: Develop partnerships and foster relationships with agencies, organizations and the regulated community to promote an understanding of the inland wetlands and watercourses regulatory process in CT, and to further inland wetland and watercourse management, protection and restoration goals

Action (a): Enhance and increase coordination and cooperation					
Activity	2015	2016	2017	2018	2019
Determine relevant governmental and nongovernmental partners with programmatic interests in wetland management and protection (e.g., DEEP’s Wildlife, Forestry and Fisheries Divisions; DEEP’s water management programs; EPA, NRCS, ACOE, CT Department of Public Health, Regional Planning Agencies, Conservation Districts, watershed associations, et al.)		X	X		
Define opportunities for regulatory cooperation to advance protection, restoration and management of inland wetlands and watercourses		X	X	X	X
Participate with partners in cooperative training and educational outreach initiatives		X	X	X	X
Coordinate with the Army Corps of Engineers in efforts to strengthen wetland and watercourse protection through development and adoption of a new Connecticut General Permit and section 401 water quality certification		X	X		

Objective 5: Advance the protection of inland wetland and watercourse habitats, with emphasis on wetlands and waters identified as at risk from climate change

Action (a): Integrate climate resiliency and adaptation initiatives within the context of Connecticut’s inland wetlands and watercourses regulatory structure					
Activity	2015	2016	2017	2018	2019
Participate in initiatives to protect and connect natural areas and landscape features, particularly inland wetlands and watercourses, that support ecological resiliency and habitat connectivity in a changing climate		X	X	X	X
Provide assistance to municipalities to support ecological resiliency of inland wetlands and watercourses through planning and regulatory actions associated with inland wetlands and watercourses			X	X	X
Provide training and outreach to MIWAs, the regulated community, and the public on adaptation of strategies to promote habitat conservation, low impact development (LID), forestry best management practices (BMPs), etc.		X	X	X	X
Partner with CT Department of Transportation (DOT), CT DEEP Inland Fisheries, EPA, and the Army Corp of Engineers to educate MIWAs, citizens, and the regulated community regarding the implementation of best management practices for stream crossings to promote aquatic habitat connectivity and ecological resiliency in a changing climate		X	X	X	X