



# CONNECTICUT

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
670,000	172,500	497,500	-74%

**Connecticut Wetlands:** Forested wetlands, primarily red maple swamps, are the predominant wetland type, constituting 54 percent of the State’s wetlands. Salt marshes, tidal flats, and beaches are the primary coastal wetlands.

<a href="#">Summary</a>	<a href="#">Individual Features</a>	<a href="#">Regulation</a>	<a href="#">Water Quality Standards</a>	<a href="#">Mitigation</a>	<a href="#">Monitoring and Assessment</a>	<a href="#">Restoration</a>	<a href="#">Public/Private Partnerships</a>
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## SUMMARY

### Overall Program

Regulation of Inland Wetlands and Resources occurs primarily at the municipal level, the Connecticut Department of Environmental Protection (CTDEP) only regulates the actions of state departments, agencies or instrumentalities. There are 169 municipalities in Connecticut and a total of 170 municipal inland wetlands agencies. Municipal decisions can not be appealed to CTDEP; all such appeals must go to the state courts. The primary function of the Wetlands Management Section (WMS) is to assist the municipal inland wetlands agencies in the administration of the Connecticut Inland Wetlands and Watercourses Act (Act).

### Innovative Features and New Programs/Initiatives

In response to legislative amendments by the 1996 Legislature, the CTDEP has developed a comprehensive training program for inland wetlands agency and staff. The program is coordinated by a dedicated staff person who coordinates with CTDEP staff and any other interested parties to provide an annual training program. The Act was subject to major revision as a result of the 1996 Legislature. Such changes required extensive outreach and assistance to municipal inland wetlands agencies to assure compliance with such revisions to the Act.

### State Wetland Conservation Plan

A State Wetland Conservation Plan has been drafted.

## **No Net Loss/Net Gain Goal**

None.

## **INDIVIDUAL FEATURES:**

### **Regulation**

#### **Wetland Regulatory Statutes and Administrative Rules**

Connecticut's statute is known as the Inland Wetlands and Watercourses Act, section 22a-36 through 45 of the Connecticut General Statutes. The CTDEP has established regulations and each municipal inland wetlands agency has established a set of municipal inland wetlands and watercourses regulations. The CTDEP provides a model regulation for municipalities. All activities (except certain exempted actions) which are likely to impact or affect wetlands and watercourses are regulated activities requiring approval including activities outside the boundaries of wetlands and watercourses.

#### **Wetland Definition and/or Delineation; Comparability With Federal Definition**

The Connecticut statute provides separate definitions for wetlands and watercourses. Wetlands means *lands* that are defined by certain soil types according to the soil classification system developed by the Natural Resources Conservation Service (formerly known as the Soil Conservation Service). Watercourses are more broadly defined with no reference to any classification system. Generally, watercourses include any body of water including perennial, intermittent, and vernal. There is no threshold or minimal size requirement for wetlands and watercourses. Any wetland or watercourses that can be observed and delineated on the ground is subject to jurisdiction. The result is that the Connecticut delineation of wetlands and watercourses almost always exceeds the federal delineation of the areas.

#### **Evaluation Methodology**

An evaluation handbook exists, but there is no standard evaluation method set by statute or regulation.

#### **Regulated and Exempted Activities**

The Connecticut statute defines regulated activities very broadly to include operations within or use of wetlands and watercourses involving removal or deposition of material or any obstruction, construction, alteration or pollution of such wetlands and watercourses. Certain limited exemptions are provided for agriculture, forestry, property maintenance, water companies, conservation, recreation uses, and mosquito control.

#### **Special Provisions for Agriculture and Forestry**

See "Regulated and Exempted Activities."

#### **Penalties and Enforcement**

Municipal inland wetlands agencies are responsible for enforcement of the statute and regulations. The commissioner of CTDEP retains enforcement authority over actions normally regulated by municipalities under certain circumstances. Civil penalties are assessed up to \$1000.00 per day. As a result of a 1996 amendment, municipalities have authority to issue citations with a fine up to \$1000.00. Such citations are separate from civil penalties. Further, any person who willfully or knowingly violates is subject to increased penalties and/or imprisonment.

## **Permit Tracking**

Section 22a-39m of the Act requires that municipal inland wetlands agencies report all permit and enforcement actions to the Commissioner of CTDEP. The department provides a form for such reporting purposes. The information is entered into a computerized database.

## **State General Permit (PGP or SPGP) for 404 - see info from Daren Rasmussen**

CTDEP and U.S. Army Corps of Engineers (Corps) have established a Programmatic General Permit (PGP) for the State of Connecticut. PGP involves categories based on size of impact upon wetlands meeting federal wetland definition. The current PGP went into effect on 5/15/01 and expires on 5/15/06.

## **Assumption of Section 404 Powers**

Not under consideration at this time.

## **Joint Permitting**

State agency permitting is coordinated with Corps, including issuance of 401 certification.

## **Special Area Management Plans and Advanced Identification Plans**

None.

## **Role of Local Governments**

Most of the regulation of inland wetlands and watercourses is by municipalities (see above). The CTDEP WMS assists such municipalities in administration of the Act. WMS has a staff of 3 persons, a supervisor and two analysts. Primary functions of the WMS are the management of the annual training program and the review of municipal regulations for consistency with the Act.

## **Staffing**

There is one staff person dedicated to the administration of state agency inland wetlands and watercourses permitting. There is one staff person dedicated to the administration of 401 Water Quality Certifications.

## **Water Quality Standards**

### **Wetlands and Water Quality Standards**

Section 22a-426 of the Connecticut General Statutes establishes the authority to adopt water quality standards. The statute covers all waters of the state. Wetlands are not specifically defined in such statute or standard.

### **Wetland Definition**

Wetlands are not specifically defined.

### **Designated Uses**

For Class A, such uses include potential drinking water supply, fish and wildlife habitat, recreational use, agricultural, industrial supply and other legitimate uses, including navigation.

## **Narrative and/or Numeric Criteria**

None.

## **Antidegradation Policy**

Connecticut has established an antidegradation policy that requires the maintenance and protection of water quality in high quality waters.

## **Other**

Water Quality Standards state: "It is the State's goal to restore or maintain all surface water resources, including wetlands, to a quality consistent with their existing and designated uses and supportive criteria."

## **Staffing**

There is one staff person dedicated to the administration of Water Quality Certificates relating to wetlands.

## **Mitigation**

### **Mitigation Policy**

No policy exists, but the 1996 amendment to the Act authorizes mitigation and establishes the following priority for compensatory types of mitigation: restore, enhance and create productive wetlands or watercourse resources.

### **Mitigation Banks**

None known.

### **In Lieu Fee Program**

None.

### **Ad Hoc Arrangements**

None known.

### **Mitigation Database**

Mitigation is tracked as part of Permit Tracking noted above.

### **Staffing**

None.

## **Monitoring and Assessment**

### **Mapping /Inventory**

Detailed soils maps are available for the entire state, also National Wetland Inventory maps.

## **Wetland Classification and Assessment**

None.

## **Overall Wetland Gain and Loss Tracking System**

This is tracked as part of permit tracking noted above.

## **Staffing**

None.

## **Restoration**

### **Program Description**

None.

### **Restoration Program Goals**

None.

### **Eligibility Criteria**

None.

### **Restoration Database**

None.

### **Staffing**

None.

## **Public/Private Partnerships**

### **Acquisition Program**

No state acquisition program specifically for wetlands.

### **Public Outreach/Education**

Done on an adhoc basis.

### **Tax Incentives**

Statute provides opportunity for property evaluation based on wetlands and watercourses by municipal tax assessor.

### **Technical Assistance**

Assistance for municipal inland wetlands agencies and staff, primarily for review of municipal regulations.

## **Other Nonregulatory Incentives for Private Landowners**

None.

## **Wetland Training and Education**

An extensive training program exists for municipal inland wetland agencies and staff. A comprehensive program has been developed as a result of 1996 amendments to the Act.

Three segments exist in the current annual program, Introductory, Advanced, and Specialized. Three to four hundred persons attend annually. Designated agents of municipal inland wetlands agencies are provided the opportunity to approve certain permits for regulated activities upon completion of annual training program.

## **Watershed Planning**

The CTDEP recently established a Watershed Coordination Program. The program serves as liaison to all interested parties, including municipal inland wetlands agencies, by providing technical assistance concerning watershed issues.

## **Special Problems**

Not Applicable.

## **Coordination**

Not Applicable.

## **Contact Person(s)**

Steven F. Tessitore  
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## **Contact Points**

None defined.

## **Guidebooks, Brochures, Websites, Other Educational Materials**

Numerous publications are available. Contact Steven F. Tessitore as noted above or the CTDEP Bookstore at (860) 424-3555.

CTDEP Website: <http://dep.state.ct.us/>