



General Assembly

Substitute Bill No. 7174

January Session, 2025



AN ACT CONCERNING RIPARIAN AREAS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-38 of the general statutes is amended by adding
2 subdivision (19) as follows (*Effective July 1, 2025*):

3 (NEW) (19) "Riparian area" means the area immediately adjacent to
4 and extending outward from a wetlands or watercourse boundary for a
5 distance of not less than one hundred feet.

6 Sec. 2. Subdivision (13) of section 22a-38 of the general statutes is
7 repealed and the following is substituted in lieu thereof (*Effective October*
8 *1, 2025*):

9 (13) "Regulated activity" means any operation within or use of a
10 wetland, [or] watercourse or riparian area involving removal or
11 deposition of material, including, but not limited to, removal of native
12 vegetation, or any obstruction, construction, alteration or pollution, of
13 such wetlands, [or] watercourses or riparian areas, but shall not include
14 the specified activities in section 22a-40, as amended by this act;

15 Sec. 3. Subsections (f) to (i), inclusive, of section 22a-39 of the general
16 statutes are repealed and the following is substituted in lieu thereof
17 (*Effective October 1, 2025*):

18 (f) Adopt such regulations, in accordance with the provisions of
19 chapter 54, as are necessary to protect the wetlands, [or] watercourses
20 and riparian areas or any of them individually or collectively;

21 (g) Inventory or index the wetlands, [and] watercourses and riparian
22 areas in such form, including pictorial representations, as the
23 commissioner deems best suited to effectuate the purposes of sections
24 22a-36 to 22a-45, inclusive, as amended by this act;

25 (h) Grant, deny, limit or modify in accordance with the provisions of
26 section 22a-42a, as amended by this act, an application for a license or
27 permit for any proposed regulated activity conducted by any
28 department, agency or instrumentality of the state, except any local or
29 regional board of education, (1) after an advisory decision on such
30 license or permit has been rendered to the commissioner by the wetland
31 agency of the municipality within which such wetland is located or (2)
32 thirty-five days after receipt by the commissioner of such application,
33 whichever occurs first;

34 (i) Grant, deny, limit or modify in accordance with the provisions of
35 section 22a-42, as amended by this act, and section 22a-42a, as amended
36 by this act, an application for a license or permit for any proposed
37 regulated activity within a municipality which does not regulate its
38 wetlands, [and] watercourses and riparian areas;

39 Sec. 4. Subdivisions (1) to (4), inclusive, of subsection (a) of section
40 22a-40 of the general statutes are repealed and the following is
41 substituted in lieu thereof (*Effective October 1, 2025*):

42 (1) Grazing, farming, nurseries, gardening and harvesting of crops
43 and farm ponds of three acres or less essential to the farming operation,
44 and activities conducted by, or under the authority of, the Department
45 of Energy and Environmental Protection for the purposes of wetland or
46 watercourse restoration or enhancement or mosquito control. The
47 provisions of this subdivision shall not be construed to include road
48 construction or the erection of buildings not directly related to the
49 farming operation, relocation of watercourses with continual flow,

50 filling or reclamation of wetlands or watercourses with continual flow,
51 clear cutting of timber or native vegetation except for the expansion of
52 agricultural crop land, the mining of top soil, peat, sand, gravel or
53 similar material from wetlands or watercourses for the purposes of sale;

54 (2) A residential home (A) for which a building permit has been
55 issued, or (B) on a subdivision lot, provided the permit has been issued
56 or the subdivision has been approved by a municipal planning, zoning
57 or planning and zoning commission as of the effective date of
58 promulgation of the municipal regulations pursuant to subsection (b) of
59 section 22a-42a, as amended by this act, or as of July 1, 1974, whichever
60 is earlier, and further provided no residential home shall be permitted
61 as of right pursuant to this subdivision unless the permit was obtained
62 on or before July 1, 1987;

63 (3) Boat anchorage or mooring;

64 (4) Uses incidental to the enjoyment and maintenance of residential
65 property, such property defined as equal to or smaller than the largest
66 minimum residential lot site permitted anywhere in the municipality,
67 provided in any town, where there are no zoning regulations
68 establishing minimum residential lot sites, the largest minimum lot site
69 shall be two acres. Such incidental uses shall include maintenance of
70 existing structures and landscaping but shall not include removal or
71 deposition of significant amounts of material from or onto a wetland or
72 watercourse or diversion or alteration of a watercourse or clear cutting
73 of native vegetation within ten feet of any wetlands or watercourse;

74 Sec. 5. Subsection (b) of section 22a-40 of the general statutes is
75 repealed and the following is substituted in lieu thereof (*Effective October*
76 *1, 2025*):

77 (b) The following operations and uses shall be permitted, as
78 nonregulated uses in wetlands, [and] watercourses and riparian areas,
79 provided they do not disturb the natural and indigenous character of
80 the wetland, [or] watercourse or riparian area by removal or deposition
81 of material, removal of native vegetation, alteration or obstruction of

82 water flow or pollution of the wetland, [or] watercourse or riparian area:

83 (1) Conservation of soil, vegetation, water, fish, shellfish and wildlife,
84 including the revegetation of riparian areas with native vegetation and
85 removal of invasive species;

86 (2) Outdoor recreation including play and sporting areas, golf
87 courses, field trials, nature study, hiking, horseback riding, swimming,
88 skin diving, camping, boating, water skiing, trapping, hunting, fishing
89 and shellfishing where otherwise legally permitted and regulated; and

90 (3) The installation of a dry hydrant by or under the authority of a
91 municipal fire department, provided such dry hydrant is only used for
92 firefighting purposes and there is no alternative access to a public water
93 supply. For purposes of this section, "dry hydrant" means a non-
94 pressurized pipe system that: (A) Is readily accessible to fire department
95 apparatus from a proximate public road, (B) provides for the
96 withdrawal of water by suction to such fire department apparatus, and
97 (C) is permanently installed into an existing lake, pond or stream that is
98 a dependable source of water.

99 Sec. 6. Section 22a-41 of the general statutes is repealed and the
100 following is substituted in lieu thereof (*Effective October 1, 2025*):

101 (a) In carrying out the purposes and policies of sections 22a-36 to 22a-
102 45a, inclusive, including matters relating to regulating, licensing and
103 enforcing of the provisions thereof, the commissioner shall take into
104 consideration all relevant facts and circumstances, including but not
105 limited to:

106 (1) The environmental impact of the proposed regulated activity on
107 wetlands, [or] watercourses or riparian areas;

108 (2) The applicant's purpose for, and any feasible and prudent
109 alternatives to, the proposed regulated activity which alternatives
110 would cause less or no environmental impact to wetlands, [or]
111 watercourses or riparian areas;

112 (3) The relationship between the short-term and long-term impacts of
113 the proposed regulated activity on wetlands, [or] watercourses or
114 riparian areas and the maintenance and enhancement of long-term
115 productivity of such wetlands, [or] watercourses or riparian areas;

116 (4) Irreversible and irretrievable loss of wetland, [or] watercourse or
117 riparian area resources which would be caused by the proposed
118 regulated activity, including the extent to which such activity would
119 foreclose a future ability to protect, enhance or restore such resources,
120 and any mitigation measures which may be considered as a condition
121 of issuing a permit for such activity including, but not limited to,
122 measures to (A) prevent or minimize pollution or other environmental
123 damage, (B) maintain or enhance existing environmental quality, or (C)
124 in the following order of priority: Restore, enhance and create
125 productive wetland, [or watercourse resources] watercourses or
126 riparian areas;

127 (5) The character and degree of injury to, or interference with, safety,
128 health or the reasonable use of property which is caused or threatened
129 by the proposed regulated activity; [and]

130 (6) Impacts of the proposed regulated activity on wetlands, [or]
131 watercourses or riparian areas outside the area for which the activity is
132 proposed and future activities associated with, or reasonably related to,
133 the proposed regulated activity which are made inevitable by the
134 proposed regulated activity and which may have an impact on
135 wetlands, [or] watercourses or riparian areas; and

136 (7) Public drinking water supply areas and cold water habitat
137 streams.

138 (b) (1) In the case of an application which received a public hearing
139 pursuant to (A) subsection (k) of section 22a-39, or (B) a finding by the
140 inland wetlands agency that the proposed activity may have a
141 significant impact on wetlands, [or] watercourses or riparian areas, a
142 permit shall not be issued unless the commissioner finds on the basis of
143 the record that a feasible and prudent alternative does not exist. In

144 making [his] a finding, the commissioner shall consider the facts and
145 circumstances set forth in subsection (a) of this section. The finding and
146 the reasons therefor shall be stated on the record in writing.

147 (2) In the case of an application which is denied on the basis of a
148 finding that there may be feasible and prudent alternatives to the
149 proposed regulated activity which have less adverse impact on
150 wetlands, [or] watercourses or riparian areas, the commissioner or the
151 inland wetlands agency, as the case may be, shall propose on the record
152 in writing the types of alternatives which the applicant may investigate
153 provided this subdivision shall not be construed to shift the burden
154 from the applicant to prove that [he] the applicant is entitled to the
155 permit or to present alternatives to the proposed regulated activity.

156 (c) For purposes of this section, (1) ["wetlands or watercourses"]
157 "wetlands, watercourses or riparian areas" includes aquatic, plant or
158 animal life and habitats in wetlands, [or] watercourses or riparian areas,
159 and (2) "habitats" means areas or environments in which an organism or
160 biological population normally lives or occurs.

161 (d) A municipal inland wetlands agency shall not deny or condition
162 an application for a regulated activity in an area outside wetlands, [or]
163 watercourses or riparian areas on the basis of an impact or effect on
164 aquatic, plant, or animal life unless such activity will likely impact or
165 affect the physical, chemical or thermal characteristics of such wetlands,
166 [or] watercourses or riparian areas.

167 Sec. 7. Section 22a-42 of the general statutes is repealed and the
168 following is substituted in lieu thereof (*Effective October 1, 2025*):

169 (a) To carry out and effectuate the purposes and policies of sections
170 22a-36 to 22a-45a, inclusive, it is hereby declared to be the public policy
171 of the state to require municipal regulation of activities affecting the
172 wetlands, [and] watercourses and riparian areas within the territorial
173 limits of the various municipalities or districts.

174 (b) Any municipality may acquire wetlands and watercourses within

175 its territorial limits by gift or purchase, in fee or lesser interest including,
176 but not limited to, lease, easement or covenant, subject to such
177 reservations and exceptions as it deems advisable.

178 (c) On or before July 1, 1988, each municipality shall establish an
179 inland wetlands agency or authorize an existing board or commission
180 to carry out the provisions of sections 22a-36 to 22a-45, inclusive, as
181 amended by this act. Each municipality, acting through its legislative
182 body, may authorize any board or commission, as may be by law
183 authorized to act, or may establish a new board or commission to
184 promulgate such regulations, in conformity with the regulations
185 adopted by the commissioner pursuant to section 22a-39, as amended
186 by this act, as are necessary to protect the wetlands, [and] watercourses
187 and riparian areas within its territorial limits. The ordinance
188 establishing the new board or commission shall determine the number
189 of members and alternate members, the length of their terms, the
190 method of selection and removal and the manner for filling vacancies in
191 the new board or commission. No member or alternate member of such
192 board or commission shall participate in the hearing or decision of such
193 board or commission of which he is a member upon any matter in which
194 he is directly or indirectly interested in a personal or financial sense. In
195 the event of such disqualification, such fact shall be entered on the
196 records of such board or commission and replacement shall be made
197 from alternate members of an alternate to act as a member of such
198 commission in the hearing and determination of the particular matter or
199 matters in which the disqualification arose. For the purposes of this
200 section, the board or commission authorized by the municipality or
201 district, as the case may be, shall serve as the sole agent for the licensing
202 of regulated activities.

203 (d) At least one member of the inland wetlands agency or staff of the
204 agency shall be a person who has completed the comprehensive training
205 program developed by the commissioner pursuant to section 22a-39, as
206 amended by this act. Failure to have a member of the agency or staff
207 with training shall not affect the validity of any action of the agency. The
208 commissioner shall annually make such program available to one

209 person from each town without cost to that person or the town. Each
210 inland wetlands agency shall hold a meeting at least once annually at
211 which information is presented to the members of the agency which
212 summarizes the provisions of the training program. The commissioner
213 shall develop such information in consultation with interested persons
214 affected by the regulation of inland wetlands and shall provide for
215 distribution of video presentations and related written materials which
216 convey such information to inland wetlands agencies. In addition to
217 such materials, the commissioner, in consultation with such persons,
218 shall prepare materials which provide guidance to municipalities in
219 carrying out the provisions of subsection (f) of section 22a-42a, as
220 amended by this act.

221 (e) Any municipality, pursuant to ordinance, may act through the
222 board or commission authorized in subsection (c) of this section to join
223 with any other municipalities in the formation of a district for the
224 regulation of activities affecting the wetlands, [and] watercourses and
225 riparian areas within such district. Any city or borough may delegate its
226 authority to regulate inland wetlands under this section to the town in
227 which it is located.

228 (f) Municipal or district ordinances or regulations may embody any
229 regulations promulgated hereunder, in whole or in part, or may consist
230 of other ordinances or regulations in conformity with regulations
231 promulgated hereunder. Any ordinances or regulations shall be for the
232 purpose of effectuating the purposes of sections 22a-36 to 22a-45,
233 inclusive, as amended by this act, and, a municipality or district, in
234 acting upon ordinances and regulations shall incorporate the factors set
235 forth in section 22a-41, as amended by this act.

236 (g) Nothing contained in this section shall be construed to limit the
237 existing authority of a municipality or any boards or commissions of the
238 municipality, provided the commissioner shall retain authority to act on
239 any application filed with said commissioner prior to the establishment
240 or designation of an inland wetlands agency by a municipality.

241 Sec. 8. Section 22a-42a of the general statutes is repealed and the
242 following is substituted in lieu thereof (*Effective October 1, 2025*):

243 (a) The inland wetlands agencies authorized in section 22a-42, as
244 amended by this act, shall through regulation provide for (1) the manner
245 in which the boundaries of inland wetland, [and] watercourse and
246 riparian areas in their respective municipalities shall be established and
247 amended or changed, (2) the form for an application to conduct
248 regulated activities, (3) notice and publication requirements, (4) criteria
249 and procedures for the review of applications, and (5) administration
250 and enforcement.

251 (b) No regulations of an inland wetlands agency including
252 boundaries of inland wetland, [and] watercourse and riparian areas
253 shall become effective or be established until after a public hearing in
254 relation thereto is held by the inland wetlands agency. Any such hearing
255 shall be held in accordance with the provisions of section 8-7d. A copy
256 of such proposed regulation or boundary shall be filed in the office of
257 the town, city or borough clerk as the case may be, in such municipality,
258 for public inspection at least ten days before such hearing, and may be
259 published in full in such paper. A copy of the notice and the proposed
260 regulations or amendments thereto, except determinations of
261 boundaries, shall be provided to the commissioner at least thirty-five
262 days before such hearing. Such regulations and inland wetland, [and]
263 watercourse and riparian area boundaries may be from time to time
264 amended, changed or repealed, by majority vote of the inland wetlands
265 agency, after a public hearing in relation thereto is held by the inland
266 wetlands agency, in accordance with the provisions of section 8-7d.
267 Regulations or boundaries or changes therein shall become effective at
268 such time as is fixed by the inland wetlands agency, provided a copy of
269 such regulation, boundary or change shall be filed in the office of the
270 town, city or borough clerk, as the case may be. Whenever an inland
271 wetlands agency makes a change in regulations or boundaries it shall
272 state upon its records the reason why the change was made and shall
273 provide a copy of such regulation, boundary or change to the
274 Commissioner of Energy and Environmental Protection no later than

275 ten days after its adoption provided failure to submit such regulation,
276 boundary or change shall not impair the validity of such regulation,
277 boundary or change. All petitions submitted in writing and in a form
278 prescribed by the inland wetlands agency, requesting a change in the
279 regulations or the boundaries of an inland wetland, [and] watercourse
280 and riparian area shall be considered at a public hearing held in
281 accordance with the provisions of section 8-7d. The failure of the inland
282 wetlands agency to act within any time period specified in this
283 subsection, or any extension thereof, shall not be deemed to constitute
284 approval of the petition.

285 (c) (1) On and after the effective date of the municipal regulations
286 promulgated pursuant to subsection (b) of this section, no regulated
287 activity shall be conducted upon any inland wetland, [or] watercourse
288 or riparian area without a permit. Any person proposing to conduct or
289 cause to be conducted a regulated activity upon an inland wetland, [or]
290 watercourse or riparian area shall file an application with the inland
291 wetlands agency of the town or towns wherein the wetland, [or]
292 watercourse or riparian area in question is located. The application shall
293 be in such form and contain such information as the inland wetlands
294 agency may prescribe. The date of receipt of an application shall be
295 determined in accordance with the provisions of subsection (c) of
296 section 8-7d. The inland wetlands agency shall not hold a public hearing
297 on such application unless the inland wetlands agency determines that
298 the proposed activity may have a significant impact on wetlands, [or]
299 watercourses or riparian areas, a petition signed by at least twenty-five
300 persons who are eighteen years of age or older and who reside in the
301 municipality in which the regulated activity is proposed, requesting a
302 hearing is filed with the agency not later than fourteen days after the
303 date of receipt of such application, or the agency finds that a public
304 hearing regarding such application would be in the public interest. An
305 inland wetlands agency may issue a permit without a public hearing
306 provided no petition provided for in this subsection is filed with the
307 agency on or before the fourteenth day after the date of receipt of the
308 application. Such hearing shall be held in accordance with the

309 provisions of section 8-7d. If the inland wetlands agency, or its agent,
310 fails to act on any application within thirty-five days after the
311 completion of a public hearing or in the absence of a public hearing
312 within sixty-five days from the date of receipt of the application, or
313 within any extension of any such period as provided in section 8-7d, the
314 applicant may file such application with the Commissioner of Energy
315 and Environmental Protection who shall review and act on such
316 application in accordance with this section. Any costs incurred by the
317 commissioner in reviewing such application for such inland wetlands
318 agency shall be paid by the municipality that established or authorized
319 the agency. Any fees that would have been paid to such municipality if
320 such application had not been filed with the commissioner shall be paid
321 to the state. The failure of the inland wetlands agency or the
322 commissioner to act within any time period specified in this subsection,
323 or any extension thereof, shall not be deemed to constitute approval of
324 the application.

325 (2) An inland wetlands agency may delegate to its duly authorized
326 agent the authority to approve or extend an activity that is not located
327 in a wetland or watercourse when such agent finds that the conduct of
328 such activity would result in no greater than a minimal impact on any
329 wetland, [or] watercourse or riparian area provided such agent has
330 completed the comprehensive training program developed by the
331 commissioner pursuant to section 22a-39, as amended by this act.
332 Notwithstanding the provisions for receipt and processing applications
333 prescribed in subdivision (1) of this subsection, such agent may approve
334 or extend such an activity at any time. Any person receiving such
335 approval from such agent shall, within ten days of the date of such
336 approval, publish, at the applicant's expense, notice of the approval in a
337 newspaper having a general circulation in the town wherein the activity
338 is located or will have an effect. Any person may appeal such decision
339 of such agent to the inland wetlands agency within fifteen days after the
340 publication date of the notice and the inland wetlands agency shall
341 consider such appeal at its next regularly scheduled meeting provided
342 such meeting is no earlier than three business days after receipt by such

343 agency or its agent of such appeal. The inland wetlands agency shall, at
344 its discretion, sustain, alter or reject the decision of its agent or require
345 an application for a permit in accordance with subdivision (1) of
346 subsection (c) of this section.

347 (d) (1) In granting, denying or limiting any permit for a regulated
348 activity the inland wetlands agency, or its agent, shall consider the
349 factors set forth in section 22a-41, as amended by this act, and such
350 agency, or its agent, shall state upon the record the reason for its
351 decision. In granting a permit the inland wetlands agency, or its agent,
352 may grant the application as filed or grant it upon other terms,
353 conditions, limitations or modifications of the regulated activity which
354 are designed to carry out the policy of sections 22a-36 to 22a-45,
355 inclusive, as amended by this act. Such terms may include any
356 reasonable measures which would mitigate the impacts of the regulated
357 activity and which would (A) prevent or minimize pollution or other
358 environmental damage, (B) maintain or enhance existing environmental
359 quality, or (C) in the following order of priority: Restore, enhance and
360 create productive wetland, [or] watercourse or riparian area resources.
361 Such terms may include restrictions as to the time of year in which a
362 regulated activity may be conducted, provided the inland wetlands
363 agency, or its agent, determines that such restrictions are necessary to
364 carry out the policy of sections 22a-36 to 22a-45, inclusive, as amended
365 by this act. No person shall conduct any regulated activity within an
366 inland wetland or watercourse which requires zoning or subdivision
367 approval without first having obtained a valid certificate of zoning or
368 subdivision approval, special permit, special exception or variance or
369 other documentation establishing that the proposal complies with the
370 zoning or subdivision requirements adopted by the municipality
371 pursuant to chapters 124 to 126, inclusive, or any special act. The agency
372 may suspend or revoke a permit if it finds after giving notice to the
373 permittee of the facts or conduct which warrant the intended action and
374 after a hearing at which the permittee is given an opportunity to show
375 compliance with the requirements for retention of the permit, that the
376 applicant has not complied with the conditions or limitations set forth

377 in the permit or has exceeded the scope of the work as set forth in the
378 application. The applicant shall be notified of the agency's decision by
379 certified mail within fifteen days of the date of the decision and the
380 agency shall cause notice of their order in issuance, denial, revocation
381 or suspension of a permit to be published in a newspaper having a
382 general circulation in the town wherein the wetland or watercourse lies.
383 In any case in which such notice is not published within such fifteen-
384 day period, the applicant may provide for the publication of such notice
385 within ten days thereafter.

386 (2) (A) Any permit issued under this section for the development of
387 property for which an approval is required under chapter 124, 124b, 126
388 or 126a shall (i) not take effect until each such approval, as applicable,
389 granted under such chapter has taken effect, and (ii) be valid until the
390 approval granted under such chapter expires or for ten years, whichever
391 is earlier.

392 (B) Any permit issued under this section for any activity for which an
393 approval is not required under chapter 124, 124b, 126 or 126a shall be
394 valid for not less than two years and not more than five years. Any such
395 permit shall be renewed upon request of the permit holder unless the
396 agency finds that there has been a substantial change in circumstances
397 which requires a new permit application or an enforcement action has
398 been undertaken with regard to the regulated activity for which the
399 permit was issued, provided no permit may be valid for more than ten
400 years.

401 (e) The inland wetlands agency may require a filing fee to be
402 deposited with the agency. The amount of such fee shall be sufficient to
403 cover the reasonable cost of reviewing and acting on applications and
404 petitions, including, but not limited to, the costs of certified mailings,
405 publications of notices and decisions and monitoring compliance with
406 permit conditions or agency orders.

407 (f) If a municipal inland wetlands agency regulates activities within
408 areas around wetlands, [or] watercourses or riparian areas, such

409 regulation shall (1) be in accordance with the provisions of the inland
410 wetlands regulations adopted by such agency related to application for,
411 and approval of, activities to be conducted in wetlands or watercourses
412 and (2) apply only to those activities which are likely to impact or affect
413 wetlands, [or] watercourses or riparian areas.

414 (g) (1) Notwithstanding the provisions of subdivision (2) of
415 subsection (d) of this section, any permit issued under this section prior
416 to July 1, 2011, that has not expired prior to July 12, 2021, shall expire
417 not less than fourteen years after the date of such approval. Any such
418 permit shall be renewed upon request of the permit holder unless the
419 agency finds that there has been a substantial change in circumstances
420 that requires a new permit application or an enforcement action has
421 been undertaken with regard to the regulated activity for which the
422 permit was issued, provided no such permit shall be valid for more than
423 nineteen years.

424 (2) Notwithstanding the provisions of subdivision (2) of subsection
425 (d) of this section, any permit issued under this section on or after July
426 1, 2011, but prior to June 10, 2021, that did not expire prior to March 10,
427 2020, shall expire not less than fourteen years after the date of such
428 approval. Any such permit shall be renewed upon request of the permit
429 holder unless the agency finds that there has been a substantial change
430 in circumstances that requires a new permit application or an
431 enforcement action has been undertaken with regard to the regulated
432 activity for which the permit was issued, provided no such permit shall
433 be valid for more than nineteen years.

434 Sec. 9. Section 22a-42f of the general statutes is repealed and the
435 following is substituted in lieu thereof (*Effective October 1, 2025*):

436 When an application is filed to conduct or cause to be conducted a
437 regulated activity upon an inland wetland, [or] watercourse or riparian
438 area, any portion of which is within the watershed of a water company
439 as defined in section 25-32a, the applicant shall: (1) Provide written
440 notice of the application to the water company and the Department of

441 Public Health; and (2) determine if the project is within the watershed
442 of a water company by consulting the maps posted on said department's
443 Internet web site showing the boundaries of the watershed. Such
444 applicant shall send such notice to the water company by certified mail,
445 return receipt requested, and to said department by electronic mail to
446 the electronic mail address designated by the department on its Internet
447 web site for receipt of such notice. Such applicant shall mail such notice
448 not later than seven days after the date of the application. The water
449 company and the Commissioner of Public Health, through a
450 representative, may appear and be heard at any hearing on the
451 application.

452 Sec. 10. Subsection (a) of section 22a-43 of the general statutes is
453 repealed and the following is substituted in lieu thereof (*Effective October*
454 *1, 2025*):

455 (a) The commissioner or any person aggrieved by any regulation,
456 order, decision or action made pursuant to sections 22a-36 to 22a-45,
457 inclusive, as amended by this act, by the commissioner, a district or
458 municipality or any person owning or occupying land which abuts any
459 portion of land within, or is within a radius of ninety feet of, the
460 wetland, [or] watercourse or riparian area involved in any regulation,
461 order, decision or action made pursuant to said sections may, within the
462 time specified in subsection (b) of section 8-8, from the publication of
463 such regulation, order, decision or action, appeal to the superior court
464 for the judicial district where the land affected is located, and if located
465 in more than one judicial district to the court in any such judicial district.
466 Such appeal shall be made returnable to the court in the same manner
467 as that prescribed for civil actions brought to the court, except that the
468 record shall be transmitted to the court within the time specified in
469 subsection (i) of section 8-8. If the inland wetlands agency or its agent
470 does not provide a transcript of the stenographic or the sound recording
471 of a meeting where the inland wetlands agency or its agent deliberates
472 or makes a decision on a permit for which a public hearing was held, a
473 certified, true and accurate transcript of a stenographic or sound
474 recording of the meeting prepared by or on behalf of the applicant or

475 any other party shall be admissible as part of the record. Notice of such
476 appeal shall be served upon the inland wetlands agency and the
477 commissioner, provided, for any such appeal taken on or after October
478 1, 2004, service of process for purposes of such notice to the inland
479 wetlands agency shall be made in accordance with subdivision (5) of
480 subsection (b) of section 52-57. The commissioner may appear as a party
481 to any action brought by any other person within thirty days from the
482 date such appeal is returned to the court. The appeal shall state the
483 reasons upon which it is predicated and shall not stay proceedings on
484 the regulation, order, decision or action, but the court may on
485 application and after notice grant a restraining order. Such appeal shall
486 have precedence in the order of trial.

487 Sec. 11. Section 22a-45 of the general statutes is repealed and the
488 following is substituted in lieu thereof (*Effective October 1, 2025*):

489 Any owner of wetlands, [and] watercourses or riparian areas who
490 may be denied a license in connection with a regulated activity affecting
491 such wetlands, [and] watercourses or riparian areas, shall upon written
492 application to the assessor, or board of assessors, of the municipality, be
493 entitled to a revaluation of such property to reflect the fair market value
494 thereof in light of the restriction placed upon it by the denial of such
495 license or permit, effective with respect to the next succeeding
496 assessment list of such municipality, provided no such revaluation shall
497 be effective retroactively and the municipality may require as a
498 condition therefor the conveyance of a less than fee interest to it of such
499 land pursuant to the provisions of sections 7-131b to 7-131k, inclusive.

500 Sec. 12. Section 26-136 of the general statutes is amended by adding
501 subsection (d) as follows (*Effective October 1, 2025*):

502 (NEW) (d) For any existing fishway constructed for a dam located in
503 navigable waters, as determined by the Commissioner of Energy and
504 Environmental Protection, that is not subject to the jurisdiction of the
505 Federal Energy Regulatory Commission, the commissioner shall
506 prescribe, by regulations adopted in accordance with the provisions of

507 chapter 54 or by permit, conditions to ensure safe, timely and effective
508 fish passage and to protect aquatic habitat. Such conditions shall be
509 implemented by, and at the cost of, the owner or operator of any such
510 dam.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2025</i>	22a-38(19)
Sec. 2	<i>October 1, 2025</i>	22a-38(13)
Sec. 3	<i>October 1, 2025</i>	22a-39(f) to (i)
Sec. 4	<i>October 1, 2025</i>	22a-40(a)(1) to (4)
Sec. 5	<i>October 1, 2025</i>	22a-40(b)
Sec. 6	<i>October 1, 2025</i>	22a-41
Sec. 7	<i>October 1, 2025</i>	22a-42
Sec. 8	<i>October 1, 2025</i>	22a-42a
Sec. 9	<i>October 1, 2025</i>	22a-42f
Sec. 10	<i>October 1, 2025</i>	22a-43(a)
Sec. 11	<i>October 1, 2025</i>	22a-45
Sec. 12	<i>October 1, 2025</i>	26-136(d)

ENV *Joint Favorable Subst.*