

## THE PROBLEM

Riparian buffers protect and improve water quality, reduce the severity of flooding, and provide a myriad of additional ecosystem services. Unfortunately, Connecticut's current regulatory framework provides no specific protections for riparian buffers along wetlands and watercourses. Indeed, we have the least protective buffer standards of all the New England states.

Climate change and increasing development pressures are threatening our water resources statewide. If left unchecked, we will see an increase in impacts on personal property and a decrease in the safety and economic health of our communities due to water quality degradation, flooding, and drought.

With rising temperatures, our streams are experiencing an increase in harmful algal blooms, including in drinking water supply watersheds. Riparian buffers are one of the most cost-effective and efficient nature-based solutions to reducing nitrogen loads and providing shade for surface water bodies. Without a regulatory framework, we are losing this important "natural infrastructure".

Furthermore, the Department of Energy and Environmental Protection (DEEP)'s Inland Wetlands and Watercourses program is severely under-resourced, providing little support for local commissions.

Lastly, in order for the solution to be comprehensive, we must address weaknesses in our inland wetlands and watercourses protection.

## A COMPREHENSIVE SOLUTION

### Incorporate Riparian Buffers into Regulatory Framework

Review Inland Wetlands and Watercourses and Planning and Zoning statutes and regulations to incorporate protections specifically for riparian buffers. Provide redundancy to reduce risk.



*A vegetated buffer, as seen here, is the most cost-effective way to reduce pollution from contaminated runoff by filtering nutrients, pesticides, and animal waste.*

### Strengthen and Enhance Inland Wetland and Watercourses Program and Commissions at the State and Local Level

- ❖ Increase staffing at DEEP in the Inland Wetlands and Watercourses program.
- ❖ Change the required number of members of an Inland Wetlands Agency that must be trained from a minimum of one member to **all members**. Utilize conservation districts to assist DEEP with training.
- ❖ Expressly prohibit the merging of Inland Wetlands Commissions with Planning and Zoning Commissions within a municipality.
- ❖ Agencies are not required to take action when there is a wetlands violation. Make taking action on wetlands violations a requirement unless certain conditions are met.

## FAST FACTS

❖ Riparian buffers are one of the **most cost-effective ways to reduce pollution from contaminated runoff** or other nonpoint sources by filtering nutrients, pesticides, and animal waste.

❖ Riparian buffers reduce nutrient loading and moderate stream temperatures, which **lead to harmful algal blooms in surface water bodies** and **contribute to the hypoxic conditions in Long Island Sound**.

❖ Riparian buffers **control erosion and attenuate flooding** by slowing down runoff and providing space for flood waters to go.

❖ Riparian buffer protection can support MS4 permitting requirements and **reduce costs** to towns in implementing expensive engineered green infrastructure.

❖ Riparian buffers provide **critical habitat for wildlife** and are important **flyways for migratory birds**.

❖ A recent study conducted in urban streams showed that tree canopy cover in a 5-meter riparian area was capable of reducing temperatures up to 6° C. A different study also showed that riparian corridors were, on average up to 3°C cooler than non-riparian areas under extreme hot weather

❖ The lack of consistent protections of riparian buffers contributes to the **loss of headwater streams and cold-water habitat** which are essential for viable native cold-water species such as brook trout.

❖ Our regulatory framework currently focuses on **Upland Review Areas**, which are established in various dimensions across 169 towns.

❖ The current DEEP **guidance for the upland review area** mechanism is limited to a property-by-property decision-making process and, due to case law that has developed over the years since the IWWA was implemented, requires a significant amount of proof for municipal wetlands agencies to lawfully deny activities in these upland review areas.

❖ The law requires that **only one** member of the Inland Wetlands Agency or staff complete the DEEP Municipal Inland Wetlands Agency Comprehensive Training Program, and there is **no adverse consequence** for a town's board or staff failing to take such training or continuing to participate in regulatory decision-making processes. In contrast, all Planning and Zoning members must complete training.

❖ DEEP currently has **NO** staff dedicated to its Inland Wetlands and Watercourses Program.

❖ Public Act 21-29 provides new regulatory authority and responsibility over pollutant discharges into navigable waters feeding Long Island Sound thereby requiring the development of zoning strategies to control the discharge of a wide range of pollutants. This authority implicitly includes the ability to protect riparian buffers.

## MORE INFORMATION

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