TO: Office of the Town Attorney
FROM: Raquel Ocasio, MS
DATE: February 7, 2020

At the February 4, 2020 regular meeting of the Inland Wetlands and Watercourses Agency, the following decision was made:

**Motion:** Commissioner Zorda made a motion to move the Review of Model Regulations Amendments off the table, seconded by Commissioner Higley.

The motion passed with a 6-0-0 vote.

**Votes:** 6-0-0

**Motion:** Commissioner Zorda made motion, seconded by Commissioner Wagner-Howe, to forward the Inland Wetland and Watercourses Agency regulations, as amended to DEEP and Town Attorney for their review prior to scheduling a public hearing for adoption.

The motion passed with a 6-0-0 vote.

**Votes:** 6-0-0

**Regulation Amendments**

**Section 1 Title and Authority**
- 1.4-proposed language from staff- added adoption date 1974

**Section 2 Definitions**
- **Best management practice (BMP)**- proposed language from staff to include reference materials.
- **Commissioner of Environmental Protection**- Proposed language change from IWWA
- **Designated Agent**- Proposed language change from IWWA
- **Forestry**- Proposed language from staff- Ref Agriculture Forestry & CT IWWA.
- **Management Practice**- Proposed language change from IWWA.
- **Mulch**- Proposed language from staff- Reference from a Planners Dictionary.
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- Silviculture- Proposed language from staff- Ref Agriculture Forestry & CT IWWA.
- Tree Caliper- Proposed by IWWA. Reference from a Planners Dictionary.

Section 4 Permitted Uses as of Right & Nonregulated Uses

- 4.1- Proposed language from staff & reference CT Gen Stat. 22a-40
- 4.1 a. – Proposed language from staff to include DEEP 2016 Agriculture Forestry & Connecticut Inland Wetlands and Watercourses Act language.
- 4.1 b. – 2011 Advisory- DEEP- Changed from roman numeral to alphanumeric
- 4.1 e. - 2011 Advisory- DEEP- Removed “and”
- 4.1 f. - 2011 Advisory- DEEP- Removed . added word and
- 4.1 g. - 2011 Advisory- DEEP- New subsection for fire emergency
- 4.2 a. - 2011 Advisory- DEEP- Removed “and”
- 4.2 c. –2011 Advisory- DEEP- New Section

Section 7 Application Requirements

- 7.1- Proposed language change from IWWA
- 7.4- proposed language from staff
- 7.5 b.- Proposed language change from IWWA
- 7.5 e.- proposed language from staff
- 7.5 e.- proposed language from staff
- 7.5 f.- proposed language from staff
- 7.5 h. new section proposed by staff- LID E&S
- 7.5 i. new section proposed by staff- LID Stormwater
- 7.5 j- new section proposed by staff- Timber Harvest
- 7.5 k. 1-7 - proposed language from staff
- 7.5 k. 3 Proposed language change from IWWA
- 7.5 m.- proposed language from staff
- 7.5 n.- proposed language from staff- reference current staffing
- 7.5 q. - proposed language from staff
- 7.5 s.- proposed language from staff
- 7.5 t. - Proposed language change from IWWA
- 7.6- Model Regulation DEEP- Section Change
- 7.6 c. - proposed language from staff
- 7.6 d.- included language found in the adopted IWWA regulations that were missing from the model regulation.
- 7.6 e. proposed language from staff
- 7.7- Model Regulation DEEP- Section Change
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- 7.8- proposed language from staff
- 7.9- Model Regulation DEEP- was Section 7.10 now 7.9
- 7.10- Model Regulation DEEP- Section Change- Was Section 7.9 now 7.10
- 7.10- 2009 Advisory- DEEP and Revision 2011 Advisory- DEEP
- 7.11- New Section-2008 Advisory- DEEP and Revisions 2010 Advisory-DEEP

Section 8 Application Procedures
- 8.3- 2006 Advisory- DEEP
- 8.8- proposed language from staff (Building Permit) & Proposed language change from IWWA
  + 8.8 a. Proposed language change from IWWA
  + 8.8 b. – Proposed language from staff. Removed may not deny an application
  + 8.8 c. 1- Proposed language change from IWWA
  + 8.8 c. 2- Proposed language of staff
  + 8.8 c. 3- proposed language from staff from 10 to 30 days
  + 8.8 c. 4.-Proposed language change from IWWA
  + 8.9 – Proposed New Section from Staff for a Determination of Permit Need Application
  + 8.10- Proposed New Section from Staff & Proposed language change from IWWA

Section 9 Public Hearings
- 9.1- Proposed language change from IWWA added semicolons

Section 10 Consideration for Decision
- 10.1 b. Proposed language from staff & Proposed language change from IWWA
- 10.8 (a)- Propose Number change as DEEP advisory noted a 10.8 with a 2008 advisory.
- 10.8- New Section-2008 Advisory- DEEP and Revision 2010 Advisory- DEEP
- 10.9- New Section-2008 Advisory- DEEP and Revision 2010 Advisory- DEEP
- 10.10- New Section- 2010 Advisory- DEEP

Section 11 Decision Process and Permit
- 11.1- 2012 Advisory- DEEP- Additional language
- 11.6- 2009 Advisory- DEEP and Revised 2011 Advisory- DEEP
- 11.6.1 New Section-2012 Advisory- DEEP
- 11.7-11.10- Number sequence is incorrect 11.7 was skipped- proposed language correction from staff

Section 12 Actions by Duly Authorized Agent
- 12.1- proposed language from staff-Typo change that to than
Section 13 Bond and Insurance
- 13.3 – 13.4 - Number sequence is incorrect Typo 12.2 and 12.4 changed to 13.3 and 13.4 - proposed language correction from staff

Section 14 Enforcement
- 14.4 b.- proposed language from staff- Typo change 14.3.a to 14.4a

Section 15.7. - Model Regulation DEEP- Additional language

Section 19 Fee
- 19.1 Model Regulation DEEP- New language addition & Proposed language change from IWWA
- 19.2- Model Regulation DEEP- Was 19.1 now is 19.2 & new language was added
- 19.3- Model Regulation DEEP- New language addition
- 19.4- Model Regulation DEEP- New language addition
- 19.5 Fee Schedule- Model Regulation DEEP- was 19.1 now 19.5
- 19.6- Model Regulation DEEP- New Section exemption clause was once under 19.1.
- 19.2 is now 19.6 (a)- Model Regulation DEEP and proposed renumbering from staff to include (a).
- 19.6(a)- proposed language from staff- Change to include Economic and/or Development Services
- 19.3 Waiver is now 19.7- Model Regulation DEEP

Appendix A- Proposed language change from IWWA

Appendix B
- CT General Statutes Section 8-7d- 2007-1 Advisory-DEEP & Proposed language change from IWWA

2015-2018 Advisory- DEEP- No new Regulations language was noted or incorporated into the regulations.

Should you have any further questions, please contact the Planning office.