

FY 2025/26 PROPOSED CONSERVATION COMMISSION BUDGET

The Waterford Conservation Commission serves as the Inland Wetlands Agency; reviewing applications, issuing permits and enforcing activities affecting inland wetlands and watercourses in accordance with the Waterford Inland Wetlands and Watercourses regulations and CT General Statutes 22a-36 through 22a-45. The Conservation Commission also carries out the statutory responsibilities of a municipal Conservation Commission, maintaining a survey of natural resources, reviewing land use proposals and making recommendations to other Boards and Agencies on natural resource identification and protection, and Open Space preservation.

The Conservation Commission conducted 18 regularly scheduled meetings and 1 special meetings in FY 2023/24 and rendered decisions on 13 applications to conduct activities in and adjacent to inland wetlands and watercourses. Inland Wetland permits authorized the permanent loss of 0.018 acres of wetland, and the temporary disturbance of 0.002 acres of wetlands which are required to be restored following completion of construction. Mitigation for the permanent wetland disturbance was required and consists of creation of 0.039 acres of wetland on the project site.

FEES – Application Fees Generated from Inland Wetland Permit Applications

<u>Fiscal Year</u>	<u>Total Fees Collected</u>
FY 2020/2021	\$ 800
FY 2021/2022	\$ 700
FY 2022/2023	\$ 1,600
FY 2023/2024	\$ 1,050
FY 2024/2025 – 4 months	\$ 50

The Waterford Conservation Commission requires an additional fee when public hearings are required. The fee off-sets the cost for publishing the two legal notices of public hearing required by State statute.

BUDGET REQUEST SUMMARY

Line	Description	FY2025/26 AMOUNT
52010	Advertising	\$ 1,500
52020	Postage	\$ 125
52030	Professional Services	\$ 3,500
52031	Planning Services	\$ 12,000
52050	Dues, Conferences & Education	\$ 600
52060	Printing	\$ 25
53020	Other Supplies	\$ 500
Conservation Commission Total Request		<u>\$ 18,250</u>

This is the same amount approved for the FY 2024/25 budget.

ADVERTISING LINE 10114-52010

\$ 1,800 REQUESTED

The advertising account covers the cost of all legal notice requirements required by State statute. This includes publication of notices of public hearings, enforcement orders and notices of decision on all Commission inland wetland agency actions. Advertisements for public hearings and decisions of the Commission are required to be published in a newspaper having general circulation in Waterford. To off-set publication costs, the Commission requires an additional fee of \$400.00 when a public hearing is required for the legal notices. The costs for legal notices of decision placed in The Day newspaper for FY 2023/2024 were \$1,069.36. The requested budget amount is consistent with that approved for the FY 2024/25 budget.

POSTAGE LINE 10114-52020

\$ 125 REQUESTED

Postage expenditures include certified letter mailings required for notice of Commission decisions on applications and for enforcement proceedings, correspondence to Town residents, and referrals to municipal, State and Federal agencies. The requested budget amount is consistent with that approved for the FY 2024/25 budget.

PROFESSIONAL SERVICES LINE 10114-52030**\$ 3,500 REQUESTED**

The professional services account is used to obtain professional technical reviews, retain expert witnesses, chemical laboratory analyses and other professional technical assistance unavailable at the municipal or State level that are required to conduct the duties of the inland wetlands agency and the Conservation Commission. These services may include assisting the Commission with technical expert reviews of application documents, investigating complaints of wetland, soil or water quality impacts, documenting violations of the inland wetlands and watercourses regulations, providing expert testimony in court proceedings, or assisting the Commission in preparing natural resource surveys.

To carry out the responsibilities of the Inland Wetland and Watercourses Act, it is critical that the Commission have the ability to retain expert witnesses for determination of impacts to wetlands and watercourses in order to reach and maintain defensible decisions. Court case law has established that the finding of adverse impacts and justification for conditions of approval requires technical expertise and expert evidence in the application record. The Commission uses the expertise of staff members, and regional and state technical offices when available, however specific technical expertise may be required during the application process within a limited time frame. Having sufficient funding available to procure services when expert review is needed is essential in consideration of the strict time frames established by State Statute for rendering decisions on inland wetland applications.

The fee schedule for Inland Wetland permit applications allows the Commission to charge the applicant for third party expert reviews and technical evaluations deemed necessary to assist in the review of complex permit applications. However, the Commission continues to require funds for obtaining professional expertise on items other than those duties associated with complex permit applications.

Expenditures under this item are difficult to predict and are related to the number and complexity of permit applications, public hearings, enforcement proceedings and technical needs of the Commission. The requested amount will fund an estimated 25 -35 hours of professional service at a rate of \$100 - \$150/hr.

The requested budget amount is consistent with that approved for the FY 2024/25 budget.

PLANNING SERVICES LINE 10114-52031**\$ 12,000 REQUESTED**

The Conservation Commission conducts a water quality monitoring program of freshwater streams and ponds in Waterford. Samples are collected at 30 locations in the early summer and late fall of a calendar year to track water quality over the growing season and monitor changes in quality over time. Sampling is conducted on Jordan Brook, Nevins Brook, Fenger Brook, Hunts Brook, Stony Brook, Oil Mill Brook and its tributaries, Millstone (Beebe) Brook, Green Swamp Brook and a tributary stream to Goshen Cove. Water quality parameters

monitored include total coliform, e. coli and enterococci bacteria, temperature, pH, and nutrient loadings from nitrogen compounds and phosphorus.

The surface water quality monitoring program has been conducted for the past 24 years by the Conservation Commission and has generated comprehensive data on the quality of the town's water resources. This data is used to evaluate potential impacts of land development on stream health and to track changes in water chemistry over time. It also provides a scientific basis for the Conservation Commission to establish required levels of stormwater treatment for development proposals, and water quality mitigation goals for enforcement proceedings.

Jordan Brook, Oil Mill Brook and Stony Brook support native trout and high quality waters. Habitat requirements for these fisheries include cool, oxygenated waters with suitable substrate conditions to provide food and aquatic habitat. Alteration of adjacent lands, loss of vegetative cover, soil erosion, flow alterations, septic system discharges and stormwater run-off can adversely impact the biological conditions of these watercourses. The monitored temperature, nitrogen and phosphorus levels in these streams continue to indicate high quality surface waters.

The 2022 State of Connecticut Integrated Water Quality Report, submitted by CT DEEP to the EPA, identifies Alewife Cove, Jordan Cove, and areas of Niantic Bay and the Niantic River as impaired estuaries that do not fully support designated uses of habitat for fish and other aquatic wildlife. Fenger Brook is listed as not supporting designated uses for aquatic life and recreation. The section of Hunts Brook downstream of the Miller Pond dam is listed as not supporting fish and aquatic life habitat. The lower reach of Stony Brook south of Rte 1 is listed as impaired for recreational use due to bacteria. The State is developing restoration policies to improve water quality and habitat of impaired waters.

The Commission continues to monitor bacteria, nitrogen and phosphorus levels in stream reaches that discharge to Alewife Cove, Jordan Cove, and the Niantic River, including Hunts Brook, Fenger Brook and Stony Brook. This long-term water quality monitoring is a critical part of the natural resource inventory work the Commission conducts and allows tracking of trends in water quality from land use changes and provides an indication of where water quality may be affected. Town staff conducts the sampling to minimize costs. Cost variations are linked to the number of water samples collected.

The requested budget amount is consistent with that approved in the previous fiscal year.

DUES, CONFERENCES, EDUCATION LINE 10114-52050

\$ 600 REQUESTED

Expenditures from this line item include membership dues, commission and staff training, attendance at seminars and workshops. The Connecticut Inland Wetlands and Watercourses Act [CGS 22a-36 - 22a-45a] recommends members of inland wetland agency complete a comprehensive training program developed by the CT DEEP. Commissioners also attend

environmental education conferences and legal seminars regarding inland wetlands to keep informed of changes to State Statute or case law affecting application review practices, public hearing records and decision-making for Inland Wetlands and Watercourse Regulations application. The Commission satisfies the minimum required training recommended by CT DEEP for inland wetlands agencies.

The Commission is requesting the same amount for this item as approved in the previous fiscal year to maintain the level of training of its members and staff.

PRINTING LINE 10114-52060

\$ 25 REQUESTED

Expenditures under this line item include printing of oversized documents, maps and colored copies, which cannot be printed or are unavailable at Town facilities. As a result of changes in court procedures, some printing funds may be necessary to reproduce, in paper or digital format, large documents and files. The amount requested under this line item is the same as approved in the previous fiscal year.

OTHER SUPPLIES LINE 10114-53020

\$ 500 REQUESTED

Funds in this account are used to purchase and maintain environmental testing/monitoring equipment, safety equipment, survey flagging, and Conservation Easement and Non-Encroachment Boundary Line markers for field markings. This equipment allows the Conservation Commission with its professional staff to perform wetland identification, water testing, natural resource inventory and conservation easement boundary marking that would otherwise require contracting for outside professional services.

The amount requested under this line item is the same as approved in the previous fiscal year.

CONSERVATION COMMISSION MEMBERS

Richard Muckle , Chair	Ivy Plis - Alternate
Tali Maidelis, Secretary	Matthew Shea – Alternate
David Lersch	1 vacancy
Geneva Renegar	
Wade Thomas	
Matthew Keatley	
Keith Kriet	

**CONSERVATION COMMISSION
HISTORY OF EXPENDITURES**

	FY 20/21	FY21/22	FY22/23	FY23/24	FY24/25 To date	Proposed FY25/26
52010 Advertising	\$ 989	\$ 1,105	\$ 1,599	\$ 1,069	\$ 358	\$1,500
52020 Postage	\$ 106	\$84	\$112	\$112	\$ 32	\$ 125
52030 Professional Fees	\$ 3,500	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,500
52031 Planning Services	\$12,000	\$6,357	\$6,278	\$7804	\$ -	\$ 12,000
52050 Dues/Education	\$ 295	\$275	\$315	\$295	\$245	\$ 600
52060 Printing	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	\$ 25
53020 Supplies	\$ 366	\$ 0	\$ 253	\$191	\$ 0	\$500

Approved by the Waterford Conservation Commission – October 24, 2024