



POSITION STATEMENT

Combined versus Separate Conservation and Inland Wetland Commissions

“It is CACIWC’s position that every Connecticut town should have a Conservation Commission, and that the duties and responsibilities of that commission should not be combined with another town board or agency.”

BACKGROUND

Enabling legislation for establishment of municipal Conservation Commissions was passed in 1961, and by 1975 a total of 152 Conservation Commissions had been established. Following passage of Connecticut’s Inland Wetlands and Watercourses Act in 1973, many of those commissions accepted the regulatory responsibility of that legislation and became combined Conservation and Inland Wetlands Commission.

By May 2002 there were only 79 Conservation Commissions that spent 100% of their time on conservation commission responsibilities. Fifty-nine commissions had the dual responsibility of both a conservation and an inland wetlands commission, and 31 towns had no conservation commission authority. Polls conducted by CACIWC in 1993 and 1998 indicate that a combined Conservation and Inland Wetlands Commission spends less than 10% of its time on conservation responsibilities and 90% of its time on inland wetlands regulatory duties.

POSITION

CACIWC’s goal is to reinvigorate and support the intent of the 1961 enabling legislation by encouraging the establishment of separate Conservation Commissions in all Connecticut towns. We are committed to the promotion, support and facilitation of a separate, single-agency Conservation Commission in towns that have no active Conservation Commission, or in towns that combine Conservation Commission duties with another board or agency.

The 1961 enabling legislation states that the purpose and responsibility of Conservation Commissions is the “...development, conservation, supervision, and regulation of natural resources”. The legislation further states that this responsibility shall be carried out by (1) conducting research into the utilization and possible utilization of land areas, and (2) keeping an index of all open space areas within the community. (1961 enabling legislation, codified in CT General Statutes, Chapter 97, Section 7-131a).

CACIWC’s research supports the position that only a separate, Conservation Commission has the time and commitment to achieve the purpose and carry out the responsibilities of the enabling legislation and subsequent revisions.

The 1961 enabling legislation gave Connecticut towns the discretion to form Conservation Commissions and to tailor their duties according to community needs. The intent of the legislation was to provide each community and municipal agency responsible for regulating land use with a resource of information that would assist them in making informed decisions on the development, management and conservation of the town’s natural resources. The Conservation Commission was to serve as that resource in a research and advisory capacity.

In the 79 communities that still have separate Conservation Commissions, the intent of the legislation has been achieved. CACIWC firmly believes that with the increasing development pressure on natural resources within communities, now more than ever the need to establish and support separate, single-agency Conservation Commissions is critical.

RATIONALE

Land use decisions made at the local level have significant impact on the long range economics, public health and environmental stability of a community, a region and the state. In Connecticut there are approximately 600 municipal land use commissions and estimated 5000 volunteers that serve on these commissions.

Since 1995 community volunteers have approved over 25,000 land use permits per year. The time commitment required for these volunteers to make increasingly more complex land use decisions has significantly increased. They have little time to investigate the potential environmental impact of cumulative land use changes on their community's natural resources and environmental infrastructure. Conservation Commissions have the responsibility for such action and for advising the appropriate authorities on how that information can be used for the, "development, conservation, supervision and regulation of natural resources."

The legislature has recognized the growing development pressures on communities and the need to encourage and support the establishment of Conservation Commissions by giving them additional responsibilities:

- In 1993 a revision to the enabling legislation expanded the abilities and opportunities of Conservation Commissions by giving them the right (not the mandate) to inventory natural resources, make recommendations to all other land use agencies on proposed land use changes, formulate watershed and drought management plans and supervise and manage municipally-owned open space.
- In 1995 an Act Concerning Greenways changed the Plan of Development for a municipality to the Plan of Conservation and Development, and enabled Conservation Commissions to propose greenway plans for inclusion in the Plan of Conservation and Development. The revisions in this Act clarify the importance of planning for conservation at the local level and emphasize the need for the Planning and Conservation Commissions to collaborate on the formulation of comprehensive and rational conservation plans for their municipality.
- In 1997 an Act Concerning Acquisition of Open Space Land established an unprecedented five-year open space grant program for municipalities. The program provides funding for towns with open space plans, and requires Conservation Commission approval of open space grant applications submitted by a town.

There are presently only 79 towns that have separate Conservation Commissions. This means that only 47% of Connecticut's towns have a municipal agency that focuses exclusively on the duties defined in the enabling legislation and subsequent revisions. The history of Conservation Commissions in Connecticut suggests that, given the opportunity and direction, concerned citizens will respond to and address the environmental needs of the community. Please join CACIWC in supporting the establishment of a separate Conservation Commission in each of the 90 towns that do not have one.

- Approved by CACIWC Board of Directors on 5/29/02