AMEND SECTION 2.1 (DEFINITIONS – REGULATED ACTIVITY) AS FOLLOWS:

BOLD = NEW TEXT
~~STRIKETHROUGH~~= DELETED TEXT

EXISTING DEFINITION:

"Regulated activity" means any operation within or use of a wetland or water course involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or water courses, or any other activity which may impact or effect the wetlands, but shall not include the specified activities in Section 22a-40 of the Connecticut General Statutes. Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging of storm water on the land within 100 feet, measured horizontally from the boundary of any wetland or water course, is a regulated activity.

PROPOSED DRAFT AMENDMENTS:

"Regulated activity" means any operation within or use of a wetland or watercourse, **on the land within 100-feet, measured horizontally from the boundary of any wetland or watercourse**, involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or water courses, or any other activity which may impact or effect the wetlands, but shall not include the specified activities in **Section 4 of these Regulations or §**22a-40 of the Connecticut General Statutes**, as may be amended.** Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, **clear cutting of trees**, depositing or removing of material and discharging of storm water ~~on the land within 100-feet, measured horizontally from the boundary of any wetland or water course,~~ is a regulated activity. **At its discretion, the Agency may rule that any other activity located within such upland review area or in any other non-regulated, non-wetland or non-watercourse area may have an adverse impact on wetland or watercourse and is a regulated activity.**

PROPOSED DRAFT AMENDMENTS (CLEAN):

"Regulated activity" means any operation within or use of a wetland or watercourse, or on the land within 100-feet, measured horizontally from the boundary of any wetland or watercourse, involving removal or deposition of material, or any obstruction, construction, alteration or pollution of such wetlands or water courses, or any other activity which may impact or effect the wetlands, but shall not include the specified activities in Section 4 of these Regulations or §22a-40 of the Connecticut General Statutes, as may be amended. Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, clear cutting of trees, depositing or removing of material and discharging of storm water, is a regulated activity. At its discretion, the Agency may rule that any other activity located within such upland review area or in any other non-regulated, non-wetland or non-watercourse area may have an adverse impact on wetland or watercourse and is a regulated activity.

Various SECT Towns that allow regulation of activities outside the 100' upland review area:

Various Definitions of "Regulated Activity"

East Lyme: "Regulated activity" means any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, but shall not include the specified activities in Section 4 of these regulations. Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging storm water on the land within 300-feet measured horizontally from the boundary of any wetland or watercourse is a regulated activity. The Agency may rule that any other activity located within such upland review area or in any other non-wetland or non-watercourse area is likely to impact or affect wetlands or watercourses and is a regulated activity.

Montville: "Regulated Activity" A regulated activity is any action that can impact a wetland or watercourse, that is not permitted by right. This includes any activity that occurs in or within 50 feet of the wetland or watercourse. Regulated activities also include any activity that causes or may cause an impact to the wetland or watercourse including, but not limited to, drainage, discharges that may include oil, silt, or sewage, or which direct or limit water flow into the wetland or watercourse - regardless of how far away from the wetland or watercourse the activity occurs, or whether or not the wetland or watercourse is on the applicant's property.

Stonington: "Regulated Activity". Any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses, or within 100 feet of any wetland or watercourse, but shall not include the specified activities in Section 4 of these Regulations. *Furthermore, any excavating or deposition of material, construction or clear cutting of trees or other activity which may alter, impact, or pollute a wetland or watercourse is a regulated activity.* At its discretion, the agency may rule that any other activity located within such upland review area or in any other non-wetland or non-watercourse area may have an adverse impact on wetland or watercourse and is a regulated activity.

Waterford: "Regulated Activity": Any operation within, or use of, a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, discharge, pollution, or clearing of such wetlands or watercourses, or any other activity which will impact the wetlands or watercourses, including those activities adjacent to wetlands and watercourses outlined in Section 6 **(see below)** of these Regulations, except as otherwise indicated in Section 4 of these Regulations.

6.1 No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Waterford Conservation Commission.

6.2 The Commission shall regulate any operation within, or use of, a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration, discharge, pollution, or clearing of such wetlands or watercourse, or any other activity outside of a wetland or watercourse which is likely to impact the wetlands or watercourse, except as otherwise indicated in Section 4 of these Regulations.

6.3 Upland Review Areas. Any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging of stormwater on land within 100 feet measured horizontally from the boundary of any wetland or watercourse is subject to review by the Conservation Commission or its designated agent for determination of regulated activities. The Commission may rule that any other activity located in such upland review areas or in any other non-wetland or non-watercourse area is likely to impact or affect wetlands or watercourses and is a regulated activity.

6.4 Any person found to be conducting of maintaining a regulated activity without the prior authorization of the Waterford Conservation Commission, or violating any other provision of these Regulations, shall be subject to the enforcement proceedings and penalties prescribed in Section 14 of these Regulations and any other remedies as provided by law.

Various Definitions of "Regulated Area"

Montville: "Regulated Area" means any inland wetland or watercourse, upland review area, and/or non-wetland or non-watercourse area which proposed activities are likely to impact or effect wetlands or watercourses as defined in these Regulations, including without limitation in Subsection 2.1(z).

Stonington: "Regulated Area". Any wetlands or watercourses as defined in these Regulations, and a horizontal distance of 100 feet from the edge of any wetland or watercourse.