

#### QUINNIPIAC RIVER FUND FINAL REPORT- 2020

Please complete and submit completed form via e-mail to dcanning@cfgnh.org at The Community Foundation for Greater New Haven by March 31, 2020 (or as otherwise stated on the terms of grant).

Date: June 15, 2020

Group/Organization Name: Land Use Law Center/Land Use Leadership Alliance Training

Program

Address: Pace University, 1 Pace Plaza, New York, NY 10038

Telephone #: 914-422-4034

Project Name: Land Use Leadership Alliance Training

Grant Number: 20190118

Name & title of person completing this form: Tiffany Zezula, Deputy Director

E-mail address: tzezula@law.pace.edu

Please respond to the following statements:

 List the specific objectives/outcomes of the project and tell how they were met during the grant period. Also, provide an update on any special conditions of the grant (if applicable).

Due to the Covid crisis, the Land Use Leadership Alliance Training Program moved to an online platform. The program was conducted for 2-hours each Wednesday for a 4 week period (May 20, May 27, June 3 and June 10). All sessions were recorded and can posted on the QRF's website, if interested.

#### Objectives/Outcomes

- 1. **Educate 20 local land use decision-makers**: The workshop trained close to 30 local leaders during the 4 week period. *See Appendix A for participant list.*
- 2. Increase development and implementation of watershed protection policies

**and regulations**: The workshop reviewed best practices and topics that were tailored to the needs of the participants. Various topics were explored to assist the local leaders in their efforts to develop watershed protection policies, including discussion on the Plan of Conservation and Development, 6 step process for watershed protection, stormwater management, infill development, low impact development, reading a site plan, administrative collaboration, community engagement and intermunicipal cooperation. See Appendix B for Agenda Topics, Presenters, and link to find all recordings. We can send all PowerPoints to QRF, if interested.

- 3. Increase awareness of current provisions that are protective of water quality based on the regulatory review for each community. See Appendix B.
- 4. Increase in knowledge, skills, and step by step process for community engagement and public education. The fourth day of the curriculum focused on the importance of community engagement. Follow-up conversations are scheduled with New Haven and Meriden to discuss technical assistance in public engagement around upcoming watershed protection efforts through municipal development plans.
- 2. Please share your successes, challenges and any lessons learned through the implementation of your project. Were there any unintended consequences or lessons learned that may affect how you operate your program moving forward?

In January 2020, the staff focused on calling each municipality in the Quinnipiac watershed to discuss the training effort and general watershed challenges. This effort increased awareness and excitement for the LULA program, including securing a representative from 8 of the municipalities. Program logistics were set for a two-day training in the City of Meriden. Due to the Covid crisis the in-person session was canceled. With approval from QRF, the training moved to an online format. An electronic flyer announced the Watershed Wednesday Watch program. See Appendix C for a copy of the flyer.

The staff created a program curriculum based on Quinnipiac River program priorities and the needs of the participants. The staff also reviewed planning and zoning documents of participating municipalities, invited technical expertise to assist in training, and determined best practices to highlight in the program. All programs were recorded and all materials, PowerPoints and recordings were sent to the participants after the conclusion of the program day. During each training, participants will be exposed to a number of innovative land use techniques, including practical tools that riverine communities throughout CT use to assess and increase their watershed protection and watershed quality. Content included discussion about local environmental laws, stormwater pollution prevention, low-impact development in site plans, and inter-municipal approaches to watershed protection. Staff facilitated questions and discussions. Participants also learned about citizen engagement, consensus building in a community, and public education -- all critical to implementing land use policies and regulations. Participants will also receive an updated Quinnipiac River Watershed Water Quality Regulation Review report. Staff sent out evaluation surveys to better refine the program for future programs and to understand the technical assistance communities might need.

Overall, the on-line sessions were effective and provided a good opportunity for those in the watershed to discuss ongoing efforts. The Southwest Conservation District benefited from engaging with the local municipal leaders and will be following up with them to discuss future partnerships in funding opportunities, education and joint-planning efforts. Sustainable CT will also be following up with those that were on the training to discuss

certification in implementing watershed protection goals.

## 3. What are the opportunities and needs of your organization as it continues to move forward with its work to positively impact the Quinnipiac River?

Education for local commission members was a priority concern and topic of those that attended the program. QRF will hopefully be able to continue to assist in these efforts to train volunteer commission members in their power and authority to create innovative policies and regulations in watershed protection.

#### QUINNIPIAC RIVER FUND FINAL REPORT- APPENDIX A

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#### QUINNIPIAC RIVER FUND FINAL REPORT- APPENDIX B

#### **Agendas**

## May 20th: Meet Your Neighbors, Share Watershed Issues, and an Overview of the Land Use System

- Welcome & Program Overview
- Introductions
- •Water Quality Regulation Review, Marjorie Shansky
- •Overview Quinnipiac River Watershed Water Quality Regulation Review Resources, Jessica Bacher, *Land Use Law Center*
- •Watershed Issue Identification, Tiffany Zezula, Land Use Law Center

#### Recording Link -

https://pace.zoom.us/rec/share/5tNcLY 7y2JLfqfD8RDEHYkvXYLDeaa8hCkeqfcFnwCY0T omQMJanMkPwh0n6Zc?startTime=1589986898000

## May 27th: Watershed Protection Tools and Techniques/Best Practices from Neighboring Communities

- Review of Best Practices from Day 1
- Natural Resource Inventories, Jim Norgren, JN Land Trust Services
- Low Impact Development Practices, Steve Trinkaus, PE, Trinkaus Engineering
- Revitalization Practices, Renata Bertotti, AICP, Director of Planning, Development & Enforcement, City of Meriden
- Technical Assistance Efforts, Chris Sullivan, Executive Director, Southwest Conservation District

#### Recording Link -

https://pace.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=5764c5c7-ebc6-47ab-b265-abc8012d0350

#### June 3rd: **Reading a Site Plan**

• How to Read a Site Plan, Steve Trinkaus, PE, Trinkaus Engineering

#### Recording Link -

https://pace.hosted.panopto.com/Panopto/Pages/Viewer.aspx?id=8afc317f-8625-499d-a735-abcf0140da21

#### June 10th: Community Engagement and Intermunicipal Agreements

- Town of Cheshire Water Quality Protection Policies, Regulation, and Enforcement Practices, Suzanne Simone, Environmental Planner and William S. Voelker, AICP, Town Planner/Development Coordinator, *Town of Cheshire*
- Sustainable CT Overview, Alyssa Norwood, Sustainable CT
- Community Engagement/Education, Tiffany Zezula, Land Use Law Center
- Intermunicipal Cooperation, Jonathan Lee, *Yale School of Forestry and Environmental Studies*

#### Recording Link -

https://pace.zoom.us/rec/share/9elKMbvpxD1IZrfOr3ziB48 Xb79aaa81Sca8 ENyB3G-0vK6xTtz8zfowwaF1iw?startTime=1591801322000

## QUINNIPIAC RIVER WATERSHED LAND USE LEADERSHIP ALLIANCE (LULA)

WATERSHED WEDNESDAY WATCH







## LAND USE LEADERSHIP ALLIANCE TRAINING PROGRAM



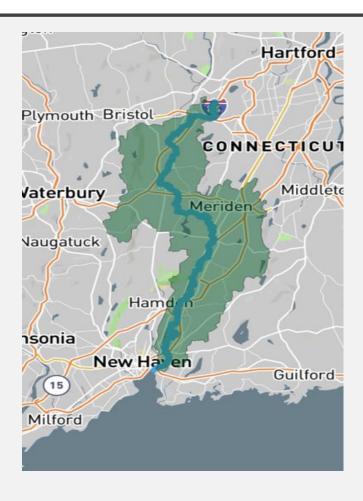
### **AGENDA**

- Welcome & Program Overview
- Introductions
- WATER QUALITY REGULATION REVIEW (MARJORIE SHANSKY)
- OVERVIEW QUINNIPIAC RIVER WATERSHED WATER QUALITY REGULATION REVIEW RESOURCE (JESSICA BACHER)
- WATERSHED ISSUE IDENTIFICATION (TIFFANY ZEZULA)

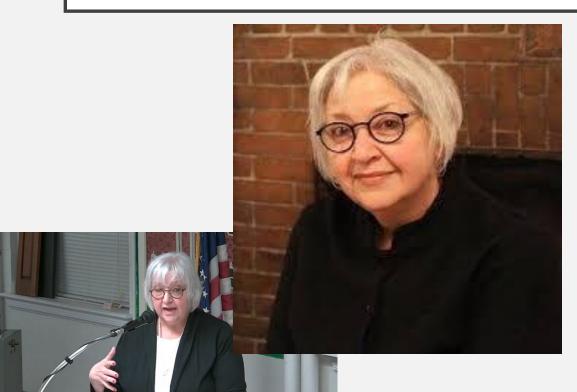
## PROGRAM OVERVIEW

- Watershed Wednesday Watch
  - May 20: Meet Your Neighbors and Share Watershed Issues
  - May 27: Watershed Protection Tools & Best Practices
  - June 3: How to Read a Site Plan
  - June 10: Community Engagement/Education & Intermunicipal Cooperation

## WHO IS ON THE ZOOM? (POLL)



## WATER QUALITY REGULATION REVIEW

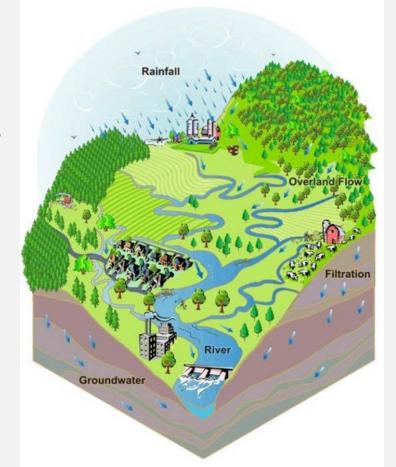


Marjorie Shansky, Esq.



## WHAT IS A WATERSHED?

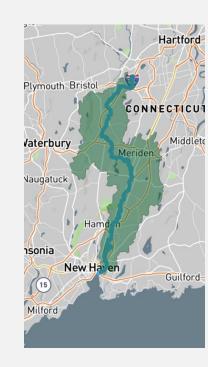
 A watershed is the area of land that contributes runoff to a specific receiving water body such as a lake, river, stream, wetland, estuary or bay





### WATERSHED PROTECTION

- The Quinnipiac River Watershed is an approximately 166 square-mile urbanized watershed in central Connecticut.
- The Quinnipiac River is the fourth largest river in Connecticut traversing 38 miles and originating in a 300-acre wetland called Deadwood Swamp on the border of Farmington and Plainville.





"All the water that will ever be is, right now." —National Geographic

## ISSUES CONFRONTING THE WATERSHED

- Historic development patterns and land use activities
- Upgrades to wastewater treatment has improved water quality though it remains poor
- Nonpoint sources including stormwater runoff from developed areas and impervious surfaces are major sources of bacteria, sediment and nutrients
- Agriculture and historical contamination of industrial sites are other sources of ongoing nonpoint source pollution



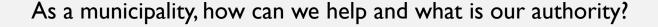
## ISSUES, CONTINUED

- Loss of important habitats including inland wetlands, tidal marsh, riparian corridors and forested areas have been lost through historic and ongoing development
- Loss of anadromous fish species Quinnipiac River has been identified as a high priority for anadromous fish restoration
- Flooding in portions of the watershed



## TOTAL MAXIMUM DAILY LOAD ("TMDL")

- Developed by DEEP in 2008 a "pollution budget" for indicator bacteria
- The TMDL identifies bacteria loads necessary for waterbodies to meet State water quality standards and support contact recreation
- Point and nonpoint source stormwater runoff are primary sources of indicator bacteria loadings in the TMDL





# TOOLS FOR WATERSHED PROTECTION MUNICIPAL JURISDICTION

• Sec. 8-2. Regulations. (a) The zoning commission of each city, town or borough is authorized to regulate, . . . the percentage of the area of the lot that may be occupied; . . . Such regulations shall be designed to . . . secure safety from fire, panic, flood and other dangers; to promote health and the general welfare. . . . Zoning regulations . . . shall be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies. On and after July I, 1985, the regulations shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329.



## MUNICIPAL JURISDICTION

- <u>Coastal Management Act</u> The "coastal boundary" is a continuous line formed by the farthest inland of the 100-year flood line, 1,000' from mean high tide or 1000' from the inland boundary of tidal wetlands. The law requires each coastal municipality to evaluate local development proposals for impacts on coastal resources and on future water-dependent activities.
- <u>Inland Wetlands and Watercourses Act</u> Municipalities are required to have a local wetlands agency who hears, considers and decides upon applications to conduct regulated activities, to determine whether certain activities are exempt, and to enforce the wetlands laws.



## MUNICIPAL JURISDICTION, CONT.

- Aquifer Protection Agencies may exist as independent bodies or be combined with Planning and Zoning Commissions. When aquifers are mapped, municipalities may regulate uses that occur on or adjacent to such areas and review development proposals.
- Soil Erosion and Sediment Control required for development site of ½-acre or more, or 30% of total lot area will be regraded by more than 2 feet or more than 800 cubic yards of soil and rock will be moved, removed or added unless exempt.



## OTHER TOOLS FOR WATER QUALITY

- Pre-application Meetings
- Seek Peer review of "complex" applications at Developer's expense
- Require "complete" applications Provide checklists that reflect regulatory requirements
- Consult with Town Counsel about recent case decisions that amplify, contract, or explain commission jurisdiction
- Amend, Amend, Amend



## SIX STEPS TO IMPROVE WATER QUALITY

- I. Review your Regulations Zoning, Subdivision, Inland Wetlands
- 2. Incorporate LID Techniques and Requirements in your Regs
- 3. Conduct a build-out analysis If indicated, reduce permitted % of impervious
- 4. Natural Resources Inventory
- 5. Community Engagement and Community Outreach
- 6. Educate your Commissioners, Board Members and the Public



"A river is more than an amenity, it is a treasure." —Oliver Wendell Holmes





## QUINNIPIAC RIVER WATERSHED WATER QUALITY REGULATION REVIEW



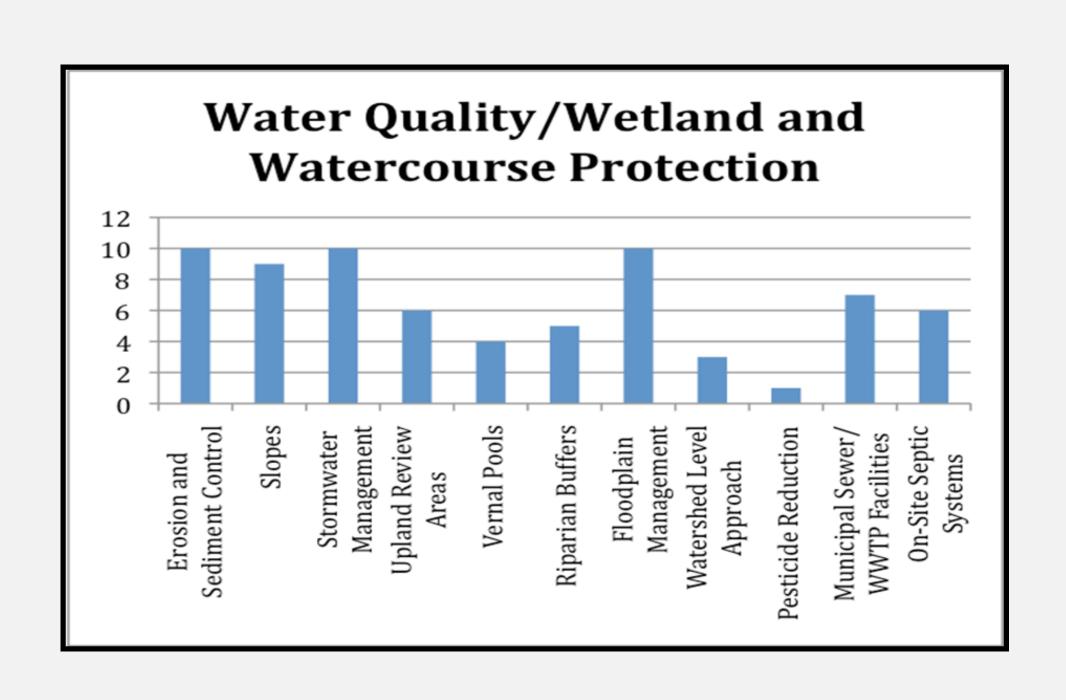
Photo by Ian Christmann



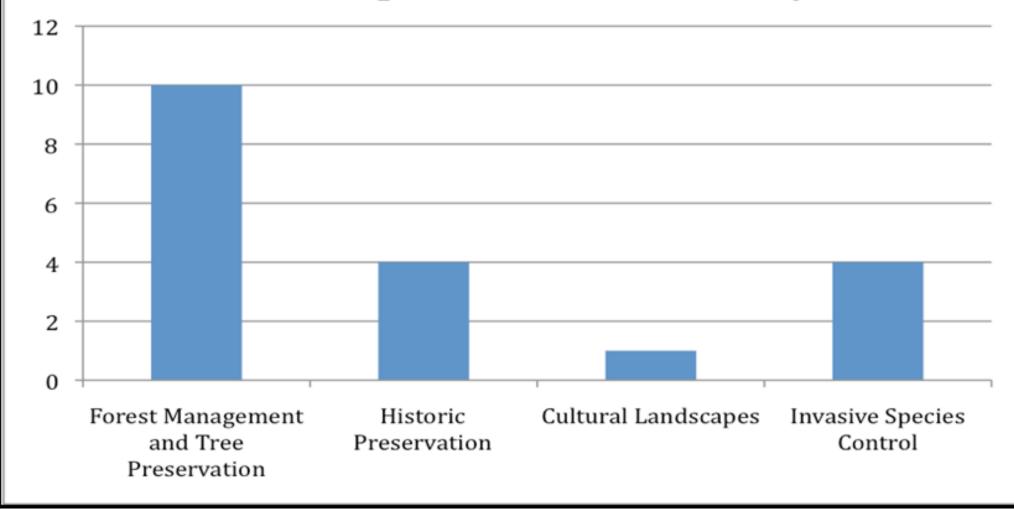


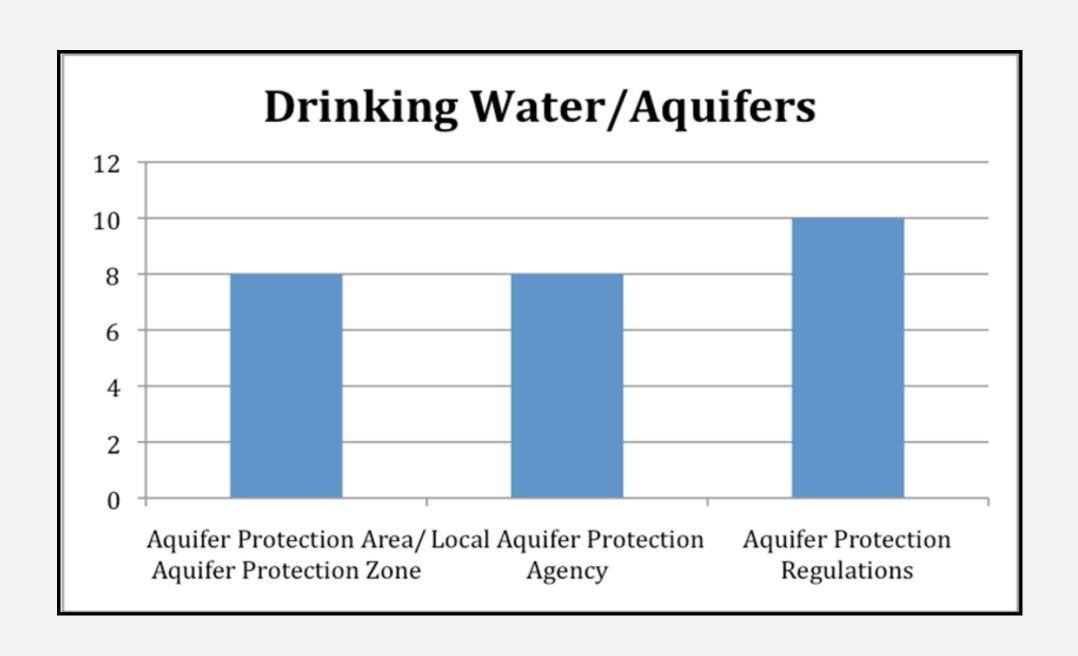
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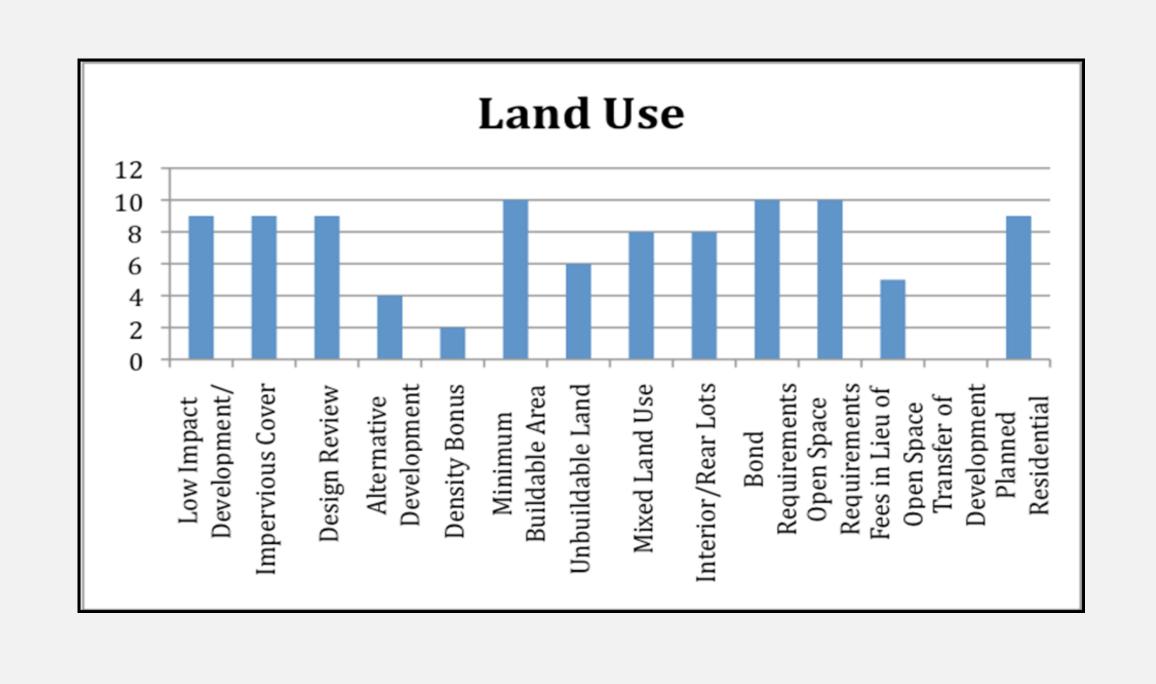
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# WHICH TOOLS DO YOU WANT TO LEARN ABOUT? (POLL)

### WATERSHED WEDNESDAYS

- **Upcoming Sessions** 
  - May 27: Watershed Protection Tools & Best Practices
    - **Share Your Practices!**
  - June 3: How to Read a Site Plan
  - June 10: Community Engagement/Education & Intermunicipal Cooperation
- Materials
- Bring Your Team
- Contact US
  - Jessica Bacher <u>jbacher@law.pace.edu</u>
  - Tiffany Zezula- tzezula@law.pace.edu



## QUINNIPIAC RIVER WATERSHED LAND USE LEADERSHIP ALLIANCE (LULA)

WATERSHED WEDNESDAY WATCH







## LAND USE LEADERSHIP ALLIANCE TRAINING PROGRAM



## PROGRAM OVERVIEW

### Watershed Wednesday Watch Agenda

- Town of Cheshire Water Quality Protection Policies, Regulation, and Enforcement Practices
- Sustainable CT
- Community Engagement/Education
- Intermunicipal Cooperation

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## SUSTAINABLE CT

## Alyssa Norwood

https://sustainablect.org/



## COLLABORATIVE DECISION-MAKING AND COMMUNITY ENGAGEMENT











#### OBJECTIVES OF THE SESSION

- To describe the basic requirements of the land use decision making process
- To illustrate why the land use decision making process is not suited for collaboration
- To demonstrate how effective public engagement can be used to build community
- And to introduce participants to the principals of community engagement







#### IMAGINE...





# MINIMUM OR MAXIMIZE?







## Stages of Decision-Making

- Application/Plan Submitted
- 2 Application/Plan Reviewed
- Public Hearing
- Decision Announced

### Minimum Requirements of the Process



- An impartial tribunal
- A fair and orderly process
- The decision made is based on facts on the record

## The Required Decision Making Process . . .

- DOESN'T prevent or avoid challenges from being made by the public
- DOESN'T help create conversation between local boards, developers and the affected public
- DOESN'T reduce the possibility of opposition
- DOESN'T get community support

# Stages of the Required Decision Making Process

- 1 Application/Plan Submitted
- 2 Application/Plan Reviewed
- Public Hearing
- Decision Announced

# WHAT IS CITIZEN ENGAGEMENT?

• Citizens of a community are "engaged" when they play an effective role in decision-making

• They are actively involved in defining the issues, identifying solutions, and developing priorities for action and resources.



#### What are the <u>DISADVANTAGES</u> of a Collaborative Process?

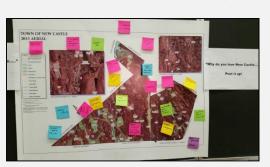


- Messy process
- Takes too long
- Expensive
- Hard to control
- Not focused



# Advantages of Community Engagement

- ✓ Saves time
- ✓ Better ideas and shared problem solving
- ✓ Builds relationships
- ✓ Satisfactory result
- √ Creates buy-in
- ✓ Considers a range of interests
- ✓ Encourages future involvement
- ✓ Boosts confidence in government
- ✓ Increases compliance



#### COMMUNITY ENGAGEMENT

	Required	Supplemental
Goal	Technical viable plan that conforms to all laws, rules and regulations	Technical viable plan that integrates stakeholder interests
Primary Audience for Plan	Decision-makers	Decision-makers and stakeholders
Purpose of Information	Ensure the plan conforms to professional practice and passes technical review	Ensure the plan is feasible and addresses stakeholders' issues and concerns
Skills	Technical (engineering, design, fiscal, legal)	Technical, legal, and facilitation/community engagement
Role of Public	Input and Advice at Public Hearing	Engage in discussion, join problem-solving

#### THE 80/20 RULE

80%

of land use decisions use

20%

of board time

REQUIRED PROCESS



20%

of land use decisions use

80%

of board time



COLLABORATIVE PROCESS

### Collaborative Process is Appropriate When . . .

- The solution is **NOT IMMEDIATELY CLEAR** to all the parties
- The parties **FUNDAMENTALLY DISAGREE** on the best solution
- The decision is likely to have <u>FAR REACHING</u>
   <u>IMPACTS</u>
- The decision is likely to be <u>CHALLENGED</u>

#### **COMMUNITY ENGAGEMENT**

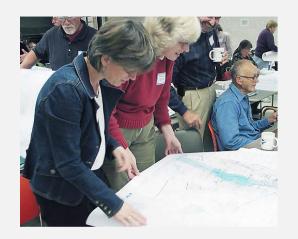
#### <u>Principles</u>

- Engage Early
- Listen & Learn First
- Be Inclusive &Involve Many
- Build on Interests, Not Positions
- Design an Effective and Positive Process
- Be Transparent & Responsive
- Use a Skilled Facilitator



#### **ENGAGE EARLY & LISTEN**

- Plan a Meeting
- Brainstorm the goals and objectives
  - What's working? What resources are important to the community?
  - What's not working? What are challenges in our community?
  - What are strategies to overcoming these challenges?



# Be Inclusive & Involve Many

- Land use board members
- Municipal staff and officials
- Other land use committees
- Historical Preservation members
- Agricultural Committees
- Local developers
- Religious leaders
- Local environmental activists and citizen groups
- Architects and engineers
- Large landowners
- Chamber of Commerce
- Homeowner Association members
- Schools



#### POSITIONS VS. INTERESTS

What are POSITIONS?

What are INTERESTS?

Parties' assertions, wants, demands, offers, and solutions

A person's needs and concerns

#### DESIGN AN EFFECTIVE PROCESS

- Hold Multiple Meetings
- Schedule Meetings to meet the needs of various stakeholders
  - Select convenient and accessible venues
  - Select varying dates and times
  - Publicize meetings



#### CREATE A POSITIVE ENVIRONMENT

- Distribute Detailed Agendas
- Establish Ground Rules
- Offer Refreshments
- Distribute Meeting Summary
- Discuss interests instead of positions



#### BE TRANSPARENT AND RESPONSIVE

- Post meeting notes and technical information
- Find ways to continue to receive input/feedback
- Continue to ask, "who else should we inform & update?"
- Schedule future meetings
- Give feedback

#### DESIGN AN EFFECTIVE PROCESS

#### **Incentives for Participation**

- To improve services / their community
- Opportunity to be a part of change
- To have a voice
- Build self-confidence
- Meet other people
- Refreshments (this is always a good idea when hosting an event)
- Coming to an event and the engagement being secondary (eg: a community event)
- Freebies / a goodie bag
- Vouchers
- Entry into a prize drawing

#### **Methods:**

- Community Meetings/Education Session
- Interviews, Polls & Surveys & Hotlines
- Websites, Email, Social Media & Texting
- Focus & Advisory Groups
- Neighborhood Walks
- Newspaper Article
- Municipal Meeting
- Brochure/Fact Sheet



Choose creative locations that will attract diverse stakeholders and get mobile:

- Trains
- Parks
- Bars/Restaurants
- Schools
- Shopping Centers
- Homeowner Association Meetings
- Senior and Recreational Centers
- Business locations/restaurants
- Town Pool/Beach













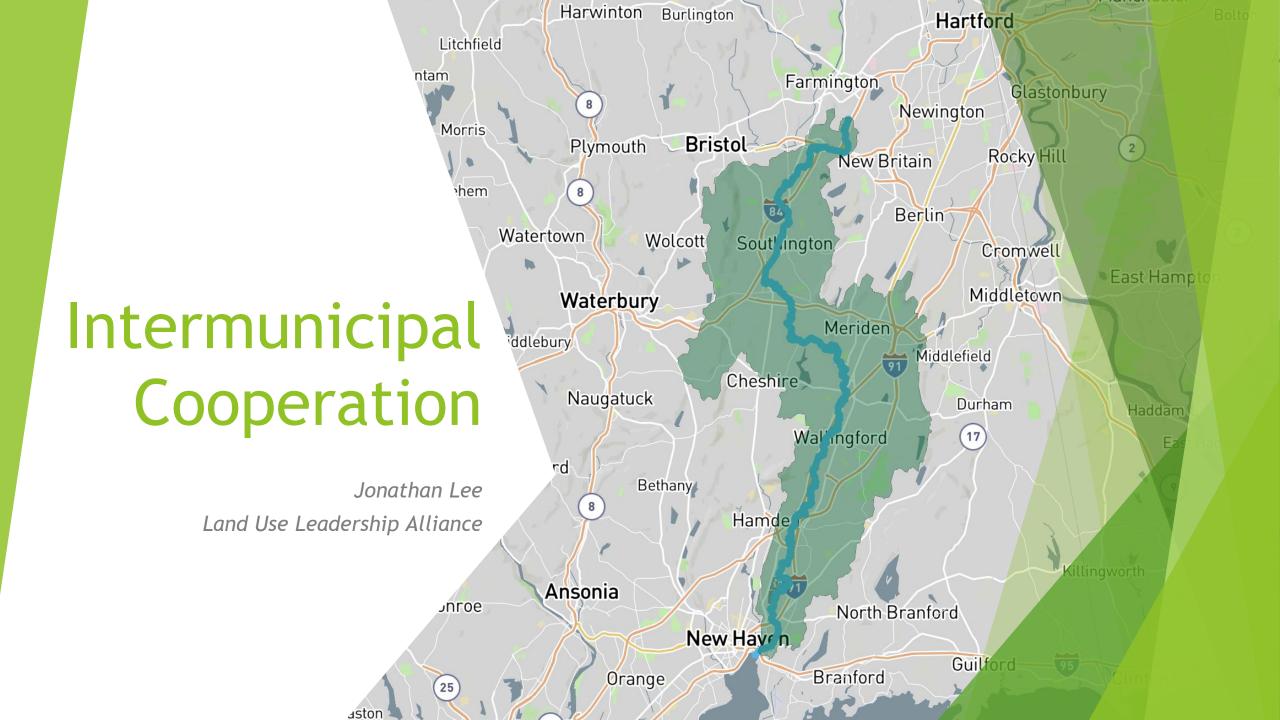
#### INTERMUNICIPAL COOPERATION

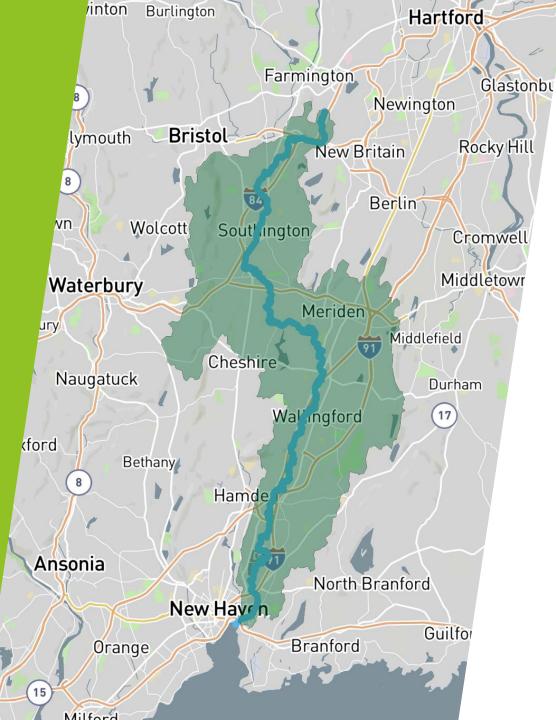
Jonathan Lee, Yale School of Forestry and Environmental Studies

#### THANK YOU

#### Contact US

- Jessica Bacher <u>jbacher@law.pace.edu</u>
- Tiffany Zezula- tzezula@law.pace.edu





# Quinnipiac Watershed Actors

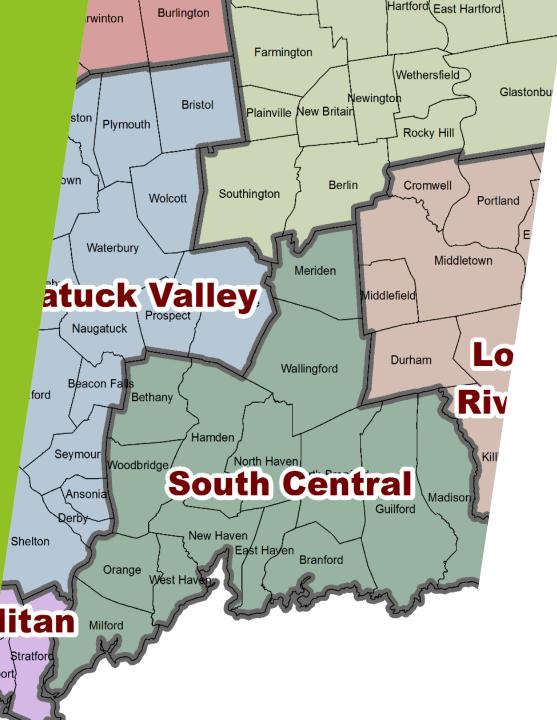
- ► Local Towns
  - ▶ Riverside:

New Haven, Hamden, North Haven, Wallingford, Meriden, Cheshire, Southington, Plainville, New Britain

► Watershed:

East Haven, North Branford, Prospect, Wolcott, Bristol

- ► Regional Councils of Government
- ► Connecticut Conservation Districts



# Quinnipiac Watershed Actors

- ▶ Regional Councils of Government
  - South Central
  - ► Naugatuck Valley
  - ► Capitol Region
- ► Connecticut Conservation Districts
  - **▶**Southwest
  - ►CT River Coastal
  - ► North Central

## Timeline of Important Quinnipiac Events



1979

**Natural Resources Inventory** 

- US Geological Survey & CT DEP
- Creation of Quinnipiac River Watershed Association (QRWA)



2013

Watershed Management Plan

- New CT DEEP & EPA guidelines
- Low Impact Development & Green Infrastructure Assessment
- Need for regional collaboration & watershed organization

Quinnipiac Watershed Action Plan

 Quinnipiac Watershed Partnership (cooperation from CT DEEP, EPA, and universities too)



2004

# Connecticut General Statutes (CGS)

"Two or more municipalities may jointly perform any function that each municipality may perform separately under any provisions of the general statutes or of any special act, charter or home rule ordinance by entering into an interlocal agreement..." - Section 7-148cc

# Connecticut General Statutes (CGS)



Section 7-131a: Conservation Commissions



Sections 22a-36 through 22a-45: The Inland Wetlands and Watercourses Act (IWWA) and inland wetland commissions



Sections 25-231 through 25-238: The Multiple Use Rivers Act, including river commissions, resource inventories, and management plans



Sections 7-339a through 7-339l: Intermunicipal or "interlocal" agreements for joint activities

## Regional Consolidation

- Consolidation of local services in CT into regional entities could save around:
  - ▶ 60% of 9-1-1 call centers costs
  - ▶ 41% of public health departments costs (with an increase in medical services offered to some areas)
  - ▶ 17% of public pension administration costs

2013 study from New England Public Policy Center, Federal Reserve Bank of Boston:

"The Quest for Cost-Efficient Local Government in New England: What Role for Regional Consolidation?"

## Regional Consolidation

- Consolidation of services could be applied broadly to many services
  - Without sacrificing quality
  - ▶ If services rely on "capital equipment, technology, or specialized skills."

2013 study from New England Public Policy Center, Federal Reserve Bank of Boston:

"The Quest for Cost-Efficient Local Government in New England: What Role for Regional Consolidation?"

# Cooperation Example: Farmington River Watershed Association

- Non-Profit Organizational Team
  - Executive Director
  - Education and Outreach Coordinator
  - Water Quality and Projects Coordinator
  - Project Manager & Project Support
  - GIS Manager
  - ► River Stewards & Volunteers

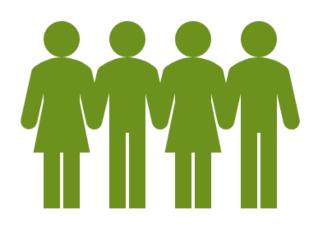
- Coordination of Activities
  - Environmental Restoration
  - Public education
  - Water Quality Monitoring
  - GIS Mapping
  - Grant Applications
  - Biodiversity and stream flow studies
  - ► Advocacy for State & Federal Regulations

# Cooperation Example: Connecticut River Gateway Commission

- Commission Membership from Lower Connecticut River
  - Two representatives from each of the eight member towns
  - Two members selected by the local Council of Governments
  - One representative of CT DEEP
- State Advocacy & CGS Chapter 477a
  - Mission: Protect the "natural and traditional riverway scene"
- Broad oversight in three parts:
  - ► Adoption of a Conservation Zone & Gateway (regulation) Standards
  - Review of Variance Applications
  - Appeal of Local Decisions

What would we, the Quinnipiac River Watershed, want to work on together going forward?





Who would we want to invite to join us in our endeavors?

# Zoom Series

#### Watershed Wednesday Watch

Grab your lunch and join the Land Use Collaborative and your neighboring communities to discuss watershed planning:

Meeting Time: 11:00am-1:00pm

May 20: Meet Your Neighbors and Share Watershed Issues

May 27: Watershed Protection Tools & Best Practices

June 3: How to Read a Site Plan

June 10: Community Engagement/Education & Intermunicipal Cooperation

Register in advance for this meeting:
https://pace.zoom.us/meeting/register/tJAqcuygrzMoG9E0YRcwIOQ0wFq-Q2C-JhoZ

After registering, you will receive a confirmation email containing information about joining the meeting.