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State Park Rules

Sec. 23-4-1. General regulations

(a) Hours of operation.

State parks and state forest recreation areas shall be open for public use daily between sunrise and sunset. State parks shall be open to public vehicular traffic daily between the hours of 8:00 a.m. and sunset, except as otherwise specifically authorized by the Department of Environmental Protection. Other state forest areas shall be open between one hour before sunrise and one hour after sunset.

(b) Vandalism and possession of food or beverage inside historic structures.

(1) No person shall deface, destroy, alter, remove or otherwise injure in any manner any structures, buildings, vegetation, earth or rock material, trees, or fuelwood, nor shall any wildlife be molested or disturbed except as authorized by the Department of Environmental Protection. The Commissioner may grant upon written application, permission to collect specimens, take samples and conduct other investigations for scientific or educational purposes. Such permission shall be in writing and shall be subject to such conditions as the Commissioner deems necessary.

(2) No person shall possess food or beverage inside of historic structures unless permitted by the Department of Environmental Protection.

(c) Hunting/weapons.

Hunting or carrying of firearms, archery equipment or other weapons, including but not limited to air rifles and slingshots, is not permitted in any state park or forest except as authorized by the Department of Environmental Protection. All carrying or use of weapons is subject to applicable provisions of the Connecticut General Statutes and regulations adopted thereunder.

(d) Fishing.

Fishing is permitted in all state parks and forests, except in designated swimming areas and other areas so posted. Fishing where permitted, is allowed from sunrise to sunset unless otherwise posted. All fishing is subject to the provisions of Chapter 490 of the General Statutes and regulations adopted thereunder.

(e) Alcoholic beverages.

(1) The possession or consumption of alcoholic beverages is prohibited on state park or forest beaches, boardwalks and other areas so posted.

(2) The possession of beer in containers larger than one (1) liter is prohibited.

(3) The sale of alcoholic beverages is prohibited.

(4) The Commissioner shall have the authority to ban the possession or use of alcohol in any state park acquired or opened after April 1, 2006.

(5) The Commissioner shall have the authority to temporarily ban, for periods up to a maximum of ninety (90) days, the possession or use of alcohol at specific recreation areas if its use is creating public safety issues as determined by the Commissioner.

(f) Pets and riding animals.

(1) Pets and riding animals are prohibited in Sherwood Island and Squantz Pond State Parks from April 15 to September 30, inclusive. Except as provided in subdivision (5) of this subsection, riding animals and pets must be on a leash that is no longer than seven (7) feet in length, and must be under the control of their owner or keeper at all times.

(2) Pets and riding animals, including, but not limited to dogs and horses, are prohibited in the following areas of state parks and forests at all times: all buildings, swimming areas and other areas so posted. No person shall allow any pet or riding

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animal under their control to enter a waterbody in which there is a Department of Environmental Protection designated swimming area from anywhere on Department of Environmental Protection property containing that swimming area from April 1 through October 31, inclusive.

(3) In state forest campgrounds, no more than two pets shall be allowed per campsite. Pets are prohibited from state park campgrounds.

(4) Trained service animals, required to perform a specific task and for the ongoing treatment of a disability or health condition, are permitted in all areas not closed to the public while accompanied by the person needing their assistance.

(5) This subsection shall not apply to the proper use of dogs while in the act of hunting, training or deployment of certified search and rescue dogs or to Law Enforcement or Department of Environmental Protection personnel acting in the course of their employment.

(6) Persons bringing pets or riding animals to state recreation picnic areas, athletic fields, man-made structures, paved surfaces, beaches where permitted and campgrounds, with the exception of horse camps, shall remove and properly dispose of pet waste (feces) left by the pet or riding animal under their control.

(g) Notices and signs.

No person shall erect, post or distribute any notice or sign upon state park or forest property unless authorized by the Department of Environmental Protection manager in charge of such park or forest property.

(h) Commercial restrictions.

The use of state park or forest lands or any improvements thereon for private gain or commercial purposes is prohibited, except by concessionaires or vendors with written permission of the Commissioner, or the Commissioner's designee, or by Special Use License issued by the Department of Environmental Protection.

(i) Meetings and proselytism.

Political meetings and proselytism may be conducted only in areas and at times approved by the Commissioner of the Department of Environmental Protection or the Commissioner's designee. Such approval shall not be unreasonably withheld.

(j) Littering.

No person shall dispose of any material in a state park or forest, except in receptacles provided for such disposal.

(k) Dumping.

Disposing of any material in a state park or forest which was not accumulated during the use of such facilities is prohibited.

(l) Trails and roads.

(1) Trails are open to non-motorized, multiple use activities unless posted closed. Use of any trail, road or path posted as closed by the Department of Environmental Protection is prohibited.

(2) Use of Connecticut Blue-Blazed Trails and the National Park Service Appalachian Trail crossing state property shall be limited to hiking except where Department of Environmental Protection blazed trails supporting other uses coincide.

(3) Public roadways in state parks and forests are open to registered motor vehicles as defined in 14-1 of the Connecticut General Statutes and other non-motorized multiple uses unless posted closed.

(4) Service, logging and other roads closed to public use by motor vehicles are open to non-motorized multiple use activities unless posted closed.

(m) Boats.

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

(1) Boats shall be restricted to areas posted for boating by the Department of Environmental Protection, and are prohibited in swimming areas.

(2) No person shall fasten a boat to any state park or forest pier or anchor in any launching area so as to prevent free access to the pier or launching area.

(3) Vessels launching from Squantz Pond State Boat Launch are prohibited from using a motor or combination of motors in excess of 25 horse power. Larger motors may be attached to such vessels but the propeller must be removed and the motor inclined out of the water or as high as possible. No motorized vessels may land or offload/unload passengers or equipment on Department of Environmental Protection-owned property outside of the launch area.

(n) **Gambling.**

Gambling in any form on state park or forest property is prohibited.

(o) **Disorderly conduct.**

Disorderly conduct, public nudity, intoxication, and obscene or indecent behavior are prohibited, and all forms of rough play, or activities or contests creating hazards to persons or property, including, but not limited to, the use of paintball guns or other similar devices, are prohibited.

(p) **Picnicking.**

Picnicking is allowed unless otherwise posted by the Department of Environmental Protection.

(q) **Fires.**

(1) Fires may be kindled only in grills, stoves, fireplaces or other designated campfire facilities.

(2) No person may kindle or maintain a fire within five (5) feet of any tree, building or shrub, except in those locations where the Department of Environmental Protection has provided fireplaces or grills.

(3) Fire residue shall be properly disposed of in hot coal/ash receptacles, where provided.

(4) Fire residue shall not be disposed of in a manner that may damage property or cause injury to a person.

(5) No fire shall be left unattended.

(r) **Athletics.**

The playing of baseball, football, soccer, golf or other athletic games is allowed unless otherwise restricted.

(s) **Swimming.**

(1) Swimming is allowed except where posted as prohibited by the Department of Environmental Protection.

(2) All persons in swimming areas shall obey the lifeguards.

(3) Swimming hours are from sunrise to sunset.

(4) No person shall swim in long pants, a long-sleeved shirt, a skirt, a dress or other restrictive clothing.

(5) Washing of persons or articles in the waters of swimming areas is prohibited.

(t) **Glassware.**

The possession or use of glass on the beach or in swimming areas is prohibited.

(u) **Fireworks.**

The possession or use of all classes of fireworks in any state park or forest is prohibited except as authorized by the Commissioner of Environmental Protection. Such authorization shall be in writing and subject to the applicable provisions of the General Statutes and regulations adopted thereunder and such conditions as the Commissioner deems necessary.

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(v) **Swimming aids.**

(1) Inflatable or buoyant devices (including, but not limited to, inner tubes, ring buoys, balls, air mattresses and rafts) are prohibited in those areas at state swimming areas that are protected by on-duty lifeguards, except for U.S. Coast Guard approved personal flotation devices when worn by swimmers. The use of U.S. Coast Guard approved personal flotation devices may be required in certain areas as determined to be appropriate by the Department of Environmental Protection. These areas shall be designated by the posting of conspicuous signs notifying individuals of the required use of the U.S. Coast Guard approved personal flotation devices.

(2) Snorkels are prohibited in guarded swimming areas.

(3) Goggles, facemasks and flippers are permitted in swimming areas.

(w) **Under-water fishing devices.**

Under-water fishing devices are prohibited in designated swimming areas.

(x) **Noise.**

No person shall cause or allow any noise which infringes on the ability of others to enjoy state park or forest property, except as authorized by the Commissioner of the Department of Environmental Protection or the Commissioner's designee.

(y) **Avoidance of fees.**

The avoidance of fees established in accordance with Section 23-26 of the General Statutes at the various state parks and forests is prohibited.

(z) **Buildings and structures.**

(1) No person shall use any building or structure for any purpose other than that for which it is designated.

(2) No person may attach any electrical extension cord to any electrical receptacle unless authorized by the Department of Environmental Protection manager in charge.

(aa) **Public water facilities.**

(1) The use of public drinking water facilities for the purpose of washing is prohibited.

(2) No person shall attach any item to a faucet without prior approval of the Department of Environmental Protection manager in charge.

(bb) **Losses or theft.**

The state assumes no responsibility for the loss or theft of any article in any state park or forest.

(cc) **Tents.**

(1) Full coverage tents are not permitted in day-use areas, including, but not limited to, beaches, parking lots and picnic areas.

(2) Rigid frame (event-type) tents are not permitted to be erected on state park or forest property except as authorized in writing by the Commissioner of Department of Environmental Protection or the Commissioner's designee.

(Effective July 13, 1993; amended July 27, 2007)

Sec. 23-4-2. Vehicles – traffic and parking regulations

(a) **Parking.**

Parking of vehicles shall be limited to such places and hours as designated by markings, signs or postings. It shall be prima facie evidence that the registered owner of the vehicle was the operator at the time of any parking violation.

(b) **Speed limit.**

Unless otherwise posted, the speed of any vehicle in state parks or forests shall not exceed twenty (20) miles per hour.

(c) **Traffic signs.**

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No person shall operate, park or stand any motor vehicle in a manner contrary to any traffic or parking sign.

(d) Motor vehicles, use restricted.

Motor vehicles, including motorcycles and motorized bicycles, are restricted to operating on roads, parking lots, campsites and other areas posted for such, except as authorized by the Department of Environmental Protection. The use of all other motor vehicles, except motorized wheelchairs, is prohibited, except as authorized by the Department of Environmental Protection.

(e) All-terrain vehicles and snowmobiles, use restricted.

No person shall use any all-terrain vehicle or snowmobile, as defined in Section 14-379 of the General Statutes on any state park or forest land except in areas posted for the use of such vehicles.

(Effective June 24, 1986; amended July 27, 2007)

Sec. 23-4-3. Camping regulations

(a) Campground areas.

Camping is restricted to such places and times as are designated by the Department of Environmental Protection.

(b) Camping permit.

(1) Any person wishing to camp in a state park or forest campground area must secure a permit.

(2) A person must be eighteen years of age or older to secure a camping permit.

(3) The permittee is responsible for the campsite and the conduct of all members of the camping party and all visitors to the campsite.

(4) No one shall occupy a campsite prior to check-in time or stay past check-out time of the last day covered by the permit. Equipment left on the site after the date and time of expiration of the permit will be considered abandoned.

(c) Camping equipment.

(1) No person shall place any vehicle, camping or other equipment on any state park or forest campsite without a permit.

(2) Camping is restricted to camp trailers, tents and similar equipment except where otherwise designated by the Department of Environmental Protection manager in charge.

(3) Any and all camping equipment on a single campsite may not occupy a total of more than four hundred (400) square feet of ground area.

(4) Any unauthorized or abandoned vehicles, camping or other equipment may be removed by any law enforcement officer of the Department of Environmental Protection or by the Department of Environmental Protection manager in charge or his or her designee. Any fees or fines incurred or costs for removal, disposal or storage of equipment shall be the responsibility of the owner of the equipment.

(d) Trespassing.

No person shall trespass on the campsite of another.

(e) Transfer of permit.

No person shall transfer a camping permit to another.

(f) Lights.

All lights on a campsite, except those needed for safety, shall be extinguished by 11:00 P.M.

(g) Campfires.

No combustible material shall be added to campfires after 11:00 P.M.

(h) Quiet hours.

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No person shall cause or allow any noise, which disturbs the tranquility of others between the hours of 10:00 p.m. and 7:00 a.m.

(i) Campground parking.

The maximum number of motor vehicles allowed per campsite is two (2) unless posted otherwise.

(j) Campsite occupancy.

The maximum number of occupants allowed per campsite is six. However, a parent or parents accompanied by any number of their children under the age of eighteen may occupy a single campsite irrespective of the six person limitation.

(k) Visitors.

Visitors shall park in designated visitor parking areas only and shall not otherwise drive or park within the campground. Visitors are permitted to enter state park or forest campgrounds between the hours of 8:00 A.M. and sunset, and must leave the campgrounds by 10:00 P.M.

(l) Permit forfeiture.

A permit shall be forfeited if the permittee fails to occupy the campsite within the first twenty-four (24) hour period for which the permit has been granted.

(Effective June 24, 1986; amended July 27, 2007)

Sec. 23-4-4. Bluff Point Coastal Reserve regulations

(a) This section shall be applicable to the Bluff Point Coastal Reserve, which is defined in Special Act 75-45, as amended. Sections 23-4-1 through 23-4-3 inclusive and 23-4-5 of the Regulations of Connecticut State Agencies, to the extent they do not conflict with this section, shall also be applicable to the Bluff Point Coastal Reserve.

(b) Hours of operation.

(1) Bluff Point Coastal Reserve shall be open to the public daily from sunrise until sunset, provided that fishing shall be allowed at any time. Except as is specifically provided for in subdivision (2) of this subsection, no person shall enter Bluff Point Coastal Reserve except when it is open.

(2) The Commissioner shall close Bluff Point State Park and Bluff Point Coastal Reserve for the taking of deer pursuant to section 26-86a-11 of the Regulations of Connecticut State Agencies. During any such closure only persons employed by the Department of Environmental Protection whose employment requires them to do so or persons with specific written authorization from the Commissioner shall be allowed to enter Bluff Point State Park or Bluff Point Coastal Reserve during the days or hours designated by the Commissioner. To effect such closure the Commissioner shall post notices or signs or shall otherwise notify the public that Bluff Point State Park and Bluff Point Coastal Reserve are closed, including the hours or days that they will remain closed.

(c) **Weapons.** Except for authorized law enforcement personnel or persons authorized pursuant to section 26-86a-11 of the Regulations of Connecticut State Agencies, no person shall discharge, possess or carry any firearm, archery equipment or other weapon, including but not limited to an air rifle or sling shot within Bluff Point Coastal Reserve.

(d) **Pets.** Subsection (f) of section 23-4-1 of the Regulations of Connecticut State Agencies shall apply, provided that no pets or riding animals shall be allowed into any area so posted by the Commissioner.

(e) **Notices and signs.** No person, other than the Commissioner, shall erect or post, or attempt to erect or post, any notice or sign in Bluff Point Coastal Reserve. The Commissioner may erect or post any sign or notice within Bluff Point Coastal Reserve consistent with Special Act 75-45, as amended.

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

(f) Improvements/structures and commercial restrictions.

(1) No person, other than the Commissioner, shall, temporarily or otherwise, make improvements to or erect structures on or in Bluff Point Coastal Reserve. The Commissioner may make improvements to or erect structures on or in Bluff Point Coastal Reserve consistent with Special Act 75-45, as amended.

(2) Except with the advance written authorization of the Commissioner, no person shall use Bluff Point Coastal Reserve for private financial gain or for commercial purposes. Any such authorization granted by the Commissioner shall be for the purposes specified in Special Act 75-45, as amended.

(g) Waste disposal. No person shall dispose of any waste material at Bluff Point Coastal Reserve except in a receptacle provided by the Commissioner for such purpose and provided that all such waste material was generated there as a normal incident to such person's lawful use of Bluff Point Coastal Reserve. If no receptacle is provided by the Commissioner, each person shall remove or carry out of Bluff Point Coastal Reserve all such waste material accumulated or generated there by such person during such person's use of Bluff Point Coastal Reserve. No person shall bring any waste material into Bluff Point Coastal Reserve for disposal therein.

(h) Fires. No person shall light a fire at Bluff Point Coastal Reserve.

(i) Fireworks. No person shall possess or use fireworks at Bluff Point Coastal Reserve.

(j) Use of motor vehicles and parking.

(1) Except as is specifically provided for in this subsection, no person shall use or operate any motor vehicle within, allow any motor vehicle to enter into, or park any motor vehicle within Bluff Point Coastal Reserve. Any such unauthorized vehicle within Bluff Point Coastal Reserve may be towed at the owner's expense. For purposes of this subsection, the term motor vehicle shall include any motor vehicle, motorcycle, motorized bicycle, camp trailer, camper, motor bus, mechanically driven mass conveyance, snowmobile, all-terrain vehicle, truck, trailer or tractor.

(2) Only the following persons may use or park a motor vehicle, a battery-powered conveyance as described in subparagraph (C) of this subdivision, or a horse-drawn or electric-powered conveyance within Bluff Point Coastal Reserve:

(A) Department of Environmental Protection employees using a motor vehicle within the course of their employment;

(B) Persons responding to an emergency within Bluff Point Coastal Reserve;

(C) Persons using battery-powered conveyances capable of carrying not more than two persons for use by the physically disabled or the elderly provided any such person receives advance written authorization from the Commissioner to operate or park a battery-powered conveyance within Bluff Point Coastal Reserve; or

(D) Persons using horse-drawn or electric-powered conveyances, provided any such person receives advanced written authorization from the Commissioner to operate or park such conveyance within Bluff Point Coastal Reserve.

(3) Any such motor vehicle or conveyance lawfully within Bluff Point Coastal Reserve shall only be used along established roadways therein, unless otherwise authorized by the Commissioner. Such authorization shall be consistent with Special Act 75-45, as amended.

(k) Camping. No person shall camp at Bluff Point Coastal Reserve.

(Effective October 4, 1995; amended July 27, 2007; amended May 3, 2010)

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

Sec. 23-4-5. Evictions and penalties

(a) **Eviction.**

(1) Violation of any provision of sections 23-4-1 through 23-4-4, inclusive, of the Regulations of Connecticut State Agencies shall be sufficient cause for eviction for a period of twenty-four hours.

(2) No person evicted with written notice shall enter any state park or forest during the eviction period.

(b) **Penalties.**

(1) Any person who violates any provision of sections 23-4-1 through 23-4-4, inclusive, of the Regulations of Connecticut State Agencies shall have committed an infraction.

(2)(A) Any person who violates any provision of sections 23-4-1 to 23-4-4, inclusive, of these regulations shall pay a fine of thirty five-dollars (\$35.00).

(B) Any person who enters a state park or forest during an eviction period in violation of subsection (a) of this section shall pay a fine of seventy-five dollars (\$75.00).

(Effective June 24, 1986; amended July 27, 2007, May 3, 2010)

Sec. 23-4-6.

Transferred, September 8, 1998.

See § 23-26

Use and Fee Structure of Certain State Park Facilities

Sec. 23-4-7. Applicability

Sections 23-4-7 through 23-4-22, inclusive, govern the rental of facilities at Harkness Memorial State Park, Rocky Neck State Park, Fort Trumbull State Park, Gillette Castle State Park and Putnam Memorial State Park. Violation of any provision of such sections shall be deemed an infraction and shall be punishable by a fine of up to \$90 or by such higher fine as may be provided by law.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-8. Definitions

For the purposes of sections 23-4-7 through 23-4-22 inclusive:

(1) “Alcoholic beverage” means an alcoholic beverage as defined by section 30-1 of the general statutes;

(2) “Amphitheatre” means the open area with bench seating, south-west of the mansion at Harkness Memorial State Park;

(3) “Columbus Day” means the second Monday in October;

(4) “Commissioner” means the Commissioner of Environmental Protection or the Commissioner’s representative;

(5) “Conference Center” means the building west and north of the fort at Fort Trumbull State Park;

(6) “Contractor” means a person retained, whether or not for compensation, by a renter in connection with an event, including but not limited to a caterer, bartender, photographer, musician, florist, or entertainer;

(7) “Department” means the Department of Environmental Protection;

(8) “Event” means a social, cultural, or business function, including but not limited to a party, reception, fund raiser, concert, conference or seminar. An event includes the primary event activity as well as set-up and take-down;

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(9) “Fort” means the lower level interior courtyard excluding rooms on the western side and the rampart at Fort Trumbull State Park;

(10) “FT Visitor Center” means the building west and south of the Fort;

(11) “GC Visitors’ Center” means the orientation room, central hall and veranda of the Visitors’ Center at Gillette Castle State Park;

(12) “Individual Rooms” means any one or more of the rooms of the Mansion;

(13) “Mansion” means the first floor, bride’s room and the south courtyard tent of the Mansion at Harkness Memorial State Park;

(14) “Memorial Day” means the last Monday of May;

(15) “Park” means Harkness Memorial State Park, Rocky Neck State Park, Fort Trumbull State Park, Gillette Castle State Park or Putnam Memorial State Park in the context of sections 23-4-7 through 23-4-22, inclusive, of the Regulations of Connecticut State Agencies;

(16) “Park Supervisor” means the Department employee stationed at the Park who has ultimate responsibility at that Park for operations thereof;

(17) “Pavilion” means the second floor of the Ellie Mitchell Pavilion at Rocky Neck State Park;

(18) “Pergola” means the arbor and tea room structure at the north end of the west garden of the Mansion;

(19) “Person” means person as defined by section 22a-2 of the general statutes;

(20) “PM Visitor’s Center” means the historic building and visitors’ center at Putnam Memorial State Park;

(21) “Premises” means the Mansion, the Amphitheatre, the Pergola, any of the Individual Rooms, the Pavilion, the Fort, Conference Center, FT Visitor Center, South Lawn or GC Visitors’ Center and Veranda, and PM Visitor’s Center and all structures and appurtenances thereof;

(22) “Primary event activity” or “primary activity” means the endeavor or endeavors which are the event’s principal purpose and excludes set-up and take-down;

(23) “Rampart” means the upper tier of the Fort;

(24) “Rental or “rent” means the occupation, for the fees and under the conditions specified in Sections 23-4-7 through 23-4-22, inclusive, of any of the premises (a) for the purpose of holding an event, and (b) the exclusion of all persons other than the renter, his guests, his contractors, and representatives of the Department;

(25) “Renter” means a person who rents, as that term is defined in this section;

(26) “Set-up” means activities conducted in preparation for the primary event activity, including but not limited to: food preparation, decoration with flowers or other items, setting up of tables and chairs, and delivery of equipment and supplies;

(27) “South Lawn” means the lawn area south of the Fort;

(28) “Take-down” means activities associated with cleaning up after the primary event activity, including but not limited to removing supplies and equipment, cleaning the premises, and removing waste generated by the event; and

(29) “Terrace” means the outdoor area adjacent to and on the southwest side of Gillette Castle.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-9. Facilities available for rental

(a) At Harkness Memorial State Park, the Mansion, Individual Rooms, and Amphitheatre may be rented singly or in combination for an event.

(b) At Rocky Neck State Park, the Pavilion may be rented for an event.

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(c) At Fort Trumbull State Park, the South Lawn, Conference Center and Visitor Center may be rented singly or in combination with the Fort for an event.

(d) At Gillette Castle State Park, only the Visitors' Center and the Veranda may be rented for an event. The Terrace may be rented for ceremonies only.

(e) At Putnam Memorial State Park, the Pavilion may be rented for an event.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-10. Availability of premises

(a) Harkness Memorial State Park:

(1) Except as provided in subdivision (2) of this subsection, from March 1 through December 23, the Mansion, Pergola, and Amphitheatre may be rented for an event Tuesday through Sunday between 10:00 a.m. and midnight.

(2) From Memorial Day through Columbus Day and on any day when the Mansion is open for public tours, an event may begin no earlier than 3:00 p.m. and the primary activity of such event may begin no earlier than 5:00 p.m.

(3) Except as provided in subdivision (4) of this subsection, from March 1 through the Thursday preceding Memorial Day and from the day after Columbus Day through December 23, the Individual Rooms may be rented for a meeting, seminar or conference on Tuesday through Friday between 8:00 a.m. and 4:00 p.m.

(4) A guest may not enter the rented premises until the primary event activity is scheduled to begin.

(b) Rocky Neck State Park:

(1) From Memorial Day through Columbus Day, the Pavilion may be rented for an event any day of the week until midnight, provided that (A) on Monday through Thursday an event may begin no earlier than 8:00 a.m. and the primary activity of such event may begin no earlier than 10:00 a.m., and (B) on Friday through Sunday such an event may begin no earlier than 3:00 p.m. and the primary activity of such an event may begin no earlier than 5:00 p.m.

(c) Fort Trumbull State Park:

(1) The Fort and South Lawn may only be rented on days when the facility is open for public visitation. From Columbus Day through Memorial Day, the South Lawn and Fort are not available for rental. The curfew at the park is 11:00 p.m.

(2) The FT Visitor Center and the Conference Center are available for rental, year round. From Columbus Day to Memorial Day, the buildings are not available for rental on Saturdays and Sundays;

(3) The Fort, South Lawn, FT Visitor Center and Conference are not available for rental on state or national holidays;

(4) A guest may not enter the rented premises until the event activity is scheduled to begin.

(d) Gillette Castle State Park:

1. The GC Visitors' Center is available for rental, year round. From Columbus Day to Memorial Day, the building is closed on Mondays. Events may not begin prior to 5:00 p.m. and they must conclude by 11:00 p.m.

2. A guest may not enter the rented premises until the primary event activity is scheduled to begin.

3. From June through September, excluding holiday weekends, the terrace is available for wedding ceremonies on Saturdays at 10:00 a.m. or 5:30 p.m. for a period of one-half hour.

4. The building is not available for rental on state or national holidays.

(e) Putnam Memorial State Park:

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(2) The PM Pavilion is available for rental, year round. Events must conclude by 11:00 p.m.

(3) The pavilion is not available for rental on state or national holidays.

(f) The renter shall be liable for the failure of any guest or contractor to vacate the rented premises by the time the event is scheduled to end.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-11. Rental fees

Rental fees for events will be in effect until December 31, 2006. Starting in January 2007 and every three years thereafter, rental rates will be evaluated by the Commissioner. Based on the Consumer Price Index (CPI) of the previous 3 year period and rates at similar facilities within the southeastern and western Connecticut regions, the fees will be adjusted to reflect the current market. At no time will the rates increase by more than 3.3% in a given year or 10% for the next 3 year period. The fees will be rounded to the nearest \$50 increment. Rental fees shall be charged as follows:

(a) The Mansion:

(1) First floor and bride's room and south courtyard tent for an event scheduled to last up to 7¹/₂ hours shall cost \$4,200, provided that if the applicable contract between the Commissioner and renter provides for the event to last longer than 7¹/₂ hours, the rental fee shall include the \$4,200 fee for the first 7¹/₂ hours plus \$700 for each hour or fraction thereof thereafter until the scheduled end of the event.

(2) First floor, south courtyard tent, Amphitheatre, or Pergola, for an event scheduled on Tuesday, Wednesday, or Thursday to last for up to 6¹/₂ hours and scheduled to end no later than 11:00 p.m. shall cost \$3,100.

(3) For each hour or fraction thereof beyond the time an event is scheduled the renter shall pay an additional fee of \$1,000. Additionally, the Commissioner may be entitled to any damages or other amounts by virtue of the renter's failure, or that of his guests or contractors, to vacate the rented premises by the scheduled end of the event.

(b) The Amphitheatre:

(1) For every unit of two hours or fraction thereof the cost shall be \$300, provided that if the Amphitheatre is used during an event for which the Mansion has been rented, there is no rental fee for the first two hours of such use.

(2) For each hour or fraction thereof beyond the time an event is scheduled to last and in addition to any damages or other amounts to which the Commissioner may lawfully be entitled by virtue of the renter's failure, or that of his guests or contractors, to vacate the rented premises by the scheduled end of the event, an additional cost of \$350 shall be assessed.

(c) The Pergola:

(1) The Pergola may be rented only in conjunction with an event at the Mansion and then only for a period of no longer than two hours beginning at the scheduled commencement of such event.

(2) For an event scheduled to last up to two hours the cost shall be \$400.

(3) For each hour or fraction thereof beyond two hours; any damages or other amounts to which the Commissioner may lawfully be entitled by virtue of the renter's failure, or that of his guests or contractors, to vacate the Pergola by the scheduled end of the event, an additional amount of \$400 shall be assessed.

(d) Individual Rooms:

(1) Music Room: For an event scheduled to last up to four hours, the fee shall be \$450, provided that if the applicable contract between the Commissioner and

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renter provides that the event will last longer than four hours, the rental fee shall be the applicable amount plus, for each hour or fraction thereof beyond four hours until the scheduled end of the event, \$110.

(2) Dining Room: For an event scheduled to last up to four hours, the fee shall be \$350; provided that if the applicable contract between the Commissioner and renter provides that the event will last longer than four hours, the rental fee shall be the applicable amount plus, for each hour or fraction thereof beyond four hours until the scheduled end of the event, \$80.

(3) Breakfast Room: For an event scheduled to last up to four hours, the fee shall be \$300, provided that if the applicable contract between the Commissioner and renter provides that the event will last longer than four hours, the rental fee shall be the applicable amount plus, for each hour or fraction thereof beyond four hours until the scheduled end of the event, \$70.

(4) For each hour or fraction thereof beyond the time an event is scheduled to last, a further fee of \$500 shall be assessed. This amount is in addition to any damages or other amounts to which the Commissioner may lawfully be entitled by virtue of the renter's failure, or that of his guests or contractors, to vacate the rented premises by the scheduled end of the event, \$500.

(e) The Pavilion:

(1) For an event of 250 people or less scheduled to last up to 7¹/₂ hours, the fee shall be \$2,400, provided that if the applicable contract between the Commissioner and renter provides that the event will last more than 7¹/₂ hours, the rental fee shall be the applicable sum plus \$575 for each hour or fraction thereof until the scheduled end of the event.

(2) For an event of over 250 people scheduled to last up to 7¹/₂ hours, the fee shall be \$3,800, provided that if the applicable contract between the Commissioner and renter states that the event will last more than 7¹/₂ hours, the rental fee shall be the initial sum plus \$675 for each hour or fraction thereof until the scheduled end of the event.

(3) For each hour or fraction thereof beyond the time an event is scheduled to last: In addition to any damages and other amounts to which the Commissioner may lawfully be entitled by virtue of the renter's failure, or that of his guests or contractors, to vacate the rented premises by the scheduled end of the event, an additional \$750 fee shall be applicable.

(f) The Fort:

(1) The courtyard of the Fort and the Rampart may only be rented in conjunction with an event on the South Lawn, the Conference Center or the FT Visitor Center for a maximum of 2 hours. A fee of \$1,320 shall be applicable, however, if the contract between the Commissioner and renter provides that the event will last more than 2 hours, the rental fee shall be the initial fee plus for each hour or fraction of an hour thereafter until the scheduled end of the event, an additional \$650. Under no circumstances shall the Fort be rented for more than 4 hours.

(2) The South Lawn may be rented for an event scheduled to last up to 7¹/₂ hours for a fee of \$3,300. If the applicable contract between the Commissioner and renter provided that the event last more than 7¹/₂ hours, the rental fee shall be the initial sum plus \$650 for each hour or fraction thereof until the scheduled end of the event.

(i) The renter is responsible for providing sanitary facilities for the event; the quantity and location of the units shall be coordinated with the park supervisor.

(3) The fee for the Conference Center for an event scheduled to last no more than 4 hours, for a non-profit organization that is eligible for or complies with section

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501(C)(3) of the Internal Revenue Code, shall be \$110. The fee for an individual, a for-profit organization or company for an event scheduled to last no more than 4 hours shall be \$550. The rental fee for each hour or fraction thereof beyond the time an event is scheduled to last shall be the original fee plus \$140 for each hour or fraction thereof until the scheduled end of the event. No alcohol shall be served. A guided tour of the Fort with the rental is an additional \$110.

(4) The fee at the FT Visitor Center for an event scheduled to last no more than 4 hours is \$1,100. A guided tour of the fort with the rental is an additional \$275. In addition to any damages and other amounts to which the Commissioner may lawfully be entitled by virtue of the renter's failure, or that of his guests or contractors, to vacate the premises by the scheduled end of the event, for each hour or fraction thereof beyond the time an event is scheduled to last an additional fee of \$575 shall be assessed.

(g) GC Visitors' Center:

(1) The rental for the GC Visitors' Center for an event scheduled to last no more than 4 hours is \$1,600. For each hour or fraction thereof until the scheduled end of the event, an additional fee of \$400 shall be assessed.

(2) The fee for the GC Visitors' Center for an event scheduled to last no more than 4 hours on a weekday morning for a non-profit organization, which is eligible for or complies with section 501(C)(3) of the Internal Revenue Code, is \$300. The fee for an individual, a for-profit organization or company for an event scheduled to last no more than 4 hours is \$550. For each hour or fraction thereof until the scheduled end of the event, a fee of \$140 shall be assessed. The group is responsible for set-up and cleaning. No alcohol shall be served.

(3) The terrace is available for one-half (1/2) hour for ceremonies. The fee for use of the terrace is \$225.

(4) In addition to any damages and other amounts to which the Commissioner may lawfully be entitled by virtue of the renter's failure or that of his guests or contractors to vacate the rented premises by the scheduled end of the event, a fee of \$500 shall be assessed.

(h) PM Pavilion:

(1) The fee to rent the Pavilion for an event scheduled to last no more than 4 hours, for a non-profit organization, that is eligible for or complies with section 501(C)(3) of the Internal Revenue Code, is \$110. The fee for an individual, a for-profit organization or company for an event scheduled to last no more than 4 hours is \$550. The rental fee shall be applicable plus for each hour or fraction thereof until the scheduled end of the event, a fee of \$140 shall be assessed.

(i) A person shall not be deemed eligible under section 23-26 of the general statutes to rent the premises without fee with respect to any event, including, but not limited to, a fundraiser or a garden sale, when such person sponsors or collaborates on the planning of the event with a person that is not so eligible.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-12. Parking

The rental fees specified in Section 23-4-11 covers parking in the Park's parking lot by the renter and his or her guests and contractors.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-13. Maximum occupancy

The maximum allowable number of individuals, excluding contractors and Department personnel, who may be present on the rented premises in connection with an event, is as follows:

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(a) The Mansion, regardless whether the Amphitheatre, Pergola, or Individual Rooms are rented in connection with an event in the Mansion: 150

(b) The Amphitheatre: 125

(c) The Pergola: 150

(d) Breakfast Room: 30

(e) Dining Room: 40

(f) Music Room: 80

(g) The Pavilion: 425

(h) The Fort: Maximum based on what is rented in conjunction with the Fort.

(i) South Lawn: 240

(j) Conference Center: 60

(k) FT Visitor Center: 100 standing

(l) GC Visitors' Center: 126 standing, 48 seated

(m) Terrace: 75

(n) PM Pavilion: 75 standing

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-14. Applications for rentals; cancellations; insurance

(a) An application for rental shall be made on a form furnished by the Commissioner and shall provide all of the information requested therein. The Commissioner shall not process an application that does not contain all such requested information.

(b) For each date that the premises in question is available for rental under Section 23-4-10, the Commissioner shall process completed applications in the order in which they are received. The Commissioner may deny an application because the premises that the applicant wants to rent have already been rented or because the application is inconsistent with any provision of Sections 23-4-7 through 23-4-22, inclusive.

(c) If the Commissioner approves an application, it shall be deemed granted on the date approved. An application approved by the Commissioner shall, with any approval deemed necessary by the Attorney General, be a binding contract between the applicant and the Commissioner. After the Commissioner has approved an application, the parties may amend its provisions in any manner not inconsistent with Sections 23-4-7 through 23-4-22, inclusive, or with any other pertinent law.

(d) The Commissioner shall not approve an application for rental unless it is accompanied by a certified check, a bank check or other means approved by the Commissioner, payable to the Department in the amount of 50 per cent of the rental fee specified in Section 23-4-11.

(e) Sixty days before a scheduled event, the renter shall deliver to the Department a certified check, a bank check or other means approved by the Commissioner, in the amount of (1) 50 per cent of such rental fee plus (2) \$500 to constitute security against damage to the rented premises or other portion of the Park resulting from the event. If the renter fails to deliver payment in accordance with this subsection the Department shall cancel the scheduled event and the renter shall not be entitled to a refund of any fees already paid.

(f) If the renter cancels the rental in writing no later than 180 days before the scheduled event, the Department will return to the canceling renter 100 per cent of that portion of the rental fee which he or she has paid, less \$200 for processing, and 100 per cent of any security against damage which he or she has paid. If the renter cancels the rental later than 180 days before the scheduled event, the Department will return to him or her 100 percent of any security against damage, which he or she has paid. If the Commissioner cancels the rental under Subsection 23-4-17 or for

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any other reason authorized by law, the Department will return to the renter 100 percent any damage deposit he or she has paid.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-15. Liabilities; commissioner's remedies

(a) Nothing in Sections 23-4-7 through 23-4-22, inclusive, shall affect any obligation imposed by law on a renter to obtain any authorizations for activities in connection with an event, including without limitation a special use license under Section 23-11 of the General Statutes.

(b) By renting any of the premises, the renter agrees to, and shall, indemnify and save harmless the State of Connecticut and the Department of Environmental Protection from any and all claims, damages, losses, litigation, or expenses arising out of any injury, including death, or claims, damages, losses, litigation, or expenses arising out of any injury, including death, or damage to property resulting from any act, omission, or neglect of the renter or any of his guests or contractors.

(c) From the security against damage deposit paid under Section 23-4-14(f) the Commissioner may retain the following:

(1) Any amount to cover damage resulting from the event to the rented premises or other portion of the park;

(2) An amount to cover the rental fee specified under Section 23-4-11;

(3) An amount to cover the Department's costs if the renter fails to restore the rented premises and any other portion of the Park affected by the event to their condition immediately prior to such event, or to undertake any other action required by Sections 23-4-7 through 23-4-22.

(d) Before making a claim under the renter's or caterer's insurance policy for costs identified in subsection (c) of this section, the Commissioner shall retain amounts from, as applicable, the renter's or caterer's security against damage in accordance with such subsection. If such security does not fully cover such costs, the Commissioner shall, at his discretion, make a claim under said policy or take appropriate legal action.

(e) Nothing in Sections 23-4-7 through 23-4-22 shall, unless otherwise provided therein, affect any rights or privileges of the Commissioner or members of the public. The remedies provided to the Commissioner under said sections are cumulative with any other remedies to which he is lawfully entitled.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-16. Use of caterers' tents

(a) For the purpose of food preparation during an event, a caterer may install a tent in the service area of the Mansion, Pavilion or PM Pavilion (maximum 144 square feet). Tents are not allowed at the GC Visitors' Center. At Fort Trumbull State Park, a tent (maximum 200 square feet) may be set up outside of the fort proper. Such a tent may not be installed unless the location, date and time of its installation and removal has been approved by the Park Supervisor.

(b) No truck or other vehicle shall be driven or parked on the Mansion's lawn in connection with installation or removal of a tent or delivery of supplies.

(c) Except as provided in this section and section 23-4-21 (d) and 23-4-21(e), no tents may be installed in connection with an event at the Park.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-17. Catering

(a) For any event at the Mansion or GC Visitors' Center where food is served, the renter shall retain a caterer to provide the food; such caterer shall be one that is listed on the Department's list of approved caterers.

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(b) A renter may not retain a caterer in connection with an event at the Pavilion, Fort or PM Pavilion unless, no later than 120 days before such event, the renter submits for the Commissioner's approval the name, address, and the phone number of such caterer and, if appropriate, the name of such caterer's contact person. The Commissioner may disapprove such caterer if the caterer has previously been retained for an event in either Park and at that time did not fully comply with the requirements of this section, did not restore the Kitchen, all areas where food or beverages were served, and any other areas of the rented premises or Park utilized by the caterer to their condition immediately prior to the event, or in any other way failed to demonstrate competence or regard for legal requirements.

(c) No later than 90 days before an event, the caterer thereof shall deliver to the Commissioner a certificate of insurance executed by an insurance company licensed in Connecticut, stating that the caterer carries both

(1) Commercial liability insurance including insurance for liquor liability, products and completed operations liability, contractual liability, and personal and advertising injury liability, providing for a total limit of \$1,000,000 for all damages arising out of bodily injury to or death of all persons in any one accident or occurrence, and for all damages arising out of injury to or destruction of property in any one accident or occurrence; and stating further that, if such liability insurance is subject to an aggregate limit, the aggregate limit shall be no less than \$2,000,000; and stating further that such liability insurance policy names the State of Connecticut as an additional insured; and

(2) Worker's compensation insurance and employers' liability insurance as required by section 3-291 and 3-284 of the general statutes, respectively, providing for a total limit of not less than \$100,000 per occurrence, \$100,000 for disease per employee, and \$500,000 for disease in the aggregate; provided that a caterer need not obtain liquor liability insurance if alcoholic beverages, including wine, will not be served at the event. If the caterer does not comply with the requirements of this subsection, the Commissioner shall not allow food or beverages to be served at the event. By catering an event, the caterer agrees to, and shall, indemnify and hold the State of Connecticut and Department of Environmental Protection harmless from any and all claims, damages, losses, litigation, or expenses arising out of an injury, including death, or damage to property, resulting from any act, omission, or neglect of the caterer or any of his agents or contractors.

(d) If caterer fails to comply with the requirements of subsection (c) of this section, the Commissioner may cancel the subject event.

(e) The caterer is required to have a liquor permit issued pursuant to section 30-37j of the Connecticut General Statutes.

(f) The caterer shall assure that:

(1) The only type of food warmer used within the rented premises is an electric warmer or a Sterno warmer, and the only type of food cooker or warmer used out-of-doors is propane or electric stove or an outdoor gas or charcoal grill. At Fort Trumbull, a charcoal grill may not be used in the confines of the Fort;

(2) By the end of the event.

(A) all waste generated by the event is properly disposed of;

(B) all equipment and supplies brought into the premises in connection with the event are removed; and

(C) the Kitchen, all areas where food or beverages were served, and any other areas of the rented premises or Park utilized by the caterer are restored to their condition immediately before the event;

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(3) Alcoholic beverages may only be served to guests by an individual under the control and supervision of the caterer or a licensed retailer;

(4) Under no circumstance are guests allowed to serve an alcoholic beverages to themselves or any other individuals;

(5) Kegs of beer are not present on the rented premises;

(6) Alcoholic beverages are not served to any guest who appears to be intoxicated or who may be under 21 years of age and does not provide legal proof of age;

(7) Alcoholic beverages served shall be free of charge, tipping a bartender or other server of alcoholic beverages is prohibited, and no bartender or other such server may solicit a tip; and

(8) Service of alcoholic beverages will stop one-half (1/2) hour before the scheduled end of an event.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-18. Photography

(a) Within the rented premises, at Harkness, photography may be conducted only in a room specifically rented for the event. No person may, without the approval and supervision of Department personnel, move any furnishing at Harkness for the purpose of photography.

(b) Photography shall be allowed at the Harkness gardens during all times when the gardens are open to the public, provided that photography shall not interfere with the public's enjoyment of the gardens.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-19. Music

(a) Musical instruments or other equipment for providing music during an event shall be delivered to the Park only with the approval of the Park Supervisor, and as soon as delivery is completed the vehicle(s) delivering such equipment shall either be parked in the parking lot or removed from the Park.

(b) A musician or disc jockey retained in connection with an event shall supply any equipment or furnishings he or she needs, including tables, table coverings, and extension cords; all such equipment and furnishings shall be approved prior to scheduled date of the event by the Park Supervisor.

(c) At an event at the Mansion during which sound is electronically or otherwise amplified, sound shall not be allowed to exceed, on the east side of the south courtyard, 95dBA at the location six feet west of the amplifying equipment or device, and on the west side of the south courtyard in the open loggia, 85dBA at six feet east of the amplifying equipment or device. If the requirements of this subsection are violated, all sound amplification shall be terminated.

(d) Musicians or disc jockeys are allowed one-half (1/2) hour to vacate the premises at the end of an event. Failure to do so will result in damages as outlined in section 23-4-11.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-20. Flowers and other decorations

(a) No person shall use or allow the use of an open flame in a floral arrangement or other decoration at an event unless the flame is fully enclosed in a hurricane globe, chimney, or similar container.

(b) Every floral arrangement and other decoration at an event shall be free-standing and shall not be attached by glue, tape, staples, tacks, or any other means to any wall, light fixture, or other appurtenance or furnishing in the rented premises,

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provided that fabric used as a component of a decoration may, with the approval and supervision of Department personnel, be draped over an appurtenance or furnishing in the rented premises.

(c) Any container for flowers or plant used in the rented premises shall be watertight and shall, if placed upon or over an appurtenance or other furnishing in such premises, rest on or in a [waterlight] watertight material or object a size and configuration adequate to capture any plant matter and any dripping liquid.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-21. Miscellaneous requirements

(a) If the renter is an individual, he or she shall be present at the event from its scheduled commencement until its scheduled end. If the renter is other than an individual, such renter shall, no later than 60 days before the scheduled event, inform the Commissioner in writing of the name, title, and home and business telephone numbers of an employee or other agent designated by such renter as responsible for assuring compliance with the provisions of Sections 23-4-7 through 23-4-22; and such designee shall be present at the event from its scheduled commencement until its scheduled end.

(b) No person may smoke in the rented premises.

(c) No person may throw birdseed, confetti, rice, glitter or silly string at the rented premises.

(d) In connection with an event, no tent other than a caterer's tent may be used at Rocky Neck State Park and no tent other than the caterer's tent and the south courtyard tent may be used at Harkness Memorial State Park.

(e) No tents shall be allowed at the GC Visitors' Center or terrace at Gillette Castle State Park. In connection with an event at Fort Trumbull, no tent shall be allowed in the interior of the Fort. Tents may be erected on the south lawn with authorization of the park supervisor. At Putnam Memorial State Park, a caterer's tent (144 square foot maximum) may be set up on the west side of the building only; no other tent will be allowed.

(1) Tents may be set up on the day of the event and shall be removed by the end of the following business day.

(f) If alcoholic beverages are to be consumed during an event at Rocky Neck State Park, Fort Trumbull State Park or Putnam Memorial State Park but the renter has not retained a caterer to provide food, the following requirements shall apply:

(1) The renter shall employ a bartender or other server to serve alcoholic beverages.

(2) No later than 90 days before the event, the renter shall deliver to the Commissioner a valid certificate of insurance demonstrating that the renter is insured for liquor liability in the amount per individual of \$750,000 and per occurrence of \$1,500,000. If the renter does not comply with the requirements of this subsection, the Commissioner shall not allow alcoholic beverages to be served at the event and may cancel the event.

(3) No guest shall bring an alcoholic beverage into the Pavilion, the Mansion, the Fort, Conference Center, FT Visitor Center, GC Visitors' Center or PM Pavilion.

(Adopted effective July 26, 1999; amended June 29, 2007)

Sec. 23-4-22. Renter's responsibilities

In connection with an event, the renter shall assure that all provisions of Sections 23-4-7 through 23-4-22 are complied with. This section shall not relieve any other person of his or her obligations under such sections.

(Adopted effective July 26, 1999; amended June 29, 2007)

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

State Park Rentals

Sec. 23-4-23. Definitions

As used in sections 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies:

(1) “Camp Day” means from the time of arrival (1:00 p.m. check-in) until 12:00 noon the next day;

(2) “Columbus Day” means the second Monday in October;

(4) “Commissioner” means the Commissioner of Environmental Protection or his representative;

(5) “Contractor” means a person retained, whether or not for compensation, by a renter in connection with an event, including without limitation a caterer, photographer, musician, or entertainer;

(6) “Department” means the Department of Environmental Protection;

(7) “Event” means a social, cultural, or business function, including without limitation a party, reception, fund raiser, conference, or seminar;

(8) “Memorial Day” means the last Monday of May;

(9) “Park” means any park, forest, or other recreational area managed by the Department;

(10) “Park supervisor” means the Department employee stationed at a park who has ultimate responsibility for operations thereof;

(11) “Person” means a person as defined by section 22a-2 of the Connecticut General Statutes;

(12) “Picnic shelter” means an open-air, roofed structure, of whatever size and configuration, located at a state park, forest, or other recreational area;

(13) “Rental” or “rent” means (a) for a picnic shelter: the occupation, for the fee and under the conditions specified in sections 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies, for the purpose of holding an event, and the exclusion from the picnic shelter of all persons other than the renter, the renter’s guests or contractors, and representatives of the Department during a prescribed time; and (b) for rustic cabins for camping: the occupation, for the fee and under the conditions specified in sections 23-4-3 and 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies;

(14) “Rental fee” means a rental fee under section 23-4-28 of the Regulations of Connecticut State Agencies;

(15) “Renter” means person who or which rents, as that term is defined in this section; and

(16) “Rustic cabin” means a small log structure with a front porch, windows and door, bunk beds inside, no electricity or running water.

(Adopted effective January 31, 2003)

Sec. 23-4-24. Applicability

Sections 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies, govern the use and rental of open-air picnic shelters in all state parks, forests and other recreational areas; and the rental of rustic cabins in state parks. Violation of any provision of such sections shall be an infraction and shall be punishable by a fine of up to \$90 or by such higher fine as may be provided by law.

(Adopted effective January 31, 2003)

Sec. 23-4-25. Availability of picnic shelters for rental

Picnic shelters are available for rental from the Friday before Memorial Day through Columbus Day from 8:00 a.m. to one-half hour before sunset.

(Adopted effective January 31, 2003)

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

Sec. 23-4-26. Use without rental

Nothing in sections 23-4-25 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies, shall be construed to prevent any person from using a picnic shelter during times when it has not been rented by another.

(Adopted effective January 31, 2003)

Sec. 23-4-27. Availability of rustic cabins for rental

Rustic cabins are available for rental during the official camping season in Connecticut State Parks.

(Adopted effective January 31, 2003)

Sec. 23-4-28. Rental fees

(a) Picnic shelters

(1) The rental fee for a picnic shelter is \$125 per day through December 31, 2004; \$150 per day from January 1, 2005 through December 31, 2007; and \$175 per day from January 1, 2008 and thereafter.

(b) Rustic cabins

(1) The rental fee for a rustic cabin is \$35 per camp day and permits occupation of a maximum of six (6) persons, including children.

(Adopted effective January 31, 2003)

Sec. 23-4-29. Admission and parking fees

(a) Picnic shelters

(1) Payment of a rental fee does not relieve the renter, the renter's guests, or contractors from the obligation to pay any applicable admission or parking fee.

(b) Rustic cabins

(1) Payment of a rental fee includes the admission of two (2) motor vehicles per cabin.

(Adopted effective January 31, 2003)

Sec. 23-4-30. Applications for rentals. Cancellations

(a) Picnic shelters

(1) Rentals are to be arranged through the campground reservation system.

(2) Cancellations made thirty (30) days or more prior to the event will be entitled to a full refund; cancellations made six (6) to twenty-nine (29) days prior to the event will entitle the renter to a refund of 80% of the fee; cancellations made within five (5) days of the event will result in forfeiture of the fee.

(3) The renter is responsible for any processing charge(s) from the reservation system, i.e. reservation, change of date or cancellation.

(b) Rustic cabins

(1) Rentals are to be arranged through the campground reservation system.

(2) Cancellations made eight or more days prior to the reservation will be entitled to a complete refund and a transaction fee will be assessed by the reservation system; cancellations made two to seven days prior to the reservation will be assessed a transaction fee by the reservation system and the renter will pay for one night; cancellations made less than two days prior to the reservation will be assessed a transaction fee by the reservation system and the renter will not be entitled to any refund.

(Adopted effective January 31, 2003)

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

Sec. 23-4-31. Liabilities. Commissioner's remedies

(a) Picnic shelters

(1) Nothing in sections 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies, shall affect any obligation imposed by law on a renter to obtain any authorizations for activities in connection with an event, including, as applicable, a special use license under section 23-11 of the Connecticut General Statutes.

(2) By renting a picnic shelter, the renter agrees to, and shall, indemnify and save harmless the State of Connecticut and the Department from any and all claims, damages, losses, litigation, or expenses arising out of any injury, including death, or any damage to property resulting from any act, omission, or neglect of the renter or any of the renter's guests or contractors.

(3) Unless otherwise provided therein, nothing in sections 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies, shall affect any rights or privileges of the commissioner or members of the public. The remedies provided to the commissioner under said sections are cumulative with any other remedies to which he is lawfully entitled.

(Adopted effective January 31, 2003)

Sec. 23-4-32. Catering

(a) Picnic shelters

If a renter wishes to retain a caterer in connection with an event at a picnic shelter, the renter shall no later than 30 days before such event submit to the park supervisor the name, address, and phone number of such caterer and the name of such caterer's contact person.

(1) Failure to submit the information within the specified time frame will result in a \$50 processing fee. The park supervisor may disapprove a caterer if the caterer has previously been retained for an event in a park and failed to fully restore all areas where food or beverages were served to their condition immediately prior to the event.

(Adopted effective January 31, 2003)

Sec. 23-4-33. Use of tents

(a) Picnic shelters

(1) For the purpose of food preparation during an event, a renter or caterer may install a tent, with dimensions no greater than 400 square feet (unless otherwise approved by the park supervisor in writing, a charge of \$2 per square foot will be levied for the additional square footage above the 400 square feet), adjacent to the picnic shelter, but only if the park supervisor has first approved the time, date and location of its installation and removal.

(2) Except as provided in this section and section 23-4-21(d) of the Regulations of Connecticut State Agencies, no person may otherwise install a tent anywhere at a park other than at a designated park campground and as authorized by the department.

(Adopted effective January 31, 2003)

Sec. 23-4-34. Miscellaneous requirements

(a) Picnic shelters

(1) The renter or renter's agent shall be present at the event from its scheduled commencement until its scheduled end. The renter or renter's agent shall, no later than ten days before the scheduled event, inform the Park Supervisor in writing of the name, title, and home and business telephone numbers of an employee or other

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

agent designated by such renter as responsible for assuring compliance with the provisions of sections 23-4-33 through 23-4-35, inclusive, of the Regulations of Connecticut State Agencies.

(2) All food and beverages shall be served to the renter's guests free of charge.

(3) The only types of food cookers or warmers that may be used at a picnic shelter and associated tent are: sterno containers, propane or electric stoves, outdoor gas or charcoal grills.

(4) When a renter or a renter's agent vacates a picnic shelter, the renter or agent shall ensure that:

(A) all waste generated during the time the renter and any of the renter's guests or contractors used the picnic shelter and associated tent is properly disposed of;

(B) all equipment and supplies brought into the park in connection with the use of the picnic shelter and associated tent are removed; and

(C) all areas where food or beverages were served in connection with use of the picnic shelter and associated tent are restored to their original condition immediately after such use.

(5) No person may toss or otherwise disperse confetti, rice, or other scattering materials in or around a picnic shelter.

(Adopted effective January 31, 2003)

Sec. 23-4-35. Renter's responsibilities

The renter shall ensure compliance with all the provisions of sections 23-4-23 to 23-4-35, inclusive, of the Regulations of Connecticut State Agencies. This section shall not relieve any other person of his or her obligations under any other sections of the Regulations of Connecticut State Agencies or the Connecticut General Statutes.

(Adopted effective January 31, 2003)

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Management of State Natural Area Preserves

Sec. 23-5c-1. Regulations for the management of state natural area preserves and procedures for the adoption of a management plan for each preserve

(a) General Provisions

(1) Definitions

As used in these regulations, the following terms shall have the meanings indicated below, except where the context requires otherwise:

(A) “Commissioner” means the Commissioner of Environmental Protection.

(B) “Site manager” means the individual, agency, or organization designated by the Commissioner who has primary supervisory responsibility for a Natural Area Preserve and is responsible for the protection and care of that preserve in accordance with these rules and the Management Plan.

(C) “Management Plan” means a plan which sets forth in specific detail the purpose, character, protected resources, management, and other considerations for the protection and use of an individual Natural Area Preserve as described in subsection (b) of Section 23-5c-1.

(D) “Natural Area Preserve” or “preserve” is an area designated by the Governor of Connecticut pursuant to Section 23-5a to Section 23-5i of the Connecticut General Statutes.

(E) “Person” means “person” as defined by Section 22a-2(c) of the Connecticut General Statutes.

(F) “Protected resources” means “protected resources” as defined by Section 23-5(b)4 of the Connecticut General Statutes.

(2) Applicability of Regulations

These regulations shall apply to each Natural Area Preserve. There shall be a Management Plan for each Natural Area Preserve, such plan to be adopted according to provisions of subsection (b) of Section 23-5c-1.

(3) Appointment of Site Manager

The Commissioner shall appoint a site manager for each Natural Area Preserve who shall serve at the pleasure of the Commissioner. The site manager shall administer, manage, and protect the area in accordance with these regulations and the Management Plan for that Natural Area Preserve.

(4) Reports

The site manager for each Natural Area Preserve shall submit to the Commissioner an annual report for such preserve, and such other periodic reports in such form and at such time as the Commissioner may request. The annual report shall include a record of management activities, visitor uses and activities, natural catastrophes, and other influences affecting conditions within the Natural Area Preserve.

(5) Encroachments

No person shall construct, place, or continue any encroachments, including structures, easements, rights of way, or land uses in a Natural Area Preserve unless such encroachment is permitted by these regulations or the Management Plan for such preserve.

(6) Publicity

The Commissioner shall prepare information about Connecticut’s Natural Area Preserves, which shall be made available to all interested persons. Such information should not promote the Natural Area Preserves in a manner that would attract more visitors than is compatible with the use of an area.

(7) Existing Activities

Until such time as a Management Plan is adopted, existing activities within a preserve shall continue unless the Commissioner finds, in writing, that an activity is adversely affecting protected resources.

(b) **Management Plans**

(1) General

The Commissioner shall prepare a Management Plan for each Natural Area Preserve.

(2) Public Notice

(A) The Commissioner shall prepare a public notice of (1) his or her intent to issue, renew, or revoke a Management Plan; (2) a public comment period of 20 days or more; (3) the time and place of a public hearing on the intent to issue, renew, or revoke a Management Plan; and (4) the availability of the Management Plan for public review.

(B) The Commissioner shall cause the public notice to be published in a newspaper or newspapers having a substantial circulation in the area where the preserve is located.

(C) The public notice for designating a Natural Area Preserve under Section 23-5d(a) of the Connecticut General Statutes shall be sufficient public notice for the Management Plan if the Management Plan is offered for review during that process.

(D) The Commissioner shall prepare and publish a public notice for modification of a Management Plan in accordance with subparagraphs (b)(2)(A) and (B), except that a public hearing may be held at the discretion of the Commissioner, unless any person requests such hearing within 14 days from the date of publication of the notice in the newspaper.

(3) Effective Date

A Management Plan, or a renewal, revocation or modification of a Management Plan, shall become effective upon approval by the Commissioner.

(4) A Management Plan shall consist of text and maps and shall contain information on the following:

(A) Basic information on the preserve, including location, name, size, access, jurisdiction, and designation date.

(B) Purpose of the preserve, including general and specific goals.

(C) Protected resources, including special geological features, vegetation, and fauna.

(D) Management of visitors and use

(1) Zones of Allowable Use

The Commissioner may divide a Natural Area Preserve into zones of allowable uses. Use of Natural Area Preserves shall be allowed only to such extent and in such manner as will not permanently degrade the protected resources of the preserve. Zones shall be established giving consideration to the protected resources of the Natural Area Preserve as stated in the Management Plan and to the characteristics of the area such as use tolerance, natural attractions, and the presence of endangered or threatened species, species of special concern, or easily disturbed species or features. Location markers identifying the zones may be installed in the preserve.

(2) Character of Visitor Activity

(A) Visitor activities and uses shall be set forth in the Management Plan and shall be consistent with Section 23-5c of the Connecticut General Statutes.

(B) Visitors may be restricted to trails and may otherwise be restricted in movement or conduct as provided in a Management Plan.

(C) Visitor presence and degree of development of trails and visitor-handling facilities shall be regulated to prevent disturbance of an area beyond what it can tolerate without significant harm.

(E) Special management problems and concerns

(F) Administration of the preserve, including identification of the site manager and any special advisory committees, and enforcement bodies.

(G) Uses of the preserve, including trail construction and maintenance.

(H) Management provisions

(I) Deviations from general management rules

(J) Trails

Location and form of any trails other than natural wildlife paths shall be specified in each Management Plan. Trails may be constructed to provide for allowable use of a Natural Area Preserve and to prevent deterioration of the area by uncontrolled traffic. Trail construction shall be kept to a minimum and designed to prevent soil erosion. Use of paving materials and elevated walks is permissible when necessary and provided for in a Management Plan. The trail plan shall conform to the goals of the Natural Area Preserve as stated in the Management Plan. Unless otherwise specified, trails shall be for pedestrian traffic only.

(K) Other structures and improvements

All other structures and improvements shall be provided for in each Management Plan. Interpretive signs and structures to enhance environmental education are encouraged.

(L) Rules governing the use, seasonal restrictions, and visitation of a Natural Area Preserve.

Rules shall be consistent with Section 23-5c-1 of the Regulations of Connecticut State Agencies. Rules may apply to an entire preserve or to specified zones or subdivisions of a Preserve.

(5) A Management Plan may provide for the following:

(A) Boundary Markers, Fences, and Barriers

If necessary to protect resources of the preserve, construction of boundary markers, fences, or barriers may be allowed, if constructed in a manner that will not create a detrimental effect on movement of wildlife or on other natural conditions. A survey of the preserve boundaries shall be kept on file with the Commissioner and with the clerk of each town where the preserve is located.

(B) Access Lanes

Installation and maintenance of vehicular access lanes may be allowed within a preserve if deemed essential by the Commissioner for fire control or other management activities. Clearing for such lanes shall be of a minimum width and length. Lanes shall be closed to all vehicles except service and emergency vehicles.

(C) Fire Breaks

Construction of fire breaks may be allowed when deemed necessary by the Commissioner and shall be kept to a minimum.

(D) Landscape Management

Cutting of grass, brush, trees, or other vegetation, pruning of trees, removal of dead wood, opening of scenic vistas, or planting may be allowed, if necessary to preserve the protected resources of the preserve.

(E) Safety Precautions

Installation of guard rails, fences, steps, and other devices necessary for visitor safety may be allowed. Control of plants and animals may be allowed pursuant to Section 23-5i of the Connecticut General Statutes.

(F) Water Control

Installation, change or maintenance of man-made water control structures may be allowed if necessary for the protection, maintenance or restoration of natural conditions or protected resources.

(G) Erosion Control

Control of erosion and soil deposition affecting a Natural Area Preserve may be allowed if necessary to preserve the protected resources of the preserve.

(H) Management of Vegetation and Wildlife

(1) Control of vegetation and wildlife – Actions to control vegetation and controlled reduction of wildlife, may be allowed if necessary to preserve the protected resources of the preserve. Control measures shall be applied with caution and only to that part of the preserve where they are necessary. Control measures shall be undertaken only with adequate prior study of the preserve and with evidence of necessity.

(2) Control of native populations – Actions to increase or reduce populations of native plant or animals or to restrict movement of wildlife across boundaries of a Natural Area Preserve may be allowed, if necessary to preserve the protected resources of the preserve.

(3) Management of endangered or threatened species or species of special concern – Habitat manipulations to favor particular endangered or threatened species or species of special concern may be allowed if preservation of the species is designated in a Management Plan as a goal of the preserve.

(4) Introduction of plants or animals – The introduction of plants or animals into a Natural Area Preserve may be allowed only as provided in a Management Plan.

(I) Access Control

Ingress and egress may be restricted by a Management Plan to specified locations and conditions.

(J) Recreational Activities

Non-motorized recreational activities such as hunting, skiing, hiking, fishing, and canoeing may be allowed by a Management Plan. Such permitted activities shall be defined in the Management Plan and limited to appropriate times, places, and intensity.

(c) Buffer Areas

Buffer areas shall be established adjacent to Natural Area Preserves wherever possible, in order to minimize the adverse effects of external influences. Such areas may be managed for purposes which do not adversely affect the preserve. Buffer areas may be controlled by ownership, by dedication as part of the Natural Area Preserve or as a buffer to the preserve, by agreement, or by other appropriate means. Provision for buffer areas shall be included in the Management Plan where such areas are possible.

(d) Research or Educational Activities

A person wishing to engage in research or educational activities in a Natural Area Preserve shall obtain approval from the Commissioner. The Commissioner may approve research or educational activities with such conditions and restrictions as he or she deems necessary. A copy of the proposal for and results from any research conducted on a Natural Area Preserve shall be given to the Commissioner. A person authorized to engage in educational or research activities shall notify the site manager before commencing and upon completion of such activities.

(e) Prohibited Activities

(1) Removal of or Introduction of Objects.

There shall be no introduction to, removal from, or consumptive use of any material, product, object, plant, or animal in a Natural Area Preserve unless specifically designated in the Management Plan.

(2) Fire Control

No fires may be started in a preserve, except as specifically designated in the Management Plan. Every effort will be made to prevent fires from spreading into a preserve. All uncontrolled fires shall be brought under control as quickly as possible. Any special procedures and methods to be used for prevention and control of fire shall be included in a Management Plan.

(f) **Records**

The Commissioner and the site manager shall keep records in duplicate for each Natural Area Preserve. The records shall include the Management Plan, annual reports by the site manager, and other pertinent documentary material studies, reports, and descriptions of significant events and shall be open to the public at all reasonable times and places. Information exempted from the Freedom of Information Act may be withheld if the Commissioner deems such exemption necessary to protect the resources of the preserve.

(Effective May 5, 1987; amended January 10, 2001)

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Fees at Recreational Boating Facilities

Sec. 23-26-1. Fees at recreational boating facilities

(a) A four dollar daily fee for a resident and an eight dollar daily fee for a non-resident vehicle or combination of a tow vehicle and trailer may be collected for parking or other vehicle use of the facility on Saturdays and Sundays from the first day of April to the last day of October, inclusive, and on Memorial Day, Independence Day and Labor Day at the following boat launch facilities:

- (1) Bantam Lake, Morris;
- (2) Barn Island, Stonington;
- (3) Bayberry Lane, Groton;
- (4) Beach Pond, Voluntown;
- (5) Branford River, Branford;
- (6) Connecticut River (I-95), Old Saybrook
- (7) Coventry Lake, Coventry;
- (8) Highland Lake, Winchester;
- (9) Great Island, Old Lyme;
- (10) Connecticut River (Haddam Meadows), Haddam;
- (11) Housatonic River, Milford;
- (12) Candlewood Lake (Lattins Cove), Danbury;
- (13) Lake Lillinonah, Bridgewater;
- (14) Lake Lillinonah, Newtown;
- (15) Lake Zoar, Southbury;
- (16) Niantic River, Waterford;
- (17) Rainbow Reservoir, Windsor;
- (18) Connecticut River (Salmon River), East Haddam;
- (19) Saugatuck River, Westport;
- (20) Thames River, New London.

(b) For purposes of subsection 23-26-1(a) of the Regulations of Connecticut State Agencies, the following definitions shall apply: (1) Memorial Day, Independence Day and Labor Day shall be as defined in Section 1-4 of the General Statutes; (2) "resident vehicle" is any motor vehicle bearing Connecticut number plates; (3) "non-resident vehicle" is any motor vehicle bearing number plates issued by another state or country. Any vehicle driven by a person who is an active, full-time member of the armed forces, as defined in section 27-103 of the general statutes, may park for the same fee as a resident vehicle, provided that to be eligible for such fee, such person shall carry and upon request of the person collecting the fee, allow inspection of credentials demonstrating that such person is an active, full-time member of the armed forces.

(c) A per vessel fee not to exceed five dollars may be collected during any date(s) or times period(s) determined by the Commissioner for each pumpout or deposition of sewage from such vessel's marine portable toilet, marine sanitation device holding tank or holding tanks at the marine sewage disposal facility on the Connecticut River in Old Lyme.

(Effective May 19, 1994; transferred and amended September 8, 1998, March 9, 2004)

State Park Fees

Sec. 23-26-2. Definitions

For the purposes of section 23-26-2 to 23-26-11, inclusive:

(a) "Admission fee" means a fee required under section 23-26-3 of the Regulations of Connecticut State agencies;

(b) “Calendar-year pass” means the motor vehicle pass provided for in subsection (c) of section 23-26 of the Connecticut General Statutes;

(c) “Charter Oak pass” means the lifetime pass provided for in section 23-26(d) of the Connecticut General Statutes;

(d) “Columbus Day” means the second Monday in October;

(e) “Commissioner” means the Commissioner of Environmental Protection or the Commissioner’s representative;

(f) “Department” means the Department of Environmental Protection;

(g) “Late day parking fee” means the fee required under subsection (d) of section 23-26-5 of the Regulations of Connecticut State Agencies;

(h) “Motor vehicle” means motor vehicle as defined by section 14-1 of Connecticut General Statutes and as follows:

a. “passenger motor vehicle” has a seating capacity of 12 or fewer people,

b. “mini-bus” has a seating capacity of more than 12 but less than 30 people,

c. “bus” includes a motor bus or school bus that has a seating capacity of 30 or more people;

(i) “Parking fee” means a fee required under section 23-26-5 of the Regulations of Connecticut State Agencies;

(j) “Person” means person as defined by subsection (c) of section 22a-2 of the Connecticut General Statutes; and

(k) “Special use license” means “license” as defined by section 23-11 of the Connecticut General Statutes.

(Adopted effective January 31, 2003; amended May 24, 2007)

Sec. 23-26-3. Admission fee

Except as otherwise provided in section 23-26-9 of the Regulations of Connecticut State Agencies, no person shall be admitted to:

(a) the Dinosaur State Park exhibition building without paying the following admission fee:

(1) Persons under the age of six years: free

(2) Persons six years of age through twelve years of age: \$2.00

(3) Persons thirteen years of age and older: \$5.00

(b) the Fort Trumbull State Park historic buildings and educational exhibits without paying the following admission fee:

(1) Persons under the age of six years: free

(2) Persons six years of age through twelve years of age: \$2.00

(3) Persons thirteen years of age and older: \$5.00

(c) the castle at Gillette Castle State Park without paying the following admission fee:

(1) Persons under the age of six years: free

(2) Persons six years of age through twelve years of age: \$2.00

(3) Persons thirteen years of age and older: \$5.00

(Adopted effective January 31, 2003; amended May 24, 2007)

Sec. 23-26-4. Heritage passport

(a) A Heritage passport may be purchased at Dinosaur State Park, Fort Trumbull State Park, or Gillette Castle State Park during normal operating hours at the price of \$50 for a family of 2 adults and up to 4 children.

(b) A family who has purchased a Heritage passport shall, from the date of such purchase until the end of that calendar year, be admitted without payment of an admission fee to the following facilities:

- (1) Dinosaur State Park exhibition building
- (2) Fort Trumbull State Park historic buildings and educational exhibits
- (3) The castle at Gillette Castle State Park

(Adopted effective January 31, 2003; amended May 24, 2007)

Sec. 23-26-5. Day use parking fees

(a) No person shall enter Pataaconk Lake Recreation Area in a motor vehicle, other than a bus, before 4:00 p.m. on a Saturday, Sunday or legal holiday without paying the following parking fee:

- (1) Vehicle with Connecticut license plates - \$7.00
- (2) Vehicle with out of state license plates - \$10.00

(b) No person shall enter Gardner Lake State Park in a motor vehicle other than a bus, without paying the following parking fee:

(1) Before 4 p.m. on a Saturday, Sunday or legal holiday:

- (A) Vehicle with Connecticut license plates - \$7.00
- (B) Vehicle with out of state license plates - \$10.00

(2) Before 4 p.m. Monday through Friday:

- (A) Vehicle with Connecticut license plates - \$5.00
- (B) Vehicle with out of state license plates - \$7.00

(c) With the exception of boat launches, at any state park or other recreational facility at which a parking fee is in effect on the effective date of this section, a person entering in a motor vehicle, other than a bus, shall pay the following fees:

- (1) If the daily parking fee in effect is \$6, the new fee shall be \$5;
- (2) If the daily parking fee in effect is \$7, it shall remain at \$7;
- (3) If the daily parking fee in effect is \$9, the new fee shall be \$10;
- (4) If the daily parking fee in effect is \$10, it shall remain at \$10;
- (5) If the daily parking fee in effect is \$14, the new fee shall be \$15.

(d) With the exception of boat launches, at any state park or other recreational facility at which a parking fee is in effect on the effective date of this section, a person entering in a motor vehicle, other than a bus, after 4:00 p.m. but before 6:30 p.m. shall pay the following fee, to be called the "late day parking fee":

(1) The late day fee shall be \$5.00 at all salt water beach facilities, Harkness Memorial State Park and Squantz Pond State Park;

(2) The late day fee shall be \$4.00 at all other inland parks.

(e) At any existing state park facility where fees are not currently charged or at any new state park facility, the Commissioner may charge parking fees consistent with charges authorized pursuant to this section.

(Adopted effective January 31, 2003; amended May 24, 2007)

Sec. 23-26-6. Parking fees for buses

(a) A bus shall not enter any state park or other recreational facility without presenting a bus permit obtained from the State Parks Division and paying the following parking fee:

- (1) For a trip originating in Connecticut: \$75.00 per bus
- (2) For a trip originating out-of-state: \$100.00 per bus

(b) A mini-bus does not need to obtain a bus permit from the State Parks Division but shall not enter any state park or other recreation facility without paying the following parking fee at the ticket booth:

- (1) Mini-bus with Connecticut license plates: \$25.00
- (2) Mini-bus with out-of-state license plates: \$40.00

(Adopted effective January 31, 2003; amended May 24, 2007)

Sec. 23-26-7. Calendar year pass

(a) A Connecticut resident may purchase a calendar year pass that will cover the required parking fee at any state park, boat launch, or other recreational facility if the person affixes said pass on the windshield of the person's passenger vehicle. On the effective date of this regulation that fee will increase from \$40 to \$50 for the calendar year.

(b) On the effective date of this regulation, the Commissioner may offer, and an out-of-state resident may purchase, a non-resident calendar year pass for a fee of \$75, that will cover the required parking fee at any state park, boat launch, or other recreational facility if the person affixes said pass on the windshield of the person's passenger vehicle.

(Adopted effective January 31, 2003; amended May 24, 2007)

Sec. 23-26-8. Special use license permit

(a) The application fee for a special use license permit to be issued to a non-profit organization, that is eligible for or complies with section 501 (c)(3) of the Internal Revenue Code, shall be \$25. The permit would allow the said non-profit organization to conduct a single event subject to the conditions enumerated in the permit.

(b) The application fee for a special use license permit to be issued to a for-profit organization or company shall be \$500. The permit would allow the said for-profit organization to conduct a single event subject to the conditions enumerated in the permit.

(Adopted effective January 31, 2003)

Sec. 23-26-9. Charter Oak Pass

(a) Any person to whom the Commissioner has issued a Charter Oak Pass shall not be required to pay a parking fee at any state park, boat launch, or other recreational facility if the person presents such pass at such facility.

(Adopted effective January 31, 2003)

Sec. 23-26-10. Special tours

(a) Special tours may be conducted of the castle at Gillette Castle State Park during the regular park season. Such tours would commence following the conclusion of the last tour of the day and would be more extensive in presentation and coverage than the tours provided under the normal admission fee.

(b) A fee, not to exceed \$20, would be charged per person.

(a) Tours would be by reservation only and subject to the availability of park staff.

(Adopted effective May 24, 2007)

Sec. 23-26-11. Tourism initiatives

The Commissioner may, when participating in a statewide tourism initiative in consultation with the CT commission on Culture and Tourism, discount or waive admission to DEP facilities where a fee is charged.

(Adopted effective May 24, 2007)

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Forest fire-fighting equipment fund. 23-37b-1

Forest Fire-Fighting Equipment Fund

Sec. 23-37b-1. Forest fire-fighting equipment fund

(a) **Definitions.**

“Commissioner” means the Commissioner of Environmental Protection or his designated representative.

“Forest fire” means any fire within one hundred (100) feet of woodland, brushland or area containing dried grass that is adjacent to any woodland or brushland.

(b) Items available for purchase, by local fire companies through the forest fire-fighting equipment fund will be restricted to equipment used primarily in fighting forest fires, as determined by the State Forest Fire Warden, and shall include, but not be limited to:

- (1) Hoses – synthetic (weeping) self-protecting;
- (2) Backpack pumps – galvanized;
- (3) Fire rakes;
- (4) Brooms – (forest fire types);
- (5) Shovels;
- (6) Nozzles – (forest fire types);
- (7) Axes – (forest fire types).

(c) The Commissioner or his representative may sell such equipment to any fire company that may be called upon to fight forest fires. Each interested fire company shall, on a form prescribed by the Commissioner, demonstrate a need for such equipment. Need shall be based on, but not be limited to, the following factors:

- (1) the number of brush, grass or woods fires which occurred within the preceding calendar year;
- (2) the equipment presently available for fighting forest fires;
- (3) the date and type of forest fire-fighting equipment last purchased;
- (d) The amount paid by the fire company for such equipment shall be the approximate cost of the equipment to the Commissioner.

(1) Payment shall be made by check or money order payable to the Department of Environmental Protection, Fire Fund.

(2) Payment will be required and all necessary paperwork must be completed before delivery will be made.

(e) Fire companies will be periodically polled regarding requests for future purchases by the Commissioner.

(1) On a form prescribed by the Commissioner, fire companies may indicate, by priority, other forest fire-fighting equipment they are interested in acquiring.

(2) The State shall prepare a list, based on responses from polled fire companies, of equipment to be considered for purchase by the Commissioner in the future.

(f) Items available for purchase will be for sale to local fire companies for their use only and not for resale.

(Effective March 21, 1986)

Department of Consumer Protection

*For updates to these regulations, see **RECENTLY ADOPTED REGULATIONS** at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>*

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Tree Protection Examining Board

Sec. 23-61a-1. Purpose

The tree protection examining board shall examine the qualifications of persons desiring to perform arboriculture as defined in Sec. 23-61a of the general statutes. The department issues licenses to qualified applicants and renews these licenses as provided in section 23-61a-4. The board may cause to be investigated complaints against licensees. The board maintains its headquarters at the State Office Building, 165 Capitol Avenue, Hartford, Connecticut 06106. Information on licensing requirements may be obtained from the department.

(Effective February 25, 1985)

Sec. 23-61a-1a. Definitions

(a) “Arboriculture,” as used in sections 23-61a-1 through 23-61a-8, inclusive, of the Regulations of Connecticut State Agencies, means any work done for hire to improve the condition of fruit, shade or ornamental trees by feeding or fertilizing, or by pruning, trimming, bracing, treating cavities or other methods of improving tree conditions, or protecting trees from damage from insects or diseases or curing these conditions by spraying or any other method.

(b) “Board” means the state tree protection examining board.

(c) “Department” means the department of consumer protection.

(Effective February 25, 1985)

Sec. 23-61a-2. Examinations

(a) Examinations for licensure shall be administered by the department, under the supervision of the board. Examinations for licensure to perform arboriculture will be held at least four times a year. The form of the examination, oral or written, or both, will be determined by the board.

(b) Each candidate for a license shall file an application with the department at least thirty days prior to the date set for the examination. Each applicant will be notified by mail as to the time, date and place of the exam. No person shall be admitted to an exam without presenting a notice of exam card which is the evidence that his or her application has been reviewed.

(c) A check or money order for ten dollars, made payable to “Treasurer–State of Connecticut,” shall accompany each application. The fee shall be nonrefundable.

(d) If a candidate fails to pass an examination, he or she may subsequently reapply for examination and take any other examinations at dates specified by the board upon payment of the required fee for each examination.

(e) The board shall inform each candidate in writing of examination results. If the board finds a candidate unqualified, the board shall indicate areas of deficiency revealed by the examination.

(Effective February 25, 1985)

Sec. 23-61a-3. Licenses

(a) An initial license is valid from date of issue until the last day of February following, unless sooner suspended or revoked. Each initial license shall be renewed on or before the last day of February and each five years thereafter on or before the last day of February.

(b) For each organization, there shall be at least one licensed person actively engaged in supervisory duties for each ten unlicensed personnel actively engaged in arboriculture.

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(c) No licensee shall be designated to be licensed on behalf of more than one organization engaged in arboriculture at any time.

(d) Each licensee shall notify the board of any change of address within thirty days of such change. If any licensee is licensed on behalf of an organization engaged in arboriculture that licensee shall notify the board of any change of the name of the organization or of any change of address within thirty days of such change.

(Effective August 28, 1980)

Sec. 23-61a-4. Renewal

(a) Renewals of license shall be issued for a period of five years unless sooner suspended or revoked. The expiration date of each license shall be clearly displayed on the face of said license.

(b) At least thirty days before the date of expiration of a license, the department shall mail a notice of expiration and a renewal application to each licensee. If a signed renewal application accompanied by the statutory renewal fee has not been received by the department on or before midnight of the expiration date, or if the expiration date is Saturday, Sunday, or a legal holiday, on or before midnight of the next working day following, the license automatically lapses. Failure of a licensee to receive a notice of expiration and renewal application shall not prevent lapse of license.

(c) The holder of a license lapsed less than one year may renew that license upon submission of a signed renewal application and payment of the statutory renewal fee. The holder of a license lapsed more than one year shall be examined in accordance with section 23-61a-2 of the Regulations of Connecticut State Agencies and licensed in accordance with section 23-61a-3 of the Regulations of Connecticut State Agencies.

(Effective February 25, 1985)

Sec. 23-61a-5. Complaints and investigations

All complaints shall be forwarded to the commissioner of consumer protection for investigation under the uniform rules of procedure concerning boards and commissions within the jurisdiction of the department of consumer protection, as contained in sections 21a-9-1 through 21a-9-11, inclusive, of the Regulations of Connecticut State Agencies.

(Effective February 25, 1985)

Sec. 23-61a-6. Hearings, suspension and revocation

(a) The Board shall hold such hearings as necessary to decide on suspension or revocation of license or the issuance of an order of immediate discontinuance pursuant to section 21a-7 of the general statutes. Notice shall be given and hearings shall be conducted in accordance with Chapter 54 of the general statutes and the Uniform Rules of Procedure established by the Commissioner of Consumer Protection pursuant to section 21a-9 of the general statutes, as contained in sections 21a-9-1 through 21a-9-11, inclusive, of the Regulations of Connecticut State Agencies.

(b) A license may be suspended or revoked with the consent of a majority of the members of the board if the licensee is found to have done any of the following;

(1) Violating any provision of sections 23-61a through 23-61d of the general statutes;

(2) Violating any provision of the regulations promulgated pursuant to section 23-61a of the general statutes;

(3) Engaging in substandard or improper workmanship; or

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- (4) Engaging in fraudulent practices regarding work to be performed.
(Effective February 25, 1985)

Sec. 23-61a-7. Records and reports

(a) Each licensee or the senior licensed officer of an organization with more than one licensee shall report to the board on request, but not more than once yearly, the kinds and amounts of pesticides applied during the period covered by the report on forms provided by the board.

(b) Each individual, firm or corporation doing arboriculture in this state shall furnish the board upon request, but not more than once yearly, the maximum number of unlicensed personnel employed by such individual, firm, or corporation and actively engaged in arboriculture. In organizations with more than one licensee, the report shall include the maximum number of licensed personnel employed in supervisory duties.

(Effective March 31, 1978)

Sec. 23-61a-8. Petitions

(a) Any interested person may petition the commissioner of consumer protection requesting the promulgation, amendment or repeal of a regulation pursuant to section 4-174 of the general statutes and section 21a-1-12 of the Regulations of Connecticut State Agencies. Only written petitions shall be considered. The petition shall set forth clearly the reasons for its submission.

(b) Petitions for declaratory rulings on the applicability of any statutory provision of or any regulation promulgated pursuant to section 23-61a through 23-61d of the general statutes shall be submitted in writing to the board pursuant to section 4-176 of the general statutes. A copy of such request shall also be provided to the commissioner of consumer protection.

(Effective February 25, 1985)

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Licensing of Tree Workers

Secs. 23-63-1—23-63-3.

Repealed.

(Effective May 28, 1968.)

(See Regs. 23-61a-1 et seq.)

Department of Environmental Protection

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Repealed by Section 54 of PA 14-187

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Voluntary Registration of Foresters and Loggers

Sec. 23-65g-1. Voluntary registration for foresters

(a) **Definitions.**

(1) As used in section 23-65g-1:

“Board” means the State Board of Registration of Foresters established by regulation adopted pursuant to section 23-65g of the General Statutes.

“Certificate of Registration” or “Certificate” means a document issued by the Commissioner of Environmental Protection authorizing the use of the title registered forester.

“Commissioner” means the Commissioner of Environmental Protection.

“Forester” means a person as defined in section 23-65f (2) of the General Statutes.

“Forestry” means the science, the art and the practice of managing and using for human benefit the natural resources that occur on and in the association with forest lands. The practice of forestry shall not include services rendered for wages or for salary for the cutting, hauling, handling or processing of forest products, or for tree planting, timber stand improvement or other physical labor activities associated with forest resource management.

“Registered Forester” means a person who has been registered pursuant to this section.

(2) Scientific and technical terms not specifically defined in this section shall be used in accordance with the definitions set forth in the Society of American Foresters’ Terminology of Forest Science, Technology, Practice and Products.

(b) **Forester Registration Board.**

(1) The membership of the forester registration board shall consist of seven voting members as set forth in section 23-65h (b) of the General Statutes. The two representatives of the general public shall be appointed by the Commissioner from a roster of individuals interested in serving as board members. Such list shall be maintained by the State Forester or his or her designee.

(2) The terms of office for the initial appointments to the forester registration board shall be as follows:

(A) the State Forester or his or her designee shall serve as a continuing board member without term limitation;

(B) members appointed by the Yankee Division of the Society of American Foresters shall serve as follows:

(i) one member for a four year term;

(ii) one member, the full-time consulting forester, for a three year term; and

(iii) one member for a two year term;

(C) the member appointed by the Connecticut Wood Producers Association shall serve a four year term;

(D) representatives of the general public shall serve terms of three years and two years, respectively.

(3) Upon the expiration of the initial appointments, members shall serve three year terms. A vacancy shall be filled in the same manner as the original appointments.

(4) An individual appointed to fill a vacancy on the board shall serve for the balance of the unexpired term and may be reappointed as provided in subdivision (6) of this subsection.

(5) Absence from three consecutive board meetings by any member shall constitute resignation from the board.

(6) Except as provided in subparagraph (2) (A) and subdivision (4) of this subsection, no board member may be appointed for more than two consecutive terms.

(c) **Registration Board Proceedings.**

(1) The board may recommend to the Commissioner modifications to the standards and procedures for the voluntary registration of foresters and may make recommendations to the Commissioner concerning the issuance of individual certificates of registration for foresters, the response to complaints, and the response to petitions for reinstatement.

(2) The board may adopt bylaws for the regulation of its internal affairs and shall provide an annual report to the Commissioner no later than July first of each year.

(3) The State Forester or his or her designee shall serve as the board chairman and shall provide the necessary clerical and support services to the board.

(4) The forester registration board shall meet at least once a year and may meet more frequently if necessary. Special meetings may be called by the Commissioner, the board chairman or upon written request of any two board members.

(5) A majority of the board shall constitute a quorum. For the transaction of any board business, the board shall have the power to act by a majority of the members present at any meeting at which a quorum is in attendance. A board member shall not vote by proxy.

(6) The board shall record minutes of its meetings which will be reviewed by the board and maintained by the State Forester or his or her designee. All board records shall be available for public inspection pursuant to section 1-21 of the General Statutes.

(7) Upon termination of the existence of the board by law, all records of the board proceedings shall pass to the Commissioner.

(d) **Eligibility Requirements for Registration.**

(1) In order to be eligible for registration, applicants must:

(A) demonstrate attainment of at least one of the following minimum standards of experience and training which are deemed equivalent for the purposes of certification:

(i) a Bachelor's degree from a professional forestry curriculum accredited by the Society of American Foresters or a Bachelor's degree in a curriculum deemed comparable by the Commissioner after receipt of a recommendation from the board; or

(ii) a Master's degree or Doctoral degree in professional forestry from a professional forestry curriculum accredited by the Society of American Foresters or a Master's degree or Doctoral degree in a curriculum deemed comparable by the Commissioner after receipt of a recommendation from the board; or

(iii) two years of professional forestry employment and either a two year Associate's degree in forestry from a professional forestry curriculum recognized by the Society of American Foresters or a two year Associate's degree in a curriculum deemed comparable by the Commissioner after receipt of a recommendation from the board; or

(iv) graduation from a one year college level technical forestry program recognized by the Society of American Foresters or graduation from a one year college level program in a curriculum deemed comparable by the Commissioner after receipt of a recommendation from the board and three years of professional forestry employment; or

(v) five years of professional forestry employment; or

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(vi) a currently valid license or registration as a professional forester from another state or country provided that the state or country observes the same rules of reciprocity regarding persons registered as foresters in Connecticut.

(B) demonstrate not less than one year of field experience in managing forest types common to Connecticut.

(C) agree to attend within one year of registration, a program orientation course conducted by the State Bureau of Forestry.

(2) All education, training or experience must be fully documented. Professional forestry employment or field experience must include significant work in at least three of the following categories during the years for which such experience is claimed: (A) forest resources management; (B) forest resource production and harvesting; (C) forest resource protection; (D) forest products economics and marketing; (E) forestry engineering; (F) urban and community forestry.

(e) Registration Procedures.

(1) Application. Applications for registration shall be made on forms prescribed and furnished by the Commissioner. The cost of registration shall be fifty dollars.

(A) One half of the registration fee shall accompany the application and shall be non-refundable. The balance shall be paid before issuance of the registration certificate.

(B) An applicant who fails to remit the remaining balance within sixty days after being notified by certified mail that the application has been accepted, shall forfeit the right to receive the registration so issued, and shall be required to again submit an original application and fee.

(2) Issuance of a Registration Certificate.

(A) The Commissioner shall, within ninety days of receipt of an application, examine the application and may, after receipt of the recommendation of the Board, issue a certificate of registration or deny the application. The Commissioner may, if he or she deems necessary, require additional information.

(B) Within sixty days after payment of the registration fee balance, the applicant shall be sent a certificate of registration and a wallet-sized registration card. The certificate and card shall be signed by the Commissioner and shall show the full name of the registrant and a registration serial number. The certificate and card shall not be transferable.

(3) Registration Expiration and Renewal.

(A) A forester's certificate of registration shall expire five years from the date of issuance or renewal and shall become invalid on that date if it is not renewed.

(B) As a condition of renewal of a certificate of registration, registrants must have completed within the preceding five years at least ten points of category I Society of American Foresters continuing education credit.

(C) The Commissioner shall notify, at the last known address, each registered forester of the pending expiration date of the certificate. Such notice shall be sent, by certified mail, at least sixty days in advance of the registration expiration date.

(D) An individual who allows a registration to expire shall be required to re-apply as a new applicant and shall have satisfied the continuing education requirements of subparagraph (3) (B) of this subsection prior to such reapplication.

(E) The provisions of subdivision (3) of this subsection shall be suspended in the case of a person serving on active duty in the armed forces of the United States. Proper documentation of such service shall be provided to the Commissioner, including an indication of the expected termination of that service.

(f) Rejection, Suspension, Reinstatement and Cancellation of Registration.

(1) Application Rejection. If the Commissioner, after reviewing an application for registration, determines that an individual fails to meet all of the requirements for such registration, the Commissioner shall send a letter of rejection to the applicant by certified mail. The rejection letter shall indicate the specific reason(s) for the Commissioner's action. An individual whose application is rejected by the Commissioner may not re-apply for at least ninety days.

(2) Standards for Registration Suspension. A certificate of registration may be suspended if the Commissioner determines that the registrant:

(A) has violated the Society of American Forester Code of Ethics, (1976);

(B) has violated any applicable provisions of federal state laws and regulations or municipal ordinances pertaining to the practice of forestry;

(C) has provided false information in support of his or her application;

(D) has engaged in any conduct in connection with the practice of forestry which involves dishonesty, fraud, deceit or misrepresentation;

(E) has failed to adhere to one or more of the following business practice standards:

(i) a written contract must be provided to clients listing explicitly: the hourly rate or portion of the fee to be charged for consulting services; the other costs for operational components not part of the consulting services; an estimate of the gross income that the client might expect from a sale of forest products; an estimate of the net amount expected after costs are paid; an itemized description of the service or services to be provided; and a contract termination date;

(ii) clients must be provided with a written recommendation that loggers or wood cutters post a performance deposit with the client representative or the forester in an amount sufficient to encourage contract compliance;

(F) has neglected to utilize the management practices recommended in the United States Forest Service silviculture guidelines for major forest types, when the objectives of the guidelines are consistent with those of a client, or has failed to recommend generally accepted management practices when preparing plans intended to satisfy other management goals.

(3) Procedures for Suspension. Upon receipt of a complaint indicating that a registered forester has violated a provision of subdivision (2) of this subsection, the Commissioner shall review documentation and may, after receipt of a recommendation from the board, suspend that registration for a period of not less than one year, provided:

(A) that any and all complaints against the registered forester be presented to the Commissioner in writing;

(B) the registered forester be notified by the Commissioner that a complaint has been received and be provided with an opportunity to rebut;

(C) that the Commissioner investigate such complaint(s) including a field inspection, if necessary, to determine case facts;

(D) that all parties to complaints which may lead to registration suspension be provided an opportunity to present arguments to the Commissioner.

(4) Notification of Suspension. An individual whose registration has been suspended shall be notified by the Commissioner by certified mail of the action taken, including specific reason(s) for the suspension and corrective measures recommended by the Commissioner.

(5) Reinstatement. An individual whose registration has been suspended may petition the Commissioner for reinstatement within one year of the end of the suspension period specified by the Commissioner. The petition for reinstatement

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shall include evidence that corrective measures have been taken. The Commissioner may, if he or she deems necessary, require additional information. The Commissioner shall, within ninety days of receipt of a petition for reinstatement, review the petition and may, after receipt of the recommendation of the Board, reissue a certificate of registration or deny the petition and cancel the registration if he or she determines that the actions which resulted in suspension have not been adequately remedied. The Commissioner shall notify the petitioner, by certified mail, of the action taken, including the specific reason(s) for any denial and cancellation of registration.

(6) Automatic Cancellation. The failure to petition for reinstatement in accordance with the requirements of subdivision (5) of this subsection shall result in automatic cancellation of registration as of one year following the end of the suspension period specified by the Commissioner.

(7) Eligibility to Re-apply After Cancellation. An individual whose registration has been cancelled by the Commissioner pursuant to subdivisions (5) or (6) of this subsection will be ineligible to re-apply for registration for a period of five years from the date of cancellation. The fee for re-application shall be the same as for an initial registration.

(8) Hearings. Any person receiving notice from the Commissioner that an application for registration has been denied, or that registration has been suspended, or that a petition for reinstatement has been denied may, by written petition, request a reconsideration of the Commissioner's decision and formal hearing on the matter. Such petition shall state the grounds upon which the request for reconsideration is based. Within ninety days of the receipt of such a petition, the Commissioner shall schedule a hearing on the matter. The hearing will be conducted in accordance with section 22a-3a-1 of the General Statutes and the provisions of chapter 54 of the General Statutes. The Commissioner shall provide notice of the hearing, any proposed decision, and the final decision to the board. The board may, in its discretion, request to be made a party to the hearing. An appeal to the superior court may be taken in accordance with the provisions of chapter 54 of the General Statutes.

(g) Registered Foresters Listing.

(1) No person, in either a public or private capacity, who is not currently registered pursuant to this section, shall advertise or practice as a registered forester, except that nothing in this section shall prohibit a person not so registered from practicing the profession of forestry in this state.

(2) Each registrant shall notify the Commissioner of any change of name, residence or business address within thirty days of such change.

(3) The State Forester or his or her designee shall publish a listing of professional foresters registered pursuant to this section no later than six months from the date of the issuance of the first registration. Thereafter, an updated roster of registered foresters shall be prepared annually as soon after the first of January as is practical. The name of an individual whose registration has been suspended or cancelled shall be deleted from the next scheduled published listing. An insert page shall be used to notify users of the current list of newly registered foresters and to indicate the names of individuals no longer registered with the State. No mention of the reason for removal from the list shall be included in such insert.

(Effective August 26, 1988)

Sec. 23-65g-2. Voluntary registration for loggers

(a) Definitions.

(1) As used in section 23-65g-2:

“Best Management Practice Guidelines” means those harvesting practices and techniques designed to minimize erosion and sedimentation associated with logging, as recommended by the Connecticut 208 Forestry Advisory Committee in its 1984 publication, Logging and Water Quality in Connecticut.

“Board” means the State Board of Registration of Loggers established by regulation adopted pursuant to section 23-65g of the General Statutes.

“Certificate of Registration” or “Certificate” means a document issued by the Commissioner of Environmental Protection authorizing the use of the title registered logger.

“Commissioner” means the Commissioner of Environmental Protection.

“Logger” means a person as defined in section 23-65g (1) of the General Statutes.

“Logging” means the process of removing trees from a forest site for the purpose of producing wood products and shall include severing trees from the stumps, bucking trees into component product length, skidding or hauling the tree parts to a landing area, bucking at the landing and maintenance of the landing area; but shall not include construction of access roads or landing areas or the practice of professional forestry as defined in section 23-65g-1 (a).

“Registered Logger” means a person who has been registered pursuant to this section.

(2) Scientific and technical terms not specifically defined in these regulations shall be used in accordance with the definitions set forth in the Society of American Foresters’ Terminology of Forest Science, Technology, Practice and Products.

(b) **Logger Registration Board.**

(1) The membership of the logger registration board shall consist of seven voting members as set forth in section 23-65h (a) of the General Statutes. The two representatives of the general public shall be appointed by the Commissioner from a roster of individuals interested in serving as board members. Such list shall be maintained by the State Forester or his or her designee.

(2) The terms of office for the initial appointments to the logger registration board shall be as follows:

(A) the State Forester or his or her designee shall serve as a continuing board member without term limitation;

(B) the member appointed by the Yankee Division of the Society of American Foresters shall serve a four year term;

(C) members appointed by the Connecticut Wood Producers Association shall serve terms of four and three years, respectively;

(D) the Water Resources representative shall serve a two year term;

(E) representatives of the general public shall serve terms of three years and two years, respectively.

(3) Upon the expiration of the initial appointments, members shall serve three year terms. A vacancy shall be filled in the same manner as the original appointments.

(4) An individual appointed to fill a vacancy on the board shall serve for the balance of the unexpired term and may be reappointed as provided in subdivision (b) (6) of this section.

(5) Absence from three consecutive board meetings by any member shall constitute resignation from the board.

(6) Except as provided in subparagraph (b) (2) (A) and subdivision (b) (4) of this section, no board member may be appointed for more than two consecutive terms.

(c) **Registration Board Proceedings.**

(1) The board may recommend to the Commissioner modifications to the standards and procedures for the voluntary registration of loggers and may make recom-

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mendations to the Commissioner concerning the issuance of individual certificates of registration for loggers, the response to complaints and the response to petitions for reinstatement.

(2) The board may adopt bylaws for the regulation of its internal affairs and shall provide an annual report to the Commissioner no later than July first of each year.

(3) The State Forester or his or her designee shall serve as the board chairman and shall provide the necessary clerical and support services to the board.

(4) The logger registration board shall meet at least once a year and may meet more frequently if necessary. Special meetings may be called by the Commissioner, the board chairman or upon written request of any two board members.

(5) A majority of the board shall constitute a quorum. For the transaction of any board business, the board shall have the power to act by a majority of the members present at any meeting at which a quorum is in attendance. A board member shall not vote by proxy.

(6) The board shall record minutes of its meetings which will be reviewed by the board and maintained by the State Forester or his or her designee. All board records shall be available for public inspection pursuant to section 1-21 of the General Statutes.

(7) Upon termination of the existence of the board by law, all records of the board proceedings shall pass to the Commissioner.

(d) Eligibility Requirements for Registration.

(1) In order to be eligible for registration, an applicant must demonstrate compliance with the following requirements:

(A) not less than one year of logging experience in forest stands and topography characteristic of Connecticut;

(B) a good general knowledge of logging techniques characteristic of the Connecticut area;

(C) a field demonstration of operational competency or an on-site inspection of work performance including tree falling and bucking, yarding with either skidders or tractors, and erosion and sedimentation control measures as prescribed by the State 208 Best Management Practice Guidelines;

(D) a currently valid license or registration as a professional logger from another state or country may be substituted for the requirements of subparagraphs (A), (B), and (C) of this subdivision provided that the state or country observes the same rules of reciprocity regarding persons registered as loggers in Connecticut.

(2) An applicant shall agree to attend within one year of registration, a program orientation course conducted by the State Bureau of Forestry.

(e) Registration Procedures.

(1) Application. Applications for registration shall be made on forms prescribed and furnished by the Commissioner. The cost of registration shall be fifty dollars.

(A) One half of the registration fee shall accompany the application and shall be non-refundable. The balance shall be paid before issuance of the registration certificate.

(B) An applicant who fails to remit the remaining balance within sixty days after being notified by certified mail that the application has been accepted, shall forfeit the right to receive the registration so issued, and shall be required to again submit an original application and fee.

(2) Issuance of a Registration Certificate.

(A) The Commissioner shall, within ninety days of receipt of an application, examine the application and may, after receipt of the recommendation of the board, issue a certificate of registration or deny the application. The Commissioner may, if he or she deems necessary, require additional information.

(B) Within sixty days after payment of the registration fee balance, the applicant shall be sent a certificate of registration and a wallet-sized registration card. The certificate and card shall be signed by the Commissioner and shall show the full name of the registrant and a registration serial number. The certificate and card shall not be transferable.

(3) Registration Expiration and Renewal.

(A) A logger's certificate of registration shall expire five years from the date of issuance or renewal and shall become invalid on that date if it is not renewed.

(B) As a condition of renewal of a certificate of registration, registrants must have completed in the preceding five years at least two training sessions on forest product harvesting techniques sponsored or approved by the State Forester or his or her designee.

(C) The Commissioner shall notify, at the last known address, each registered logger of the pending expiration date of the certificate. Such notice shall be sent, by certified mail, at least sixty days in advance of the registration expiration date.

(D) An individual who allows a registration to expire shall be required to re-apply as a new applicant and shall have satisfied the continuing education requirements of subparagraph (3) (B) of this subsection prior to such reapplication.

(E) The provisions of subdivision (e) (3) shall be suspended in the case of a person serving on active duty in the armed forces of the United States. Proper documentation of such service shall be provided to the Commissioner, including an indication of the expected termination of that service.

(f) **Rejection, Suspension, Reinstatement and Cancellation of Registration.**

(1) Application Rejection: If the Commissioner, after reviewing an application for registration, determines that an individual fails to meet all of the requirements for such registration, the Commissioner shall send a letter of rejection to the applicant by certified mail. The rejection letter shall indicate the specific reason(s) for the Commissioner's action. An individual whose application is rejected by the Commissioner may not re-apply for at least ninety days.

(2) Standards for Registration Suspension. A certificate of registration may be suspended if the Commissioner determines that the registrant:

(A) conducts logging activities in violation of: (i) the Connecticut Wood Producers Association Timber Harvesting Guidelines; (ii) Best Management Practice Guidelines; (iii) practices that otherwise fail to minimize adverse environmental impacts on a forest resource;

(B) has violated any applicable provisions of federal and state laws and regulations or municipal ordinances pertaining to the practice of logging;

(C) has provided false information in support of his or her application;

(D) has engaged in any conduct in connection with the practice of logging which involves dishonesty, fraud, deceit or misrepresentation.

(3) Procedures for Suspension. Upon receipt of a complaint indicating that a registered logger has violated a provision of subdivision (2) of this subsection, the Commissioner shall review documentation and may, after receipt of a recommendation from the board, suspend that registration for a period of not less than one year, provided:

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(A) that any and all complaints against the registered logger be presented to the Commissioner in writing;

(B) the registered logger be notified by the Commissioner that a complaint has been received and be provided with an opportunity to rebut;

(C) that the Commissioner investigate such complaint(s) including a field inspection, if necessary, to determine case facts.

(D) that all parties to complaints which may lead to registration suspension be provided an opportunity to present arguments to the Commissioner.

(E) that, after reviewing all available pertinent information, provided by the Commissioner, the Board makes a recommendation to the Commissioner.

(4) Notification of Suspension. An individual whose registration has been suspended shall be notified by the Commissioner by certified mail of the action taken, including specific reason(s) for the suspension and corrective measures recommended by the Commissioner.

(5) Reinstatement. An individual whose registration has been suspended may petition the Commissioner for reinstatement within one year of the end of the suspension period specified by the Commissioner. The petition for reinstatement shall include evidence that corrective measures have been taken. The Commissioner may, if he or she deems necessary, require additional information. The Commissioner shall, within ninety days of receipt of a petition for reinstatement, review the petition and may, after receipt of the recommendation of the board, reissue a certificate of registration or deny the petition and cancel the registration if he or she determines that the actions which resulted in suspension have not been adequately remedied. The Commissioner shall notify the petitioner, by certified mail, of the action taken, including the specific reason(s) for any denial and cancellation of registration.

(6) Automatic Cancellation. The failure to petition for reinstatement in accordance with the requirements of subdivision (5) of this subsection shall result in automatic cancellation of registration as of one year following the end of the suspension period specified by the Commissioner.

(7) Eligibility to Re-apply After Cancellation. An individual whose registration has been cancelled by the Commissioner pursuant to subdivision (5) or subdivision (6) of this subsection will be ineligible to re-apply for registration for a period of five years from the date of cancellation. The fee for re-application shall be the same as for an initial registration.

(8) Hearings. Any person receiving notice from the Commissioner that an application for registration has been denied, or that registration has been suspended, or that a petition for reinstatement has been denied may, by written petition, request a reconsideration of the Commissioner's decision and formal hearing on the matter. Such petition shall state the grounds upon which the request for reconsideration is based. Within ninety days of the receipt of such a petition, the Commissioner shall schedule a hearing on the matter. The hearing will be conducted in accordance with section 22a-3a-1 and the provisions of Chapter 54 of the General Statutes. The Commissioner shall provide notice of the hearing, any proposed decision, and the final decision to the board. The board may, in its discretion, request to be made a party to the hearing. An appeal to the superior court may be taken in accordance with the provisions of chapter 54 of the General Statutes.

(g) Registered Loggers Listing.

(1) No person, in either a public or private capacity, who is not currently registered pursuant to this section, shall advertise or practice as a registered logger without meeting the requirements of this section, except that nothing in this section shall

Repealed by Section 54 of PA 14-187

Sec. 23-65g page 12 (4-97)

§ 23-65g-2

Department of Environmental Protection

For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

prohibit a person not so registered from practicing the profession of logging in this state.

(2) Each registrant shall notify the Commissioner of any change of name, residence or business address within thirty days of such change.

(3) The State Forester or his or her designee shall publish and distribute a listing of professional loggers registered pursuant to this section no later than six months from the date of the first registration board meeting. Thereafter, an updated roster of registered loggers shall be prepared annually as soon after the first of January as is practical. The name of an individual whose registration has been suspended or cancelled shall be deleted from the next scheduled published listing. An insert page shall be used to notify users of the current list of newly registered loggers and to indicate the names of individuals no longer registered with the State. No mention of the reason for removal from the list shall be included in such insert.

(Effective August 26, 1988)

Department of Environmental Protection

*For updates to these regulations, see **RECENTLY ADOPTED REGULATIONS** at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>*

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For updates to these regulations, see RECENTLY ADOPTED REGULATIONS at <http://www.sots.ct.gov/sots/cwp/view.asp?a=4431&q=525778>

Certification of Forest Practitioners

Sec. 23-65h-1. Certification of forest practitioners

GENERAL DEFINITIONS

(a) The following terms shall have the meaning ascribed to them by section 23-65f of the general statutes: “commercial forest practices”; “commercial forest products”; “commercial forest practitioner”; “commissioner”; “department”; “forest land”; “forest practice”; “forest practitioner”; “person”; “tree.”

(b) As used in this section:

(1) “Applicant” means any person applying for certification or renewal of certification in accordance with this section;

(2) “Harvesting” means performing an activity related to the cutting or removal of forest tree species;

(3) “Passing grade” (on an examination for certification administered under this section): means a score of at least 75 out of a possible 100 point and;

(4) “State”: means the State of Connecticut.

CERTIFICATION OF FOREST PRACTITIONERS:

General Requirements

Applications

(c) Applications for forest practitioner certification and recertification shall be made on forms prescribed and furnished by the commissioner and shall require information as to the applicant’s name, mailing address, telephone number, business address, business telephone number, residence, educational background, a detailed summary of technical experience, a record of any continuing education courses or workshops successfully completed within the previous five years, and information concerning whether the applicant has engaged in any of the activities set forth in subdivisions (1) to (3), inclusive, of subsection (a) of section 23-65o of the general statutes, or has been convicted of a felony associated with the conduct of a regulated forest practice.

(d) Applications for forest practitioner certification shall be filed with the State Forester’s Office and shall be accompanied by the appropriate fee as specified in subsections (r) and (s) of this section.

(e) Applications shall not be deemed to be complete unless all information required by this subsection has been submitted and all fees required by this section have been paid. Incomplete applications shall be returned to the applicant.

(f) Applications for certification shall be signed by the applicant and shall contain the following statement, “I have personally examined and am familiar with the information submitted in this document and all attachments and certify that, based on reasonable investigation, the submitted information is true, accurate and complete to the best of my knowledge and belief. I understand that any false statement made in this document or its attachments may be grounds for denial, suspension, or revocation of certification.”

Examinations for Initial Certification

(g) Except as provided in subdivision (3) of subsection (c) of section 23-65h of the general statutes and in subsection (i) of this section all applicants for initial forest practitioner certification must achieve a passing grade on a written examination in order to be granted certification.

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(h) Any applicant whose application is complete, shall be permitted to take an examination for the requested certification, provided, however, that no applicant may take the examination unless he has paid the application and examination fees as in subsections (r) and (s) of this section. Applicants shall be notified, no less than 20 business days in advance, of the time and place of written and oral examinations. Such examinations shall assess the technical knowledge required for the requested certification set forth in section 23-65h of the general statutes as well as knowledge of statutes and regulations pertaining to forestry, forest practices, and the protection of wetlands and watercourses. An applicant who is denied certification due to failure to achieve a passing grade on such an examination may apply for re-examination without prejudice. Re-examinations shall be granted upon payment of an examination fee as specified in subsections (r) and (s) of this section.

(i) Any applicant for certification or renewal of certification who is illiterate may specifically request and will be granted an oral examination.

Denial of Certification

(j) The commissioner shall refuse to grant certification or recertification to any applicant who fails to achieve a passing grade on the examination or provides false or misleading information on the application for certification. A person who has been denied certification shall be notified of the commissioner's decision by certified mail, return receipt requested, of the fact and of the basis for denial.

Issuance of Certificate

(k) The commissioner shall issue a certificate to any applicant who has satisfied all of the requirements for certification set forth in this section or otherwise has met the requisite experience requirements of subdivision (3) of subsection (c) of section 23-65h of the general statutes. Certificates shall be valid for four years from the date of issuance and shall show the full name of the certificate holder, the type of certification granted, the certificate number, the date of expiration of the certification, and shall be signed by the commissioner. The commissioner shall also issue wallet cards containing the same information as the full size certificate.

Certificate Renewal

(l) An application for renewal of a certificate shall be submitted to the commissioner no less than 60 calendar days prior to the expiration date of the certificate. The application for renewal of certification shall be on a form provided by the commissioner, shall be accompanied by payment of the application fee in accordance with subsections (r) and (s) of this section, shall include evidence of satisfaction of all continuing education requirements of this section, and information concerning whether the applicant has engaged in any of the activities set forth in subdivisions (1) to (3), inclusive, of subsection (a) of section 23-65o of the general statutes, or has been convicted of a felony associated with the conduct of a regulated forest practice.

(m) No certificate shall be renewed unless the applicant has submitted all reports required pursuant to section 23-65i of the general statutes.

(n) The commissioner shall require an applicant for renewal of certification to take an examination for recertification if the statutes or regulations concerning forestry, forest practices, or wetlands and watercourses have been revised or adopted since the date of issuance of such applicant's current certification and such revised or adopted statutes or regulations will result in a change in the conduct of forest practices. If an examination for recertification will be required, the commissioner

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shall notify the applicant in writing no later than 30 days after the date the renewal application is received by the commissioner. An examination for renewal of certification shall be granted upon payment of the examination fee as specified in subsections (r) and (s) of this section.

Continuing Education Standards for Renewal of Certification

(o) In accordance with section 23-65i of the general statutes, all certified forest practitioners shall participate biennially in a relevant program of professional education to improve or maintain professional forestry skills that is sponsored by the department of environmental protection, the New England Society of American Foresters, the University of Connecticut, Yale University, the Connecticut Cooperative Extension System, or any university having a forest management or forest products harvesting curriculum accredited by the Society of American Foresters.

(p) Assigning continuing education units (CEU's). Any person may request that the commissioner approve any workshops, meetings, college level credit courses, courses, seminars, or field sessions as having substantial educational value for certified forest practitioners and assign an appropriate number of CEU's in accordance with subsection (q) of this section, below. Any person requesting such approval and assignment of CEU's shall provide to the commissioner the following information:

- (1) Date of event
- (2) Title
- (3) Agenda
- (4) Name and Title of Instructors
- (5) Sponsoring Organization
- (6) Hours of Duration and/or credits assigned
- (7) Classroom and Field Hours
- (8) Contact Person

Assignment of CEU Credits

(q) The commissioner shall review all information provided in accordance with subsection (p) of this section, above and, if the commissioner finds that the workshop, meeting, course, seminar, tour, field session, or college level credit course proposed for CEU credit provides substantial education in the professional forestry skills and professional functions encompassed by one or more of the forest practitioner certifications, CEU's shall be assigned as follows:

- (1) one (1) CEU shall be assigned for each full three (3) hours of duration of qualifying workshops, meetings, courses, seminars, or field sessions.
- (2) four (4) CEU's shall be assigned for each credit hour in a qualifying college level credit course.

Renewal of Certification

(3) Each applicant for renewal of Forester certification shall participate in a biennial program of professional education equivalent to six (6) CEU's.

(4) Each applicant for renewal of Supervising Forest Products Harvester certification shall participate in a biennial program of professional education equivalent to four (4) CEU's.

(5) Each applicant for renewal of Forest Products Harvester certification shall participate in a biennial program of professional equivalent to three (3) CEU's.

FEEES

(r) The fee for applying for certification or renewal of certification shall be \$76.00. The fee shall be submitted simultaneously with the application for certification or renewal of certification, and certification shall not be granted or renewed prior to payment of the fee. The fee provided in this section shall be non-refundable. The application fee required by this section shall be paid by certified check or money order payable to the department of environmental protection. The certified check or money order shall state on its face, "Forest Practitioner Certification Application Fee." On July 1, 1995, and every July 1 thereafter, the fee provided in this section shall increase by three percent, rounded down to the nearest whole dollar.

(s) An applicant for forest practitioner certification or renewal of certification shall, if required by this section to take an examination, pay an examination fee of \$13.00 for each examination. The fee provided in this section shall be non-refundable. The fee required by this section shall be paid by certified check or money order payable to the department of environmental protection. The certified check or money order shall state on its face, "Forest Practitioner Certification Examination Fee." On July 1, 1995, and every July 1 thereafter, the fee provided in this section shall increase by three percent, rounded up to the nearest whole dollar.

(Effective December 27, 1994)

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Forest Practices

Sec. 23-65j-1. Conduct of forest practitioners

(a) Definitions

For the purposes of section 23-65j-1:

(1) “Certified forest practitioner” means an individual certified as a forester, supervising forest products harvester or forest products harvester in accordance with section 23-65h of the Connecticut General Statutes;

(2) “Client” means a person who has entered into a written or verbal agreement with a certified forest practitioner to conduct a forest practice on their forest land; and

(3) “Prospective client” means a person to whom a certified forest practitioner has submitted a proposal to conduct a forest practice on their forest land or upon whose forest land the practitioner has entered for the purposes of soliciting or contracting a forest practice.

(b) General

In order to establish and maintain a high standard of integrity, skills and practice in the conduct of forest practices, the following requirements shall apply to any forest practice undertaken by a certified forest practitioner in Connecticut.

(c) Conduct of Forest Practitioners

A certified forest practitioner shall:

(1) Prior to entering into a contract to conduct a forest practice, disclose in writing to each prospective client, the level of certification he or she currently possesses pursuant to section 23-65h of the Connecticut General Statutes, those forest practices that the certified forest practitioner may lawfully perform and any direct costs or obligations that would be incurred by the client upon entering into such a contract;

(2) Avoid all conflicts of interest with his or her client and promptly disclose in writing to each client, the existence and nature of any financial interest or business association that the certified forest practitioner or his or her employer has which may influence such practitioner’s judgment in connection with the performance of such forest practice;

(3) Prior to entering into a contract to conduct a forest practice, disclose in writing to each prospective client whom the certified forest practitioner will represent as agent, the existence and nature of any exclusive contracts or obligations on the part of the certified forest practitioner to sell forest products to certain individuals or firms;

(4) Advertise only the services the certified forest practitioner is qualified and lawfully authorized to perform;

(5) Not make or issue a false statement or false information;

(6) Not disclose information concerning the affairs of the certified forest practitioner’s employer, client or prospective client without obtaining express written consent to do so from such employer, client or prospective client, except as required by law;

(7) Comply with the requirements and procedures set forth in the applicable provisions of the Forest Practices Act, section 23-65f, et seq., of the Connecticut General Statutes, and any regulations adopted pursuant to said sections, or any other applicable law;

(8) Not pay or offer to pay any person, either directly or indirectly, any gift or other consideration as an inducement to violate the Forest Practices Act, section 23-65f, et seq., of the Connecticut General Statutes, and any regulations adopted pursuant to said sections;

(9) Notify his or her client or employer in writing if the certified forest practitioner has knowledge of any action taken or decision made by such practitioner's client or employer that violates section 23-65f, et seq., of the Connecticut General Statutes, and any regulations adopted pursuant to said sections;

(10) Prior to entering into a contract to conduct a forest practice, inform the prospective client of his or her identity, the identity of his or her employer and identify in whose interest the certified forest practitioner is working;

(11) Not accept compensation, financial or otherwise, from more than one party for services on the same project, unless the certified forest practitioner discloses in writing to each person from whom he or she is accepting compensation, the names of the other person(s) from whom he or she is accepting compensation and what professional services he or she is performing, if any, for such person(s);

(12) Accurately represent his or her academic or other professional qualifications as a forest practitioner and the scope of his or her responsibilities in connection with work that he or she has performed; and

(13) Not engage in or participate in professional or business practices of a fraudulent or dishonest nature that relate to any forest practice.

(Adopted effective July 2, 2007)

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Greenways Small Grants

Sec. 23-101(b)-1. Short title

Sections 23-101(b)-1 to 23-101(b)-11, inclusive, of the Regulations of Connecticut State Agencies shall be known as the Greenways Small Grants Regulations.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-2. Definitions

As used in sections 23-101(b)-1 to 23-101(b)-11, inclusive, of the Regulations of Connecticut State Agencies:

- (1) "Applicant" means a person who files an application;
- (2) "Application" means an application for a greenways small grant filed pursuant to the Greenways Small Grants Regulations;
- (3) "Commissioner" means the Commissioner of Environmental Protection or the Commissioner's representative;
- (4) "Conservation and development plan" means a conservation and development plan adopted under section 8-23 of the Connecticut General Statutes;
- (5) "Department" means the Department of Environmental Protection;
- (6) "Design," with reference to a greenway, means preparation of plans for engineering, landscaping, signage, mapping, and related activities necessary to complete a greenway project;
- (7) "Fiscal year" means the period from July 1 through the following June 30;
- (8) "Greenway" means "greenway" as defined by section 23-100 of the Connecticut General Statutes;
- (9) "Greenways small grant" means a grant made by the commissioner under section 23-101(b) of the Connecticut General Statutes and the Greenways Small Grants Regulations;
- (10) "Immediate family" means an individual's spouse, children, or dependent relatives who reside in such individual's household;
- (11) "Implement," with reference to a greenway, means to (A) prepare applications for any necessary permits or other licenses and (B) produce trail guides, maps, signs, or other educational materials or projects;
- (12) "Municipality" means "municipality" as defined by section 3-76c of the Connecticut General Statutes;
- (13) "Open space" means land or water legally and irrevocably dedicated to use in its natural state or a greenway;
- (14) "Person" means "person" as defined by section 22a-2 of the Connecticut General Statutes;
- (15) "Planning," with reference to a greenway, means the process of determining the geographical location of a proposed greenway; for the purposes of the Greenways Small Grants Regulations, planning also includes preparation of a municipal or regional plan of conservation and development containing a greenway or other open space component;
- (16) "Project" means the greenway or other open space area the planning, design, or implementation of which is the subject of an application;
- (17) "Project area" means the geographical location of a proposed project;
- (18) "Recipient" means a person who receives a greenways small grant;
- (19) "Urban area" means a regional center or neighborhood conservation area as shown on the Locational Guide Map of the most recent Connecticut Conservation and Development Policies Plan as may be periodically updated;

(20) “Watercourses” means “watercourses” as defined by section 22a-38 of the Connecticut General Statutes; and

(21) “Wetlands” means “wetlands” as defined in section 22a-38 of the Connecticut General Statutes.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-3. Eligible costs

The following costs are eligible for funding through a greenways small grant:

- (1) The costs of planning a greenway;
- (2) the costs of designing a greenway; and
- (3) the costs of implementing a greenway as defined by section

23-101(b)-2(11), excluding construction provided that the applicant’s routine operating costs, such as salaries and utility service, and the cost of acquiring any interest in land, shall not be deemed costs of implementing a greenway.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-4. Applications

(a) An application for a greenways small grant shall be made on a form furnished by the commissioner and shall provide at least the following information:

(1) The name, business address, and business telephone number of the individual functioning for the applicant as manager of the project which is the subject of the application;

(2) the name, business address, and business telephone number of each consultant or other independent contractor the applicant has retained or will retain to perform the activities which are the subject of the application;

(3) a description of the geographical location of such project;

(4) the purpose of such project;

(5) whether public access will be allowed to the subject project area and, if not, why;

(6) if the applicant is a municipality, whether the applicant has adopted a conservation and development plan which includes a greenways or other open space component and, if so, the applicant must demonstrate how the proposed project relates to said plan;

(7) the identity of any person in addition to the applicant which has assumed responsibility together with the applicant for completing such project; the specific components of the project for which the applicant and each such other person will be responsible; and the name, business address, and business telephone number of a contact person for each such other person;

(8) a detailed budget for the project and a description of precisely how the applicant intends to use the grant funds for which the applicant has applied;

(9) the estimated dates for (A) completion of such project and (B) completion of each activity for which funding is sought in the application;

(10) the estimated total cost of such project and precisely how the applicant developed such estimate;

(11) if the grant funds applied for do not equal the estimated total cost of such project, including the cost of land acquisition, how the applicant will pay for all costs not covered by such funds;

(12) the owner of such project area; documentation of such ownership, and the relationship of the applicant to the owner if they are different; if the applicant is not the owner of the project area, the application shall be accompanied by a municipal or corporate resolution, certified by the appropriate official, consenting to the project;

(13) if the applicant is not the owner of such project area, whether the applicant intends to acquire the fee interest, an easement, or any other interest therein, when the applicant will acquire such interest, and whether there are any legal, financial, or other obstacles to such acquisition;

(14) if the applicant is not the owner of such project area and intends to acquire an interest therein, the nature of such interest and any anticipated obstacles to such acquisition;

(15) a United States Geological Survey Topographic Quadrangle Map at a scale of no smaller than 1:2400 (7.5 minutes), showing such project area;

(16) whether such project area extends into more than one municipality and, if so, which ones;

(17) whether such project area adds to a greenway or other open space existing on the date the application is filed with the commissioner;

(18) whether such project area physically connects an urban area to a greenway or other open space existing on the date the application is filed with the commissioner;

(19) whether such project area physically connects two or more greenways or open space existing on the date the application is filed with the commissioner;

(20) if public access to such project area will be allowed, the activities, such as bicycling, walking, and horseback riding, in which the public will be allowed to engage;

(21) whether such project area, because of its location, biological resources, or other features, is capable of being and is likely to be utilized as a corridor for wildlife or fish migration and, if so, the species likely to so utilize it;

(22) whether such project will preserve scenic values;

(23) whether such project will protect or enhance biological or habitat values of a watercourse, wetlands, or other natural resource;

(24) whether such project will protect a significant geological or historical feature;

(25) whether such project includes provision of educational material, such as trail guides, maps, or signage, about biological, scenic, geological, or historical features, within or in the vicinity of such project area; and

(26) whether such project includes the provision of educational materials or opportunities, including, but not limited to, planning, design or policy studies or workshops which would have a positive impact on greenways statewide.

(b) An applicant may apply for an additional greenways small grant in a fiscal year subsequent to the year in which such applicant was first awarded a greenways small grant, provided no greenways small grant awarded during any fiscal year shall exceed five thousand dollars.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-5. Other requirements for eligibility

A greenways small grant is not available:

(1) If any motorized vehicle, including, but not limited to, a car, motorcycle, motor bicycle, all-terrain vehicle, motorized scooter, moped, and dune buggy, except a motorized wheelchair or scooter operated by a physically handicapped person, will be allowed to enter the subject project area;

(2) if any individual will be prohibited from entering such project area on account of the individual's place of residence; or

(3) for payment of an applicant's routine operating costs, including, but not limited to, salaries and utility services.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-6. Announcement of grant availability

At least once during each fiscal year, provided that funds are available, the commissioner shall announce that applications for greenways small grants may be filed not later than three months from the date of such announcement. Such announcement shall also state the total amount of money available during such fiscal year for greenways small grants.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-7. Review of grant applications

The grant applications shall be reviewed by the department division responsible for greenways. Such review shall take into account the total amount of funds available for greenways small grants. Each application shall be evaluated in light of the factors listed in section 23-101(b)-8 of the Regulations of Connecticut State Agencies and a decision shall be made as to which applicants should receive all or a portion of the grant funds they seek. The reviewer shall transmit recommendations, in writing, to the commissioner, who shall make the final determination and award grants in accordance therewith.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-8. Decisions on applications

An applicant shall not be awarded a greenways small grant unless such applicant's project satisfies at least one of the criteria listed in subdivisions (1) through (13) of this section. Projects satisfying more than one of these criteria may receive higher priority for a grant award under this program. The criteria are as follows:

- (1) The applicant is, in light of its financial resources and other relevant factors, likely to actually complete the subject project;
- (2) The applicant, if a municipality, (A) has adopted a conservation and development plan which includes establishment of greenways or other open space, and (B) such project is consistent with such plan;
- (3) Such project area extends into more than one municipality;
- (4) Such project area adds to a greenway or other open space existing on the date the application was filed with the commissioner;
- (5) Such project area connects an urban area to a greenway or other open space existing on the date the application was filed with the commissioner;
- (6) Such project area connects two or more greenways or other open space areas existing on the date the application was filed with the commissioner;
- (7) Such project area, because of its location, biological resources, or other features, is capable of being, and likely to be, utilized as a corridor for migration of wildlife or fish species native to Connecticut;
- (8) Such project will preserve scenic values;
- (9) Such project will protect or enhance biological or habitat values of a watercourse, wetlands, or other natural resource;
- (10) Such project will protect a significant geological or historical feature;
- (11) Such project includes provision of educational material, such as signage, maps, or trail guides, about the biological, scenic, geological, or historical features within such project area or its vicinity or includes educational materials or opportunities which would have a positive impact on greenway activities statewide;
- (12) The applicant, if a municipality, (A) has not adopted a conservation and development plan and such project consists of preparing such a plan which includes establishment of greenways or other open space, or (B) has adopted such a plan

which does not include establishment of greenways or other open space, and such project consists of revising such plan to include greenways or other open space; and

(13) The project is in an area officially designated as a greenway by the Connecticut Greenways Council.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-9. Acceptance; contracts

(a) Not later than ten days, or such later time as the commissioner may for good cause allow, after the commissioner informs an applicant that it has been awarded a greenways small grant, the applicant shall confirm to the commissioner in writing that it intends to accept such grant. If such confirmation is not timely made, such applicant's application shall be deemed withdrawn and the commissioner shall award such grant funds to one or more other applicants in accordance with the recommendation of the department division responsible for greenways.

(b) Upon receiving timely confirmation from an applicant under subsection (a) of this section, the commissioner shall provide to such applicant a proposed contract pursuant to the terms of which the subject grant funds will be transferred to such applicant. Unless the applicant returns to the commissioner not later than thirty days of its receipt thereof a duly executed copy of such contract, such applicant's application shall be deemed withdrawn and the commissioner shall award such grant funds to one or more other applicants in accordance with the recommendation of the department division responsible for greenways.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-10. Refunds

(a) The recipient of a greenways small grant shall refund to the commissioner the full amount of such grant, or the commissioner may withhold installments of such grant, if:

(1) The activities funded by such grant are not completed within the time stated in the subject application, provided the commissioner may, for good cause shown, extend such time until a date certain;

(2) the subject project is not completed within the time stated in such application, provided the commissioner may release such recipient from its obligation to refund the grant if good cause is shown for failure to complete the project not later than such time;

(3) such recipient uses any portion of the grant for any purpose other than those for which it was awarded;

(4) such recipient or its consultant or other independent contractor misrepresents a material fact, whether in the application for such grant or at any other relevant time;

(5) such recipient violates any provision of section 22a-101(b)-11 of the Regulations of Connecticut State Agencies or fails to timely comply with a request made by the commissioner thereunder; or

(6) any portion of such grant is paid to any member of the immediate family of any full-time or part-time employee, director, or officer of such recipient.

(b) Nothing in this section shall limit any other powers or remedies legally available to the commissioner.

(c) Not later than seven days of receiving written notice from the commissioner requiring refund of a grant for any of the reasons specified in subsection (a) of this section, the recipient shall make such refund by certified or bank check payable to the department and deliver such refund to the department's Greenways Assistance

Center. The check shall state on its face the name of the project and the department's Personal Services Agreement number.

(Adopted effective May 31, 2007)

Sec. 23-101(b)-11. Reporting

(a) Until completion of the activities for which a greenways small grant is awarded, the recipient thereof shall, at four-month intervals beginning on the date that such recipient receives such grant or the first installment of such grant, file with the commissioner a written report describing the progress of such activities and the amount of grant funds expended as of such date and identifying any consultant or other independent contractor retained by the recipient in connection with such activities other than a consultant or other independent contractor identified in the recipient's application for such grant.

(b) Not later than fourteen days of receiving written notice from the commissioner, a recipient shall file with the commissioner the documentation or other proof requested in such notice concerning the amounts of the greenways small grant which the recipient has expended, the purposes of such expenditures, to whom such amounts have been paid, and whether the work thus paid for has been satisfactorily completed.

(Adopted effective May 31, 2007)