



## Notice of Intent

In accordance with the provisions of Section 4-168(a) of the *Connecticut General Statutes* (CGS) the **Department of Energy and Environmental Protection** hereby gives notice that it proposes to adopt a regulation concerning **eliminating entry to Squantz Pond State Park when the established capacity is reached.**

A comment period of not less than thirty days shall begin upon posting of this notice to the eRegulations System website and shall end on **June 2, 2024.**

This regulation bars entry and attempted entry to Squantz Pond State Park by any method when Squantz Pond State Park is closed due to being at the established capacity. The established capacity is set based on considering safe staffing and safe supervision of visitors and swimmers, parking capacity, public restroom availability, pedestrian and vehicular traffic on nearby roads that may impact safety and emergency services, and utilization of parked vehicles as a proxy for total visitors.

Public Act 23-43 ([AN ACT CONCERNING THE PUBLIC SAFETY CAPACITY OF SQUANTZ POND STATE PARK.](#)) directed the Department of Energy and Environmental Protection to determine and post overall park capacity based on six separate factors and authorized the agency to prohibit entry or attempted entry when that capacity is exceeded. This Act was codified as CGS 23-16c ([Chapter 447 - State Parks and Forests \(ct.gov\)](#)). The regulation itself, through its placement within section 23-4-1 of the Regulations of Connecticut State Agencies, will empower Department Environmental Conservation Police Officers and Rangers to enforce the capacity limit through issuance of infractions pursuant to the penalties set in the Department Park and Forest Regulations ([eRegulations - Browse Regulations of Connecticut State Agencies](#)) with a maximum fine of \$75 rather than the misdemeanor of criminal trespass. An infraction imposed pursuant to the placement within Section 23-4-1 ([eRegulations - Browse Regulations of Connecticut State Agencies](#)) of the regulations is the appropriate penalty in this situation, is consistent with other such regulations and their enforcement, and will likely result in better compliance with the new statute.

Public Act 23-43 allows the Commissioner of the Department of Energy and Environmental Protection to close Squantz Pond State Park to new entrants when the established capacity is reached based on six set factors. This Act was codified in CGS 23-16c.

A copy of the proposed regulation, the Fiscal Note, and the Regulatory Flexibility Analysis applicable to the proposed regulation may be obtained by visiting the e-Regulations portal on the website of the Secretary of the State at the following web address: <https://eregulations.ct.gov/eRegsPortal/Browse/ProposedRegulations>, or by calling 860-424-3200 and requesting a copy.

All interested parties who wish to submit comments, data, views, or arguments may do so in writing up through the closing date of the comment period listed above. Such written materials should be sent via electronic submission through the e-Regulations portal on the Secretary of

the State's website at the following web address:

<https://eregulations.CT.gov/eRegsPortal/Browse/ProposedRegulations>, or via U.S. Mail to Jeremy Hall, Acting Director of Parks, 79 Elm Street, 6<sup>th</sup> Floor, Hartford, CT 06106.

A hearing may be requested pursuant to CGS Section 4-168(b) ([https://www.cga.ct.gov/current/pub/chap\\_054.htm#sec\\_4-168](https://www.cga.ct.gov/current/pub/chap_054.htm#sec_4-168)), whereby the agency shall hold a public hearing on the proposed regulation if requested by fifteen persons, by a governmental subdivision or agency or by an association having not less than fifteen members, if notice of the request is received by the agency not later than fourteen days after the date of posting of the notice by the agency on the eRegulations System.

The Connecticut Department of Energy and Environmental Protection is an Affirmative Action/Equal Opportunity Employer that is committed to complying with the requirements of the Americans with Disabilities Act. Please contact us at (860) 418-5910 or [deep.accommodations@ct.gov](mailto:deep.accommodations@ct.gov) if you: have a disability and need a communication aid or service; have limited proficiency in English and may need information in another language; or if you wish to file an ADA or Title VI discrimination complaint. Any person needing a hearing accommodation may call the State of Connecticut relay number - 711. To facilitate efforts to provide an accommodation, please request all accommodations as soon as possible following notice of any agency hearing, meeting, program, or event.

April 30, 2024



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Katie Dykes  
Commissioner  
Department of Energy & Environmental Protection