



General Assembly

January Session, 2003

**Raised Bill No. 6551**

LCO No. 3900

Referred to Committee on Environment

Introduced by:  
(ENV)

**AN ACT CONCERNING EXEMPTIONS FROM THE WATER DIVERSION PERMITTING PROCESS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22a-377 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2003*):

3 (a) The following diversions are exempt from the provisions of  
4 sections 22a-365 to 22a-378, inclusive: (1) One or more wells joined in  
5 one system whose combined maximum withdrawal will not exceed  
6 fifty thousand gallons of water during any twenty-four-hour period;  
7 (2) the maximum withdrawal of fifty thousand gallons of surface water  
8 during any twenty-four-hour period; (3) discharges permitted under  
9 the provisions of section 22a-430; (4) a storm drainage system which  
10 collects the surface water runoff of an area of less than one hundred  
11 acres; (5) water for fire emergency purposes; (6) diversions within,  
12 extensions and relocation of water supply system distribution mains;  
13 (7) roadway crossings or culverts which allow for continuous flow or  
14 passage of an existing watercourse; [and] (8) diversions directly related  
15 to routine maintenance and emergency repairs of dams; and (9)  
16 diversions necessary to protect the security of public water supplies,

17 including (A) a diversion from a back-up well where a primary well is  
18 out of service, provided the back-up well is located within two  
19 hundred fifty feet of such primary well and the total quantity of water  
20 withdrawn does not result in an increase in the rate or quantity of a  
21 diversion registered or permitted by the commissioner pursuant to  
22 section 22a-368 or 22a-378, (B) water supply intake modifications,  
23 provided such modifications are not used to increase the quantity of a  
24 diversion registered or permitted by the commissioner pursuant to  
25 section 22a-368 or 22a-378, and (C) a transfer of water from one  
26 distribution system to another during a water supply emergency, as  
27 declared by the Governor or otherwise according to law, provided the  
28 transfer (i) is limited to the period during which the emergency exists,  
29 and (ii) does not result in an increase in the rate or quantity of a  
30 diversion registered or permitted by the commissioner pursuant to  
31 section 22a-368 or 22a-378.

32 (b) The commissioner may, by regulations adopted in accordance  
33 with the provisions of chapter 54, define and establish additional  
34 exempt categories or classes of diversions which would not by  
35 themselves or in combination with each other have a substantial effect  
36 on the long-range planning for and allocation of the water resources of  
37 the state.

38 (c) The commissioner shall adopt regulations, in accordance with  
39 the provisions of chapter 54, establishing the database, criteria and  
40 policies to be used by the commissioner to insure the proper planning,  
41 management, allocation and use of the water resources of the state and  
42 to fulfill the provisions of sections 22a-365 to 22a-378, inclusive.

43 (d) The commissioner may adopt regulations, in accordance with  
44 the provisions of chapter 54, to establish a procedure for the  
45 submission of information by a person in order for the commissioner  
46 to verify a qualification for an exemption pursuant to subdivision (9) of  
47 subsection (a) of this section.

This act shall take effect as follows:	
Section 1	<i>July 1, 2003</i>

**ENV**      *Joint Favorable*