



General Assembly

January Session, 2005

Raised Bill No. 6878

LCO No. 4324

04324_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING DIVERSION OF WATER FROM AQUIFERS.

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

1 Section 1. Section 22a-354i of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2005*):

3 (a) On or before July 1, 1991, the Commissioner of Environmental
4 Protection shall publish notice of intent to adopt regulations in
5 accordance with chapter 54 for land use controls in aquifer protection
6 areas. The regulations shall establish (1) best management practice
7 standards for existing regulated activities located entirely or in part
8 within aquifer protection areas and a schedule for compliance of
9 nonconforming regulated activities with such standards, (2) best
10 management practice standards for and prohibitions of regulated
11 activities proposed to be located entirely or in part within aquifer
12 protection areas, (3) procedures for exempting regulated activities in
13 aquifer protection areas upon determination solely by the
14 commissioner that such regulated activities do not pose a threat to any
15 existing or potential drinking water supply and (4) requirements for
16 design and installation of groundwater monitoring within aquifer
17 protection areas. Such regulations shall prohibit withdrawals of water

18 for nonresidential use in excess of fifty thousand gallons per day from
19 aquifer protection areas when such withdrawals are from aquifers that
20 provide public drinking water. In addition, the commissioner may
21 adopt such other regulations as deemed necessary to carry out the
22 purposes of sections 22a-354b, 22a-354c, 22a-354h, this section, sections
23 22a-354m, 22a-354n, subsection (e) of section 22a-354p and subsection
24 (d) of section 22a-451, including but not limited to regulations which
25 provide for the manner in which the boundaries of aquifer protection
26 areas shall be established and amended; criteria and procedures for
27 submission and review of applications to construct or begin regulated
28 activities; procedures for granting, denying, limiting, revoking,
29 suspending, transferring and modifying permits for regulated
30 activities; controls regarding the expansion of nonconforming
31 regulated activities, including procedures for offsetting impacts from
32 the expansion or modification of nonconforming regulated activities or
33 procedures for modifying permits of regulated activities by the
34 removal of other potential pollution sources within the subject well
35 field, procedures for the granting of permits for such expansion or
36 modification based on the certification of a qualified person that such
37 expansion meets criteria established by the commissioner; registration
38 requirements for existing regulated activities and procedures for
39 transferring registrations; procedures for landowners to notify a
40 municipality or the commissioner of a change in use and other
41 provisions for administration of the aquifer protection program.

42 (b) In adopting such regulations, the commissioner shall consider
43 the guidelines for aquifer protection areas recommended in the report
44 prepared pursuant to special act 87-63, as amended, and shall avoid
45 duplication and inconsistency with other state or federal laws and
46 regulations affecting aquifers. The regulations shall be developed in
47 consultation with an advisory committee appointed by the
48 commissioner. The advisory committee shall include the
49 Commissioners of Public Works and Public Health and the
50 chairperson of the Public Utilities Control Authority, or their
51 designees, members of the public, and representatives of businesses

52 affected by the regulations, agriculture, environmental groups,
53 municipal officers and water companies.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2005	22a-354i

Statement of Purpose:

To protect drinking water resources.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]