



House of Representatives

General Assembly

File No. 424

January Session, 2007

Substitute House Bill No. 6994

House of Representatives, April 10, 2007

The Committee on Planning and Development reported through REP. FELTMAN of the 6th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING PRIORITY IN MAKING OPEN SPACE GRANTS.

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

1 Section 1. Subsection (a) of section 7-131e of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2007*):

4 (a) Grant award decisions under the protected open space and
5 watershed land acquisition grant program established under section
6 7-131d or under the Charter Oak open space grant program
7 established under section 7-131t shall be made by the Commissioner of
8 Environmental Protection at least semiannually. All complete and
9 eligible grant applications shall be acted upon by the commissioner as
10 soon as practicable. A single project may receive a grant in more than
11 one grant cycle, subject to future availability of funds and subject to
12 the limitations set forth in this section and sections 23-78, 12-498 and
13 7-131d. Up to two per cent of the grant funds may be used for

14 administrative expenses including, but not limited to: (1) Contractors
15 to assist the Department of Environmental Protection in the review
16 and evaluation of grant proposals and baseline data collection for
17 conservation easements; (2) appraisals or appraisal reviews; and (3)
18 preparation of legal and other documents. Administrative expenses
19 may not be used for staff salaries. Not later than September 1, 1998, for
20 the protected open space and watershed land acquisition grant
21 program established under section 7-131d, and not later than
22 September 1, 2000, for the Charter Oak open space grant program
23 account established under section 7-131t, the commissioner shall
24 develop written guidelines and a ranking system for consistency and
25 equity in the distribution of grant awards under the protected open
26 space and watershed land acquisition grant program established under
27 section 7-131d or under the Charter Oak open space grant program
28 account established under section 7-131t based on the criteria listed in
29 subsections (b) and (c) of section 7-131d. Consistent with such criteria,
30 additional consideration shall be given to: (A) Protection of lands
31 adjacent to and complementary to adjacent protected open space land
32 or class I or class II water company lands; (B) equitable geographic
33 distribution of the grants; (C) proximity of a property to urban areas
34 with growth and development pressures or to areas with open space
35 deficiencies and underserved populations; (D) protection of land
36 particularly vulnerable to development incompatible with its natural
37 resource values including the protection of a public water supply
38 source; (E) consistency with the state's plan of conservation and
39 development; (F) multiple protection elements, such as water quality
40 and supply protection, scenic preservation and farmland preservation;
41 (G) the extent to which the presence of already constructed buildings
42 or other manmade improvements diminish or overshadow the natural
43 resource value of a proposed acquisition, or its value relative to its
44 cost; and (H) preservation of forest lands and bodies of water which
45 naturally absorb significant amounts of carbon dioxide.
46 Notwithstanding such criteria, in making grants under sections 7-131d
47 and 7-131t, if a project located in two or more municipalities is
48 comparable to a project located in a single municipality, the

49 commissioner shall give priority to the project located in two or more
50 municipalities.

| | | |
|---|---------------------|-----------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2007</i> | 7-131e(a) |

PD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

| Agency Affected | Fund-Effect | FY 08 \$ | FY 09 \$ |
|--|--------------------|-----------------|-----------------|
| Department of Environmental Protection | Various - None | See Below | See Below |

Municipal Impact: None

Explanation

The Department of Environmental Protection (DEP) currently gives priority to a project located in two or more municipalities over a comparable project in one municipality under their open space grant programs. Therefore, the bill complies with current practice.

The Out Years

None

OLR Bill Analysis

sHB 6994

AN ACT CONCERNING PRIORITY IN MAKING OPEN SPACE GRANTS.

SUMMARY:

This bill requires the Department of Environmental Protection, when making grants under two open space programs, to give priority to a project located in two or more municipalities over a comparable project located in a single municipality. The programs are the Protected Open Space and Watershed Land Acquisition and Charter Oak Open Space Grant programs.

EFFECTIVE DATE: July 1, 2007

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (03/19/2007)