



General Assembly

**Substitute Bill No. 7121**

January Session, 2007

\*        HB07121ENV        032107        \*

**AN ACT CONCERNING THE AQUIFER PROTECTION AREA PROGRAM.**

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

1       Section 1. Section 8-7d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3       (a) In all matters wherein a formal petition, application, request or  
4 appeal must be submitted to a zoning commission, planning and  
5 zoning commission or zoning board of appeals under this chapter, a  
6 planning commission under chapter 126 or an inland wetlands agency  
7 under chapter 440 or an aquifer protection agency under chapter 446i  
8 and a hearing is required or otherwise held on such petition,  
9 application, request or appeal, such hearing shall commence within  
10 sixty-five days after receipt of such petition, application, request or  
11 appeal and shall be completed within thirty-five days after such  
12 hearing commences, unless a shorter period of time is required under  
13 this chapter, chapter 126, [or] chapter 440 or chapter 446i. Notice of the  
14 hearing shall be published in a newspaper having a general circulation  
15 in such municipality where the land that is the subject of the hearing is  
16 located at least twice, at intervals of not less than two days, the first not  
17 more than fifteen days or less than ten days and the last not less than  
18 two days before the date set for the hearing. In addition to such notice,  
19 such commission, board or agency may, by regulation, provide for

20 additional notice. Such regulations shall include provisions that the  
21 notice be mailed to persons who own land that is adjacent to the land  
22 that is the subject of the hearing or be provided by posting a sign on  
23 the land that is the subject of the hearing, or both. For purposes of such  
24 additional notice, (1) proof of mailing shall be evidenced by a  
25 certificate of mailing, and (2) the person who owns land shall be the  
26 owner indicated on the property tax map or on the last-completed  
27 grand list as of the date such notice is mailed. All applications and  
28 maps and documents relating thereto shall be open for public  
29 inspection. At such hearing, any person or persons may appear and be  
30 heard and may be represented by agent or by attorney. All decisions  
31 on such matters shall be rendered [within] not later than sixty-five  
32 days after completion of such hearing, unless a shorter period of time  
33 is required under this chapter, chapter 126, [or] chapter 440 or chapter  
34 446i. The petitioner or applicant may consent to one or more  
35 extensions of any period specified in this subsection, provided the total  
36 extension of all such periods shall not be for longer than sixty-five  
37 days, or may withdraw such petition, application, request or appeal.

38 (b) Notwithstanding the provisions of subsection (a) of this section,  
39 whenever the approval of a site plan is the only requirement to be met  
40 or remaining to be met under the zoning regulations for any building,  
41 use or structure, a decision on an application for approval of such site  
42 plan shall be rendered [within] not later than sixty-five days after  
43 receipt of such site plan. Whenever a decision is to be made on an  
44 application for subdivision approval under chapter 126 on which no  
45 hearing is held, such decision shall be rendered [within] not later than  
46 sixty-five days after receipt of such application. Whenever a decision is  
47 to be made on an inland wetlands and watercourses application under  
48 chapter 440 on which no hearing is held, such decision shall be  
49 rendered [within] not later than sixty-five days after receipt of such  
50 application. Whenever a decision is to be made on an aquifer  
51 protection area application under chapter 446i on which no hearing is  
52 held, such decision shall be rendered not later than sixty-five days  
53 after receipt of such application. The applicant may consent to one or

54 more extensions of such period, provided the total period of any such  
55 extension or extensions shall not exceed sixty-five days or may  
56 withdraw such plan or application.

57 (c) For purposes of subsection (a) or (b) of this section and section 7-  
58 246a, the date of receipt of a petition, application, request or appeal  
59 shall be the day of the next regularly scheduled meeting of such  
60 commission, board or agency, immediately following the day of  
61 submission to such commission, board or agency or its agent of such  
62 petition, application, request or appeal or thirty-five days after such  
63 submission, whichever is sooner. If the commission, board or agency  
64 does not maintain an office with regular office hours, the office of the  
65 clerk of the municipality shall act as the agent of such commission,  
66 board or agency for the receipt of any petition, application, request or  
67 appeal.

68 (d) The provisions of subsection (a) of this section shall not apply to  
69 any action initiated by any zoning commission, planning commission  
70 or planning and zoning commission regarding adoption or change of  
71 any zoning regulation or boundary or any subdivision regulation.

72 (e) Notwithstanding the provisions of this section, if an application  
73 involves an activity regulated pursuant to sections 22a-36 to 22a-45,  
74 inclusive, and the time for a decision by a zoning commission or  
75 planning and zoning commission established pursuant to this section  
76 would elapse prior to the thirty-fifth day after a decision by the inland  
77 wetlands agency, the time period for a decision shall be extended to  
78 thirty-five days after the decision of such agency. The provisions of  
79 this subsection shall not be construed to apply to any extension  
80 consented to by an applicant or petitioner.

81 (f) The zoning commission, planning commission, zoning and  
82 planning commission, zoning board of appeals, [or] inland wetlands  
83 agency or aquifer protection agency shall notify the clerk of any  
84 adjoining municipality of the pendency of any application, petition,  
85 appeal, request or plan concerning any project on any site in which: (1)

86 Any portion of the property affected by a decision of such commission,  
87 board or agency is within five hundred feet of the boundary of the  
88 adjoining municipality; (2) a significant portion of the traffic to the  
89 completed project on the site will use streets within the adjoining  
90 municipality to enter or exit the site; (3) a significant portion of the  
91 sewer or water drainage from the project on the site will flow through  
92 and significantly impact the drainage or sewerage system within the  
93 adjoining municipality; or (4) water runoff from the improved site will  
94 impact streets or other municipal or private property within the  
95 adjoining municipality. Such notice shall be made by certified mail,  
96 return receipt requested, and shall be mailed within seven days of the  
97 date of receipt of the application, petition, request or plan. Such  
98 adjoining municipality may, through a representative, appear and be  
99 heard at any hearing on any such application, petition, appeal, request  
100 or plan.

101 (g) (1) Any zoning commission, planning commission or planning  
102 and zoning commission initiating any action regarding adoption or  
103 change of any zoning regulation or boundary or any subdivision  
104 regulation or regarding the preparation or amendment of the plan of  
105 conservation and development shall provide notice of such action in  
106 accordance with this subsection in addition to any other notice  
107 required under any provision of the general statutes.

108 (2) A zoning commission, planning commission or planning and  
109 zoning commission shall establish a public notice registry of  
110 landowners, electors and nonprofit organizations qualified as tax-  
111 exempt organizations under the provisions of Section 501(c) of the  
112 Internal Revenue Code of 1986, or any subsequent corresponding  
113 internal revenue code of the United States, as from time to time  
114 amended, requesting notice under this subsection. Each municipality  
115 shall notify residents of such registry and the process for registering  
116 for notice under this subsection. The zoning commission, planning  
117 commission or planning and zoning commission shall place on such  
118 registry the names and addresses of any such landowner, elector or  
119 organization upon written request of such landowner, elector or

120 organization. A landowner, elector or organization may request such  
121 notice be sent by mail or by electronic mail. The name and address of a  
122 landowner, elector or organization who requests to be placed on the  
123 public notice registry shall remain on such registry for a period of  
124 three years after the establishment of such registry. Thereafter any land  
125 owner, elector or organization may request to be placed on such  
126 registry for additional periods of three years.

127 (3) Any notice under this subsection shall be mailed to all  
128 landowners, electors and organizations in the public notice registry not  
129 later than seven days prior to the commencement of the public hearing  
130 on such action, if feasible. Such notice may be mailed by electronic  
131 mail if the zoning commission, planning commission or planning and  
132 zoning commission or the municipality has an electronic mail service  
133 provider.

134 (4) No zoning commission, planning commission or planning and  
135 zoning commission shall be civilly liable to any landowner, elector or  
136 nonprofit organization requesting notice under this subsection with  
137 respect to any act done or omitted in good faith or through a bona fide  
138 error that occurred despite reasonable procedures maintained by the  
139 zoning commission, planning commission or planning and zoning  
140 commission to prevent such errors in complying with the provisions of  
141 this section.

142 Sec. 2. Section 22a-354a of the general statutes is repealed and the  
143 following is substituted in lieu thereof (*Effective October 1, 2007*):

144 As used in sections 22a-354b to 22a-354f, inclusive, "existing well  
145 fields" means well fields in use by a public water supply system when  
146 mapping is required pursuant to section 22a-354c, as amended by this  
147 act, or 22a-354z, as amended by this act, and "potential well fields"  
148 means those well fields identified as future sources of supply in the  
149 water supply plan of the public water supply system approved  
150 pursuant to section 25-32d.

151 Sec. 3. Section 22a-354c of the general statutes is repealed and the

152 following is substituted in lieu thereof (*Effective October 1, 2007*):

153 (a) On or before July 1, 1990, each public or private water company  
154 serving one thousand or more persons shall map at level B all areas of  
155 contribution and recharge areas for its existing wells located in  
156 stratified drift aquifers. Not later than three years after the adoption by  
157 the Commissioner of Environmental Protection of a model municipal  
158 aquifer protection ordinance under section 22a-354l, each public and  
159 private water company serving ten thousand or more persons shall  
160 map at level A all areas of contribution and recharge areas for its  
161 existing wells located in stratified drift aquifers. Any public or private  
162 water company that creates a new well field serving one thousand or  
163 more persons that has not been mapped previously as an existing well  
164 shall map areas of contribution and recharge areas for the new well  
165 field. Any map of such a new well field shall be submitted not later  
166 than one year after the issuance of a diversion permit in accordance  
167 with section 22a-368 at level B, and not later than three years after the  
168 issuance of a diversion permit in accordance with section 22a-368 at  
169 level A. The Commissioner of Environmental Protection may map at  
170 level A and at level B all areas of contribution and recharge areas for  
171 existing wells located in stratified drift aquifers that are used by any  
172 public or private water company serving less than one thousand  
173 persons.

174 (b) Each public or private water company serving ten thousand or  
175 more persons shall map all areas of contribution and recharge areas for  
176 potential wells that are located within stratified drift aquifers  
177 identified as future sources of water supply to meet their needs in  
178 accordance with the plan submitted pursuant to section 25-33h [, (1)] at  
179 level B not more than two years after [approval of such plan and (2) at  
180 level A four years after approval of such plan] the Commissioner of  
181 Environmental Protection requests such mapping. The Commissioner  
182 of Environmental Protection shall identify and make recommendations  
183 for mapping, or shall map, all remaining significant areas of  
184 contribution and recharge areas for potential wells located in stratified  
185 drift aquifers not identified by a public or private water company as a

186 potential source of water supply within the region of an approved  
187 plan. Mapping of any other area of contribution and recharge areas for  
188 potential wells located in stratified drift aquifers by the commissioner  
189 shall be completed at a time determined by the commissioner.

190 Sec. 4. Section 22a-354d of the general statutes is repealed and the  
191 following is substituted in lieu thereof (*Effective October 1, 2007*):

192 The mapping of aquifers by a public or private water company at  
193 level B and level A required pursuant to [section] sections 22a-354c, as  
194 amended by this act, and 22a-354z, as amended by this act, shall not be  
195 deemed to be complete unless approved by the Commissioner of  
196 Environmental Protection.

197 Sec. 5. Section 22a-354o of the general statutes is repealed and the  
198 following is substituted in lieu thereof (*Effective October 1, 2007*):

199 (a) Each municipality in which an aquifer protection area is located  
200 shall authorize by ordinance an existing board or commission to act as  
201 such agency not later than three months after adoption by the  
202 commissioner of regulations for aquifer protection areas pursuant to  
203 section 22a-354i and approval by the commissioner of mapping of  
204 areas of contribution and recharge areas for wells located in stratified  
205 drift aquifers in the municipality at level B pursuant to section 22a-  
206 354d, as amended by this act. The ordinance authorizing the agency  
207 shall determine the number of members and alternate members, the  
208 length of their terms, the method of selection and removal and the  
209 manner for filling vacancies. No member or alternate member of such  
210 agency shall participate in any hearing or decision of such agency of  
211 which he is a member upon any matter in which he is directly or  
212 indirectly interested in a personal or financial sense. In the event of  
213 disqualification, such fact shall be entered on the records of the agency  
214 and replacement shall be made from alternate members of an alternate  
215 to act as a member of such commission in the hearing and  
216 determination of the particular matter or matters in which the  
217 disqualification arose.

218 (b) Not more than six months after approval by the commissioner of  
219 mapping at level A, pursuant to section 22a-354d, as amended by this  
220 act, the aquifer protection agency of the municipality in which such  
221 aquifer protection area is located shall adopt regulations for aquifer  
222 protection.

223 (c) At least one member of the agency or staff of the agency shall be  
224 a person who has completed the course in technical training  
225 formulated by the commissioner pursuant to section 22a-354v. Failure  
226 to have a member of the agency or staff with training shall not affect  
227 the validity of any action of the agency and shall be grounds for  
228 revocation of the authority of the agency under section 22a-354t.

229 (d) Any municipality may establish, by ordinance, a fine for  
230 violations of regulations adopted pursuant to section 22a-354p, as  
231 amended by this act, provided the amount of any such fine shall not be  
232 more than one thousand dollars and further provided no such fine  
233 may be levied against the state or any employee of the state acting  
234 within the scope of his employment. Any police officer or other person  
235 authorized by the chief executive officer of the municipality may issue  
236 a citation to any person who commits such a violation. Any  
237 municipality that adopts an ordinance pursuant to this subsection shall  
238 also adopt a citation hearing procedure pursuant to section 7-152c.  
239 Any fine collected by a municipality pursuant to this section shall be  
240 deposited into the general fund of the municipality or in any special  
241 fund designated by the municipality.

242 Sec. 6. Section 22a-354p of the general statutes is repealed and the  
243 following is substituted in lieu thereof (*Effective October 1, 2007*):

244 (a) The aquifer protection agency authorized by section 22a-354o, as  
245 amended by this act, shall, by regulation, provide for (1) the manner in  
246 which the boundaries of aquifer protection areas shall be established  
247 and amended or changed, (2) the form for an application to conduct  
248 regulated activities within the area, (3) notice and publication  
249 requirements, (4) criteria and procedures for the review of

250 applications, and (5) administration and enforcement.

251 (b) No regulations of an aquifer protection agency shall become  
252 effective or be established until after a public hearing in relation  
253 thereto is held by the agency at which parties in interest and citizens  
254 shall have an opportunity to be heard. Notice of the time and place of  
255 such hearing shall be published in the form of a legal advertisement,  
256 appearing at least twice in a newspaper having a substantial  
257 circulation in the municipality at intervals of not less than two days,  
258 the first not more than twenty-five days nor less than fifteen days, and  
259 the last not less than two days, before such hearing, and a copy of such  
260 proposed regulation shall be filed in the office of the town, city or  
261 borough clerk, as the case may be, in such municipality, for public  
262 inspection at least ten days before such hearing, and may be published  
263 in full in such paper. A copy of the notice and the proposed  
264 regulations or amendments thereto shall be provided to the  
265 Commissioner of Environmental Protection, the town clerk and any  
266 affected water company at least thirty-five days before such hearing.  
267 Such regulations may be from time to time amended, changed or  
268 repealed after a public hearing in relation thereto is held by the agency  
269 at which parties in interest and citizens shall have an opportunity to be  
270 heard and for which notice shall be published in the manner specified  
271 in this subsection. Regulations or changes therein shall become  
272 effective at such time as is fixed by the agency, provided a copy of such  
273 regulation or change shall be filed in the office of the town, city or  
274 borough clerk, as the case may be. Whenever an agency makes a  
275 change in regulations, it shall state upon its records the reason why the  
276 change was made. All petitions submitted in writing and in a form  
277 prescribed by the agency requesting a change in the regulations shall  
278 be considered at a public hearing in the manner provided for  
279 establishment of such regulations within ninety days after receipt of  
280 such petition. The agency shall act upon the changes requested in the  
281 petition within sixty days after the hearing. The petitioner may consent  
282 to extension of the periods provided for a hearing and for adoption or  
283 denial or may withdraw such petition.

284 (c) Pursuant to municipal regulations adopted under subsection (b)  
285 of this section, no regulated activity shall be conducted within any  
286 aquifer protection area without a permit. Any person proposing to  
287 conduct or cause to be conducted a regulated activity within an aquifer  
288 protection area shall file an application with the aquifer protection  
289 agency of each municipality wherein the aquifer in question is located.  
290 The application shall be in such form and contain such information as  
291 the agency may prescribe. [The day of receipt of an application shall be  
292 the day of the next regularly scheduled meeting of such agency,  
293 immediately following the day of submission to such agency or its  
294 agent of such application, provided such meeting is no earlier than  
295 three business days after receipt, or within thirty-five days after such  
296 submission, whichever is sooner. No later than sixty-five days after the  
297 receipt of such application, the] The date of receipt of an application  
298 shall be determined in accordance with the provisions of subsection (c)  
299 of section 8-7d, as amended by this act. The agency may hold a public  
300 hearing on such application. [Notice of the hearing shall be published  
301 at least twice at intervals of not less than two days, the first not more  
302 than fifteen days and not fewer than ten days, and the last not less than  
303 two days before the date set for the hearing in a newspaper having a  
304 general circulation in each town where the affected aquifer, or any part  
305 thereof, is located. The] Such hearing shall be held in accordance with  
306 the provisions of section 8-7d, as amended by this act. In addition to  
307 the requirements of section 8-7d, as amended by this act, the agency  
308 shall send to any affected water company, at least ten days before the  
309 hearing, a copy of the notice by certified mail, return receipt requested.  
310 [All applications, maps and documents relating thereto shall be open  
311 for public inspection. At such hearing any person or persons may  
312 appear and be heard. The hearing shall be completed within forty-five  
313 days of its commencement. Action shall be taken on applications  
314 within thirty-five days after the completion of a public hearing or in  
315 the absence of a public hearing within sixty-five days from the date of  
316 receipt of the application.]

317 (d) In granting, denying or limiting any permit for a regulated

318 activity the aquifer protection agency shall state upon the record the  
319 reason for its decision. In granting a permit the agency may grant the  
320 application as filed or grant it upon such terms, conditions, limitations  
321 or modifications of the activity intended to carry out the policies of  
322 section 22a-354g. No person shall conduct any regulated activity  
323 within an aquifer protection area which requires zoning or subdivision  
324 approval without first having obtained a valid certificate of zoning or  
325 subdivision approval, special permit, special exception or variance, or  
326 other documentation establishing that the proposal complies with the  
327 zoning or subdivision requirements adopted by the municipality  
328 pursuant to chapters 124 to 126, inclusive, or any special act. The  
329 agency may suspend or revoke a permit if it finds, after giving notice  
330 to the permittee of the facts or conduct which warrants the intended  
331 action and after a hearing at which the permittee is given an  
332 opportunity to show compliance with the requirements for retention of  
333 the permit, that the applicant has not complied with the conditions or  
334 limitations set forth in the permit or has exceeded the scope of the  
335 work as set forth in the application. The agency shall send to any  
336 affected water company a copy of the notice at least ten days before the  
337 hearing by certified mail, return receipt requested. Any affected water  
338 company may, through a representative, appear and be heard at any  
339 such hearing. The applicant or permittee shall be notified of the  
340 agency's decision by certified mail, return receipt requested, within  
341 fifteen days of the date of the decision and the agency shall cause  
342 notice of its order in issuance, denial, revocation or suspension of a  
343 permit to be published in a newspaper having a general circulation in  
344 the municipality in which the aquifer protection area is located.

345 (e) The aquifer protection agency may require a filing fee to be  
346 deposited with the agency. The amount of such fee shall be sufficient  
347 to cover the reasonable cost of reviewing and acting on applications  
348 and petitions, including, but not limited to, the costs of certified  
349 mailings, publications of notices and decisions, and monitoring  
350 compliance with permit conditions, regulations adopted pursuant to  
351 sections 19a-37, 22-6c, 22a-354c, as amended by this act, 22a-354e, 22a-

352 354g to 22a-354bb, inclusive, as amended by this act, 25-32d, 25-33h,  
353 25-33n and subsection (a) of section 25-84, or agency orders.

354 (f) Any regulations adopted by an agency under this section shall  
355 not be effective unless the Commissioner of Environmental Protection  
356 determines that such regulations are reasonably related to the purpose  
357 of groundwater protection and not inconsistent with the regulations  
358 adopted pursuant to section 22a-354i. A regulation adopted by a  
359 municipality shall not be deemed inconsistent if such regulation  
360 establishes a greater level of protection. The commissioner shall  
361 provide written notification to the agency of approval or the reasons  
362 such regulations cannot be approved within sixty days of receipt by  
363 the commissioner of the regulations adopted by the agency.

364 (g) (1) Notwithstanding any other provision of the general statutes,  
365 the commissioner shall have sole authority to grant, deny, limit or  
366 modify, in accordance with regulations adopted by him, a permit for  
367 any regulated activity in an aquifer protection area proposed by (A)  
368 any person to whom the commissioner has issued an individual permit  
369 for the subject site under the national pollutant discharge elimination  
370 system of the federal Clean Water Act (33 USC 1251 et seq.) or under  
371 the state pollutant discharge elimination system pursuant to section  
372 22a-430 or any person to whom the commissioner has issued a permit  
373 for the subject site under the provisions of the federal Resource  
374 Conservation and Recovery Act (42 USC 6901 et seq.) for a treatment,  
375 storage or disposal facility, (B) any public service company, as defined  
376 in section 16-1, providing gas, electric, pipeline, water or telephone  
377 service, (C) any large quantity generator, as defined in regulations  
378 adopted by the commissioner under section 22a-449, or (D) any state  
379 department, agency or instrumentality, except any local or regional  
380 board of education. Such authority may be exercised only after an  
381 advisory decision on such permit has been rendered to the  
382 commissioner by the aquifer protection agency of the municipality  
383 within which such aquifer protection area is located or thirty-five days  
384 after receipt by the commissioner of the application for such permit,  
385 whichever occurs first. The commissioner shall provide prompt notice

386 of receipt of an application to the municipal aquifer protection agency.

387 (2) If the commissioner requires the submission of a registration or  
388 other document under regulations adopted pursuant to section 22a-  
389 354i, such submission shall be made to the commissioner by any  
390 person to whom the commissioner has issued an individual permit  
391 under the national pollutant discharge elimination system of the  
392 federal Clean Water Act, or an individual permit under the state  
393 pollutant discharge elimination system pursuant to section 22a-430, or  
394 by any person to whom the commissioner has issued a permit under  
395 the provisions of the federal Resource Conservation and Recovery Act  
396 for a treatment, storage or disposal facility, or any public service  
397 company, as defined in section 16-1, providing gas, electric, pipeline,  
398 water or telephone service, or a large quantity generator, as defined in  
399 regulations adopted by the commissioner under section 22a-449, or  
400 any state department, agency or instrumentality, except any local or  
401 regional board of education.

402 Sec. 7. Section 22a-354x of the general statutes is repealed and the  
403 following is substituted in lieu thereof (*Effective October 1, 2007*):

404 (a) The Commissioner of Environmental Protection, in consultation  
405 with the Commissioner of Public Health and water companies, shall  
406 provide, within available appropriations, technical, coordinating and  
407 research services to promote the effective administration of sections  
408 19a-37, 22-6c, 22a-354c, as amended by this act, 22a-354e, 22a-354g to  
409 22a-354bb, inclusive, as amended by this act, 25-32d, 25-33h and 25-33n  
410 and subsection (a) of section 25-84 at the federal, state and local levels.

411 (b) The commissioner shall have the overall responsibility for  
412 general supervision of the implementation of sections 19a-37, 22-6c,  
413 22a-354c, as amended by this act, 22a-354e, 22a-354g to 22a-354bb,  
414 inclusive, as amended by this act, 25-32d, 25-33h and 25-33n, and  
415 subsection (a) of section 25-84 and shall monitor and evaluate the  
416 activities of federal and state agencies and the activities of  
417 municipalities to assure continuing, effective, coordinated and

418 consistent administration of the requirements and purposes of said  
419 sections.

420 (c) The commissioner shall exercise all incidental powers, including,  
421 but not limited to, the issuance of orders necessary to enforce rules and  
422 regulations adopted in accordance with sections 22a-354i to 22a-354m,  
423 inclusive, to carry out the purposes of sections 22a-354a to 22a-354bb,  
424 inclusive, as amended by this act.

425 ~~[(c)]~~ (d) The commissioner shall prepare and submit to the General  
426 Assembly and the Governor, on or before December first of each year,  
427 a written report summarizing the activities of the department  
428 concerning the development and implementation of sections 19a-37,  
429 22-6c, 22a-354c, as amended by this act, 22a-354e, 22a-354g to 22a-  
430 354bb, inclusive, as amended by this act, 25-32d, 25-33h and 25-33n  
431 and subsection (a) of section 25-84 during the previous year. Such  
432 report shall include, but not be limited to: (1) The department's  
433 accomplishments and actions in achieving the goals and policies of  
434 said sections including, but not limited to, coordination with other  
435 state, regional, federal and municipal programs established to achieve  
436 the purposes of said sections; (2) recommendations for any statutory or  
437 regulatory amendments necessary to achieve such purposes; (3) a  
438 summary of municipal and federal programs and actions which affect  
439 aquifer protection areas; (4) recommendations for any programs or  
440 plans to achieve such purposes; (5) any aspects of the program or said  
441 sections which are proving difficult to accomplish, suggested reasons  
442 for such difficulties and proposed solutions to such difficulties; (6) a  
443 summary of the expenditure of federal and state funds under said  
444 sections; and (7) a request for an appropriation of funds necessary to  
445 match federal funds and provide continuing financial support for the  
446 program. Such report shall comply with the provisions of section 46a-  
447 78. On and after October 1, 1996, the report shall be submitted to the  
448 Governor, to the joint standing committees of the General Assembly  
449 having cognizance of matters relating to appropriations and budgets of  
450 state agencies and relating to the environment and, upon request, to  
451 any member of the General Assembly. A summary of the report shall

452 be submitted to each member of the General Assembly if the summary  
453 is two pages or less and a notification of the report shall be submitted  
454 to each member if the summary is more than two pages. Submission  
455 shall be by mailing the report, summary or notification to the  
456 legislative address of each member of the committee or the General  
457 Assembly, as applicable.

458 Sec. 8. Section 22a-354z of the general statutes is repealed and the  
459 following is substituted in lieu thereof (*Effective October 1, 2007*):

460 (a) Not later than three years after the adoption by the  
461 Commissioner of Environmental Protection of a model municipal  
462 aquifer protection ordinance under section 22a-354l, each public or  
463 private water company serving at least one thousand persons but not  
464 more than ten thousand persons shall map areas of contribution and  
465 recharge areas at level A for each existing stratified drift well located  
466 within its water supply area.

467 (b) Each public or private water supply company serving at least  
468 one thousand but not more than ten thousand persons shall map areas  
469 of contribution and recharge areas for all of the potential wells located  
470 in stratified drift aquifers identified as future sources of water supply  
471 in accordance with the plan submitted pursuant to section 25-33h at  
472 level B not more than two years after [approval of the plan and at level  
473 A not more than five years after approval] the Commissioner of  
474 Environmental Protection requests such mapping.

475 (c) For the purpose of this section, any community water system  
476 which is part of an existing water company but which is not physically  
477 connected to such existing water company shall be considered a  
478 separate water company for purposes of determining the number of  
479 persons served by the existing water company's system and any of its  
480 separate systems.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2007</i>	8-7d
Sec. 2	<i>October 1, 2007</i>	22a-354a
Sec. 3	<i>October 1, 2007</i>	22a-354c
Sec. 4	<i>October 1, 2007</i>	22a-354d
Sec. 5	<i>October 1, 2007</i>	22a-354o
Sec. 6	<i>October 1, 2007</i>	22a-354p
Sec. 7	<i>October 1, 2007</i>	22a-354x
Sec. 8	<i>October 1, 2007</i>	22a-354z

**Statement of Legislative Commissioners:**

Subsection (d) of section 5 was rewritten for clarity.

**ENV**      *Joint Favorable Subst.*