



General Assembly

**Substitute Bill No. 5324**

February Session, 2008

\*           HB05324PRIPD\_030708           \*

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE  
PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE STUDY OF  
REGIONAL PLANNING ORGANIZATIONS.**

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

1       Section 1. Section 4-124i of the general statutes is repealed and the  
2       following is substituted in lieu thereof (*Effective October 1, 2008*):

3       As used in sections 4-124i to 4-124p, inclusive:

4       [(a)] (1) "Planning region" means a planning region of the state as  
5       defined or redefined by the Secretary of the Office of Policy and  
6       Management, or his designee under the provisions of section 16a-4a;

7       [(b)] (2) "Regional council of elected officials" means any regional  
8       council of elected officials organized under the provisions of this  
9       chapter;

10       [(c)] (3) "Regional planning agency" means any regional planning  
11       agency organized under the provisions of chapter 127;

12       [(d)] (4) "Chief elected official" means the highest ranking elected  
13       governmental official of any town, city or borough within the state;

14       [(e)] (5) "Elected official" means any selectman, mayor, alderman, or  
15       member of a common council or other similar legislative body of any

16 town or city, or warden or burgess of any borough;

17 [(f)] (6) "Council" means a regional council of governments  
18 organized under the provisions of sections 4-124i to 4-124p, inclusive;

19 [(g)] (7) "Member" means any town, city or borough within a  
20 planning region of the state having become a member of a regional  
21 council of governments in accordance with said sections;

22 (8) "Regional planning organization" means a regional council of  
23 governments organized under the provisions of sections 4-124i to 4-  
24 124p, inclusive, a regional council of elected officials organized under  
25 the provisions of section 4-124c to 4-124h, inclusive, or a regional  
26 planning agency organized under the provisions of chapter 127.

27 Sec. 2. Subsection (b) of section 23-102 of the general statutes is  
28 repealed and the following is substituted in lieu thereof (*Effective*  
29 *October 1, 2008*):

30 (b) The duties of the council shall be: (1) To advise and assist in the  
31 coordination of state agencies, municipalities, regional planning  
32 organizations, as defined in section 4-124i, as amended by this act, and  
33 private citizens in voluntarily planning and implementing a system of  
34 greenways; (2) to operate a greenways help center to advise state  
35 agencies, municipalities, regional planning organizations, as defined in  
36 section 4-124i, as amended by this act, and private citizens in the  
37 technical aspects of planning, designing and implementing greenways,  
38 including advice on securing state, federal and nongovernmental  
39 grants; (3) to establish criteria for designation of greenways; (4) to  
40 maintain an inventory of greenways in the state which shall include  
41 the location of greenways transportation projects which have received  
42 grants under sections 23-101, 32-6a, 32-9qq and 32-328; (5) to advise the  
43 Commissioner of Economic and Community Development on the  
44 distribution of grants for greenways transportation projects pursuant  
45 to sections 32-6a, 32-9qq and 32-328; and (6) to advise the  
46 Commissioner of Environmental Protection on the distribution of

47 grants pursuant to section 23-101.

48 Sec. 3. Subsection (d) of section 25-204 of the 2008 supplement to the  
49 general statutes is repealed and the following is substituted in lieu  
50 thereof (*Effective October 1, 2008*):

51 (d) Upon completion of an inventory, statement of objectives and  
52 map pursuant to subsections (a), (b) and (c) of this section, the river  
53 committee shall publish in a newspaper having substantial circulation  
54 in the affected area at least thirty days' notice of a public hearing to be  
55 held in one of the municipalities represented on the committee. Such  
56 hearing shall provide an opportunity for public comment regarding  
57 such documents and the committee shall also provide for the  
58 submission of written comments to such committee regarding such  
59 documents. After considering all comments received, the river  
60 committee shall revise said documents as appropriate and submit  
61 them to the commissioner and the secretary. Within ninety days of  
62 receiving the revised documents, the commissioner shall provide  
63 written comments to the river committee and shall furnish a copy of  
64 such comments to the secretary. The secretary shall coordinate a  
65 review of the revised documents by all other relevant state agencies  
66 and regional planning organizations, [established pursuant to section  
67 8-31a] as defined in section 4-124i, as amended by this act, and, within  
68 ninety days of receiving such revised documents, shall provide written  
69 comments thereon to the river committee and shall furnish a copy of  
70 such comments to the commissioner. After considering all comments  
71 received from the commissioner and the secretary, the river committee  
72 shall adopt an inventory, statement of objectives and map and shall  
73 publish, in a newspaper having substantial circulation in the affected  
74 area, notice of the adoption of the inventory, statement of objectives  
75 and map.

76 Sec. 4. Subsection (f) of section 25-204 of the 2008 supplement to the  
77 general statutes is repealed and the following is substituted in lieu  
78 thereof (*Effective October 1, 2008*):

79 (f) (1) After adoption of an inventory, statement of objectives and  
80 map pursuant to subsection (d) of this section, the river committee  
81 shall prepare a river corridor protection plan. The river committee  
82 shall publish in a newspaper having a substantial circulation in the  
83 affected area at least thirty days' notice of a public hearing to be held in  
84 one of the municipalities represented on the committee. Such hearing  
85 shall provide an opportunity for public comment regarding the plan  
86 and the committee shall also provide for the submission of written  
87 comments on the plan. The committee shall send a copy of such notice  
88 to the chief elected official of each municipality located wholly or  
89 partially in the subregional drainage basin in which the subject river  
90 corridor is located and shall send such notice by certified mail, return  
91 receipt requested, to each person who owns property adjacent to the  
92 river segment which is the subject of the river corridor proposed for  
93 designation under section 25-205. After considering all comments  
94 received, the river committee shall revise said documents as  
95 appropriate and submit them to the commissioner and the secretary.  
96 Within ninety days of receiving the revised documents, the  
97 commissioner shall provide written comments to the river committee  
98 and shall furnish a copy of such comments to the secretary. The  
99 secretary shall coordinate a review of the revised documents by all  
100 other relevant state agencies and regional planning organizations,  
101 [established pursuant to section 8-31a] as defined in section 4-124i, as  
102 amended by this act, and within ninety days of receiving such  
103 documents shall provide written comments thereon to the river  
104 commission and shall furnish a copy of such comments to the  
105 commissioner. After considering all comments received from the  
106 commissioner and the secretary, the river committee shall revise the  
107 river corridor protection plan as appropriate and shall publish in a  
108 newspaper having a substantial circulation in the affected area notice  
109 of the availability of the response to comments and the revised plan.

110 (2) A river corridor protection plan shall set forth a strategy for  
111 achieving the protection and preservation objectives contained in the  
112 statement of objectives adopted pursuant to subsection (d) of this

113 section and for reconciling existing incompatible uses with resource  
114 preservation. Such plan shall make recommendations for the  
115 modification of municipal plans of conservation and development and  
116 zoning, subdivision, site plan and wetlands regulations as necessary to  
117 allow implementation of the river corridor protection plan and to  
118 assure that each member municipality similarly preserves that portion  
119 of the river corridor under its jurisdiction. Such plan shall recommend  
120 that applicable municipal regulations be modified to prohibit mining,  
121 moving of earth and dredging, other than dredging to maintain  
122 existing uses, within the river corridor. Such plan may set out  
123 guidelines for disturbing vegetation within the river corridor and  
124 identify areas where clear-cutting should be prohibited; may  
125 recommend municipal adoption of programs to minimize pollution or  
126 development of the river corridor and maximize voluntary private  
127 preservation efforts; shall consider land and water uses which may be  
128 compatible with river protection, including hydropower, agriculture,  
129 recreation and waste discharges and may recommend appropriate  
130 revisions of any state or regional plans of development or municipal  
131 plans of conservation and development or open space plans. Such plan  
132 shall include a time schedule for state and municipal implementation  
133 of such regulatory modifications and programs.

134 (3) A river corridor protection plan shall include the results of an  
135 instream flow study if the commissioner deems it necessary. An  
136 instream flow study shall be conducted in accordance with the  
137 commissioner's guidance and shall document water flow in the river  
138 corridor for the purpose of determining whether there is sufficient  
139 flow to allow withdrawals of water consistent with the resource  
140 protection and preservation objectives of the river corridor protection  
141 plan.

142 Sec. 5. Subsections (d) to (f), inclusive, of section 25-234 of the 2008  
143 supplement to the general statutes are repealed and the following is  
144 substituted in lieu thereof (*Effective October 1, 2008*):

145 (d) Upon completion of an inventory, statement of objectives and

146 map pursuant to subsections (a), (b) and (c) of this section, the river  
147 commission shall publish in a newspaper having a substantial  
148 circulation in the affected area notice of a public hearing to be held not  
149 less than thirty days thereafter in one of the municipalities represented  
150 on the commission. Such hearing shall provide an opportunity for oral  
151 and written comments regarding such documents. After considering  
152 all comments received, the river commission shall revise said  
153 documents as appropriate and submit them to the commissioner and  
154 the secretary. Within sixty days of receiving the revised documents,  
155 the commissioner shall provide written comments to the river  
156 commission and shall furnish a copy of such comments to the  
157 secretary. The secretary shall coordinate a review of the revised  
158 documents by all other relevant state agencies and regional planning  
159 organizations, [established pursuant to section 8-31a] as defined in  
160 section 4-124i, as amended by this act, and, within ninety days of  
161 receiving such revised documents, shall provide written comments  
162 thereon to the river commission and shall furnish a copy of such  
163 comments to the commissioner. After considering all comments  
164 received from the commissioner and the secretary, the river  
165 commission shall adopt a final inventory, statement of objectives and  
166 map and shall publish, in a newspaper having a substantial circulation  
167 in the affected area, notice of the adoption of the final inventory,  
168 statement of objectives and map.

169 (e) After adoption of an inventory, statement of objectives and map,  
170 pursuant to subsection (d) of this section, the river commission shall  
171 prepare a report on all federal, state, regional and municipal laws,  
172 plans, programs and proposed activities which may affect the river  
173 corridor defined in such map. Such federal, state, regional and  
174 municipal laws shall include regulations adopted pursuant to chapter  
175 440, and zoning, subdivision and site plan regulations adopted  
176 pursuant to section 8-3. Such federal, state, regional and municipal  
177 plans shall include plans of development adopted pursuant to section  
178 8-23 of the 2008 supplement to the general statutes, as amended by this  
179 act, the state plan for conservation and development, water utility

180 supply plans submitted pursuant to section 25-32d, coordinated water  
181 system plans submitted pursuant to section 25-33h, the master  
182 transportation plan adopted pursuant to section 13b-15, plans  
183 prepared by regional planning organizations, [pursuant to section 8-  
184 31a] as defined in section 4-124i, as amended by this act, and plans of  
185 publicly-owned wastewater treatment facilities whose discharges may  
186 affect the subject river corridor. State and regional agencies shall,  
187 within available resources, assist the river commission in identifying  
188 such laws, plans, programs and proposed activities. The report to be  
189 prepared pursuant to this section shall identify any conflicts between  
190 such federal, state, regional and municipal laws, plans, programs and  
191 proposed activities and the river commission's objectives for river  
192 corridor management as reflected in the statement of objectives. If  
193 conflicts are identified, the river commission shall notify the applicable  
194 state, regional or municipal agencies and such agencies shall, within  
195 available resources and in consultation with the river commission,  
196 attempt to resolve such conflicts.

197 (f) (1) After adoption of an inventory, statement of objectives and  
198 map pursuant to subsection (d) of this section and completion of a  
199 report pursuant to subsection (e) of this section, the river commission  
200 shall prepare a river corridor management plan. The river commission  
201 shall publish in a newspaper having a substantial circulation in the  
202 affected area notice of a public hearing to be held not less than thirty  
203 days thereafter in one of the municipalities represented on the  
204 commission. Such hearing shall provide an opportunity for oral and  
205 written comment regarding the plan. The commission shall send a  
206 copy of such notice to the chief elected official of each municipality  
207 located wholly or partially in the subregional drainage basin in which  
208 the subject river corridor is located and shall send such notice by  
209 certified mail, return receipt requested, to each person who owns  
210 property adjacent to the river segment which is the subject of the river  
211 corridor. After considering all comments received, the river  
212 commission shall revise said documents as appropriate and submit  
213 them to the commissioner and the secretary. Within sixty days of

214 receiving the revised documents, the commissioner shall provide  
215 written comments to the river commission and shall furnish a copy of  
216 such comments to the secretary. The secretary shall coordinate a  
217 review of the revised documents by all relevant state agencies and  
218 regional planning organizations, [established pursuant to section 8-  
219 31a] as defined in section 4-124i, as amended by section this act. Within  
220 ninety days of the date the secretary receives such revised documents,  
221 he shall provide written comments thereon to the river commission  
222 and to the commissioner. After considering all comments received  
223 from the commissioner and the secretary, the river commission shall  
224 prepare a document responding to all comments received, shall revise  
225 the river corridor management plan as appropriate and shall publish  
226 in a newspaper having a substantial circulation in the affected area  
227 notice of the availability of the response to comments and the revised  
228 plan.

229 (2) A river corridor management plan shall set forth a strategy for  
230 achieving the objectives contained in the statement of objectives  
231 adopted pursuant to subsection (d) of this section for the river corridor  
232 mapped pursuant to said subsection and for resolving any conflicts  
233 identified in the report prepared pursuant to subsection (e) of this  
234 section. Such plan shall make recommendations for the modification of  
235 municipal plans of development and zoning, subdivision, site plan and  
236 wetlands regulations as necessary to allow implementation of such  
237 plan and to assure that each member municipality similarly manages  
238 that portion of the river corridor under its jurisdiction. Such  
239 recommendations may concern tourism, navigation, utility and  
240 transportation rights-of-way and water-dependent recreational,  
241 industrial, commercial and other uses, as well as proposals for specific  
242 setbacks from the river, dimensions of new lots and buildings,  
243 restrictions on cutting of vegetation, restrictions on earth-moving for  
244 mining or other purposes, prohibited activities and regulation of  
245 paving and other forms of impervious ground cover. Such plan may  
246 also include recommendations that member municipalities enact or  
247 adopt incentives for property owners to protect lands within the river

248 corridor and to develop such lands in a manner that is compatible with  
249 resource protection. Such incentives may include tax credits for  
250 donation to appropriate parties of open space easements or land  
251 development rights and incentives for cluster development.

252 (3) The river corridor management plan shall include the results of  
253 an instream flow study if the commissioner deems it necessary. An  
254 instream flow study shall be conducted in accordance with the  
255 commissioner's guidance and shall document water flow in the river  
256 corridor for the purpose of determining whether there is sufficient  
257 flow to allow withdrawals of water consistent with the resource  
258 protection and enhancement objectives of the river corridor  
259 management plan.

260 Sec. 6. Section 4-124h of the general statutes is repealed and the  
261 following is substituted in lieu thereof (*Effective October 1, 2008*):

262 Wherever a regional council of elected officials exists in a region  
263 where there is no regional planning agency [, such] or regional council  
264 of governments, the regional council of elected officials may exercise  
265 all the powers of a regional planning agency [as defined in] organized  
266 under chapter 127, [of the general statutes, as amended] or a regional  
267 council of governments organized under the provisions of sections 4-  
268 124i to 4-124p, inclusive, as amended by this act.

269 Sec. 7. Section 8-33a of the general statutes is repealed and the  
270 following is substituted in lieu thereof (*Effective October 1, 2008*):

271 The regional planning agency shall annually elect from among its  
272 members a chairman, a treasurer, who shall be bonded, and such other  
273 officers as the agency determines. Bylaws shall be adopted by the  
274 agency. Such bylaws shall include provisions for quarterly meetings  
275 on regional issues with the chief elected officials of the towns, cities or  
276 boroughs that are members of the regional planning agency. All  
277 meetings of the agency shall be held at the call of the chairman and at  
278 such other times as the agency determines. The treasurer shall receive

279 all funds and moneys of the agency and shall pay out the same only in  
280 accordance with the bylaws and within limits of such receipts. The  
281 agency shall keep minutes of all its meetings and official actions, which  
282 minutes shall be filed in the office of the agency and shall be a public  
283 record. Each regional planning agency shall file an annual report with  
284 the chief executive officers, town, city or borough clerks, as the case  
285 may be, and planning commissions, if any, of member towns, cities or  
286 boroughs, and with the Secretary of the Office of Policy and  
287 Management, or his designee.

288       Sec. 8. (NEW) (*Effective October 1, 2008*) (a) As used in this section:

289       (1) "Planning region" means a planning region of the state as  
290 defined or redefined by the Secretary of the Office of Policy and  
291 Management, or the designee of the secretary, under the provisions of  
292 section 16a-4a of the general statutes, as amended by this act;

293       (2) "Project of regional significance" means a project that (A) is  
294 located in a municipality in a regional planning area and such project  
295 impacts other municipalities in such regional planning area or that is  
296 located in a municipality in a regional planning area that is contiguous  
297 to a municipality in another regional planning area, and (B) meets the  
298 criteria for a project of regional significance, as specified in regulations  
299 adopted by the Secretary of the Office of Policy and Management  
300 under subsection (c) of this section; and

301       (3) "Regional planning organization" means a regional planning  
302 organization as defined in section 4-124i of the general statutes, as  
303 amended by this act.

304       (b) Whenever a petition, application or request for a project of  
305 regional significance is submitted to a zoning commission or planning  
306 commission under chapter 124 of the general statutes, such zoning  
307 commission or planning and zoning commission shall give written  
308 notice of such petition, application or request, not more than thirty  
309 days before such hearing, to the regional planning organization

310 operating in the region within which the municipality is located and to  
311 any other regional planning organization where there is a municipality  
312 contiguous to the municipality in which the project is located. The  
313 regional planning organization shall study such proposal and shall  
314 report its findings and recommendations thereon to the zoning  
315 commission or planning and zoning commission at or before the  
316 hearing. The report shall analyze the compliance of the project with the  
317 regional plan of conservation and development and other issues the  
318 regional planning organization deems critical to the analysis. The  
319 report shall be made a part of the record of such hearing. If such report  
320 of the regional organization is not submitted at or before the hearing, it  
321 shall be presumed that such organization does not disapprove of the  
322 proposal.

323 (c) The Secretary of the Office of Policy and Management, in  
324 consultation with the Interagency Steering Council established  
325 pursuant to Executive Order No. 15, shall adopt regulations, in  
326 accordance with the provisions of chapter 54 of the general statutes,  
327 establishing criteria to define projects of regional significance. In  
328 establishing such criteria, the secretary shall take into consideration  
329 factors including, but not limited to, location, type and size of the  
330 project.

331 Sec. 9. Subsection (a) of section 8-7d of the 2008 supplement to the  
332 general statutes is repealed and the following is substituted in lieu  
333 thereof (*Effective October 1, 2008*):

334 (a) In all matters wherein a formal petition, application, request or  
335 appeal must be submitted to a zoning commission, planning and  
336 zoning commission or zoning board of appeals under this chapter, a  
337 planning commission under chapter 126 or an inland wetlands agency  
338 under chapter 440 or an aquifer protection agency under chapter 446i  
339 and a hearing is required or otherwise held on such petition,  
340 application, request or appeal, such hearing shall commence within  
341 sixty-five days after receipt of such petition, application, request or  
342 appeal and shall be completed within thirty-five days after such

343 hearing commences, unless a shorter period of time is required under  
344 this chapter, chapter 126, chapter 440 or chapter 446i. Notice of the  
345 hearing shall be published in a newspaper having a general circulation  
346 in such municipality where the land that is the subject of the hearing is  
347 located at least twice, at intervals of not less than two days, the first not  
348 more than fifteen days or less than ten days and the last not less than  
349 two days before the date set for the hearing. In the case of an  
350 application for a project of regional significance, as defined in section 8  
351 of this act, notice shall be given not less than thirty days before such  
352 hearing to the regional planning organization, as defined in section 4-  
353 124i, as amended by this act, operating within the region that the  
354 municipality is located and to any other regional planning  
355 organization, as defined in section 4-124i, as amended by this act,  
356 where there is a municipality contiguous to the municipality in which  
357 the project is located. In addition to such notice, such commission,  
358 board or agency may, by regulation, provide for additional notice.  
359 Such regulations shall include provisions that the notice be mailed to  
360 persons who own land that is adjacent to the land that is the subject of  
361 the hearing or be provided by posting a sign on the land that is the  
362 subject of the hearing, or both. For purposes of such additional notice,  
363 (1) proof of mailing shall be evidenced by a certificate of mailing, and  
364 (2) the person who owns land shall be the owner indicated on the  
365 property tax map or on the last-completed grand list as of the date  
366 such notice is mailed. All applications and maps and documents  
367 relating thereto shall be open for public inspection. At such hearing,  
368 any person or persons may appear and be heard and may be  
369 represented by agent or by attorney. All decisions on such matters  
370 shall be rendered not later than sixty-five days after completion of such  
371 hearing, unless a shorter period of time is required under this chapter,  
372 chapter 126, chapter 440 or chapter 446i. The petitioner or applicant  
373 may consent to one or more extensions of any period specified in this  
374 subsection, provided the total extension of all such periods shall not be  
375 for longer than sixty-five days, or may withdraw such petition,  
376 application, request or appeal.

377 Sec. 10. Section 16a-4a of the general statutes is repealed and the  
378 following is substituted in lieu thereof (*Effective October 1, 2008*):

379 The Office of Policy and Management shall:

380 (1) Formulate and prepare state-wide or interregional plans for the  
381 physical, social and economic development of the state. Such plans  
382 may be prepared jointly or in consultation with other state, interstate,  
383 federal, regional or local agencies. Such plans may include, but need  
384 not be limited to, (A) demographic projections, (B) economic  
385 projections, (C) land use and water considerations, (D) transportation  
386 requirements, (E) environmental considerations, (F) energy capabilities  
387 and requirements, (G) public facilities, (H) labor needs and skills, (I)  
388 educational objectives, (J) housing needs and (K) health needs;

389 (2) Receive for review, information and recommendations, plans  
390 proposed by any state agency acting alone or jointly which has among  
391 its duties planning responsibilities relating to those considerations set  
392 forth in subdivision (1) of this section or similar subjects;

393 (3) Coordinate regional and state planning activities and accomplish  
394 such planning review activities as may be necessary;

395 (4) Designate or redesignate logical planning regions within the  
396 state and promote and assist in the promotion and continuation of  
397 regional planning agencies under chapter 127. Such planning regions  
398 shall be redesignated in accordance with section 11 of this act;

399 (5) Provide for technical aid and the administration of financial  
400 assistance to regional planning agencies established under chapter 127  
401 or any regional council of elected officials in any region without a  
402 regional planning agency or any regional council of governments  
403 organized under sections 4-124i to 4-124p, inclusive, as amended by  
404 this act, under such terms and conditions as may be agreed upon by  
405 the secretary;

406 (6) Accept from any source funds, revenue or other consideration

407 available to this state for interstate, state, regional, interregional or area  
408 planning activities or projects and provide for the administration of  
409 such funds, revenues or other consideration;

410 (7) Make available to the public, for a reasonable fee, all reports,  
411 testing results and other material developed or procured as a result of  
412 activities authorized by this section, section 16a-14 of the 2008  
413 supplement to the general statutes and section 16a-14b; and

414 (8) Provide technical assistance to municipalities that want to  
415 aggregate electric generation services.

416 Sec. 11. (NEW) (*Effective October 1, 2008*) (a) On or before October 1,  
417 2011, and at least every twenty years thereafter, the Secretary of the  
418 Office of Policy and Management shall conduct an analysis of the  
419 boundaries of logical planning regions designated or redesignated  
420 under section 16a-4a of the general statutes, as amended by this act. As  
421 part of such analysis, the secretary shall develop criteria to evaluate the  
422 impact of urban centers on neighboring towns. Such criteria shall  
423 include, but not be limited to, criteria to (1) evaluate trends in  
424 economic development and the environment, including trends in  
425 housing patterns, employment levels, commuting patterns for the most  
426 common job classifications in the state, traffic patterns on major  
427 roadways, and local perceptions of social and historic ties; and (2)  
428 establish a minimum size for logical planning areas that takes into  
429 consideration the number of municipalities, total population and the  
430 total square mileage.

431 (b) Any revision to the boundaries based on the analysis completed  
432 on or before October 1, 2011, shall be effective July 1, 2012. Any  
433 subsequent revision shall be effective on July first after the revision.

434 Sec. 12. Section 16a-27 of the general statutes is repealed and the  
435 following is substituted in lieu thereof (*Effective October 1, 2008*):

436 (a) The secretary, after consultation with all appropriate state,  
437 regional and local agencies and other appropriate persons, shall prior

438 to March 1, 2009, complete a revision of the existing plan and enlarge it  
439 to include, but not be limited to, policies relating to transportation,  
440 energy and air. Any revision made after May 15, 1991, shall identify  
441 the major transportation proposals, including proposals for mass  
442 transit, contained in the master transportation plan prepared pursuant  
443 to section 13b-15. Any revision made after July 1, 1995, shall take into  
444 consideration the conservation and development of greenways that  
445 have been designated by municipalities and shall recommend that  
446 state agencies coordinate their efforts to support the development of a  
447 state-wide greenways system. The Commissioner of Environmental  
448 Protection shall identify state-owned land for inclusion in the plan as  
449 potential components of a state greenways system.

450 (b) Any revision made after August 20, 2003, shall take into account  
451 (1) economic and community development needs and patterns of  
452 commerce, and (2) linkages of affordable housing objectives and land  
453 use objectives with transportation systems.

454 (c) Any revision made after March 1, 2006, shall (1) take into  
455 consideration risks associated with natural hazards, including, but not  
456 limited to, flooding, high winds and wildfires; (2) identify the potential  
457 impacts of natural hazards on infrastructure and property; and (3)  
458 make recommendations for the siting of future infrastructure and  
459 property development to minimize the use of areas prone to natural  
460 hazards, including, but not limited to, flooding, high winds and  
461 wildfires.

462 (d) Any revision made after July 1, 2005, shall describe the progress  
463 towards achievement of the goals and objectives established in the  
464 previously adopted state plan of conservation and development and  
465 shall identify (1) areas where it is prudent and feasible (A) to have  
466 compact, transit accessible, pedestrian-oriented mixed-use  
467 development patterns and land reuse, and (B) to promote such  
468 development patterns and land reuse, (2) priority funding areas  
469 designated under section 16a-35c, and (3) corridor management areas  
470 on either side of a limited access highway or a rail line. In designating

471 corridor management areas, the secretary shall make  
472 recommendations that (A) promote land use and transportation  
473 options to reduce the growth of traffic congestion; (B) connect  
474 infrastructure and other development decisions; (C) promote  
475 development that minimizes the cost of new infrastructure facilities  
476 and maximizes the use of existing infrastructure facilities; and (D)  
477 increase intermunicipal and regional cooperation.

478 (e) Any revision made after October 1, 2008, shall (1) for each policy  
479 recommended (A) assign a priority; (B) estimate funding for  
480 implementation and identify potential funding sources; (C) identify  
481 each entity responsible for implementation; and (D) establish a  
482 schedule for implementation; and (2) for each growth management  
483 principle, determine three benchmarks to measure progress in  
484 implementation of the principles, one of which shall be a financial  
485 benchmark.

486 ~~[(e)]~~ (f) Thereafter on or before March first in each revision year the  
487 secretary shall complete a revision of the plan of conservation and  
488 development.

489 Sec. 13. Section 4-124s of the 2008 supplement to the general statutes  
490 is repealed and the following is substituted in lieu thereof (*Effective July*  
491 *1, 2008*):

492 (a) For purposes of this section, (1) "regional council of  
493 governments" means any such council organized under the provisions  
494 of sections 4-124i to 4-124p, inclusive, (2) "regional council of elected  
495 officials" means any such council organized under the provisions of  
496 sections 4-124c to 4-124h, inclusive, and (3) "regional planning agency"  
497 means an agency defined in chapter 127.

498 (b) There is established a regional performance incentive program  
499 that shall be administered by the Secretary of the Office of Policy and  
500 Management. On or before December 1, 2007, [and annually  
501 thereafter,] any regional planning agency, any regional council of

502 elected officials, any regional council of governments, or any  
503 combination thereof, may submit to said secretary a proposal for joint  
504 provision of a service or services that are currently provided by  
505 municipalities within the region of such agency or council or  
506 contiguous thereto, but not currently provided on a regional basis.  
507 [The proposal shall include such service or services which may  
508 increase the participating municipalities' purchasing power or provide  
509 a cost savings initiative resulting in a decrease in participating  
510 municipalities' expenses and lower property taxes.] On or before  
511 December 31, 2008, and annually thereafter, any such entity may  
512 submit a proposal to said secretary for: (1) The joint provision of any  
513 service that one or more participating municipalities of such council or  
514 agency currently provide but which is not provided on a regional  
515 basis; (2) the joint provision of any service that is not currently  
516 provided within the region of such council or agency or the region  
517 contiguous thereto, by such council or agency or by any participating  
518 municipalities of such council or agency; or (3) a planning study  
519 regarding the joint provision of any service on a regional basis. A copy  
520 of said proposal shall be sent to the legislators representing said  
521 participating municipalities.

522 [(c) The proposal shall (1) describe at least one service currently  
523 provided by a municipality or municipalities within the region of the  
524 agency or council or contiguous thereto, but not currently provided on  
525 a regional basis, (2) provide a description of how such service would  
526 be delivered on a regional basis, including consideration of what entity  
527 would be responsible for such service, and how the population would  
528 continue to be served, (3) describe the amount and the manner in  
529 which the service will achieve economies of scale and the amount and  
530 manner in which each municipality will reduce its mill rate as a result  
531 of the savings realized by changing the municipal service to a regional  
532 service, (4) include a cost benefit analysis for the provision of such  
533 service by the municipality and by the council or agency, (5) set out a  
534 plan of implementation for such regional service, (6) estimate the  
535 savings that will be realized by each municipality, and (7) any other

536 items requested by said secretary. Each proposal shall have attached to  
537 it (A) a resolution by the legislative body of each municipality affected  
538 by the proposal endorsing such proposal; and (B) certification by each  
539 such municipality that there are no legal obstacles to provision of  
540 services in the manner specified in the proposal including, but not  
541 limited to, binding arbitration. The proposal shall be submitted on a  
542 form prescribed by said secretary. Said secretary shall review all such  
543 proposals, and award grants to those that the secretary determines best  
544 meet the requirements of this subsection. In making such grants the  
545 secretary shall give priority to proposals presented by regional  
546 councils of government which include participation of at least fifty per  
547 cent of the member municipalities of such council.]

548 (c) (1) An entity specified in subsection (a) of this section shall  
549 submit each proposal in the form and manner said secretary prescribes  
550 and shall, at a minimum, provide the following information for each  
551 proposal: (A) Service description; (B) the explanation of the need for  
552 such service; (C) the method of delivering such service on a regional  
553 basis; (D) the organization that would be responsible for regional  
554 service delivery; (E) a description of the population that would be  
555 served; (F) the manner in which regional service delivery will achieve  
556 economies of scale; (G) the amount by which participating  
557 municipalities will reduce their mill rates as a result of savings  
558 realized; (H) a cost benefit analysis for the provision of the service by  
559 each participating municipality and by the entity submitting the  
560 proposal; (I) a plan of implementation for delivery of the service on a  
561 regional basis; (J) a resolution endorsing such proposal approved by  
562 the legislative body of each participating municipality, or, in any town  
563 where the legislative body is a town meeting, by the board of  
564 selectmen; and (K) an explanation of the potential legal obstacles, if  
565 any, to the regional provision of the service.

566 (2) The secretary shall review each proposal and shall award grants  
567 for proposals the secretary determines best meet the requirements of  
568 this section. In awarding such grants, the secretary shall give priority

569 to a proposal submitted by any entity specified in subsection (a) of this  
570 section that includes participation of all of the member municipalities  
571 of such entity, and which may increase the purchasing power of such  
572 member municipalities or provide a cost savings initiative resulting in  
573 a decrease in expenses of such municipalities, allowing such  
574 municipalities to lower property taxes.

575 (d) [Not later than February 1, 2008, and annually thereafter, the]  
576 The secretary shall submit to the Governor and the joint standing  
577 committee of the General Assembly having cognizance of matters  
578 relating to finance, revenue and bonding a report on the grants  
579 provided pursuant to this section. Each such report shall include  
580 information on the amount of each grant, and the potential of each  
581 grant for leveraging other public and private investments. The  
582 secretary shall submit a report for the fiscal year commencing July 1,  
583 2007, not later than February 1, 2008, and shall submit a report for each  
584 subsequent fiscal year not later than the first day of March in such  
585 fiscal year.

586 Sec. 14. Section 8-35a of the 2008 supplement to the general statutes  
587 is repealed and the following is substituted in lieu thereof (*Effective*  
588 *October 1, 2008*):

589 (a) At least once every ten years, each regional planning agency  
590 shall make a plan of conservation and development for its area of  
591 operation, showing its recommendations for the general use of the area  
592 including land use, housing, principal highways and freeways,  
593 bridges, airports, parks, playgrounds, recreational areas, schools,  
594 public institutions, public utilities, agriculture and such other matters  
595 as, in the opinion of the agency, will be beneficial to the area. Any  
596 regional plan so developed shall be based on studies of physical,  
597 social, economic and governmental conditions and trends and shall be  
598 designed to promote with the greatest efficiency and economy the  
599 coordinated development of its area of operation and the general  
600 welfare and prosperity of its people. Such plan may encourage energy-  
601 efficient patterns of development, the use of solar and other renewable

602 forms of energy, and energy conservation. Such plan shall be designed  
603 to promote abatement of the pollution of the waters and air of the  
604 region. The regional plan shall identify areas where it is feasible and  
605 prudent (1) to have compact, transit accessible, pedestrian-oriented  
606 mixed use development patterns and land reuse, and (2) to promote  
607 such development patterns and land reuse and shall note any  
608 inconsistencies with the following growth management principles: (A)  
609 Redevelopment and revitalization of regional centers and areas of  
610 mixed land uses with existing or planned physical infrastructure; (B)  
611 expansion of housing opportunities and design choices to  
612 accommodate a variety of household types and needs; (C)  
613 concentration of development around transportation nodes and along  
614 major transportation corridors to support the viability of  
615 transportation options and land reuse; (D) conservation and  
616 restoration of the natural environment, cultural and historical  
617 resources and traditional rural lands; (E) protection of environmental  
618 assets critical to public health and safety; and (F) integration of  
619 planning across all levels of government to address issues on a local,  
620 regional and state-wide basis. The plan of each region contiguous to  
621 Long Island Sound shall be designed to reduce hypoxia, pathogens,  
622 toxic contaminants and floatable debris in Long Island Sound.

623 (b) Before adopting the regional plan of conservation and  
624 development or any part thereof or amendment thereto the agency  
625 shall hold at least one public hearing thereon, notice of the time, place  
626 and subject of which shall be given in writing to the chief executive  
627 officer and planning commission, where one exists, of each member  
628 town, city or borough. Notice of the time, place and subject of such  
629 hearing shall be published once in a newspaper having a substantial  
630 circulation in the region. Such notices shall be given not more than  
631 twenty days or less than ten days before such hearing. At least sixty-  
632 five days before the public hearing the regional planning agency shall  
633 post the plan on the Internet web site of the agency, if any, and submit  
634 the plan to the Secretary of the Office of Policy and Management for  
635 findings in the form of comments and recommendations. [Such

636 findings shall] By October 1, 2011, the secretary shall establish, by  
637 regulations adopted in accordance with the provisions of chapter 54,  
638 criteria for such findings which shall include procedures for a uniform  
639 review of [the plan] regional plans of conservation and development to  
640 determine if [the] a proposed regional plan of conservation and  
641 development is not inconsistent with the state plan of conservation  
642 and development and the state economic strategic plan. [Such notices  
643 shall be given not more than twenty days nor less than ten days before  
644 such hearing.] The regional planning agency shall note on the record  
645 any inconsistency with the state plan of conservation and development  
646 and the reasons for such inconsistency. Adoption of the plan or part  
647 thereof or amendment thereto shall be made by the affirmative vote of  
648 not less than a majority of the representatives on the agency. The plan  
649 shall be posted on the Internet web site of the agency, if any, and a  
650 copy of the plan or of any amendments thereto, signed by the  
651 chairman of the agency, shall be transmitted to the chief executive  
652 officers, the town, city or borough clerks, as the case may be, and to  
653 planning commissions, if any, in member towns, cities or boroughs,  
654 and to the Secretary of the Office of Policy and Management, or his  
655 designee. The regional planning agency shall notify the Secretary of  
656 the Office of Policy and Management of any inconsistency with the  
657 state plan of conservation and development and the reasons therefor.

658 (c) The regional planning agency shall revise the plan of  
659 conservation and development not more than three years after July 1,  
660 2005.

661 (d) The regional planning agency shall assist municipalities within  
662 its region and state agencies and may assist other public and private  
663 agencies in developing and carrying out any regional plan or plans of  
664 such regional planning agency. The regional planning agency may  
665 provide administrative, management, technical or planning assistance  
666 to municipalities within its region and other public agencies under  
667 such terms as it may determine, provided, prior to entering into an  
668 agreement for assistance to any municipality or other public agency,

669 the regional planning agency shall have adopted a policy governing  
670 such assistance. The regional planning agency may be compensated by  
671 the municipality or other public agency with which an agreement for  
672 assistance has been made for all or part of the cost of such assistance.

673 Sec. 15. Section 8-389 of the general statutes is repealed and the  
674 following is substituted in lieu thereof (*Effective October 1, 2008*):

675 Upon the incorporation of a successfully negotiated regional fair  
676 housing compact into a regional plan of conservation and  
677 development by a regional planning agency pursuant to section 8-386,  
678 the Commissioner of Economic and Community Development and the  
679 Connecticut Housing Authority may give priority to any application  
680 for financial or technical assistance made by a municipality, housing  
681 authority or eligible developer as defined in subsection (u) of section 8-  
682 39 in connection with any project located in a municipality which has  
683 approved the regional fair housing compact pursuant to section 8-386.

684 Sec. 16. Section 25-206 of the general statutes is repealed and the  
685 following is substituted in lieu thereof (*Effective October 1, 2008*):

686 (a) Within thirty days of designation of a river corridor, the river  
687 committee shall file the approved map and approved river corridor  
688 protection plan in the office of the town clerk of each member  
689 municipality.

690 (b) Within one year of designation of a river corridor, each member  
691 municipality shall amend its zoning, subdivision, site plan and  
692 wetlands regulations, its municipal plan of conservation and  
693 development and any other applicable laws or plans in accordance  
694 with the recommendations of the approved river corridor protection  
695 plan. The river committee shall assist member municipalities in  
696 adopting any such amendments, and on behalf of a member  
697 municipality may petition the commissioner for an extension of the  
698 one-year deadline specified in this subsection for amending applicable  
699 laws. Before adopting any such amendment, a member municipality

700 shall submit the proposed amendment to the commissioner, and such  
701 proposed amendment shall not be adopted unless the commissioner  
702 finds in writing that it is consistent with the approved river corridor  
703 protection plan.

704 (c) After a member municipality has completed amending  
705 applicable laws and plans pursuant to subsection (b) of this section, no  
706 zoning variance or other exception to any such amended law shall be  
707 granted unless the zoning board of appeals for such municipality, in  
708 consultation with the river committee, finds in writing that it is  
709 compatible with the approved river corridor protection plan.

710 (d) (1) Every major state plan other than the state plan for  
711 conservation and development, to the extent that it affects a designated  
712 river corridor, shall be consistent with the approved river corridor  
713 protection plan for such corridor, and any state plan which is  
714 inconsistent with such approved river corridor protection plan shall be  
715 modified accordingly. Such modifications shall be made in  
716 consultation with the commissioner at the next scheduled revision of  
717 such plan.

718 (2) If the commissioner finds that the state plan for conservation and  
719 development is inconsistent with an approved river corridor  
720 protection plan for a designated river corridor, he shall apply to the  
721 secretary for a revision pursuant to section 16a-32.

722 (3) Every regional plan of conservation and development adopted  
723 pursuant to section 8-35a of the 2008 supplement to the general  
724 statutes, as amended by this act, to the extent that it affects a  
725 designated river corridor, shall be consistent with the approved river  
726 corridor protection plan for such corridor and any regional plan of  
727 conservation and development which is inconsistent with such  
728 approved river corridor protection plan shall be modified accordingly.  
729 Such modifications shall be made in consultation with the  
730 commissioner.

731 (4) Every municipal plan of conservation and development adopted  
732 pursuant to section 8-23 of the 2008 supplement to the general statutes,  
733 as amended by this act, to the extent that it affects a designated river  
734 corridor, shall be consistent with the approved river corridor  
735 protection plan for such corridor and any municipal plan of  
736 conservation and development which is inconsistent with such  
737 approved river corridor protection plan shall be modified accordingly.  
738 Such modifications shall be made in consultation with the  
739 commissioner.

740 (5) The commissioner may notify any applicable federal agency of  
741 the designation of a river corridor and may take any other appropriate  
742 action to assure consideration of such designation in federal programs  
743 or activities.

744 (e) (1) Neither the commissioner nor the Connecticut Siting Council  
745 shall issue a permit or other approval for any activity within a river  
746 corridor designated under section 25-205 unless the commissioner or  
747 the council, as the case may be, determines that such activity would  
748 not adversely affect any of the resources protected pursuant to the plan  
749 for such corridor.

750 (2) A member municipality may submit written testimony to the  
751 commissioner and may appear by right as a party to any hearing  
752 before the commissioner concerning any permit or other license to be  
753 issued by the commissioner for an activity proposed within a  
754 designated river corridor and may appeal any decision of the  
755 commissioner concerning such permit or other license to the superior  
756 court in accordance with the provisions of section 4-183.

757 Sec. 17. Section 25-236 of the general statutes is repealed and the  
758 following is substituted in lieu thereof (*Effective October 1, 2008*):

759 (a) Within thirty days of the commissioner's approval of a map and  
760 river corridor management plan pursuant to section 25-235, the river  
761 commission shall file such map and plan in the office of the town clerk

762 in each member municipality.

763 (b) Within one year of the commissioner's approval of a map and  
764 river corridor management plan pursuant to section 25-235, each  
765 member municipality shall amend its zoning, subdivision, site plan,  
766 floodplain and wetlands regulations, its municipal plan of  
767 development and any other applicable laws or plans in accordance  
768 with the recommendations of the approved river corridor management  
769 plan. The river commission shall assist member municipalities in  
770 adopting any such amendments and, on behalf of a member  
771 municipality, may petition the commissioner for an extension of the  
772 one-year deadline specified in this subsection for amending applicable  
773 laws or plans. Before adopting any such amendment, the municipality  
774 shall submit the proposed amendment to the commissioner and such  
775 proposed amendment shall not be adopted unless the commissioner  
776 finds in writing, within ninety days, that it is consistent with the  
777 approved river corridor management plan.

778 (c) (1) After a member municipality has completed amending  
779 applicable laws and plans pursuant to subsection (b) of this section, no  
780 zoning variance or other exception to any such amended law or plan  
781 shall be granted if such variance or other exception affects a river  
782 corridor with respect to which there exists an approved river corridor  
783 management plan unless the applicant demonstrates that such  
784 variance or other exception satisfies any applicable legal requirements  
785 and the zoning board of appeals for such municipality, or the agency  
786 with jurisdiction over the application at issue, in consultation with the  
787 river commission, finds in writing that such variance or exception is  
788 compatible with the approved river corridor management plan or the  
789 zoning board of appeals or the agency with jurisdiction over the  
790 application has determined that the applicant has presented sufficient  
791 evidence to prove that the property's exceptional difficulty or unusual  
792 hardship warrants such variance or exception.

793 (2) No portion of any applicable municipal law or plan affecting a  
794 river corridor with respect to which a river corridor management plan

795 has been approved shall be revised unless such municipality has  
796 allowed the river commission to comment on such proposed revision  
797 and has considered any such comments.

798 (d) If the commissioner determines that any member municipality  
799 has failed or is failing to comply with the requirements of subsection  
800 (a) or (b) of this section or if he determines that the plan cannot  
801 effectively be implemented as a result of a municipality withdrawing  
802 from the commission, he and the Connecticut Siting Council shall not  
803 be subject to the provisions of subsections (f) and (g) of this section.

804 (e) (1) Every major state plan, other than the state plan for  
805 conservation and development, to the extent that such major state plan  
806 affects any river corridor for which the commissioner has approved a  
807 river corridor management plan, shall be consistent with such  
808 management plan. Any major state plan, other than the state plan for  
809 conservation and development, which is inconsistent with a river  
810 corridor management plan shall be modified accordingly. Such  
811 modifications shall be made in consultation with the commissioner at  
812 the next scheduled revision of such plan.

813 (2) If all the member municipalities of a river commission have  
814 amended their applicable laws and plans pursuant to subsection (b) of  
815 this section and if the commissioner finds that the state plan for  
816 conservation and development is inconsistent with the subject river  
817 corridor management plan, he shall apply to the secretary for a  
818 revision pursuant to section 16a-32.

819 (3) Every regional plan of conservation and development adopted  
820 pursuant to section 8-35a of the 2008 supplement to the general  
821 statutes, as amended by this act, to the extent that it affects any river  
822 corridor for which the commissioner has approved a river corridor  
823 management plan, shall be consistent with such management plan.  
824 Any regional plan of conservation and development which is  
825 inconsistent with a river corridor management plan shall be modified  
826 accordingly. Such modifications shall be made in consultation with the

827 commissioner.

828 (4) Every municipal plan of development adopted pursuant to  
829 section 8-23 of the 2008 supplement to the general statutes, as amended  
830 by this act, to the extent that it affects any river corridor for which the  
831 commissioner has approved a river corridor management plan, shall  
832 be consistent with such management plan. Any municipal plan of  
833 development which is inconsistent with a river corridor management  
834 plan shall be modified accordingly. Such modifications shall be made  
835 in consultation with the commissioner.

836 (5) The commissioner may notify any applicable federal agency of  
837 his approval of a river corridor management plan and may take any  
838 other appropriate action to assure consideration of such plan in federal  
839 programs or activities.

840 (f) (1) For the purpose of protecting or preserving river corridor  
841 resources, the commissioner may acquire real property or any interest  
842 therein within a river corridor for which he has approved a river  
843 corridor management plan. Such acquisition may be by purchase at  
844 fair market value, gift or devise. The commissioner may accept any gift  
845 or bequest of money or other personal property to be used to acquire  
846 such real property or interest therein, or to meet expenses involved in  
847 maintaining such real property. Such funds shall be held by the State  
848 Treasurer to be used and expended under the direction of the  
849 commissioner.

850 (2) For the purpose of protecting or preserving river corridor  
851 resources, and subject to any lawful restrictions on acquisition of lands  
852 acquired with state funds, a municipality may acquire real property or  
853 any interest therein within a river corridor for which such commission  
854 has adopted a river corridor management plan. Such acquisition may  
855 be by purchase at fair market value, gift or devise. Such municipality  
856 may accept any gift or bequest of money or other personal property to  
857 be used to acquire such real property or interest therein, or to meet  
858 expenses involved in maintaining such real property.

859 (g) (1) The commissioner shall coordinate the activities, including  
860 the granting of permits and other approvals, of all regulatory  
861 programs under his jurisdiction to assure that the administration of  
862 such programs is consistent with every approved river corridor  
863 management plan. Neither the commissioner nor the Connecticut  
864 Siting Council shall issue a permit or other approval for any activity  
865 which may affect a river corridor for which the commissioner has  
866 approved a river corridor management plan under section 25-235  
867 unless the commissioner determines that such activity would not  
868 adversely affect any of the resources protected under such plan.

869 (2) A member municipality may submit written testimony to the  
870 commissioner and may appear by right as a party to any hearing  
871 before the commissioner concerning any permit or other approval to  
872 be issued by the commissioner for an activity proposed within an  
873 approved river corridor, and may appeal any decision of the  
874 commissioner concerning such permit or other approval to the  
875 Superior Court in accordance with the provisions of section 4-183.

876 Sec. 18. Section 8-23 of the 2008 supplement to the general statutes is  
877 repealed and the following is substituted in lieu thereof (*Effective*  
878 *October 1, 2008*):

879 (a) (1) At least once every ten years, the commission shall prepare or  
880 amend and shall adopt a plan of conservation and development for the  
881 municipality. Following adoption, the commission shall regularly  
882 review and maintain such plan. The commission may adopt such  
883 geographical, functional or other amendments to the plan or parts of  
884 the plan, in accordance with the provisions of this section, as it deems  
885 necessary. The commission may, at any time, prepare, amend and  
886 adopt plans for the redevelopment and improvement of districts or  
887 neighborhoods which, in its judgment, contain special problems or  
888 opportunities or show a trend toward lower land values.

889 (2) If a plan is not amended decennially, the chief elected official of  
890 the municipality shall submit a letter to the Secretary of the Office of

891 Policy and Management and the Commissioners of Transportation,  
892 Environmental Protection and Economic and Community  
893 Development that explains why such plan was not amended. Until the  
894 plan is amended in accordance with this subsection, a copy of such  
895 letter shall be included in each application by the municipality for  
896 funding for the conservation or development of real property  
897 submitted to said secretary or commissioners.

898 (b) In the preparation of such plan, the commission may appoint  
899 one or more special committees to develop and make  
900 recommendations for the plan. The membership of any special  
901 committee may include: Residents of the municipality and  
902 representatives of local boards dealing with zoning, inland wetlands,  
903 conservation, recreation, education, public works, finance,  
904 redevelopment, general government and other municipal functions. In  
905 performing its duties under this section, the commission or any special  
906 committee may accept information from any source or solicit input  
907 from any organization or individual. The commission or any special  
908 committee may hold public informational meetings or organize other  
909 activities to inform residents about the process of preparing the plan.

910 (c) In preparing such plan, the commission or any special committee  
911 shall consider the following: (1) The community development action  
912 plan of the municipality, if any, (2) the need for affordable housing, (3)  
913 the need for protection of existing and potential public surface and  
914 ground drinking water supplies, (4) the use of cluster development  
915 and other development patterns to the extent consistent with soil  
916 types, terrain and infrastructure capacity within the municipality, (5)  
917 the state plan of conservation and development adopted pursuant to  
918 chapter 297, (6) the regional plan of conservation and development  
919 adopted pursuant to section 8-35a of the 2008 supplement to the  
920 general statutes, as amended by this act, (7) physical, social, economic  
921 and governmental conditions and trends, (8) the needs of the  
922 municipality including, but not limited to, human resources,  
923 education, health, housing, recreation, social services, public utilities,

924 public protection, transportation and circulation and cultural and  
925 interpersonal communications, (9) the objectives of energy-efficient  
926 patterns of development, the use of solar and other renewable forms of  
927 energy and energy conservation, and (10) protection and preservation  
928 of agriculture.

929 (d) (1) Such plan of conservation and development shall (A) be a  
930 statement of policies, goals and standards for the physical and  
931 economic development of the municipality, (B) provide for a system of  
932 principal thoroughfares, parkways, bridges, streets, sidewalks,  
933 multipurpose trails and other public ways as appropriate, (C) be  
934 designed to promote, with the greatest efficiency and economy, the  
935 coordinated development of the municipality and the general welfare  
936 and prosperity of its people and identify areas where it is feasible and  
937 prudent (i) to have compact, transit accessible, pedestrian-oriented  
938 mixed use development patterns and land reuse, and (ii) to promote  
939 such development patterns and land reuse, (D) recommend the most  
940 desirable use of land within the municipality for residential,  
941 recreational, commercial, industrial, conservation and other purposes  
942 and include a map showing such proposed land uses, (E) recommend  
943 the most desirable density of population in the several parts of the  
944 municipality, (F) note any inconsistencies with the following growth  
945 management principles: (i) Redevelopment and revitalization of  
946 commercial centers and areas of mixed land uses with existing or  
947 planned physical infrastructure; (ii) expansion of housing  
948 opportunities and design choices to accommodate a variety of  
949 household types and needs; (iii) concentration of development around  
950 transportation nodes and along major transportation corridors to  
951 support the viability of transportation options and land reuse; (iv)  
952 conservation and restoration of the natural environment, cultural and  
953 historical resources and existing farmlands; (v) protection of  
954 environmental assets critical to public health and safety; and (vi)  
955 integration of planning across all levels of government to address  
956 issues on a local, regional and state-wide basis, (G) make provision for  
957 the development of housing opportunities, including opportunities for

958 multifamily dwellings, consistent with soil types, terrain and  
959 infrastructure capacity, for all residents of the municipality and the  
960 planning region in which the municipality is located, as designated by  
961 the Secretary of the Office of Policy and Management under section  
962 16a-4a, (H) promote housing choice and economic diversity in  
963 housing, including housing for both low and moderate income  
964 households, and encourage the development of housing which will  
965 meet the housing needs identified in the housing plan prepared  
966 pursuant to section 8-37t and in the housing component and the other  
967 components of the state plan of conservation and development  
968 prepared pursuant to chapter 297. In preparing such plan the  
969 commission shall consider focusing development and revitalization in  
970 areas with existing or planned physical infrastructure.

971 (2) For any municipality that is contiguous to Long Island Sound,  
972 such plan shall be (A) consistent with the municipal coastal program  
973 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with  
974 reasonable consideration for restoration and protection of the  
975 ecosystem and habitat of Long Island Sound, and (C) designed to  
976 reduce hypoxia, pathogens, toxic contaminants and floatable debris in  
977 Long Island Sound.

978 (e) Such plan may show the commission's and any special  
979 committee's recommendation for (1) conservation and preservation of  
980 traprock and other ridgelines, (2) airports, parks, playgrounds and  
981 other public grounds, (3) the general location, relocation and  
982 improvement of schools and other public buildings, (4) the general  
983 location and extent of public utilities and terminals, whether publicly  
984 or privately owned, for water, sewerage, light, power, transit and other  
985 purposes, (5) the extent and location of public housing projects, (6)  
986 programs for the implementation of the plan, including (A) a schedule,  
987 (B) a budget for public capital projects, (C) a program for enactment  
988 and enforcement of zoning and subdivision controls, building and  
989 housing codes and safety regulations, (D) plans for implementation of  
990 affordable housing, (E) plans for open space acquisition and

991 greenways protection and development, and (F) plans for corridor  
992 management areas along limited access highways or rail lines,  
993 designated under section 16a-27, (7) proposed priority funding areas,  
994 and (8) any other recommendations as will, in the commission's or any  
995 special committee's judgment, be beneficial to the municipality. The  
996 plan may include any necessary and related maps, explanatory  
997 material, photographs, charts or other pertinent data and information  
998 relative to the past, present and future trends of the municipality.

999 (f) (1) A plan of conservation and development or any part thereof  
1000 or amendment thereto prepared by the commission or any special  
1001 committee shall be reviewed, and may be amended, by the  
1002 commission prior to scheduling at least one public hearing on  
1003 adoption.

1004 (2) At least sixty-five days prior to the public hearing on adoption,  
1005 the commission shall submit a copy of such plan or part thereof or  
1006 amendment thereto for review and comment to the legislative body or,  
1007 in the case of a municipality for which the legislative body of the  
1008 municipality is a town meeting or representative town meeting, to the  
1009 board of selectmen. The legislative body or board of selectmen, as the  
1010 case may be, may hold one or more public hearings on the plan and  
1011 shall endorse or reject such entire plan or part thereof or amendment  
1012 and may submit comments and recommended changes to the  
1013 commission. The commission may render a decision on the plan  
1014 without the report of such body or board.

1015 (3) At least thirty-five days prior to the public hearing on adoption,  
1016 the commission shall post the plan on the Internet web site of the  
1017 municipality, if any.

1018 (4) At least sixty-five days prior to the public hearing on adoption,  
1019 the commission shall submit a copy of such plan or part thereof or  
1020 amendment thereto to the regional planning agency for review and  
1021 comment. The regional planning agency shall submit an advisory  
1022 report along with its comments to the commission at or before the

1023 hearing. Such comments shall include a finding on the consistency of  
1024 the plan with (A) the regional plan of conservation and development,  
1025 adopted under section 8-35a of the 2008 supplement to the general  
1026 statutes, as amended by this act, (B) the state plan of conservation and  
1027 development, adopted pursuant to chapter 297, and (C) the plans of  
1028 conservation and development of other municipalities in the area of  
1029 operation of the regional planning agency. The commission may  
1030 render a decision on the plan without the report of the regional  
1031 planning agency.

1032 (5) At least thirty-five days prior to the public hearing on adoption,  
1033 the commission shall file in the office of the town clerk a copy of such  
1034 plan or part thereof or amendment thereto but, in the case of a district  
1035 commission, such commission shall file such information in the offices  
1036 of both the district clerk and the town clerk.

1037 (6) The commission shall cause to be published in a newspaper  
1038 having a general circulation in the municipality, at least twice at  
1039 intervals of not less than two days, the first not more than fifteen days,  
1040 or less than ten days, and the last not less than two days prior to the  
1041 date of each such hearing, notice of the time and place of any such  
1042 public hearing. Such notice shall make reference to the filing of such  
1043 draft plan in the office of the town clerk, or both the district clerk and  
1044 the town clerk, as the case may be.

1045 (g) (1) After completion of the public hearing, the commission may  
1046 revise the plan and may adopt the plan or any part thereof or  
1047 amendment thereto by a single resolution or may, by successive  
1048 resolutions, adopt parts of the plan and amendments thereto.

1049 (2) Any plan, section of a plan or recommendation in the plan that is  
1050 not endorsed in the report of the legislative body or, in the case of a  
1051 municipality for which the legislative body is a town meeting or  
1052 representative town meeting, by the board of selectmen, of the  
1053 municipality may only be adopted by the commission by a vote of not  
1054 less than two-thirds of all the members of the commission.

1055 (3) Upon adoption by the commission, any plan or part thereof or  
1056 amendment thereto shall become effective at a time established by the  
1057 commission, provided notice thereof shall be published in a  
1058 newspaper having a general circulation in the municipality prior to  
1059 such effective date.

1060 (4) Not more than thirty days after adoption, any plan or part  
1061 thereof or amendment thereto shall be posted on the Internet web site  
1062 of the municipality, if any, and shall be filed in the office of the town  
1063 clerk, except that, if it is a district plan or amendment, it shall be filed  
1064 in the offices of both the district and town clerks.

1065 (5) Not more than sixty days after adoption of the plan, the  
1066 commission shall submit a copy of the plan to the Secretary of the  
1067 Office of Policy and Management and shall include with such copy a  
1068 description of any inconsistency between the plan adopted by the  
1069 commission and the state plan of conservation and development and  
1070 the reasons therefor.

1071 (h) Any owner or tenant, or authorized agent of such owner or  
1072 tenant, of real property or buildings thereon located in the  
1073 municipality may submit a proposal to the commission requesting a  
1074 change to the plan of conservation and development. Such proposal  
1075 shall be submitted in writing and on a form prescribed by the  
1076 commission. Notwithstanding the provisions of subsection (a) of  
1077 section 8-7d of the 2008 supplement to the general statutes, as  
1078 amended by this act, the commission shall review and may approve,  
1079 modify and approve or reject the proposal in accordance with the  
1080 provisions of subsection (f) of this section.

1081 Sec. 19. Section 8-23 of the 2008 supplement to the general statutes,  
1082 as amended by section 3 of public act 07-239 and section 4 of public act  
1083 07-5 of the June special session, is repealed and the following is  
1084 substituted in lieu thereof (*Effective July 1, 2010*):

1085 (a) (1) At least once every ten years, the commission shall prepare or

1086 amend and shall adopt a plan of conservation and development for the  
1087 municipality. Following adoption, the commission shall regularly  
1088 review and maintain such plan. The commission may adopt such  
1089 geographical, functional or other amendments to the plan or parts of  
1090 the plan, in accordance with the provisions of this section, as it deems  
1091 necessary. The commission may, at any time, prepare, amend and  
1092 adopt plans for the redevelopment and improvement of districts or  
1093 neighborhoods which, in its judgment, contain special problems or  
1094 opportunities or show a trend toward lower land values.

1095 (2) If a plan is not amended decennially, the chief elected official of  
1096 the municipality shall submit a letter to the Secretary of the Office of  
1097 Policy and Management and the Commissioners of Transportation,  
1098 Environmental Protection and Economic and Community  
1099 Development that explains why such plan was not amended. A copy  
1100 of such letter shall be included in each application by the municipality  
1101 for discretionary state funding submitted to any state agency.

1102 (b) Until the plan is amended in accordance with this subsection the  
1103 municipality shall be ineligible for discretionary state funding unless  
1104 such prohibition is expressly waived by the secretary.

1105 (c) In the preparation of such plan, the commission may appoint one  
1106 or more special committees to develop and make recommendations for  
1107 the plan. The membership of any special committee may include:  
1108 Residents of the municipality and representatives of local boards  
1109 dealing with zoning, inland wetlands, conservation, recreation,  
1110 education, public works, finance, redevelopment, general government  
1111 and other municipal functions. In performing its duties under this  
1112 section, the commission or any special committee may accept  
1113 information from any source or solicit input from any organization or  
1114 individual. The commission or any special committee may hold public  
1115 informational meetings or organize other activities to inform residents  
1116 about the process of preparing the plan.

1117 (d) In preparing such plan, the commission or any special

1118 committee shall consider the following: (1) The community  
1119 development action plan of the municipality, if any, (2) the need for  
1120 affordable housing, (3) the need for protection of existing and potential  
1121 public surface and ground drinking water supplies, (4) the use of  
1122 cluster development and other development patterns to the extent  
1123 consistent with soil types, terrain and infrastructure capacity within  
1124 the municipality, (5) the state plan of conservation and development  
1125 adopted pursuant to chapter 297, (6) the regional plan of conservation  
1126 and development adopted pursuant to section 8-35a of the 2008  
1127 supplement to the general statutes, as amended by this act, (7)  
1128 physical, social, economic and governmental conditions and trends, (8)  
1129 the needs of the municipality including, but not limited to, human  
1130 resources, education, health, housing, recreation, social services, public  
1131 utilities, public protection, transportation and circulation and cultural  
1132 and interpersonal communications, (9) the objectives of energy-  
1133 efficient patterns of development, the use of solar and other renewable  
1134 forms of energy and energy conservation, and (10) protection and  
1135 preservation of agriculture.

1136 (e) (1) Such plan of conservation and development shall (A) be a  
1137 statement of policies, goals and standards for the physical and  
1138 economic development of the municipality, (B) provide for a system of  
1139 principal thoroughfares, parkways, bridges, streets, sidewalks,  
1140 multipurpose trails and other public ways as appropriate, (C) be  
1141 designed to promote, with the greatest efficiency and economy, the  
1142 coordinated development of the municipality and the general welfare  
1143 and prosperity of its people and identify areas where it is feasible and  
1144 prudent (i) to have compact, transit accessible, pedestrian-oriented  
1145 mixed use development patterns and land reuse, and (ii) to promote  
1146 such development patterns and land reuse, (D) recommend the most  
1147 desirable use of land within the municipality for residential,  
1148 recreational, commercial, industrial, conservation and other purposes  
1149 and include a map showing such proposed land uses, (E) recommend  
1150 the most desirable density of population in the several parts of the  
1151 municipality, (F) note any inconsistencies with the following growth

1152 management principles: (i) Redevelopment and revitalization of  
1153 commercial centers and areas of mixed land uses with existing or  
1154 planned physical infrastructure; (ii) expansion of housing  
1155 opportunities and design choices to accommodate a variety of  
1156 household types and needs; (iii) concentration of development around  
1157 transportation nodes and along major transportation corridors to  
1158 support the viability of transportation options and land reuse; (iv)  
1159 conservation and restoration of the natural environment, cultural and  
1160 historical resources and existing farmlands; (v) protection of  
1161 environmental assets critical to public health and safety; and (vi)  
1162 integration of planning across all levels of government to address  
1163 issues on a local, regional and state-wide basis, (G) make provision for  
1164 the development of housing opportunities, including opportunities for  
1165 multifamily dwellings, consistent with soil types, terrain and  
1166 infrastructure capacity, for all residents of the municipality and the  
1167 planning region in which the municipality is located, as designated by  
1168 the Secretary of the Office of Policy and Management under section  
1169 16a-4a, (H) promote housing choice and economic diversity in  
1170 housing, including housing for both low and moderate income  
1171 households, and encourage the development of housing which will  
1172 meet the housing needs identified in the housing plan prepared  
1173 pursuant to section 8-37t and in the housing component and the other  
1174 components of the state plan of conservation and development  
1175 prepared pursuant to chapter 297. In preparing such plan the  
1176 commission shall consider focusing development and revitalization in  
1177 areas with existing or planned physical infrastructure.

1178 (2) For any municipality that is contiguous to Long Island Sound,  
1179 such plan shall be (A) consistent with the municipal coastal program  
1180 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with  
1181 reasonable consideration for restoration and protection of the  
1182 ecosystem and habitat of Long Island Sound, and (C) designed to  
1183 reduce hypoxia, pathogens, toxic contaminants and floatable debris in  
1184 Long Island Sound.

1185 (f) Such plan may show the commission's and any special  
1186 committee's recommendation for (1) conservation and preservation of  
1187 traprock and other ridgelines, (2) airports, parks, playgrounds and  
1188 other public grounds, (3) the general location, relocation and  
1189 improvement of schools and other public buildings, (4) the general  
1190 location and extent of public utilities and terminals, whether publicly  
1191 or privately owned, for water, sewerage, light, power, transit and other  
1192 purposes, (5) the extent and location of public housing projects, (6)  
1193 programs for the implementation of the plan, including (A) a schedule,  
1194 (B) a budget for public capital projects, (C) a program for enactment  
1195 and enforcement of zoning and subdivision controls, building and  
1196 housing codes and safety regulations, (D) plans for implementation of  
1197 affordable housing, (E) plans for open space acquisition and  
1198 greenways protection and development, and (F) plans for corridor  
1199 management areas along limited access highways or rail lines,  
1200 designated under section 16a-27, (7) proposed priority funding areas,  
1201 and (8) any other recommendations as will, in the commission's or any  
1202 special committee's judgment, be beneficial to the municipality. The  
1203 plan may include any necessary and related maps, explanatory  
1204 material, photographs, charts or other pertinent data and information  
1205 relative to the past, present and future trends of the municipality.

1206 (g) (1) A plan of conservation and development or any part thereof  
1207 or amendment thereto prepared by the commission or any special  
1208 committee shall be reviewed, and may be amended, by the  
1209 commission prior to scheduling at least one public hearing on  
1210 adoption.

1211 (2) At least sixty-five days prior to the public hearing on adoption,  
1212 the commission shall submit a copy of such plan or part thereof or  
1213 amendment thereto for review and comment to the legislative body or,  
1214 in the case of a municipality for which the legislative body of the  
1215 municipality is a town meeting or representative town meeting, to the  
1216 board of selectmen. The legislative body or board of selectmen, as the  
1217 case may be, may hold one or more public hearings on the plan and

1218 shall endorse or reject such entire plan or part thereof or amendment  
1219 and may submit comments and recommended changes to the  
1220 commission. The commission may render a decision on the plan  
1221 without the report of such body or board.

1222 (3) At least thirty-five days prior to the public hearing on adoption,  
1223 the commission shall post the plan on the Internet web site of the  
1224 municipality, if any.

1225 (4) At least sixty-five days prior to the public hearing on adoption,  
1226 the commission shall submit a copy of such plan or part thereof or  
1227 amendment thereto to the regional planning agency for review and  
1228 comment. The regional planning agency shall submit an advisory  
1229 report along with its comments to the commission at or before the  
1230 hearing. Such comments shall include a finding on the consistency of  
1231 the plan with (A) the regional plan of conservation and development,  
1232 adopted under section 8-35a of the 2008 supplement to the general  
1233 statutes, as amended by this act, (B) the state plan of conservation and  
1234 development, adopted pursuant to chapter 297, and (C) the plans of  
1235 conservation and development of other municipalities in the area of  
1236 operation of the regional planning agency. The commission may  
1237 render a decision on the plan without the report of the regional  
1238 planning agency.

1239 (5) At least thirty-five days prior to the public hearing on adoption,  
1240 the commission shall file in the office of the town clerk a copy of such  
1241 plan or part thereof or amendment thereto but, in the case of a district  
1242 commission, such commission shall file such information in the offices  
1243 of both the district clerk and the town clerk.

1244 (6) The commission shall cause to be published in a newspaper  
1245 having a general circulation in the municipality, at least twice at  
1246 intervals of not less than two days, the first not more than fifteen days,  
1247 or less than ten days, and the last not less than two days prior to the  
1248 date of each such hearing, notice of the time and place of any such  
1249 public hearing. Such notice shall make reference to the filing of such

1250 draft plan in the office of the town clerk, or both the district clerk and  
1251 the town clerk, as the case may be.

1252 (h) (1) After completion of the public hearing, the commission may  
1253 revise the plan and may adopt the plan or any part thereof or  
1254 amendment thereto by a single resolution or may, by successive  
1255 resolutions, adopt parts of the plan and amendments thereto.

1256 (2) Any plan, section of a plan or recommendation in the plan that is  
1257 not endorsed in the report of the legislative body or, in the case of a  
1258 municipality for which the legislative body is a town meeting or  
1259 representative town meeting, by the board of selectmen, of the  
1260 municipality may only be adopted by the commission by a vote of not  
1261 less than two-thirds of all the members of the commission.

1262 (3) Upon adoption by the commission, any plan or part thereof or  
1263 amendment thereto shall become effective at a time established by the  
1264 commission, provided notice thereof shall be published in a  
1265 newspaper having a general circulation in the municipality prior to  
1266 such effective date.

1267 (4) Not more than thirty days after adoption, any plan or part  
1268 thereof or amendment thereto shall be posted on the Internet web site  
1269 of the municipality, if any, and shall be filed in the office of the town  
1270 clerk, except that, if it is a district plan or amendment, it shall be filed  
1271 in the offices of both the district and town clerks.

1272 (5) Not more than sixty days after adoption of the plan, the  
1273 commission shall submit a copy of the plan to the Secretary of the  
1274 Office of Policy and Management and shall include with such copy a  
1275 description of any inconsistency between the plan adopted by the  
1276 commission and the state plan of conservation and development and  
1277 the reasons therefor.

1278 (i) Any owner or tenant, or authorized agent of such owner or  
1279 tenant, of real property or buildings thereon located in the  
1280 municipality may submit a proposal to the commission requesting a

1281 change to the plan of conservation and development. Such proposal  
1282 shall be submitted in writing and on a form prescribed by the  
1283 commission. Notwithstanding the provisions of subsection (a) of  
1284 section 8-7d of the 2008 supplement to the general statutes, as  
1285 amended by this act, the commission shall review and may approve,  
1286 modify and approve or reject the proposal in accordance with the  
1287 provisions of subsection (g) of this section.

1288 Sec. 20. Section 25-236 of the general statutes is repealed and the  
1289 following is substituted in lieu thereof (*Effective October 1, 2008*):

1290 (a) Within thirty days of the commissioner's approval of a map and  
1291 river corridor management plan pursuant to section 25-235, the river  
1292 commission shall file such map and plan in the office of the town clerk  
1293 in each member municipality.

1294 (b) Within one year of the commissioner's approval of a map and  
1295 river corridor management plan pursuant to section 25-235, each  
1296 member municipality shall amend its zoning, subdivision, site plan,  
1297 floodplain and wetlands regulations, its municipal plan of  
1298 development and any other applicable laws or plans in accordance  
1299 with the recommendations of the approved river corridor management  
1300 plan. The river commission shall assist member municipalities in  
1301 adopting any such amendments and, on behalf of a member  
1302 municipality, may petition the commissioner for an extension of the  
1303 one-year deadline specified in this subsection for amending applicable  
1304 laws or plans. Before adopting any such amendment, the municipality  
1305 shall submit the proposed amendment to the commissioner and such  
1306 proposed amendment shall not be adopted unless the commissioner  
1307 finds in writing, within ninety days, that it is consistent with the  
1308 approved river corridor management plan.

1309 (c) (1) After a member municipality has completed amending  
1310 applicable laws and plans pursuant to subsection (b) of this section, no  
1311 zoning variance or other exception to any such amended law or plan  
1312 shall be granted if such variance or other exception affects a river

1313 corridor with respect to which there exists an approved river corridor  
1314 management plan unless the applicant demonstrates that such  
1315 variance or other exception satisfies any applicable legal requirements  
1316 and the zoning board of appeals for such municipality, or the agency  
1317 with jurisdiction over the application at issue, in consultation with the  
1318 river commission, finds in writing that such variance or exception is  
1319 compatible with the approved river corridor management plan or the  
1320 zoning board of appeals or the agency with jurisdiction over the  
1321 application has determined that the applicant has presented sufficient  
1322 evidence to prove that the property's exceptional difficulty or unusual  
1323 hardship warrants such variance or exception.

1324 (2) No portion of any applicable municipal law or plan affecting a  
1325 river corridor with respect to which a river corridor management plan  
1326 has been approved shall be revised unless such municipality has  
1327 allowed the river commission to comment on such proposed revision  
1328 and has considered any such comments.

1329 (d) If the commissioner determines that any member municipality  
1330 has failed or is failing to comply with the requirements of subsection  
1331 (a) or (b) of this section or if he determines that the plan cannot  
1332 effectively be implemented as a result of a municipality withdrawing  
1333 from the commission, he and the Connecticut Siting Council shall not  
1334 be subject to the provisions of subsections (f) and (g) of this section.

1335 (e) (1) Every major state plan, other than the state plan for  
1336 conservation and development, to the extent that such major state plan  
1337 affects any river corridor for which the commissioner has approved a  
1338 river corridor management plan, shall be consistent with such  
1339 management plan. Any major state plan, other than the state plan for  
1340 conservation and development, which is inconsistent with a river  
1341 corridor management plan shall be modified accordingly. Such  
1342 modifications shall be made in consultation with the commissioner at  
1343 the next scheduled revision of such plan.

1344 (2) If all the member municipalities of a river commission have

1345 amended their applicable laws and plans pursuant to subsection (b) of  
1346 this section and if the commissioner finds that the state plan for  
1347 conservation and development is inconsistent with the subject river  
1348 corridor management plan, he shall apply to the secretary for a  
1349 revision pursuant to section 16a-32.

1350 (3) Every regional plan of conservation and development adopted  
1351 pursuant to section 8-35a of the 2008 supplement to the general  
1352 statutes, as amended by this act, to the extent that it affects any river  
1353 corridor for which the commissioner has approved a river corridor  
1354 management plan, shall be consistent with such management plan.  
1355 Any regional plan of conservation and development which is  
1356 inconsistent with a river corridor management plan shall be modified  
1357 accordingly. Such modifications shall be made in consultation with the  
1358 commissioner.

1359 (4) Every municipal plan of development adopted pursuant to  
1360 section 8-23 of the 2008 supplement to the general statutes, as amended  
1361 by this act, to the extent that it affects any river corridor for which the  
1362 commissioner has approved a river corridor management plan, shall  
1363 be consistent with such management plan. Any municipal plan of  
1364 development which is inconsistent with a river corridor management  
1365 plan shall be modified accordingly. Such modifications shall be made  
1366 in consultation with the commissioner.

1367 (5) The commissioner may notify any applicable federal agency of  
1368 his approval of a river corridor management plan and may take any  
1369 other appropriate action to assure consideration of such plan in federal  
1370 programs or activities.

1371 (f) (1) For the purpose of protecting or preserving river corridor  
1372 resources, the commissioner may acquire real property or any interest  
1373 therein within a river corridor for which he has approved a river  
1374 corridor management plan. Such acquisition may be by purchase at  
1375 fair market value, gift or devise. The commissioner may accept any gift  
1376 or bequest of money or other personal property to be used to acquire

1377 such real property or interest therein, or to meet expenses involved in  
1378 maintaining such real property. Such funds shall be held by the State  
1379 Treasurer to be used and expended under the direction of the  
1380 commissioner.

1381 (2) For the purpose of protecting or preserving river corridor  
1382 resources, and subject to any lawful restrictions on acquisition of lands  
1383 acquired with state funds, a municipality may acquire real property or  
1384 any interest therein within a river corridor for which such commission  
1385 has adopted a river corridor management plan. Such acquisition may  
1386 be by purchase at fair market value, gift or devise. Such municipality  
1387 may accept any gift or bequest of money or other personal property to  
1388 be used to acquire such real property or interest therein, or to meet  
1389 expenses involved in maintaining such real property.

1390 (g) (1) The commissioner shall coordinate the activities, including  
1391 the granting of permits and other approvals, of all regulatory  
1392 programs under his jurisdiction to assure that the administration of  
1393 such programs is consistent with every approved river corridor  
1394 management plan. Neither the commissioner nor the Connecticut  
1395 Siting Council shall issue a permit or other approval for any activity  
1396 which may affect a river corridor for which the commissioner has  
1397 approved a river corridor management plan under section 25-235  
1398 unless the commissioner determines that such activity would not  
1399 adversely affect any of the resources protected under such plan.

1400 (2) A member municipality may submit written testimony to the  
1401 commissioner and may appear by right as a party to any hearing  
1402 before the commissioner concerning any permit or other approval to  
1403 be issued by the commissioner for an activity proposed within an  
1404 approved river corridor, and may appeal any decision of the  
1405 commissioner concerning such permit or other approval to the  
1406 Superior Court in accordance with the provisions of section 4-183.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	4-124i
Sec. 2	<i>October 1, 2008</i>	23-102(b)
Sec. 3	<i>October 1, 2008</i>	25-204(d)
Sec. 4	<i>October 1, 2008</i>	25-204(f)
Sec. 5	<i>October 1, 2008</i>	25-234(d) to (f)
Sec. 6	<i>October 1, 2008</i>	4-124h
Sec. 7	<i>October 1, 2008</i>	8-33a
Sec. 8	<i>October 1, 2008</i>	New section
Sec. 9	<i>October 1, 2008</i>	8-7d(a)
Sec. 10	<i>October 1, 2008</i>	16a-4a
Sec. 11	<i>October 1, 2008</i>	New section
Sec. 12	<i>October 1, 2008</i>	16a-27
Sec. 13	<i>July 1, 2008</i>	4-124s
Sec. 14	<i>October 1, 2008</i>	8-35a
Sec. 15	<i>October 1, 2008</i>	8-389
Sec. 16	<i>October 1, 2008</i>	25-206
Sec. 17	<i>October 1, 2008</i>	25-236
Sec. 18	<i>October 1, 2008</i>	8-23
Sec. 19	<i>July 1, 2010</i>	8-23
Sec. 20	<i>October 1, 2008</i>	25-236

**PRI**

*Joint Favorable Subst. C/R*

PD