



Senate

General Assembly

File No. 411

January Session, 2009

Senate Bill No. 271

Senate, April 2, 2009

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT CONCERNING FLOODPLAIN MANAGEMENT AND MILL PROPERTIES.

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

- 1 Section 1. (NEW) (*Effective October 1, 2009*) Notwithstanding the
2 provisions of sections 25-68b to 25-68n, inclusive, of the general
3 statutes, the Commissioner of Environmental Protection may waive
4 the requirements of said sections for any proposed improvement or
5 redevelopment of a property containing a mill, provided such
6 improvement or redevelopment conforms to the requirements of the
7 National Flood Insurance Program, 44 CFR 59 et seq.

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

Section 1	<i>October 1, 2009</i>	New section
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ENV *Joint Favorable*

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

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

There is no fiscal impact under the bill's provisions since it waives certain requirements pertaining to proposed improvements or redevelopment of a property containing a mill.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**SB 271*****AN ACT CONCERNING FLOODPLAIN MANAGEMENT AND MILL PROPERTIES.*****SUMMARY:**

This bill permits the Department of Environmental Protection (DEP) commissioner, regardless of any state floodplain law to the contrary, to waive state flood management laws for a proposed improvement or redevelopment of a property on which there is a mill, provided the improvement or redevelopment conforms to National Flood Insurance Program requirements. The bill does not define mill.

EFFECTIVE DATE: October 1, 2009

BACKGROUND***Flood Management Program***

This program requires DEP approval, or an exemption from DEP approval, for certain state agency actions in or affecting floodplains. In deciding whether to approve or reject a proposed action, DEP must consider, among other things, if the action (1) will pose a flood hazard to human life, health, or property; (2) is consistent with the National Flood Insurance Program and local floodplain regulations; and (3) promotes long-term non-intensive floodplain uses (CGS §§ 25-68b through 68n).

National Flood Insurance Program

Congress established the National Flood Insurance Program (NFIP) in 1968. The NFIP enables property owners in participating communities to purchase insurance as a protection against flood losses in exchange for state and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the federal

government (44 CFR § 59).

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 30 Nay 0 (03/20/2009)