
OLR Bill Analysis

sHB 5465

AN ACT CONCERNING STREAM CHANNEL ENCROACHMENT LINES AND PERMITS

SUMMARY:

This bill eliminates the Department of Energy and Environmental Protection (DEEP) commissioner's authority to establish stream channel encroachment lines and regulate obstructions, encroachments, and hindrances within those lines. It also makes conforming technical changes.

The commissioner's current authority to regulate stream channel encroachments includes issuing permits for constructing obstructions, encroachments, and hindrances within the lines and imposing civil penalties on parties who do so without a permit.

The commissioner shares the authority with municipalities. Under current law, he may regulate encroachments only within the lines he establishes, but he may alter municipally established lines if it is necessary to maintain the flood-carrying and water storage capacity or achieve the law's other goals. The bill eliminates the commissioner's authority to alter municipally established stream channel encroachment lines.

EFFECTIVE DATE: Upon passage, except for a conforming technical change, which takes effect January 1, 2013.

BACKGROUND

Related Bill

sHB 5129 (File 201) also eliminates the DEEP commissioner's authority to regulate stream channel encroachment lines and issue permits for encroachments upon or uses and activities within them.

COMMITTEE ACTION

Commerce Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/27/2012)