



# House of Representatives

General Assembly

**File No. 464**

*January Session, 2013*

House Bill No. 6528

*House of Representatives, April 11, 2013*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

## ***AN ACT CONCERNING CLEAN MARINAS.***

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

1 Section 1. (NEW) (*Effective July 1, 2013*) (a) As used in this section,  
2 (1) "certified clean marina" means a facility committed to the  
3 Department of Energy and Environmental Protection's voluntary clean  
4 marina program and engaged in efforts to operate at standards  
5 exceeding regulatory compliance, as prescribed by the Department of  
6 Energy and Environmental Protection, including, but not limited to,  
7 implementing practices that minimize pollution from mechanical  
8 activities, cleaning, painting and fiberglass repair, hauling and storing  
9 boats, fueling and facility management, and (2) "eligible project" means  
10 any portion of a sediment, dredging or dredge disposal activity for  
11 which all necessary permits and certifications have been obtained and  
12 that complies with the provisions of section 13b-55a or 13b-57 of the  
13 general statutes, as amended by this act.

14 (b) An eligible project proposed by a certified clean marina shall  
15 receive priority ranking for grants-in-aid awarded pursuant to section



The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 14 \$</b>	<b>FY 15 \$</b>
Department of Transportation	TF - Potential Cost	See Below	See Below

**Municipal Impact:** None

**Explanation**

The bill allows the commissioner of the Department of Transportation to enter into a contract with a federal agency and other entities for state harbor improvement grants and authorizes these grants for marina's that participate in the Department of Energy and Environmental Protection (DEEP) Connecticut Clean Marina Program. The grant qualifies marinas for an additional grant equal to 10% of the project's cost. To the extent these contracts are approved, there will be an increase in state grant-in-aid funds awarded.

There are 49 certified and pledged clean marinas in the state that would be eligible for this grant. It is not known at this time how many need sediment, dredging, or disposal projects.

The average cost of a dredging project in the state is approximately \$20 per cubic yard and the average volume of sediment dredged (based on known permits) is 13,618 cubic yards. The average cost of a sediment, dredging, or disposal project is \$272,360.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

**OLR Bill Analysis****HB 6528*****AN ACT CONCERNING CLEAN MARINAS.*****SUMMARY:**

This bill boosts the Department of Transportation (DOT) harbor improvement grant amount for, and gives priority to, eligible projects proposed by “certified clean marinas.” These are facilities (1) committed to the Department of Energy and Environmental Protection’s (DEEP) clean marina program and (2) trying to exceed DEEP’s regulatory compliance standards.

Current law allows the DOT commissioner to enter into a contract with a municipality, acting through its harbor improvement agency, for a harbor improvement project grant according to a harbor improvement plan. The bill eliminates the need for a (1) municipality to act through a harbor improvement agency, and (2) harbor improvement plan. Instead, it allows a municipality, or any federal or state agency acting on its behalf, to enter into a harbor improvement grant contract with DOT. It requires the DOT commissioner to approve the harbor improvement project, rather than the harbor improvement plan.

As under current law, the DOT commissioner must submit the grant application to the DEEP commissioner for review. The DEEP commissioner must set forth his findings on the grant application in a written report to the DOT commissioner.

EFFECTIVE DATE: July 1, 2013

**CERTIFIED CLEAN MARINAS*****Covered Projects***

Under the bill, eligible projects include any part of a sediment, dredging, or dredge disposal project for which the marina has received all required permits and certificates and that comply with the laws on harbor improvement projects and grants.

### ***Grant Amounts and Priority Ranking***

Certified clean marinas are eligible for an additional grant equal to 10% of a project's costs. They remain eligible for priority ranking until July 1, 2018, or five years from the date of their most recent "certification," whichever is later. Because the bill refers to "certified clean marinas," and does not specify a certification process, it appears that a marina need only try to exceed DEEP standards to be certified.

Currently, DEEP's voluntary Connecticut Clean Marina program requires a marina to meet and exceed legal and regulatory environmental standards for DEEP to certify it as a Connecticut Clean Marina (see BACKGROUND). Thus, the duration of the priority ranking is unclear.

Under the bill, a certified clean marina must be engaged in efforts to exceed regulatory compliance by implementing practices to minimize pollution from (1) mechanical activities; (2) cleaning, painting, and fiberglass repair; (3) hauling and storing boats; (4) fueling; and (5) facility management.

## **BACKGROUND**

### ***Clean Marina Program***

DEEP certifies a marina as a clean marina if it exceeds the standards for regulatory compliance by minimizing pollution from mechanical activities; cleaning, painting and fiberglass repair; hauling and storing boats; fueling; and facility management. DEEP certifies a marina as a pledged clean marina if it commits to becoming a certified clean marina within one year.

Marinas seeking certification must conduct a self-assessment of their environmental practices, which DEEP must then confirm. According to DEEP, it no longer has the resources to operate the

program, and has neither accepted new Clean Marina pledges or conducted certification reviews for more than a year.

**COMMITTEE ACTION**

Commerce Committee

Joint Favorable Change of Reference

Yea 19 Nay 0 (03/14/2013)

Transportation Committee

Joint Favorable

Yea 24 Nay 0 (03/27/2013)