



# Senate

General Assembly

**File No. 344**

January Session, 2013

Substitute Senate Bill No. 1010

*Senate, April 4, 2013*

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

***AN ACT CONCERNING SEA LEVEL RISE AND THE FUNDING OF PROJECTS BY THE CLEAN WATER FUND.***

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

1 Section 1. Subsection (a) of section 22a-478 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2013*):

4 (a) The commissioner shall maintain a priority list of eligible water  
5 quality projects and shall establish a system setting the priority for  
6 making project grants, grant account loans and project loans. In  
7 establishing such priority list and ranking system, the commissioner  
8 shall consider all factors he deems relevant, including but not limited  
9 to the following: (1) The public health and safety; (2) protection of  
10 environmental resources; (3) population affected; (4) attainment of  
11 state water quality goals and standards; (5) consistency with the state  
12 plan of conservation and development; (6) state and federal  
13 regulations; [and] (7) the formation in municipalities of local housing  
14 partnerships pursuant to the provisions of section 8-336f; and (8) the

15 necessity and feasibility of implementing measures designed to  
16 mitigate the impact of a rise in sea level over the projected life span of  
17 such project. The priority list of eligible water quality projects shall  
18 include a description of each project and its purpose, impact, cost and  
19 construction schedule, and an explanation of the manner in which  
20 priorities were established. The commissioner shall adopt an interim  
21 priority list of eligible water quality projects for the purpose of making  
22 project grants, grant account loans and project loans prior to adoption  
23 of final regulations, which priority list shall be the priority list  
24 currently in effect under subsection (c) of section 22a-439.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	22a-478(a)

**ENV**      *Joint Favorable Subst.*

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:** None**Municipal Impact:** None**Explanation**

The bill expands the factors that the Department of Energy and Environmental Protection (DEEP) must consider when establishing the priority list and ranking system for making clean water fund (CWF) grants and loans for eligible water quality projects. As this does not expand the pool of eligible projects, there is no fiscal impact.

**The Out Years****State Impact:** None**Municipal Impact:** None

**OLR Bill Analysis**

**sSB 1010**

***AN ACT CONCERNING SEA LEVEL RISE AND THE FUNDING OF PROJECTS BY THE CLEAN WATER FUND.***

**SUMMARY:**

This bill expands the factors that the energy and environmental protection commissioner must consider when establishing the priority list and ranking system for making clean water fund grants and loans for eligible water quality projects. Specifically, it requires him to consider the necessity and feasibility of implementing measures designed to mitigate sea level rise impact over a project's life span.

Current law requires the commissioner to consider all factors he deems relevant, including:

1. public health and safety,
2. environmental resource protection,
3. population affected,
4. state water quality goals and standards attainment,
5. consistency with the state plan of conservation and development,
6. state and federal regulations, and
7. municipalities' formation of local housing partnerships.

By law, the commissioner must make the grants and loans to municipalities based on the priority list order. The priority list must (1) include a description of each project and its purpose, impact, cost, and construction schedule and (2) explain how the priorities were

established.

An “eligible water quality project” includes the planning, design, development, construction, repair, extension, improvement, remodeling, alteration, rehabilitation, reconstruction, or acquisition of a water pollution control facility approved by the commissioner (CGS § 22a-475).

EFFECTIVE DATE: October 1, 2013

**BACKGROUND**

***Clean Water Fund***

The Clean Water Fund provides financial aid to municipalities through grants and loans for the planning, design, and construction of water pollution control facilities. It is financed through a combination of federal funding, state general obligation bonds for the grant portion, and state revenue bonds for the loan portion.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 28 Nay 0 (03/18/2013)