



General Assembly

January Session, 2015

Committee Bill No. 5693

LCO No. 3619



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT REQUIRING NOTICE AND CONTINGENCY PLANS PRIOR TO
THE STATE DRAW DOWN OF LAKES AND PONDS.***

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

1 Section 1. (NEW) (*Effective from passage*) (a) On and after the effective
2 date of this section, whenever the Commissioner of Energy and
3 Environmental Protection plans to undertake a water level draw down
4 at any lake or pond, the commissioner shall provide not less than
5 thirty days' notice to each owner of property that contains a well that
6 may be affected by such water level draw down. Any such notice shall
7 include, but not be limited to, the name of the body of water where
8 such water level draw down will occur, the reason for such water level
9 draw down, the dates that such water level draw down will begin and
10 be in effect for, information concerning the possible effects that such
11 water level draw down may have on such property owner's well and
12 contact information for the employee of the Department of Energy and
13 Environmental Protection who is responsible for responding to
14 contingency plan requests made pursuant to subsection (b) of this
15 section.

16 (b) Whenever any affected property owner, as described in

17 subsection (a) of this section, requests the development of a
 18 contingency plan by the commissioner for the provision of water to
 19 such property owner during any such water level draw down, the
 20 commissioner shall determine whether it is more likely than not that
 21 such property owner will be left without water as a direct result of
 22 such water level draw down. If the commissioner determines that it is
 23 not more likely that such property owner will be left without water as
 24 a direct result of such water level draw down, the commissioner shall
 25 notify such property owner of such determination and any reasons for
 26 such determination. In the event that the commissioner determines
 27 that it is more likely than not that such property owner will be left
 28 without water as a direct result of such water level draw down, the
 29 commissioner shall develop a contingency plan that, at a minimum,
 30 establishes a means by which such property owner may obtain
 31 drinking water for the duration of such water level draw down.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Purpose:

To require notice to potentially affected property owners of state water level draw downs at ponds and lakes and the establishment of certain contingency plans for such affected property owners.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. BRYCKI, 45th Dist.

H.B. 5693