



General Assembly

Amendment

February Session, 2016

LCO No. 5054



Offered by:

REP. RITTER M., 1st Dist.

SEN. GERRATANA, 6th Dist.

To: Subst. House Bill No. 5540

File No. 412

Cal. No. 276

"AN ACT CONCERNING THE STATE WATER PLAN."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 22a-352 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2016*):

5 (a) Not later than July 1, 2017, the Water Planning Council,
6 established pursuant to section 25-33o, as amended by this act, shall,
7 within available appropriations, prepare a state water plan for the
8 management of the water resources of the state. In developing such
9 state water plan, the Water Planning Council shall: (1) Design a unified
10 planning program and budget; (2) consider regional water and sewer
11 facilities plans; (3) identify the appropriate regions of the state for
12 comprehensive water planning; (4) identify the data needs and
13 develop a consistent format for submitting data to the council,
14 applicable state agencies and regional councils of governments for use
15 in planning and permitting; (5) consider the potential impact of climate

16 change on the availability and abundance of water resources and the
17 importance of climate resiliency; (6) seek involvement of interested
18 parties; (7) solicit input from the advisory group established pursuant
19 to section 25-33o, as amended by this act; (8) consider individual water
20 supply plans, water quality standards, stream flow classifications, as
21 described in regulations adopted pursuant to section 26-141b, water
22 utility coordinating committee plans, the state plan of conservation
23 and development, as described in section 16a-30, and any other
24 planning documents deemed necessary by the council; (9) promote the
25 adoption of municipal ordinances based on the State of Connecticut
26 Model Water Use Restriction Ordinance for municipal water
27 emergencies; and (10) examine appropriate mechanisms for resolving
28 conflicts related to the implementation of the state water plan.

29 (b) The state water plan developed pursuant to subsection (a) of this
30 section shall: (1) Identify the quantities and qualities of water that are
31 available for public water supply, health, economic, recreation and
32 environmental benefits on a regional basin scale considering both
33 surface water and groundwater; (2) identify present and projected
34 demands for water resources on a state-wide and regional basin scale;
35 (3) recommend the utilization of the state's water resources, including
36 surface and subsurface water, in a manner that balances public water
37 supply, economic development, recreation and ecological health; (4)
38 recommend steps to increase the climate resiliency of existing water
39 resources and infrastructure; (5) make recommendations for
40 technology and infrastructure upgrades, interconnections and such
41 major engineering works or special districts which may be necessary,
42 including the need, timing and general cost thereof; (6) recommend
43 land use and other measures, including an assessment of land
44 acquisition or land protection needs, where appropriate to ensure the
45 desired quality and abundance of water and to promote development
46 in concert with available water resources; (7) take into account desired
47 ecological, recreational, agricultural, industrial and commercial use of
48 water bodies; (8) inform residents of the state about the importance of
49 water-resource stewardship and conservation; (9) establish

50 conservation guidelines and incentives for consumer water
51 conservation with due consideration for energy efficiency; (10) develop
52 a water reuse policy with incentives for matching the quality of the
53 water to the use; (11) meet data collection and analysis needs to
54 provide for data driven water planning and permitting decisions; (12)
55 take into account the ecological, environmental, public health and
56 safety and economic impact that implementation of the state water
57 plan will have on the state; (13) include short and long-range objectives
58 and strategies to communicate and implement the plan; (14) seek to
59 incorporate regional and local plans and programs for water use and
60 management and plans for water and sewerage facilities in the state
61 water plan; (15) promote intraregional solutions and sharing of water
62 resources; (16) develop and recommend strategies to address climate
63 resiliency including the impact of extreme weather events; and (17)
64 identify modifications to laws and regulations that are necessary in
65 order to implement the recommendations of the state water plan.

66 (c) The Water Planning Council shall provide a time period of not
67 less than one hundred twenty days for public review and comment
68 prior to finalizing such plan. The Commissioners of Public Health and
69 Energy and Environmental Protection, the chairperson of the Public
70 Utilities Regulatory Authority and the Secretary of the Office of Policy
71 and Management shall post such draft plan and information
72 concerning such comment period in a conspicuous location on their
73 respective web sites. The Council on Environmental Quality shall post
74 such draft plan and information concerning such comment period in
75 the Environmental Monitor. The Water Planning Council shall
76 advertise and hold not less than one public hearing during such public
77 review and comment period. After such public comment period, the
78 council shall fully consider all written and oral comments concerning
79 the proposed state water plan. The council shall make available the
80 electronic text of the finalized state water plan on an Internet web site
81 where the finalized state water plan shall be posted and a report
82 summarizing: (1) All public comments received pursuant to this
83 subsection, and (2) the changes made to the finalized state water plan

84 in response to such comments and the reasons for such changes.

85 (d) Not later than January 1, 2018, the Water Planning Council, in
86 accordance with section 11-4a, shall submit the state water plan to the
87 joint standing committees of the General Assembly having cognizance
88 of matters relating to the environment, public health, planning and
89 development and energy and technology. [for said committees'
90 approval, revision or disapproval, in whole or in part.] The council
91 shall submit such report to the Governor electronically.

92 [(e) Not later than forty-five days after the convening of the 2018
93 regular session of the General Assembly, said] Said joint standing
94 committees [shall] may conduct a joint public hearing on the state
95 water plan and (1) submit the plan with said joint standing
96 committees' joint [recommendations] recommendation for approval [,
97 modification or disapproval] to the General Assembly, or (2) return the
98 plan to the Water Planning Council indicating their disapproval and
99 any recommendations for revisions to the plan by said council.

100 (e) The state water plan shall become effective when adopted by an
101 affirmative vote of the General Assembly as the state water plan for the
102 state. [, provided if the General Assembly fails to act on the plan on or
103 before July 1, 2018, such state water plan shall be deemed approved.]

104 (f) In the event that [the General Assembly disapproves the state
105 water plan, in whole or in part, the state water plan shall be deemed to
106 be rejected and] said joint standing committees do not recommend
107 approval of the plan or the General Assembly does not adopt the plan
108 by affirmative vote, the plan shall be returned to the Water Planning
109 Council for revisions and resubmittal to the [committees of cognizance,
110 not later than ninety days after such disapproval, for approval or
111 modification by said committees. In the event that said committees fail
112 to take action on such resubmitted plan not later than sixty days after
113 such resubmission, the plan shall be deemed to be approved] General
114 Assembly in accordance with the provisions of subsection (d) of this
115 section.

116 (g) The Water Planning Council may submit the state water plan or
117 a revised state water plan in a subsequent session of the General
118 Assembly for approval in accordance with the provisions of this
119 section.

120 (h) If the state water plan is not adopted by an affirmative vote of
121 the General Assembly on or before twenty-four months after the date
122 of its original submittal pursuant to subsection (d) of this section, then
123 it shall be forwarded to the Governor for adoption or rejection.

124 ~~[(g)]~~ (i) The Water Planning Council shall oversee the
125 implementation and periodic updates of the state water plan. On or
126 before January 1, 2016, and annually thereafter, the Water Planning
127 Council shall submit a report, in accordance with section 11-4a, to the
128 joint standing committees of the General Assembly having cognizance
129 of matters relating to the environment, public health, planning and
130 development and energy and technology on the status of the
131 development and implementation of the state water plan and any
132 updates to such plan. On and after January 1, 2016, the report required
133 by this subsection shall supplant the requirement for an annual report
134 as required pursuant to section 25-33o, as amended by this act.

135 Sec. 2. Subsection (d) of section 25-33o of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective from*
137 *passage*):

138 (d) The council shall, not later than January 1, 2002, and annually
139 thereafter until January 1, 2015, report its preliminary findings and any
140 proposed legislative changes to the joint standing committees of the
141 General Assembly having cognizance of matters relating to public
142 health, the environment and public utilities in accordance with section
143 11-4a, except that not later than February 1, 2004, the council shall
144 report its recommendations in accordance with this subsection with
145 regard to (1) a water allocation plan based on water budgets for each
146 watershed, (2) funding for water budget planning, giving priority to
147 the most highly stressed watersheds, and (3) the feasibility of merging

148 the data collection and regulatory functions of the Department of
149 Energy and Environmental Protection's inland water resources
150 program and the Department of Public Health's water supplies section.
151 On and after January 1, 2016, the council shall report in accordance
152 with subsection (i) of section 22a-352, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2016</i>	22a-352
Sec. 2	<i>from passage</i>	25-33o(d)