



2023 Acts Affecting Environment

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Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting the environment enacted during the 2023 legislative session. OLR's other Acts Affecting reports, including Acts Affecting Animals and Agriculture and Acts Affecting Energy and Utilities, are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/actsaffecting.asp>.

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. Complete summaries of public acts are, or will soon be, available on OLR's website: <https://www.cga.ct.gov/olr/olrpasums.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or General Assembly's website: <http://www.cga.ct.gov>.

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Air Pollution

Medium and Heavy-Duty Truck Voucher Program

The legislature made changes to the law authorizing the Department of Energy and Environmental Protection (DEEP) to establish a voucher program to support the use of zero-emission technology in medium- and heavy-duty vehicles and installing electric vehicle charging infrastructure. Specifically, it (1) delays, from January 1, 2023, to January 1, 2024, the date on and after which DEEP may establish the program; (2) generally expands it to cover more vehicles; (3) limits the program for medium-duty passenger vehicles to those sold for use by a commercial or institutional fleet; and (4) specifies that vehicles are ineligible for vouchers if they are eligible for incentives through the Connecticut Hydrogen and Electric Automobile Purchase Rebate program (CHEAPR) ([PA 23-135](#), § 38, effective upon passage).

Transportation Sector Carbon Dioxide Reduction Target

Starting by October 1, 2030, a new law requires the Department of Transportation (DOT), in consultation with DEEP, to biennially establish a transportation carbon reduction target for the state that sets the maximum amount of carbon dioxide emissions allowed from the transportation sector. DOT must develop and implement a plan to ensure that transportation projects included in its Statewide Transportation Improvement Program do not exceed the emissions reduction target and determine the methodology for calculating the carbon dioxide emissions expected from projects. Starting by January 1, 2025, DOT must begin reporting on its work to develop the plan and implement the reduction target ([PA 23-135](#), § 32, effective July 1, 2023).

Boating and Fishing

Aquatic Invasive Species Fee

Beginning October 1, 2024, a new law (1) decouples the collection of the state Aquatic Invasive Species (AIS) fee, which certain boaters pay, from the boat registration process and (2) eliminates a two-tiered fee schedule based on a boater's residency. The new fee structure is a \$7 AIS stamp for individuals and a \$20 AIS decal for vessels, with a limited exception for marine dealers, engine manufacturers, and surveyors. DEEP is responsible for issuing these stamps and decals ([PA 23-154](#), effective October 1, 2024).

Commercial Fishing License Transfers

The legislature expanded the circumstances under which DEEP may temporarily reissue or permanently transfer certain commercial fishing licenses (i.e., principal commercial fishing, general commercial fishing, or commercial lobster pot fishing licenses). For example, it allows the DEEP

commissioner to temporarily reissue a license due to a licensee’s incapacity or an immediate family member’s medical situation that prevents the licensee from fishing. Also, if a licensee dies after holding a license for less than five years, the commissioner may transfer the license if the licensee landed regulated species for at least six months of each year that he or she held the license and reported landings as required ([PA 23-196](#), § 7, effective upon passage).

Emergency Closed Season for Threatened Species

A new law authorizes the DEEP commissioner to declare an emergency closed season for recreational and commercial fishing of any regulated species threatened with undue depletion, rather than only a threatened fish species. “Regulated species” include any bait species, crustaceans, finfish, horseshoe crabs, sea scallops, squid, or whelk ([PA 23-196](#), §§ 4 & 5, effective upon passage).

Horseshoe Crabs

A new law generally prohibits hand-harvesting horseshoe crabs or their eggs from state waters. However, it authorizes the DEEP commissioner to allow, by permit, hand-harvesting these crabs for educational or scientific purposes if she determines it will not harm the state’s horseshoe crab population. The new law requires the commissioner to enforce its provisions and subjects violators to a \$25 per-specimen fine ([PA 23-6](#), effective October 1, 2023).

Lampreys Near Fishways

A provision in a new law prohibits lamprey fishing within 250 feet of a fishway or a different distance the DEEP commissioner determines. A fishway is a passageway for fish, usually near dams and artificial obstructions. Violators are subject to a \$250 fine ([PA 23-196](#), § 6, effective upon passage).

Brownfields Programs

Associated Bonding

The annual bond act authorizes the following: (1) up to \$70 million for the Brownfield Remediation and Revitalization program and (2) up to \$5 million for grants to identify, investigate, contain, remove, or mitigate contaminated industrial sites in urban areas ([PA 23-205](#), §§ 13 & 32, effective July 1, 2023, for the FY 24 authorizations and July 1, 2024, for the FY 25 authorizations).

Capacity Building Grants

New legislation expands the Remedial Action and Redevelopment Municipal Grant Program's scope to include grants for Connecticut brownfield land banks' (CBLBs) operational expenses. It authorizes the Department of Economic and Community Development commissioner to award capacity building grants of up to \$50,000 for operational expenses to any CBLB that (1) matches the funding award and (2) was not previously awarded a capacity building grant under the program ([PA 23-57](#), effective October 1, 2023).

Land Banking Agreements

By law, CBLBs may enter into land banking agreements with municipalities to acquire brownfield sites or adjacent properties. A new law authorizes CBLBs to also enter into land banking agreements with regional councils of governments (COGs) to acquire, retain, remediate, and sell property in a COG's planning region. The CBLB must have the COG's approval before transferring or selling the brownfield property ([PA 23-58](#), effective July 1, 2023).

Connecticut Environmental Protection Act

Historic Preservation Working Group

This session, the legislature established a 23-member working group to (1) study the State Historic Preservation Officer's role in administering the Connecticut Environmental Policy Act's (CEPA) historic preservation review process and (2) recommend changes to the act and related regulations. The working group must submit its findings and recommendations to the Commerce Committee by February 1, 2024 ([PA 23-204](#), § 69, effective upon passage).

Office of Responsible Growth

A new law statutorily establishes the Office of Responsible Growth within the Office of Policy and Management's (OPM) Intergovernmental Policy Division and makes it the successor agency to the office of the same name established by executive order in 2006. Among other things, it assigns to the office the responsibility of administering OPM's responsibilities under CEPA ([PA 23-207](#), § 17, effective October 1, 2023).

DEEP Regulatory Actions

Permit or License Application Public Notice

A new law revises the public notice requirements for applications for certain DEEP-issued permits and licenses for regulated activities (e.g., constructing dams, constructing solid waste facilities, dredging, stream channel encroachment). By law, an applicant must publish notice of an

application in a local newspaper. The new law also requires the applicant to publish notice on the website where the affected municipality posts local land use decisions and on DEEP's website. And it requires the DEEP commissioner to publish her tentative determination on an application on these same websites ([PA 23-196](#), §§ 8 & 9, effective upon passage).

Radiation Regulation

A new law furthers the state's transition to "agreement state status" with the U.S. Nuclear Regulatory Commission (NRC). This status allows states to assume responsibility for regulating and licensing radiation byproduct material, source material, and certain amounts of special nuclear materials. Principally, the new law authorizes the DEEP commissioner to impound ionizing radiation sources when she finds that there is or will likely be an imminent human health or environmental threat. It also (1) allows the commissioner to disclose inspection-related information about possible violations to the NRC instead of only the U.S. Environmental Protection Agency as under prior law and (2) expands the scope of the required ionizing radiation source licensing regulations to include devices or equipment that use these sources ([PA 23-153](#), effective upon passage).

Sewerage System Oversight

This session, the legislature passed a law transferring regulatory authority from DEEP to the Department of Public Health (DPH) over:

1. small community sewerage systems with daily capacities of up to 10,000 gallons (community sewerage systems have one subsurface sewage disposal system serving at least two residential buildings) and
2. household and small commercial subsurface sewage disposal systems with daily capacities up to 10,000 gallons (DPH previously had authority over those with capacities up to 7,500 gallons).

The law also requires DEEP and DPH to establish regulations and minimum requirements, respectively, regarding these systems ([PA 23-207](#), § 27, effective upon passage).

Environmental Justice Program

The state's environmental justice (EJ) law generally requires applicants seeking to construct, expand, or site certain facilities in EJ communities to engage in a public participation process. A new law makes changes to this law by, among other things:

1. exempting minor modifications of an existing permit for a covered facility from the law's requirements;

2. requiring certain applicants to file an assessment of environmental or public health stressors after DEEP adopts associated regulations;
3. expanding the notice that must be given about an upcoming informal public meeting to include online posts and direct mail notice to certain households;
4. allowing for the assessment of a reasonable fee on an applicant to cover the costs of implementing the EJ law; and
5. after the adoption of associated regulations, allowing DEEP or the Siting Council, as applicable, to deny or place reasonable conditions on a permit for a new facility if it finds that approving it would yield adverse cumulative environmental or public health stressors that are greater than those experienced in other communities ([PA 23-202](#), effective October 1, 2023).

A provision in the annual bond act, however, establishes a process for electors or voters in municipalities of 10,000 or fewer persons to petition for a town referendum of a permit denial by the commissioner that is based on cumulative environmental or public health stressors. Under the act, an affirmative vote by the voters overrides the commissioner’s denial and deems the permit approved ([PA 23-205](#), § 191, effective October 1, 2024).

Open Space, Parks, and Trails

Batterson Park Study

The act implementing the budget (1) requires the DEEP commissioner to study the feasibility of, and recommend options for, public recreational access to Batterson Park property in New Britain and Farmington and (2) dedicates funds for the study. Under the act, the study must evaluate various park redevelopment options, including public and public-private partnerships, and the commissioner must hold at least one meeting for public comments on the park’s redevelopment in Hartford, New Britain, and Farmington and report findings to the Environment Committee by January 15, 2024 ([PA 23-204](#), §§ 37 & 140, effective upon passage).

Open Space and Watershed Land Acquisition Program Grants

The Open Space and Watershed Land Acquisition (OSWA) Program gives grants to municipalities, land trusts, and water companies to buy land to be preserved as open space in perpetuity. A new law provides an exception to the general program rule that state grants cannot be made for land that is already committed for public use. Under the new law, land will not be considered already committed for public use if it is subject to a conservation easement or restriction that resulted from a federally funded land conservation program or a municipal or private conservation grant program before the state’s permanent conservation easement is recorded ([PA 23-196](#), §§ 10 & 11, effective upon passage).

Additionally, the annual bond act authorizes up to \$20 million in additional bonding for the OSWA program ([PA 23-205](#), §§ 13 & 32, effective July 1, 2023, for the FY 24 authorization and July 1, 2024, for the FY 25 authorization).

Passport to the Parks Report

The budget implementer requires the DEEP commissioner to report on the passport to the parks account and subaccounts quarterly instead of semiannually to the Office of Fiscal Analysis as well as to the Appropriations and Environment committees. It also expands the report's contents to include the (1) projected end-of-fiscal-year balance for the account and each subaccount and (2) number of positions funded through the account, and whether they are filled or unfilled or permanent or seasonal ([PA 23-204](#), § 128, effective upon passage).

Property Tax Exemption for Certain Conservation Easements

A new law allows municipalities to adopt an ordinance establishing a program to abate property taxes for qualifying portions of a taxpayer's land that are subject to a conservation restriction preserving its use as a recreational trail. To qualify, the portion of land must meet certain, specified criteria (e.g., meet the Connecticut Greenways Council's criteria for designation as a greenway, be subject to a permanent conservation restriction, and not exceed 100 feet at its widest point). The new law relatedly establishes an application and municipal approval process for these abatements. An abatement continues with the land until the municipality's legislative body, or board of selectmen if the legislative body is a town meeting, votes to end it ([PA 23-207](#), §§ 1 & 2, effective October 1, 2023, and applicable to assessment years beginning on or after that date).

Recreational Program Funding

The annual bond act authorizes up to \$20 million in new bonding for DEEP to use for the bikeway, pedestrian walkway, recreational trail, and greenway grant program. It also authorizes up to \$3 million in both FYs 24 and 25 for the Recreation and Natural Heritage Trust Program ([PA 23-205](#), §§ 2, 21 & 64, effective July 1, 2023, except the trust program's FY 25 authorization takes effect July 1, 2024).

Squantz Pond Capacity Limit

The DEEP commissioner must develop and publicly post the capacity limit of Squantz Pond State Park (in New Fairfield) by January 31, 2024, under a new law. The new law also (1) requires the commissioner to coordinate with municipal and state law enforcement to implement traffic control efforts to minimize public safety concerns on local and state roads and (2) allows her to close the park to new entrants when the capacity limit is reached ([PA 23-43](#), effective upon passage).

State Park Upgrades

This year's bond act authorizes up to \$30 million in both FYs 24 and 25 for alterations, renovations, and new construction at state parks and other recreation facilities ([PA 23-205](#), §§ 2 & 21, effective July 1, 2023, for the FY 24 authorization and July 1, 2024, for the FY 25 authorization).

Renewable Energy

Class I Renewables

The state's renewable portfolio standards (RPS) law generally requires electric distribution companies (i.e., Eversource and United Illuminating) and retail electric suppliers to obtain specific amounts of their power from Class I renewable resources (e.g., wind and solar). This year, the legislature expanded the types of energy sources considered as Class I to include nuclear power generating facilities built after October 1, 2023. Existing law generally prohibits building a new nuclear power facility in Connecticut until the federal government identifies and approves a way to dispose of high level nuclear waste; however, it allows this construction at any nuclear power generating facility currently operating in the state ([PA 23-102](#), § 36, effective July 1, 2023).

The legislature also (1) expanded the types of run-of-the-river hydropower facilities considered Class I by increasing their maximum eligible generating capacity from 30 to 60 megawatts and (2) increased the cap on how much of the Class I RPS requirement can be met with run-of-the-river hydropower from one to 2.5 percentage points ([PA 23-102](#), § 36, effective July 1, 2023; [PA 23-204](#), § 185, effective upon passage, and § 186, effective October 1, 2023).

Under existing law, if certain specified conditions indicate that there are insufficient Class I renewable energy sources to meet the RPS requirement, then the DEEP commissioner may allow certain large-scale hydropower facilities to satisfy part of the RPS requirement. Prior law limited this portion to one percentage point of the Class I requirement, but a new law increases this cap to 2.5 percentage points ([PA 23-102](#), § 37, effective October 1, 2023).

Hydropower Task Force

This year, the legislature created a task force to study the state's existing hydropower assets and review their benefits. The task force must report to the Energy and Technology Committee by February 1, 2024 ([SA 23-8](#), effective upon passage).

Solid Waste Management

Beverage Container Redemption Program (Bottle Bill)

Continuing with its updates to the bottle bill from recent years, the legislature made the following additional changes this session:

1. exempting (a) carbonated and non-carbonated products with wine or spirits and (b) non-carbonated food for special dietary use and medical food, as defined under federal law ([PA 23-1](#), § 11, effective upon passage);
2. generally requiring deposit initiators (e.g., distributors) to keep all unclaimed deposits for the first two quarters of FY 24 to reimburse them for the 10-cent deposit scheduled to take effect on January 1, 2024 ([PA 23-204](#), § 373, effective upon passage);
3. allowing dealers (e.g., retailers) and distributors to sell beverage containers labeled with a five-cent deposit on and after January 1, 2024, if they were part of a dealer's or distributor's inventory on December 31, 2023 ([PA 23-76](#), § 2, effective January 1, 2024);
4. requiring dealers and distributors, beginning January 1, 2024, to educate consumers about the 10-cent redemption value that applies on and after that date ([PA 23-76](#), § 3, effective upon passage);
5. reducing, by 5%, the amount of unclaimed deposits that deposit initiators must quarterly remit to the General Fund for FY 25 and, starting in FY 26, tying the remittance percentage to the average statewide redemption rate for the previous fiscal year ([PA 23-204](#), § 373, effective upon passage); and
6. capping at 240 the number of beverage containers a person may redeem at one time at a dealer's reverse vending machine ([PA 23-76](#), § 3, effective upon passage).

Additionally, a provision in the budget implementation act requires, within available appropriations, any organization serving people with intellectual and developmental disabilities to be eligible to participate in the state's beverage container recycling grant program. By law, this program provides forgivable grants for new and proposed expansions of beverage container redemption centers ([PA 23-204](#), § 63, effective July 1, 2023).

Collection Contracts

The law sets requirements for commercial contracts between solid waste collectors and their business customers. Among other things, it requires each (1) contract for solid waste collection to include designated recyclables collection and (2) collector to give written or pictorial instructions on how to separate the recyclables. A new law includes a provision expanding these requirements to contracts with any customers, not just business clients, and requires these contracts to provide for

collection of any items designated by a municipal ordinance or other enforceable legal instrument ([PA 23-170](#), § 7, effective upon passage).

Connecticut Green Bank Bonding

The legislature passed a new law allowing the Connecticut Green Bank to issue environmental infrastructure bonds to finance any solid waste facility chosen in a DEEP request for proposals (RFPs) from solid waste management services providers that the law also authorizes. To do this, it removes a provision that prohibits the Green Bank from financing and supporting projects that involve municipal solid waste. This new law also (1) allows the DEEP commissioner to enter into agreement with the Green Bank to have the bonds issued and (2) doubles, to \$500 million, the total amount of bonds the Green Bank can issue that are back by a special capital reserve fund ([PA 23-170](#), §§ 20-22, effective upon passage).

Hazardous Waste Site Clean-Up

The annual bond act authorizes up to \$36 million for grants to contain, remove, or mitigate identified hazardous waste disposal sites ([PA 23-205](#), §§ 13 & 32, effective July 1, 2023, for the FY 24 authorization and July 1, 2024, for the FY 25 authorization).

Increased Littering Penalty

State law prohibits littering on public land or public property, in state waters, or on private property not owned by the litterer. A violator was previously subject to a fine of up to \$199, plus a 50% surcharge, if the littering was on public land. A new law raises the maximum fine to \$500, excluding the surcharge ([PA 23-33](#), § 6, effective October 1, 2023).

Legislative Review of State Waste Management Plans

Part of a new law requires the DEEP commissioner to submit any proposed revision to the statewide solid waste management plan or Comprehensive Materials Management Strategy to the Environment Committee before implementing it. The new law sets (1) the procedure for the committee to hold a public hearing and (2) a process by which the General Assembly can approve a proposed revision that the committee rejects ([PA 23-170](#), § 17, effective upon passage).

Municipal Waste Services

Provisions in the solid waste management omnibus act do the following with respect to the provision of municipal waste services:

1. allows the DEEP commissioner to (a) issue an RFP from solid waste materials management services providers on behalf of municipalities, municipal authorities, or regional solid waste authorities and (b) enter into an agreement, subject to the municipalities' or authorities' consent, for solid waste management;
2. allows municipalities, through an ordinance or other enforceable legal instrument, to identify new recyclable solid wastes, including food scraps and yard waste, for diversion to recycling facilities; and
3. allows municipal legislative bodies to designate disposal areas for residential food scraps and food processing residues ([PA 23-170](#), §§ 2-4, effective upon passage except the RFP provision is effective July 1, 2023).

The annual bond act authorizes up to \$15 million for grants to municipalities to renovate, expand, and provide equipment for solid waste facilities ([PA 23-205](#), § 13, effective July 1, 2023).

Nip Surcharge Use Review

A provision in a new law principally making changes to the bottle bill (see above) also requires the Council on Environmental Quality to include in the annual environmental quality report it submits to the governor a review of the programs and measures local governments implemented with funds received from the state's five-cent per nip surcharge ([PA 23-76](#), § 1, effective upon passage).

Organic Materials Generators

The legislature expanded the scope of the law requiring certain organic materials generators to separate the materials and recycle them. Among other things, beginning January 1, 2025, the law:

1. is applied to institutions that provide hospitality, entertainment, or rehabilitation and healthcare services; hospitals; educational facilities; and correctional facilities and
2. has its 20-mile radius requirement eliminated, thus requiring all generators of at least 26 tons of the organic materials to have them recycled.

Additionally, by March 1, 2025, each entity subject to this law must begin annually submitting an electronic report to DEEP that summarizes its (1) amount of donated edible food and (2) amount of food scraps recycled, and the organics recyclers and associated collectors used ([PA 23-170](#), § 5, effective upon passage).

Post-Consumer Recycled Content for Plastic Beverage Containers

A provision in the solid waste management omnibus act requires producers of plastic beverage containers subject to the bottle bill's requirements (see above) to register with DEEP and meet certain post-consumer recycled content requirements beginning January 1, 2027 (i.e., at least 25%

on average and in the aggregate, and increasing to at least 30% beginning five years later) ([PA 23-170](#), § 1, effective October 1, 2023).

Quasi-Public Solid Waste Management Authorities

A principal component of the solid waste management omnibus act is the winddown of the quasi-public Materials Innovation and Recycling Authority (MIRA). The act creates a successor organization named the “MIRA Dissolution Authority” (MDA) and tasks it with things such as winding down MIRA’s operations and identifying the needs related to redeveloping certain MDA properties. Under the act, after MDA terminates, its rights and properties pass to and are vested in the state. The act includes associated provisions on MDA’s governing board, use of outside consultants, the transfer of permits and licenses, and environmental liabilities, among other things.

By January 1, 2024, the act also requires the OPM secretary, in consultation with the DEEP commissioner, to provide the Energy and Technology and Environment committees with recommendations on the feasibility and advisability of creating a new quasi-public state agency, state waste authority, or other entity for developing new solid waste infrastructure and operating and maintaining new or existing solid waste infrastructure ([PA 23-170](#), §§ 8-15 & 23-25, various effective dates).

Additionally, the annual bond act authorizes up to \$50 million in bonding for environmental clean-up of the MIRA Hartford property and to prepare it for development ([PA 23-205](#), § 2, effective July 1, 2023).

Request for Information on Solid Waste Processing Systems

The legislature requires the DEEP commissioner, by October 1, 2023, to issue a request for information to obtain information related to solid waste management processing systems. She must then report to the Environment Committee with recommendations to issue an RFP about these system based on the information she receives ([PA 23-170](#), § 18, effective upon passage).

Sustainable Materials Management Program

A provision in the solid waste omnibus act requires the amount beyond \$2.8 million in collected solid waste fees from resource recovery facility owners to be deposited into the sustainable materials management account. By law, funds in this account are for a solid waste reduction program and the account already receives funding from energy alternative compliance payments. In addition to solid waste reduction projects, the act allows the DEEP commissioner to pledge account funds for revenue bonds, the proceeds of which must be for associated solid waste infrastructure projects, and use program funds to support infrastructure development at certain upgraded,

expanded, or proposed solid waste management facilities ([PA 23-170](#), §§ 6 & 16, effective July 1, 2023, except the expansion of the account's use is effective upon passage).

Tire-Derived Asphalt

A provision in the act requiring the creation of a statewide tire stewardship program (see below) requires the DOT commissioner to (1) perform needed laboratory testing related to a pilot program on using tire-derived asphalt on primary state roadways throughout the state and (2) report to the Environment Committee by January 1, 2025, on the efficacy and suitability of using tire-derived asphalt on these roads ([PA 23-62](#), § 2, effective upon passage).

Tire Stewardship Program

The legislature added tires to the list of discarded products to be managed by a statewide stewardship program. Specifically, tire producers or their designees must join a stewardship organization responsible for developing a plan to implement the program. Those failing to participate in a program are prohibited from supplying, selling, or offering tires for sale in Connecticut. Among other things, the tire program must, if technologically feasible and economically practical, manage a collection system using entities like transfer stations, retailers, and dealerships. It must provide free public access to the collection system. There are also audit and reporting requirements and DEEP is authorized to assess a reasonable administrative fee and civilly enforce program requirements ([PA 23-62](#), effective October 1, 2023).

Vegetation Management

Eel Grass Restoration Working Group

A new law requires the Environment Committee's co-chairpersons and ranking members to convene a working group to develop strategies for restoring eel grass along the shoreline. In developing strategies, the working group must review information from studies performed by New York and Rhode Island. The group must report to the Environment Committee by February 1, 2024 ([SA 23-7](#), effective upon passage).

Municipal Hazardous Tree Removal or Trimming

In addition to the amount granted by the existing statutory formula for Local Capital Improvement Program (LoCIP) reimbursement, a new law requires OPM, for FYs 24 and 25, to authorize expense reimbursements for hazardous tree removal or trimming projects from funds appropriated to OPM for this purpose. It also applies to hazardous tree removal or trimming projects an existing exemption for reimbursement of projects that are included in the local capital improvement plan ([PA 23-190](#), effective July 1, 2023).

State Park Hazardous Tree Removal Projects

A new law requires the DEEP commissioner to report annually, beginning by January 1, 2024, to the Environment Committee on the department's hazardous tree removal activities in state parks during the prior year and specifies the information that DEEP must include in the report ([PA 23-206](#), § 1, effective upon passage).

Transportation Vegetation Management Plan

Under a new law, DOT must develop guidelines on tree and vegetation management, removal, and replacement along state highways to use for maintenance and construction projects. The guidelines' goal must be to ensure that projects' impacts on the environment, landscape, and noise pollution are balanced or outweighed by measures taken to avoid or minimize them. The guidelines must address, among other things, DOT's general roadside vegetation management activities (e.g., mowing and herbicide use); beautification, enhancements, and the effect on scenic roads; and environmental impact. The DOT commissioner must submit the guidelines to the Transportation and Environment committees by January 1, 2024, and the committees must hold a joint public hearing on them ([PA 23-135](#), § 33, effective upon passage).

Tree Canopy Goal for EJ Communities

The legislature established a state goal to increase the total percentage of EJ communities that are covered by tree canopy, by January 1, 2040, by 5% of the total area of those communities with a current tree canopy cover of less than 40% ([PA 23-206](#), § 2, effective October 1, 2023).

Water Resources

Clean Water Fund Bonding

The annual bond act authorizes new bonding of up to \$80 million for Clean Water Fund (CWF) grants and up to \$25 million for CWF loans (revenue bonds) ([PA 23-205](#), §§ 62 & 63, effective July 1, 2023, for the grants, and July 1, 2024, for the loans).

PFAS Contamination & Remediation

A new law establishes an account in the General Fund to be used for grants or reimbursements for municipalities to test for and remediate PFAS contamination in drinking water supplies ([PA 23-74](#), effective July 1, 2023). This year's bond act authorizes up to \$3 million in FY 24 and up to \$2 million in FY 25 for this purpose and to buy back firefighting foam with PFAS ([PA 23-205](#), §§ 13 & 32, effective July 1, 2023, for the FY 24 authorization, and July 1, 2024, for the FY 25 authorization).

Public Water Supply

By law, DPH has jurisdiction over the purity and adequacy of all public water supply sources used by municipalities, public institutions, or water companies. Starting July 1, 2024, a new law extends the department's jurisdiction to include water supply sources over which these entities hold the right for future or emergency use ([PA 23-31](#), § 17, effective upon passage).

Sodium Chloride Contamination

The legislature extended by one year, to January 1, 2024, the deadline for local health districts and departments to establish an electronic reporting system for owners of homes or wells directly damaged by sodium chloride run-off. It correspondingly extended, to January 1, 2025, the deadline for these districts and departments to start annually submitting the reports recorded during the prior year to OPM. Additionally, certain information related to the reporting system is now confidential, such as the testing results originating due to a sodium chloride run-off report provided to DPH, OPM, or local health districts or departments and associated information from DPH or local health district or department investigations ([PA 23-31](#), § 19, effective upon passage).

Water Company Land Trespass

The legislature established a new violation specifically for simple trespass of public water supply watershed land that is owned, controlled, or managed by a water company. This violation is separate from the existing simple trespassing violation. Under the law, a person is guilty of this violation when, knowing that he or she is not authorized to, enters or remains on the land without lawful authority or the water company's consent. Violators commit an infraction and are subject to a \$90 fine ([PA 23-40](#), § 31, effective October 1, 2023).

Wildlife Management

Bird Migration Protection

A new law requires nonessential outdoor lighting at most state-owned buildings to be turned off between 11:00 p.m. and 6:00 a.m. The shut-off requirement applies to lighting a state agency head determines is not essential for safety or functionality. This new law also requires the state building inspector and the Code and Standards Committee to consider a change in lighting design to effectuate this outdoor lighting requirement when making state building code changes that take effect after January 1, 2024 ([PA 23-143](#), effective upon passage).

Black Bears and Other Potentially Dangerous Animals

This session, the legislature passed a law that explicitly allows a person to kill a black bear if the person reasonably believes the bear is (1) inflicting, or about to inflict, great bodily harm to a person; (2) injuring or killing the person's controlled pet; or (3) entering a building occupied with people. This new law also allows farmers experiencing crop, livestock, or apiary damage caused by nuisance wildlife to get a DEEP permit to take (e.g., capture, trap, or kill) the wildlife if nonlethal methods failed to prevent damage. Lastly, the new law bans intentionally feeding potentially dangerous animals (e.g., bear, bobcat, coyote, or fox) on land not owned by the state and makes a violation an infraction ([PA 23-77](#), effective October 1, 2023).

Seabird and Shorebird Protection Program

The legislature passed a new law (1) allowing the DEEP commissioner to establish a seabird and shorebird protection program under which she may designate and identify protected areas on state-owned public property within the state's coastal area (i.e., the coastline along Long Island Sound) and (2) making it an infraction to disturb these areas. Specifically, the new law prohibits people from (1) entering an identified protected area without the commissioner's authorization; (2) allowing a pet or other animal under their control, except for a service animal, from coming within 25 feet of an identified protected area; and (3) operating a vehicle or bicycle within 25 feet of an identified protected area ([PA 23-155](#), effective October 1, 2023).

Miscellaneous

Climate Resiliency Funds and Projects

A new law authorizes municipal treasurers to invest a municipality's Climate Change and Coastal Resiliency Reserve Fund in any trust fund the state treasurer administers, holds, or invests. Additionally, it requires the DEEP commissioner to maximize the state's receipt of federal funds designated for state climate change resiliency projects (e.g., coastal resiliency projects) by taking actions that at least include identifying these funds. Beginning by January 1, 2024, it requires her to report biennially to the Environment Committee on her maximization efforts ([PA 23-140](#), effective upon passage).

Conservation Officer Training

Prior law required DEEP-appointed conservation officers or special conservation officers to complete a police training course at the state police training school or an equivalent course approved by the Department of Emergency Services and Public Protection (DESPP) commissioner. A new law instead requires conservation officers to become certified by the Police Officer Standards and Training Council (POST) within one year after appointment and special conservation officers to

become POST-certified or complete a DESPP commissioner-approved equivalent course. For lake patrolmen appointed by DEEP as special conservation officers to enforce boating laws, the new law requires each to complete a police training course at a POST-approved training academy. Prior law required them to complete the course at the state police training school or an equivalent DESPP commissioner-approved course ([PA 23-196](#), § 1, effective upon passage).

Green Jobs Corps Program

A new law requires the Connecticut Clean Economy Council to develop a workforce training plan for green jobs (i.e., those using green technology) to accomplish the state's greenhouse gas emissions goals. Among other things, the plan must include the following:

1. development of work-based learning programs for green jobs with workforce shortages;
2. development of certificate and degree programs related to the green technology industry at technical education and career schools and higher education institutions; and
3. identification of available public or private funding to develop these programs and provide grants to apprentices and students ([PA 23-61](#), effective July 1, 2023).

Metropolitan District Commission Project Assistance and Reporting

A new law requires DEEP to use available funding, including certain Clean Water Act funds, to operate a program that gives financial assistance to the Metropolitan District Commission (MDC) for repairs and improvements to Hartford's sewerage systems, especially projects that will protect residential dwellings from property damage.

Additionally, this new law requires Hartford and MDC to jointly report by January 1, 2024, to DEEP and the Environment and Planning and Development committees on (1) the status of any planned or underway long-term projects in Hartford that are intended to improve the city's sewerage or stormwater infrastructure and (2) their plan to mitigate or prevent future flooding issues, including by investing in green infrastructure ([PA 23-204](#), §§ 141 & 145, effective upon passage).

KM:co