SUSTAINABLE WEST HARTFORD COMMMISSION

June 30, 2025
7:00 PM, Room 407, Town Hall

MEETING MINUTES

1. Call to Order: ***7:03 PM***
   - ***Stephen Sack N***
   - ***Pat Wilson Y***
   - ***Dave Sagers Y***
   - ***Kim Hughes N***
   - ***Kelly Kennedy Y***
   - ***Jonathon Ferrigno Y***
   - ***Bernard Pelletier Y***
   - ***Christy Matthews N***
   - ***Ted Newton N***
   - ***Vacant***
   - ***Vacant***
   - ***Public attendees: Dan Rapka, Chris Feely, Dave Mendelson (Earthlight), Dave Englert***
   - ***Staff Liaisons: Catherine Diviney Y, Katherine Bruns N, Conor Schulken, Intern Y***

2. Approval of Prior Meeting Minutes: ***Approved 5 - 0***

3. Administrative – vacancies, etc.
   - ***Expect to fill vacancies by September***
4. Communications & Community Comment (max 3 min each):
   - ***2 inquiries on how to participate with the commission***
   - ***2 inquiries about pesticide use in public parks – concerned about pesticides being applied near children park***
   - ***An inquiry about making food collection more well known***
5. Ongoing Business
   - Student Rep Reports ***- none***
   - Working Groups Reports ***- attached***
   - Town Engagement
     - Highlands Region Resolution – ***Working towards August 12th Town Council agenda – need to get this through the PWF&S committee.***
     - Waste Monitoring & Enforcement Recommendation ***– recommendation has been received by the town***
     - Food Waste data/goals – ***report on preliminary data – PowerPoint presentation attached. Discussion on how to reach the 2/3 of households that don't receive the Sustainable West Hartford email. Consider having the haulers to do outreach. Consider approaching the people who have signed up but are not using it.***
     - Planting Policy, Garden Signage, Meadow – ***discussion of how best to work with the town to make progress. Also need to recognize that Neonics are going away in 2027. Recognition that we do not have liaisons with all departments in the town.***

- Sustainable Development Checklist – ***based on the Stamford check list. The Energy Working Group focused on Building energy and Building resiliency. The draft creates a point-based system. The document is in draft form now and will be shared in draft form at the next commission meeting. Desire to submit to TPZ through Todd to initiate discussion of how something like this could be integrated into review.***

- Resident Engagement
  - Celebrate! WH recap – ***report attached. Overall assessment was that it was a success and a valuable chance to engage residents.***
  - Cool West Hartford Website & Launch Plan – ***WG need to review – and need a launch plan. Dave Sagers to put together a review plan. There was discussion of a soft launch – i.e., using the Cool West Hartford website in posts and communications while working towards a formal launch. Need to review material and get town approval first.***
  - Newsletter & social media – ***Jonathan working on increasing the number who follow the commission. Current estimate is that we have 100 followers.***

6. New Business
   - Legislative Update – ***Jonathan provided an overview of SB4, HB 5004, and SB 9. Office of legislative research reports attached.***
7. Staff Report – ***$315K solar VNM credit, Sust CT 2027 application is in process with an effort to get more active participation from town departments. WHPS Summer Shutdown – as part of a Strategic Energy Management (SEM) Eversource program that focuses on operations not just projects, Catherine and Connor are visiting WH schools and looking for opportunities to reduce load by turning unneeded devices off. Solar case study & webinar – Connor is working on a resident case study and potentially a library webinar to include a presentation by Energy Sage.***
8. Calendar Updates: ***TBD (Summer) – Solar webinar, 9/20/25 – Wolcott Entrance Garden Tour, early Oct – EV Showcase. Planning for Sun Day event on 9/20 underway. Commission will ask the Mayor to issue a proclamation declaring 9/20 to be "Sun Day".***
9. Agenda for Next Meeting – 7/28/25
10. Adjournment ***9:00PM***

Anyone requiring auxiliary aid or service for effective communication or modification of policies or procedures to participate in a meeting, service, program or activity of the Town of West Hartford, should contact Suzanne Oslander, ADA Coordinator, at suzanneo@westhartfordct.gov or (860) 561-7580, as soon as possible, preferably seven days beforehand.

Energy Working Group, Meeting Via Zoom – June 25th at 5PM

- Stephen Sack
- Catherine Diviney
- David Englert
- Mike Cocca
- Christine Feely
- Bernie Pelletier

Agenda topics:

- Stamford checklist progress:
    - Mike Cocca took us through his modified check list. This list focused on energy and building resilience. The work started with the Stamford Sustainability Scorecard and integrated elements of West Hartford's policies and goals.
    - Next step is to refine and present a draft at next (July) Commission meeting
    - David Englert noted that as we develop the check list we need also to work with the town to integrate it into town staff and committee processes
    - We agreed to check in on the Asylum Avenue project to see what efficiency and renewable steps they are taking
- Catherine and Connor are sketching out a solar webinar for some time over the summer
    - Goal of webinar is to keep solar momentum going. They are looking at a web platform called "EnergySage" and considering local installers as webinar presenters.
- Report on major environmental legislation
    - Brief discussion of HB 5004 and SB 4. This topic was kept brief because Catherine indicated that there will be a briefing at the June Commission meeting
- Technology updates: the town is ***exploring*** (vacuum sealed windows and sensor connected Indoor Air Quality solutions)
    - Catherine regularly receives offers to look at new technologies. The town had a demonstration of a vacuum sealed window that reports it has a high R (insulation) value. The indoor air quality product is under discussion.
- Christine Feely notes that HB 5004 requires the state to conduct a strategic plan for solar canopies. This could be a significant resource in West Hartford
- A general question was raised – how best to provide public comment on energy topics:
    - Town council or Public Works meeting
    - Will it be read into the record or to the public
    - Does public comment need to be confined to the committee agenda
    - Bernie to ask Dave Sagers/ Rick Ledwith
- It was noted that taxes have increased and cost to taxpayers is something that must be kept in mind.

NBS Agenda and Minutes
June 18, Wednesday, 5pm, virtual

Attendees: Kim, Pat, Andrea, Madz, Christine, Catherine

Celebrate WH! was successful. Good response; positive interaction about firefly flier; summary board of idea for Commission to work on. Lots of conversations.

Outstanding Items with Leisure Services - Has proved difficult for to get follow-up/updates on where things stand. Madz mentioned same delay with regard to WH Garden Club/Trex Bench projects. Catherine finally spoke to Helen in-person.

- Signage for Wolcott entrance garden and meadow (draft provided Feb 2025) – Graphic designer has not worked on these yet. Town's signage contract expired and Helen had to redo RFP process which held things up. Proposed **Sat, Sep 20** educational event as target date.
- Wolcott Meadow (Mike N) – Things are moving. Mike Nadeau reached out to Helen 6/11. He has a contract and down payments have now been made. Grounds was asked to remove the wood chips which will happen within the next week.
- Planting Policy (draft provided Feb 2025)– Helen still needs to provide comments. Reminded her of NBS research/observations:
    - Other towns are doing a lot more in this area
    - There does not seem to be a clear chain of responsibility/ultimate decision making when it comes to grounds coordination/policy across all WH municipal property (e.g., Leisure, Public Works, Engineering, WHPS, Planning)
    - Seem to be a variety of Town ordinances regarding landscaping, which reference particular plant species, and may be out of date and in conflict
    - One area of commonality is to develop a plant list. Helen indicated preference to link directly to UConn list, so the Town does not need to maintain one.
        - https://ctstormwatermanual.nemo.uconn.edu/a-plant-list/ the 2024 updated CT DEEP Stormwater manual
        - https://ipm.cahnr.uconn.edu/connecticut-native-availability/ updated every year

Cool West Hartford – slow progress above reemphasizes need to focus outside the Town. Motivate people to want more. Still need to provide content for the "Green Spaces & Yard" landing page – target next month?

Additional Cool West Hartford-related ideas:
- Commission still needs Cool West Hartford launch plan – who? when? how?
- Large banner for Cool West Hartford in center square
- Package planting policy and local firefly counts, take to Committee or Town Council
- Homegrown National Park – How to Talk To You Neighbors
- Less Lawn, More Life – Challenge
- Growing Greener (Thomas Christopher)

- Wolcott Garden Educational Workshop – tentative date **Sept 20, 2025** understand pollinator garden, how to go about, and due design (Home Grown Natl parks – information), connect with people, goal for signage installed.
- Publicize Pollinator Pathway, Summer webinar July 15: https://zoom.us/meeting/register/j2J6uSrhS8-MEHtFow3Z5g#/registration

Summer Webinar

Pathway Community Leaders Share Success Stories

Tuesday, July 15th, 6:30 PM

Prepare to be inspired! Learn from experienced Pollinator Pathway leaders about how they have established pollinator gardens in their communities. They will share lessons learned as well as tips for those starting out.

The webinar will feature:

- Dana Harkrider, Nyack Pollinator Pathway, Nyack, New York
- Patricia Newkirk and Wendy Ferry, Pollinator Pathway Northwest
- Sam Rohe, The Frank Street Bee and Butterfly Garden, Ottawa, Canada

Join the webinar and share in the energy and excitement that comes from working together as a community! There will be time to ask questions and perhaps share your own stories.

Register

- Sust WH/Sierra Club Drive Electric Week event – early Oct.

Waste Working Group Report for 6/30/25

The Waste Working Group did not meet this month.

However, the Commission recommendation regarding a recycling and waste education and enforcement campaign was accepted by town staff. And short segments of our 30 minute Waste Not Want Not session on WHCi have been created and are now available for use on the Cool West Hartford website, our newsletter and our social media.

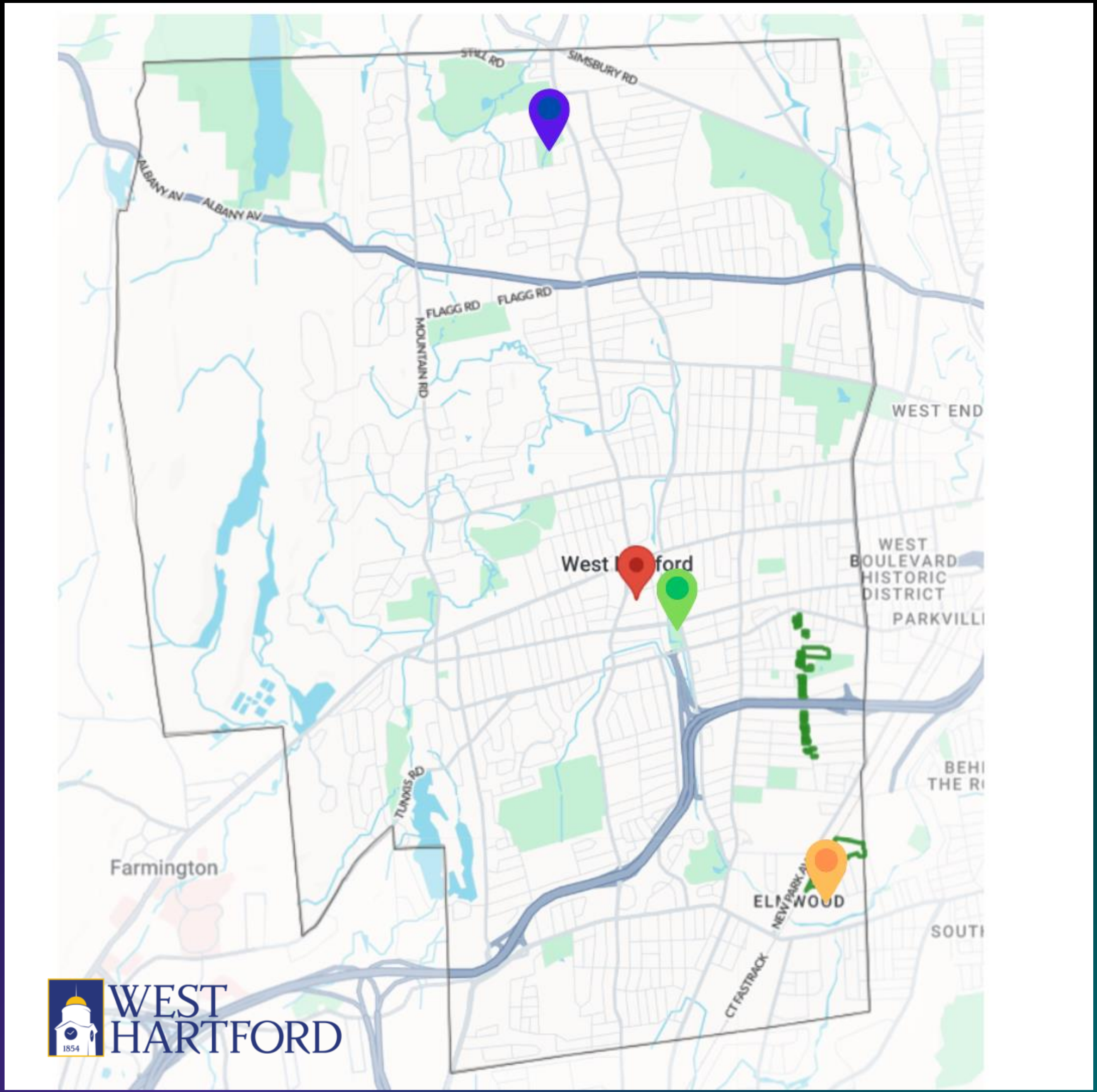
Communications/Cool West Hartford Working Group Report for 6/30/25

6/19 meeting cancelled; no additional work done on the website. No point person identified for launch plan. Next meeting 7/17 @ 6 PM.

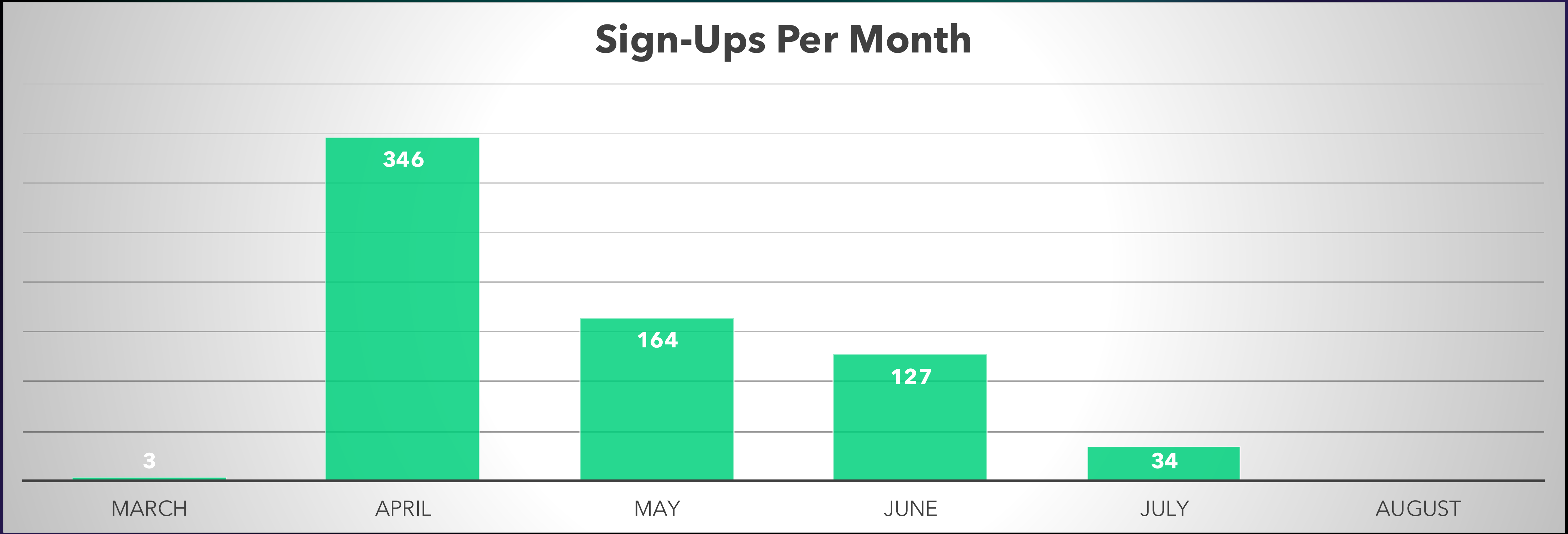
Food Waste Bin Data

Four Compost Bins

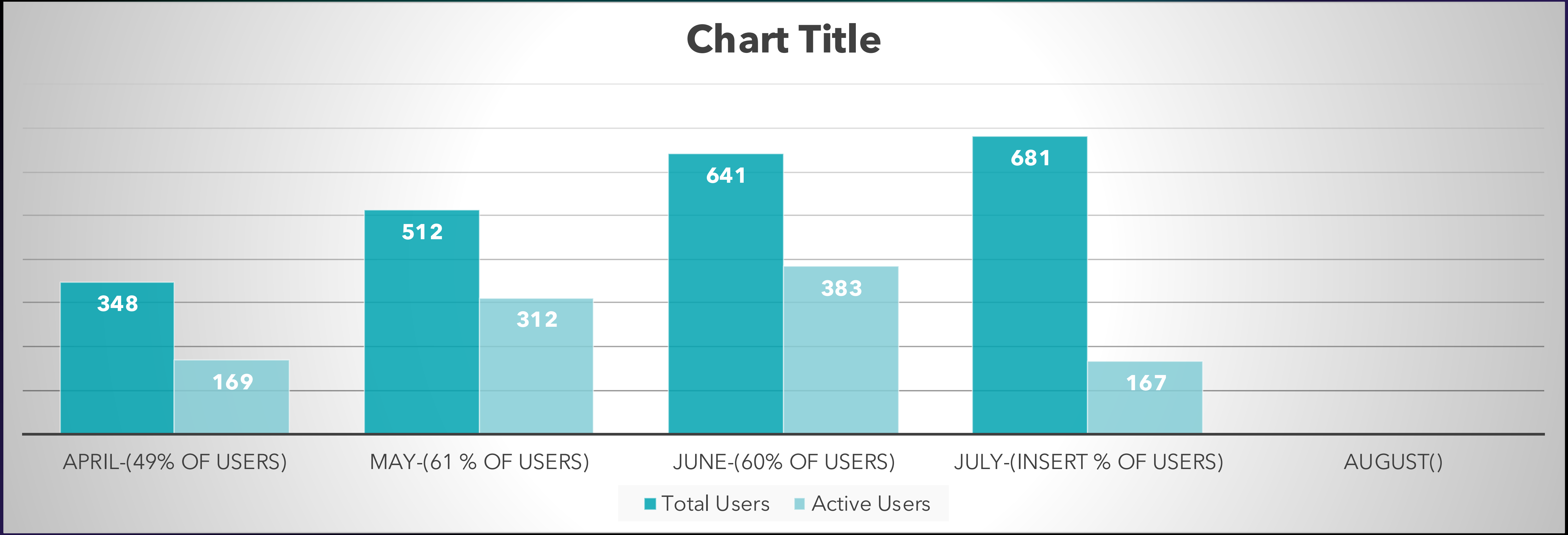
- TOWN HALL
- EISENHOWER PARK
- NORFELDT FIELD
- RECYCLING CENTER



User Sign-Ups- CHART NOT FINAL

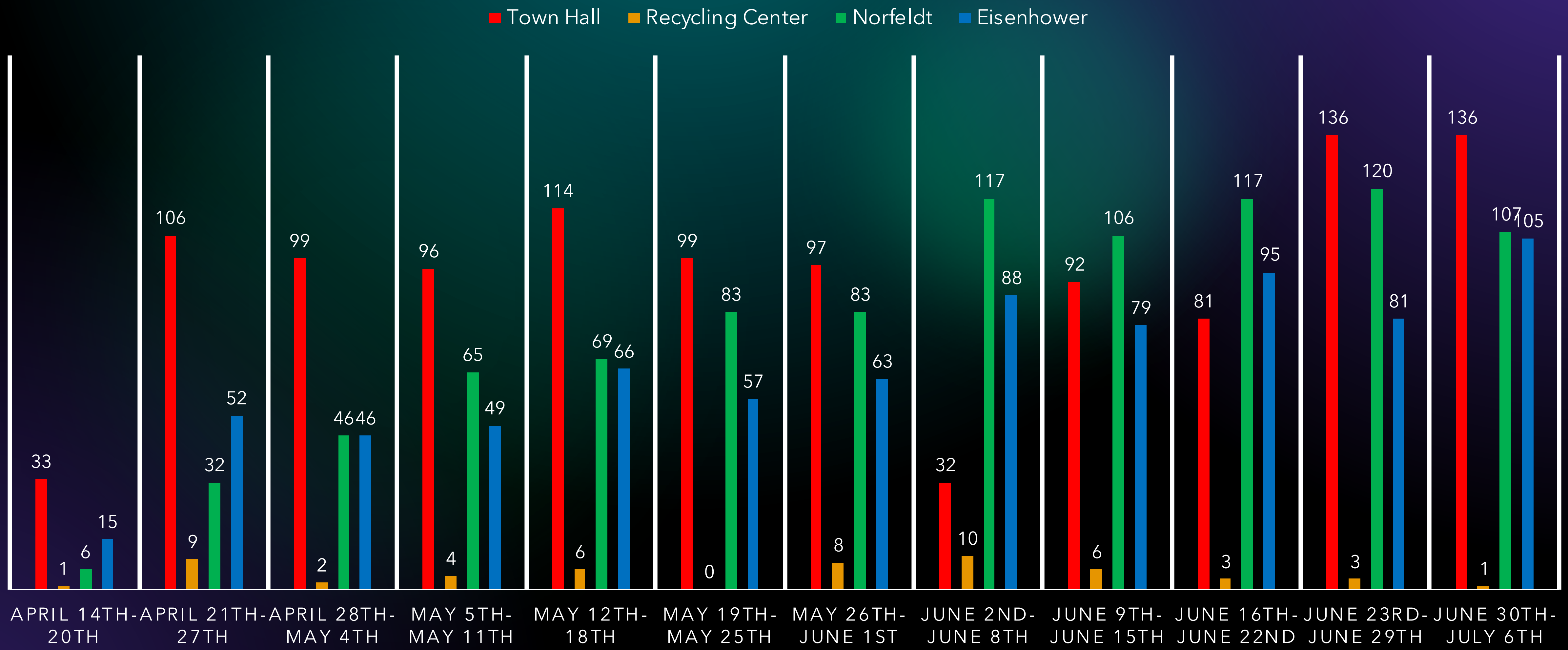


So far there are (682) residents who have signed up for the food scrap drop-off program. But how many people are actually using it?



Bin Access Per Week

From April 14th- July 6th



Average Bin Access over 12 Weeks

Town Hall- 83 times per week on average

Recycling Center- 4 times per week on average

Norfeldt Field- 71 times per week on average

Eisenhower Park- 58 times per week on average

In May 2025, Town of West Hartford composted

4,180

POUNDS OF WASTE

mitigating CO_2 emissions equivalent to

876

pounds of carbon dioxide

45

gallons of gasoline burned

48,352

smartphones charged

7

seedlings planted

548

kWh energy created

987

miles driven by an average car

Compost services powered by

BLUE EARTH COMPOST

In June 2025, Town of West Hartford composted

4,845

POUNDS OF WASTE

mitigating CO_2 emissions equivalent to

1,016	**52**	**56,044**
pounds of carbon dioxide	gallons of gasoline burned	smartphones charged
8	**635**	**1,144**
seedlings planted	kWh energy created	miles driven by an average car

Compost services powered by

BLUE EARTH COMPOST

Celebrate! West Hartford: June 7-8, 2025

Not terribly busy on Saturday due to the weather, but Sunday was very busy the whole day.

Health Challenge:(bingo cards)

- This drove a lot of traffic to the booth, definitely worth participating in.
- We challenged visitors to either put down steps they would like to see the Town undertake, or steps they were willing to take to support the environment:

Top topic of questions/interest

- Recycling and food scrap diversion. There was a lot of enthusiasm on the food scrap pickup, and some residents from other towns even expressed envy that their town wasn't doing as much for sustainability as WH.

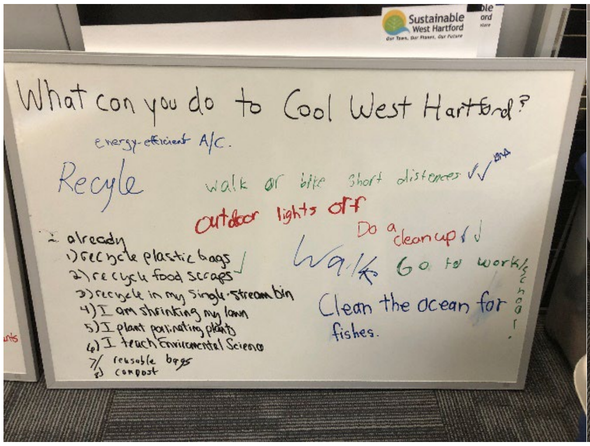
Other topics (combination of the white board and discussions, not scientific):

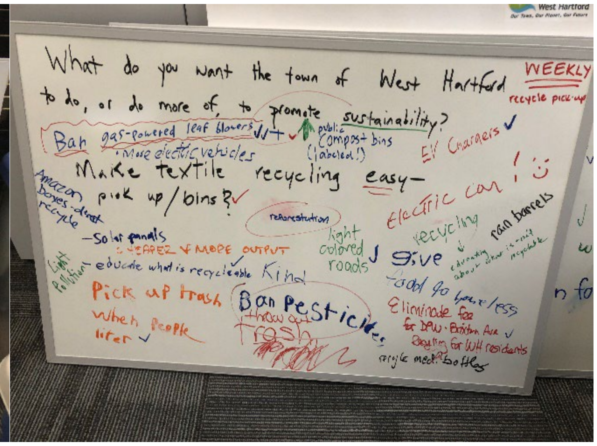
- Recycling: education, recycling medical vials, textile recycling, weekly recycling pickup, public compost bins, work w/Amazon directly to recycle boxes
- Eliminate gas-powered blowers (quite a few conversations about that)
- Eliminate the DPW fee for residents (would encourage use of facility for recycling)
- EV: more electric vehicles, EV chargers

Single mentions

- Ban pesticides
- Rain barrels
- Light pollution
- Lighter colored roads
- Solar panels
- Replacing lawn with mini-clover

Photos


Sustainable West Hartford
What can you do to Cool West Hartford?
energy-efficient A/C.
Recyle
walk or bike short distances
outdoor lights off
Do a cleanup
2 already
1) recycle plastic bags
2) recycle food scraps
3) recycle in my single-stream bin
4) I am shrinking my lawn
5) I plant pollinating plants
6) I teach Environmental Science
7) reusable bags
8) compost
Walk Go to work/school
Clean the ocean for fishes.


What do you want the town of West Hartford to do, or do more of, to promote sustainability?
WEEKLY recycle pick-up
Ban gas-powered leaf blowers
More electric vehicles
public compost bins (labeled!)
EV Chargers
Make textile recycling easy
Amazon boxes - direct recycle
pick up / bins
reforestation
electric car
rain barrels
-Solar panels : CHEAPER & MORE OUTPUT
light colored roads
recycling
educate what is recyclable
Kind
Give
Light Pollution
Pick up trash
Ban Pesticides
throw out trash
When people liter
Eliminate fee for DPW - Brixton Ave
recycling for WH residents
recycle more bottles


EARTH DAY. EVERY DAY.


EARTH DAY. EVERY DAY.

Legislative Update

CT League of Conservative Voters, 2025 Post Session Debrief video (6/6/2025)

Climate Bill Summaries from

Save the Sound
Action for our region's environment.

House Bill 5004:

- Update Connecticut's main climate law, the Global Warming Solutions Act, by instituting a net-zero-by-50 target. This will help the state get back on track with its greenhouse gas emissions (GHG) goals.
- Spur economic growth in Connecticut through workforce development and sustainable business incentives, and paves the way for clean energy, heat pumps, and solar canopies that will make our state a healthier, safer, and more affordable place to live.
- Direct the Connecticut Department of Energy and Environmental Protection (DEEP) to conduct a study on the renter use of the state's energy efficiency and clean energy programs, including identifying any barriers to participation and making recommendations to address any such barriers.
- Incorporate the use of nature-based solutions to protect Connecticut's shorelines and sequester carbon that leads to global warming

Senate Bill 9:

- Improve transparency about flood risk and require flood risk disclosure when someone is buying a home.
- Develop better planning for residential development by requiring coastal site plan review for construction of single-family homes in areas facing sea-level rise.
- Prepare towns to face climate impacts by strengthening roads and bridges against sea level rise, updating evacuation plans for residents to take the safest routes possible during an emergency, and ensuring that our water supplies are protected from inundation and sewage.
- Establish Resiliency Improvement Districts that create a framework authorizing municipalities to finance capital projects addressing climate change mitigation, adaptation, or resilience.

Senate Bill: 4 (Energy/Regulatory)

- To be covered on 6/30 meeting agenda
- Proposal to remove from the electric bill and bond around $150 million from the C&LM fund which covers energy efficiency programs was ultimately removed from the final bill.

OLR Bill Analysis

sHB 5004 (as amended by House "A")*

AN ACT CONCERNING THE PROTECTION OF THE ENVIRONMENT AND THE DEVELOPMENT OF RENEWABLE ENERGY SOURCES AND ASSOCIATED JOB SECTORS.

TABLE OF CONTENTS:

§ 10 — ENVIRONMENTALLY SUSTAINABLE PURCHASING BY MUNICIPALITIES

Requires DAS to (1) create a model policy or guidelines for environmentally sustainable purchasing that municipalities can use and (2) post it on the agency's website by January 1, 2026

§ 11 — STATE BUILDING ENERGY EFFICIENCY AND HEATING AND COOLING SYSTEMS

Requires DAS to develop a (1) process for considering certain energy-related aspects when deciding to repair or build state real assets under its authority and (2) plan and budget to retrofit existing fossil fuel-based heating and cooling systems to those that operate without carbon-emitting fuels

§ 12 — NATURE-BASED SOLUTIONS INITIATIVE

Requires DEEP to (1) evaluate how to integrate and advance nature-based solutions in specified programs to support climate change mitigation and adaptation, ecosystem resilience, and biodiversity; (2) consider specified best practices as part of this evaluation; and (3) post the evaluation on its website, hold a listening session for public comment, and give it to specified state agencies for their review and input

§ 13 — SOLAR CANOPY STRATEGIC PLAN

Requires PURA to report to the Energy and Technology Committee on a solar canopy strategy and program design

§ 14 — ENERGY COSTS REPORT

Requires DEEP, in consultation with the Office of Consumer Counsel, to report to the Environment and Energy and Technology committees on lowering energy costs, increasing community extreme weather resilience, and contributing to GHG emission reductions

§ 15 — HOUSING ENVIRONMENTAL IMPROVEMENT REVOLVING LOAN AND GRANT FUND REVISIONS

Makes various changes to the existing Housing Environmental Improvement Revolving Loan and Grant Fund and related program to, among other things, allow (1) the program to finance qualifying projects located anywhere, rather than just in targeted areas, and (2) DEEP to enter into contracts with electrical distribution and gas companies to administer the fund

§ 16 — OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM GRANTS FOR URBAN AGRICULTURE USE

Broadens the purposes for which certain OSWA grants may be used to include repurposing open space land for urban agricultural use

§ 17 — RENTER UTILIZATION STUDY

Requires DEEP to study renters' use of certain state energy efficiency and clean energy programs and report its findings and recommendations to the Environment and Energy and Technology committees by July 1, 2026

SUMMARY

This bill establishes various requirements relating broadly to energy efficiency and greenhouse gas emissions reduction goals, as described in the section-by-section analysis below.

*House Amendment "A" eliminates provisions in the underlying bill:

1. requiring the Public Utilities Regulatory Authority (PURA) to open an uncontested proceeding on the future of the natural gas distribution system in the state in relation to the state's emission reduction levels;

2. requiring PURA to establish a utility-scale renewable thermal energy network program, including a pilot component, working group, and study;

3. requiring gas companies to develop incentive programs for connecting customers to municipally owned renewable thermal energy networks;

4. expanding an existing Department of Energy and Environmental Protection (DEEP) procurement authorization to include active demand response projects and gas demand response projects; and

5. authorizing DEEP to allot up to 10% of Open Space and Watershed Land Acquisition Program (OSWA) funding for mitigating wildfire risks on certain properties and relatedly requiring DEEP to develop criteria and guidelines for these funds.

The amendment also:

1. expands the benefit corporations that may receive vouchers under the bill to include certain certified corporations (§ 5),

2. specifies that DEEP must consult with the Office of Consumer Counsel in preparing an energy costs report to the legislature (§ 14),

3. eliminates the requirement that qualifying projects be located in targeted areas to qualify under DEEP's retrofitting project funding pilot program (§ 15), and

4. changes the types of urban agricultural projects that qualify for OSWA grants (§ 16).

EFFECTIVE DATE: Upon passage, except as noted below.

§§ 1-3 — GREENHOUSE GAS EMISSIONS REDUCTION AND ZERO-CARBON GOALS

Establishes new state GHG emissions reduction levels; for state agencies, sets new GHG emissions reduction goals and a goal to use only zero-carbon generating electricity; modifies DEEP reporting requirements on GHG emissions and reduction progress reports

Connecticut Goals (§ 2)

The bill generally requires the state to reach an economy-wide net zero greenhouse gas (GHG) emission level by January 1, 2050. It establishes this requirement as part of the state's Global Warming Solutions Act (GWSA).

Under current law, the GWSA requires the state to reduce GHG emissions from all sources to a level at least:

1. 10% below the 1990 emission level by 2020,

2. 45% below the 2001 emission level by 2030, and

3. 80% below the 2001 emission level by 2050.

It also requires the state to reduce GHG emissions from electricity supplied to electric customers in the state to zero by 2040.

The bill sets a new GHG reduction level requirement of 65% below the 2001 emission level by 2040. It also requires that, by 2050, the state be at an economy-wide net-zero level, if direct and indirect GHG emissions are at least 80% below the 2001 level. (Direct emissions include those from manufacturing processes and factory stacks. Indirect emissions include those from electricity consumed by commercial and industrial businesses.)

By law, the DEEP commissioner determines emission levels. GHG includes any chemical or physical substance emitted into the air that the DEEP commissioner reasonably anticipates will cause or contribute to climate change (e.g., carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride).

State Agency Goals (§ 1)

The bill establishes the following GHG emission reduction goals for all state agencies, as a whole:

1. 45% from 2001 levels by 2030,
2. 70% from 2016 levels by 2040, and
3. a level determined to be net-zero by 2050.

It sets a separate goal for the agencies to use only zero-carbon generating electricity by 2030.

The bill allows agencies to consider the social costs of GHG emissions (e.g., net agricultural productivity, harms to human health, property damage, and the value of ecosystem services) when evaluating the costs and benefits of their activities and facility improvements to meet these GHG reduction goals. By January 1, 2026, the DEEP commissioner must publish guidelines for state agencies on the social cost of GHG emissions on the department's website.

Periodic Reporting (§§ 2 & 3)

GHG Emissions Inventory. The bill requires the DEEP commissioner to annually publish, beginning January 1, 2026, an inventory on GHG emission sources and carbon sequestered to (1) set an emissions baseline, and (2) report on the quantifiable GHG emission reductions and carbon sequestration achieved.

GHG Reduction Progress Reports. Under existing law, the DEEP commissioner, in consultation with the Office of Policy and Management (OPM) secretary and the Governor's Council on Climate Change, must report to the Energy and Technology, Environment, and Transportation committees every three years on quantifiable GHG reductions to achieve the emission reduction goals described above. The bill (1) moves the deadline for the next report, from January 1, 2027, to January 1, 2026; (2) requires the report to additionally include quantifiable carbon sequestration (undefined by the bill) achieved; and (3) requires DEEP to produce the report with an opportunity for public comment.

The bill allows the DEEP commissioner to contract with a consultant to help prepare the report. As under existing law, the report must include:

1. a schedule of proposed regulations, policies, and strategies (which, under the bill, may include carbon sequestration) designed to achieve the reduction levels;

2. an assessment of the latest scientific information and relevant data on global climate change; and

3. the status of other states' and countries' GHG emission reduction efforts.

The bill also eliminates a requirement under current law that DEEP, every three years and with help from a nonprofit association with northeastern state air quality and climate program expertise, develop a schedule of recommended regulatory actions by relevant agencies, policies, and other actions needed to further progress toward achieving the GHG reduction levels.

§ 4 — JOBSCT TAX REBATE PROGRAM

Allows the DECD commissioner to give a preference to applications under the JobsCT tax rebate program that (1) make significant investments in environmentally sustainable practices; (2) are in economic sectors like renewable energy, energy efficiency, and zero-emission vehicles; or (3) are for sustainable farming

By law, the Department of Economic and Community Development's (DECD) JobsCT tax rebate program gives companies in specified industries rebates against insurance premiums, corporation business taxes, and pass-through entity taxes for reaching certain job creation targets.

The bill allows the DECD commissioner to give a preference to applications for the program that:

1. make significant investments in environmentally sustainable practices (e.g., zero-carbon energy and energy efficiency);
2. are in economic sectors such as renewable energy, energy efficiency, and zero-emission vehicles; or
3. are for farming operations that are sustainable from a climate perspective.

EFFECTIVE DATE: July 1, 2025

§ 5 — BENEFIT CORPORATION REGISTRATION AND RENEWAL VOUCHERS

Provides vouchers for qualifying benefit corporations for registration and renewal fees

The bill requires the secretary of the state to give benefit corporations (b-corps) vouchers for their registration and renewal fees. (It is unclear which fees qualify for a voucher.) To receive a voucher, the b-corp must (1) give the secretary evidence that it meets state law's requirements for a b-corp or (2) be certified by an entity the secretary of state recognizes for the certification process.

By law, b-corps are business corporations (1) that elect to become subject to the Connecticut Benefit Corporation Act and (2) whose status as a benefit corporation has not been terminated under the act (e.g., by amending its certificate of incorporation to delete any provision stating that the corporation is a b-corp). Among other things, b-corps must have a purpose of creating a "general public benefit," which generally means having a material positive impact on both society and the environment.

§§ 6 & 7 — CONNECTICUT CLEAN ECONOMY COUNCIL

Establishes a Connecticut Clean Economy Council to advise on strategies and policies to further climate mitigation, clean energy, resilience, and sustainability efforts; requires the council to (1) develop a plan to transition workers away from fossil-fuel-based jobs to those in clean energy and (2) submit an annual report of its work to the governor, OPM, and four legislative committees

The bill establishes a statutory Connecticut Clean Economy Council to advise on strategies and policies to strengthen the state's climate mitigation, clean energy, resilience, and sustainability programs, particularly for vulnerable communities (i.e. populations that may be disproportionately affected by climate change). (Executive Order (EO) 21-3 created an advisory council of the same name to give input on strategies and policies to strengthen climate mitigation, clean energy, resilience, and sustainability programs.)

Duties and Reporting Requirements

Under the bill, the council has the following duties:

1. identify opportunities to leverage state and federal funding to scale economic development and workforce opportunities associated with climate mitigation, clean energy, and resilience and sustainability investments (this must be led by the co-chairperson from DECD);

2. serve as a central coordinating body for (a) climate mitigation, (b) clean energy, (c) resilience and sustainability workforce efforts, and (d) statewide opportunities for a technically advanced, enduring labor force (this must be led by the co-chairperson from the Office of Workforce Strategy);

3. develop economic development and workforce strategies that support investment and growth of climate mitigation, clean energy, resilience, and sustainability job growth; and

4. advise the governor on any statewide economic or workforce action plan in clean energy, climate, and sustainability.

The bill requires the council to develop a plan to transition workers from fossil-fuel-based jobs to clean economy jobs, which must be submitted to the Commerce, Energy and Technology, and Environment committees by July 1, 2026. (It correspondingly eliminates similar requirements for the advisory council created under EO 21-3 to develop and annually update a plan for worker transition to clean energy jobs and annually report on it to the Higher Education and Employment Advancement Committee.)

Starting by February 15, 2026, the council must biennially submit a report to the governor, OPM, and the Commerce, Environment, Energy and Technology, and Higher Education and Employment Advancement committees on its work, findings, and recommendations.

Membership and Meetings

Under the bill, the council consists of the following members:

1. the commissioners of the departments of Economic and Community Development, Energy and Environmental Protection, Transportation, Labor, and Consumer Protection, or their designees;

2. the Chief Workforce Officer or her designee, and one member she appoints to represent a regional workforce development board;

3. the OPM secretary or his designee;

4. the Connecticut Green Bank and Connecticut Innovations, Inc. chief executive officers, or their designees;

5. a representative of the governor's office;

6. any other members the co-chairpersons designate, who serve at the co-chairpersons' pleasure;

7. one member appointed by each of the six legislative leaders.

Members appointed by the legislative leaders must have at least one of the following qualifications or backgrounds:

1. being a Connecticut Technical Education Career System member,

2. being a representative of a nonprofit organization that focuses on helping people overcome barriers to workforce participation,

3. having expertise in hiring and training employees in green technology-related trades,

4. being a representative of a higher education institution who has expertise in technical education, or

5. being a Connecticut State Building Trades Council member.

Under the bill, the council co-chairpersons are the DECD and DEEP commissioners and the Chief Workforce Officer, or their designees. The bill requires the council to meet at least quarterly, with the co-chairpersons setting the dates, times, and locations for the meetings. A majority of the council members constitutes a quorum.

§ 8 — SCHOOL BUILDING CONSTRUCTION GRANTS

Adds air source and ground source heat pump projects to the list of school construction project grant applications that the DAS commissioner can approve at any time

The bill adds air source and ground source heat pump purchase and installation to the list of school construction project grant applications that the Department of Administrative Services (DAS) commissioner can approve at any time without putting them on an annual school construction priority list for the legislature's approval. The commissioner may already approve applications for grants to do things like remedy code violations and fire damage; replace roofs; fix a certified school indoor air quality emergency; or purchase or install solar panels, wind generation systems, and windows.

EFFECTIVE DATE: July 1, 2025

§ 9 — RESIDENTIAL HEAT PUMP SYSTEMS PLAN & REBATE PROGRAM

Requires the DEEP commissioner to (1) develop a plan for installing affordable heat pumps and (2) report on the plan to the Environment and Energy and Technology committees by January 1, 2027

The bill requires the DEEP commissioner to develop a plan for installing efficient heat pumps for affordable heating and cooling systems in the state. The plan must (1) provide for making affordable heat pump options available and (2) describe how the state could best use any available or future grant or loan funding.

The plan must focus on heat pump applications with the greatest potential benefits, including lowering consumers' energy costs, reducing electric grid impacts, and improving building resilience. At a minimum, these affordable heat pump options must include the following:

1. heat pump installations in residences in environmental justice communities and long-term care facilities where at least 80% of the residents are Medicaid recipients in good financial standing with the state;

2. access to energy efficient, affordable air conditioning for residents experiencing high energy bills and health risks during heat waves;

3. increased resilience during extreme heat events for homes and businesses;

4. improved flood resilience for homes and businesses by enabling home heating systems to be located above ground;

5. low- or no-interest loans to replace heating, ventilation, and air conditioning equipment in residences impacted by extreme weather events;

6. cost savings and potential benefits for transitioning from electric resistance heating;

7. analysis of accelerating the adoption of heat pump water heaters, including public education and the possible need for contractor incentives; and

8. potential for a demand response program.

By January 1, 2027, the DEEP commissioner must report to the Environment and Energy and Technology committees on the plan's status and any recommendations for expanding or revising the plan.

EFFECTIVE DATE: October 1, 2025

§ 10 — ENVIRONMENTALLY SUSTAINABLE PURCHASING BY MUNICIPALITIES

Requires DAS to (1) create a model policy or guidelines for environmentally sustainable purchasing that municipalities can use and (2) post it on the agency's website by January 1, 2026

The bill requires DAS, in consultation with the OPM secretary, to develop a model policy or guidelines for environmentally sustainable purchasing that municipalities may use and implement. The policy or guidelines must include a list of any state contracts for sustainable purchasing that allow for municipal participation. The DAS commissioner must post the policy or guidelines on the agency's website by January 1, 2026.

§ 11 — STATE BUILDING ENERGY EFFICIENCY AND HEATING AND COOLING SYSTEMS

Requires DAS to develop a (1) process for considering certain energy-related aspects when deciding to repair or build state real assets under its authority and (2) plan and budget to retrofit existing fossil fuel-based heating and cooling systems to those that operate without carbon-emitting fuels

The bill requires DAS, by January 1, 2026, to establish a process for its commissioner to consider certain energy-related aspects when deciding to remodel, alter, repair, construct, or enlarge any state real asset under its existing property authority. Specifically, it must consider the asset's capability to increase energy efficiency, reduce energy use, use Class I renewable energy, use zero-carbon heating and cooling and water heating alternatives, support electric vehicle charging, and act as a resilience hub. DAS must do this in consultation with OPM, DEEP, the Department of Transportation, and any other state agency its commissioner deems necessary.

The bill also requires DAS, by July 1, 2027, and in consultation with OPM and DEEP, to develop a plan and budget to retrofit existing fossil fuel-based heating and cooling systems at state buildings to systems able to operate without carbon-emitting fuels. The plan and budget must be submitted to the Environment and Energy and Technology committees.

§ 12 — NATURE-BASED SOLUTIONS INITIATIVE

Requires DEEP to (1) evaluate how to integrate and advance nature-based solutions in specified programs to support climate change mitigation and adaptation, ecosystem resilience, and biodiversity; (2) consider specified best practices as part of this evaluation; and (3) post the evaluation on its website, hold a listening session for public comment, and give it to specified state agencies for their review and input

The bill requires the DEEP commissioner to evaluate how to integrate and advance nature-based solutions in specified programs to support

(1) climate change mitigation and adaptation, (2) ecosystem resilience, and (3) biodiversity. It requires that DEEP's efforts to advance nature-based solutions be known as the nature-based solutions initiative.

Under the bill, the evaluation must examine the potential for using nature-based solutions in the following programs:

1. the microgrid and resilience grant and loan pilot program;
2. the open space and watershed land acquisition program; and
3. other applicable state and federal programs administered by DEEP that advance nature-based solutions, including (a) federal Clean Water Act programs, (b) the Long Island Sound Study program, and (c) the Urban Forestry program.

Evaluation Development

The bill requires the commissioner, as part of the evaluation, to consider best practices to encourage the use of the state's ecosystems to naturally sequester and store carbon, reduce GHG emissions, increase biodiversity, and protect against climate change impacts. These best practices include the following:

1. increasing carbon sequestration through increased forest acreage (e.g., by reforestation);
2. controlling invasive species;
3. encouraging soil health across all landscapes;
4. protecting carbon stocks by avoiding conversion of forests and wetlands to other purposes;
5. restoring habitats to improve biodiversity;
6. increasing climate-smart agriculture and soil conservation to reduce GHG emissions while improving habitat and protecting biodiversity;
7. increasing community resilience by improving water quality and

addressing flooding and drought through nature-based stormwater management and shoreline protection that uses nature-based approaches (e.g., living shorelines);

8. improving air quality and reducing urban heat island effects through urban forestry and increasing green spaces; and

9. increasing access to open spaces for public health benefits.

Under the bill, the commissioner must (1) post the nature-based solutions initiative program evaluation on DEEP's website by July 1, 2026, for review and written comment and (2) hold a listening session after the report is posted to obtain public comment. She must also give it to the following agencies for review and input: the Agriculture, Housing, Insurance, Public Health, and Transportation departments; the Connecticut Green Bank; and OPM.

§ 13 — SOLAR CANOPY STRATEGIC PLAN

Requires PURA to report to the Energy and Technology Committee on a solar canopy strategy and program design

The bill requires the PURA chairperson, by January 15, 2027, to submit a report to the Energy and Technology Committee on the results of a study to develop a solar canopy strategic plan and program design. The plan must:

1. identify opportunities for solar canopies in the state and examine different methods to promote them;

2. prioritize their development in environmental justice communities; and

3. recommend policies, programs, or regulations that would promote their construction according to GHG reduction goals.

§ 14 — ENERGY COSTS REPORT

Requires DEEP, in consultation with the Office of Consumer Counsel, to report to the Environment and Energy and Technology committees on lowering energy costs, increasing community extreme weather resilience, and contributing to GHG emission reductions

The bill requires DEEP, by February 1, 2026, and in consultation with the Office of Consumer Counsel, or the office's designee, to submit a report to the Environment and Energy and Technology committees on recommended regulations, policies, and strategies to (1) significantly lower energy costs for families and businesses, (2) increase community resilience to extreme weather events (e.g., flooding and extreme heat), and (3) contribute to GHG emission reductions.

The report may use modeling scenarios for GHG emissions, and the commissioner may engage a consultant to help prepare all or part of it.

§ 15 — HOUSING ENVIRONMENTAL IMPROVEMENT REVOLVING LOAN AND GRANT FUND REVISIONS

Makes various changes to the existing Housing Environmental Improvement Revolving Loan and Grant Fund and related program to, among other things, allow (1) the program to finance qualifying projects located anywhere, rather than just in targeted areas, and (2) DEEP to enter into contracts with electrical distribution and gas companies to administer the fund

Current law requires DEEP, in collaboration with the Department of Housing, to start one or more pilot programs that provide financing to qualifying retrofit projects in multifamily homes located in environmental justice communities or alliance districts (e.g., energy efficiency projects or projects to address health concerns). The financing is funded through the Housing Environmental Improvement Revolving Loan and Grant Fund, with $125 million in general obligation bonds authorized to capitalize the fund.

The bill makes the following changes to the program:

1. eliminates the requirement that the retrofit projects be located in environmental justice communities or alliance districts to qualify for the financing;

2. allows the program to provide financing to single-family homes in addition to multifamily homes;

3. expands the list of qualifying retrofit projects to include (a) adding resilience measures (e.g., flood protection) and (b) replacing heating, ventilation, and air conditioning systems of homes impacted by extreme weather events;

4. allows DEEP to enter contracts with electrical distribution or gas companies, in addition to quasi-public agencies and nonprofits as existing law allows, to administer the fund; and

5. limits the projects DEEP may approve for financing under the program to those benefiting current or prospective low-income residents, rather than requiring DEEP to prioritize projects benefiting these residents.

§ 16 — OPEN SPACE AND WATERSHED LAND ACQUISITION GRANT PROGRAM GRANTS FOR URBAN AGRICULTURE USE

Broadens the purposes for which certain OSWA grants may be used to include repurposing open space land for urban agricultural use

The Open Space and Watershed Land Acquisition Program (OSWA), which DEEP administers, generally gives state grants to municipalities, land trusts, and water companies to buy land to be preserved as open space in perpetuity.

Existing law allows DEEP, under OSWA, to award grants to certain municipalities and land trusts to restore or protect open space land they already own. The bill additionally allows DEEP to award these grants for repurposing the open space land for urban agricultural use. It also expands the types of restoration or protection for which DEEP may award the grants to include urban agricultural use. As under existing law, restoration or protection may also include restoring wetland, wildlife, or plant habitats or replacing vegetation.

By law, unchanged by the bill, DEEP may award these grants to distressed municipalities, targeted investment communities, municipalities seeking to restore or protect open space in an environmental justice community, and land trusts seeking to restore or protect open space in these municipalities.

§ 17 — RENTER UTILIZATION STUDY

Requires DEEP to study renters' use of certain state energy efficiency and clean energy programs and report its findings and recommendations to the Environment and Energy and Technology committees by July 1, 2026

The bill requires DEEP to study renters' use of the state energy efficiency and clean energy programs for which it can obtain data, including any barriers renters experience accessing the programs and any recommendations for addressing them. DEEP must report on its recommendations to the Environment and Energy and Technology committees by July 1, 2026.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute				
Yea	23	Nay	10	(03/14/2025)

OLR Bill Analysis

sSB 9 (File 418, as amended by Senate "A")*

AN ACT CONCERNING THE ENVIRONMENT, CLIMATE AND SUSTAINABLE MUNICIPAL AND STATE PLANNING, AND THE USE OF NEONICOTINOIDS AND SECOND-GENERATION ANTICOAGULANT RODENTICIDES.

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[§ 15 — CIVIL PREPAREDNESS PLAN]
Beginning October 1, 2028, requires the state's civil preparedness plan and program to consider observed and projected climate trends related to certain situations

[§ 16 — ZONING REGULATIONS]
Requires that municipal zoning regulations provide for proper ways to mitigate and avoid the negative effects of sea level change; allows the regulations to (1) require or promote resilience and (2) give incentives for using flood-risk reduction building methods

[§§ 16-18 & 33 — TRANSFER OF DEVELOPMENT RIGHTS]
Allows municipal zoning regulations to provide for (1) a regional TDR system and (2) sending and receiving sites in conjunction with a multi-town or regional TDR system; allows COGs to administer joint or multi-town TDR systems; allows two or more municipalities to set up a TDR bank; sets criteria for eligible sending and receiving sites

[§ 19 — STATE WATER PLAN UPDATE]
Requires the state water plan's next update to (1) consider (a) the potential impact of climate change on water resource quality and (b) temperatures and precipitation information when identifying water quantities and qualities for various uses and (2) include recommendations and an implementation plan for reducing effects on water from climate change and extreme weather

[§ 20 — WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REGULATION AND PERMIT REVIEW]
On a 10-year basis beginning by the end of 2028, requires DEEP, DPH, and PURA to review and revise their water supply regulations and DEEP and DPH to review and revise their sewage disposal system permitting processes and related regulations, all to include certain projections

[§§ 21-30 — RESILIENCY IMPROVEMENT DISTRICTS]
Creates a framework authorizing municipalities to establish resiliency improvement districts to finance capital projects addressing climate change mitigation, adaptation, or resilience; allows municipalities to finance projects in these districts by designating incremental property tax revenue and specified savings generated in the district, imposing benefit assessments on real property in the district, and issuing bonds backed by these revenue streams and other sources; allows municipalities to fix property tax assessments in the district for up to 30 years

[§ 31 — SECOND-GENERATION ANTICOAGULANT RODENTICIDES]
Requires DEEP, by January 1, 2026, to classify second-generation anticoagulant rodenticides as restricted use pesticides

[§ 32 — NEONICOTINOIDS]
Generally prohibits, beginning October 1, 2027, using pesticides with neonicotinoids; exempts certain uses (e.g., for agriculture or in certain personal or pet care products)

SUMMARY

This bill makes changes in laws related to planning for and preparing against certain hazards and climate change (e.g., sea level rise, rising groundwater, extreme heat, wildfire, drought, or flooding). Among other things, the bill:

1. requires certain entities to give consumers flood disclosure notices and adds flood risk information to the residential property condition report;
2. requires updates to local, regional, and state plans of conservation and development, the state's civil preparedness plan, and local evacuation or hazard mitigation plans;
3. allows municipal zoning regulations to provide for regional transfer of development rights systems;
4. requires updates to the state water plan and reviews of water supply and sewage disposal system regulations to account for certain projections; and
5. creates a framework for municipalities to establish resiliency improvement districts.

Additionally, the bill (1) requires the Department of Energy and Environmental Protection (DEEP) to classify second-generation anticoagulant rodenticides as restricted use pesticides and (2) prohibits using pesticides with neonicotinoids, except for certain uses (e.g., agriculture or in personal or pet care products).

*Senate Amendment "A" replaces the underlying bill with many of the same or similar provisions, but it (1) removes provisions requiring rental agreements to include a flood disclosure and prohibiting state funds from being used on residential construction in a floodway; (2) expands the exemptions for pesticide use with neonicotinoids; and (3) delays implementation dates for various requirements and makes other minor and technical changes.

A section-by-section analysis follows below.

EFFECTIVE DATE: July 1, 2025, except as specified below.

§§ 1-4 — FLOOD DISCLOSURES

Requires insurers who issue homeowners or renters insurance policies to provide insureds notice about flood insurance availability; requires financial institutions to notify mortgage applicants of flood damage risk and who to contact for flood insurance information; revises *the residential property condition report to include questions and statements about flood risk and flood insurance*

Homeowners or Rental Insurance (§ 1)

The bill requires insurers that deliver, issue, or renew homeowners or rental insurance policies in Connecticut to provide the insured with a notice that (1) the policy does not cover losses caused by flood, (2) flood insurance is available under separate policies, and (3) includes information on flood insurance eligibility and access.

The notice must be (1) prescribed or approved by the insurance commissioner and (2) in clear, conspicuous, and plain language.

EFFECTIVE DATE: July 1, 2026

Mortgage Loans (§ 2)

The bill requires a creditor (e.g., state or federal bank, credit union, mortgage lender or correspondent lender, or other financial institution) to give a mortgage loan applicant a notice written in plain language with certain information about flood insurance by 10 days before the mortgage closing date.

Specifically, the notice must inform the applicant that (1) standard homeowners insurance policies do not cover flood related losses, (2) flood damage can happen regardless of if the property is in a designated flood zone, and (3) the applicant may want to consult an insurance producer or broker about flood insurance availability and benefits. The applicant must sign and date the notice, and the creditor must keep a copy of it with the applicant's mortgage records.

EFFECTIVE DATE: July 1, 2026

Residential Condition Report (§§ 3 & 4)

By law, a person selling residential property must give a prospective buyer a written condition report that is set out in law. The bill adds a section to the report on "flood risk awareness." Under this part of the report, the seller must answer questions on the following:

1. if the property is in a Federal Emergency Management Agency

(FEMA)-designated floodplain and, if so, which zone;

2. if the seller (or previous owners, if the seller knows) received assistance from FEMA, the U.S. Small Business Administration (SBA), or other state or federal disaster assistance for flood damage to the property;

3. if there is a current flood insurance policy in effect for the property;

4. if a FEMA elevation certificate is available;

5. if the seller ever filed a flood damage claim under a flood insurance policy; and

6. if a structure on the property has experienced water penetration or damage from seepage or a natural flood event.

The bill also requires the report to have a separate statement on flood insurance, flood maps, and flood risk generally. It provides the exact text of this statement.

§§ 5 & 6 — COASTAL SITE PLAN REVIEWS

Makes new single-family home construction subject to coastal site plan review under the Coastal Management Act; requires municipal zoning commissions and zoning boards of appeals to give DEEP a copy of each coastal site plan for any activity proposed within certain FEMA-designated areas or sites with tidal wetlands, beaches, or dunes

By law, coastal municipalities must perform coastal site plan reviews under the state's Coastal Management Act (CMA). The CMA requires coastal site plan reviews for certain activities in the coastal boundary and landward of the mean high water mark to determine conformity with municipal zoning regulations and certain state statutory requirements.

The bill applies coastal site review requirements to building new single-family homes. Current law allows municipalities to exempt the construction of these homes from coastal site plan review, except when the structure is (1) on an island not connected to the mainland by an existing road bridge or causeway or (2) within 100 feet of tidal wetlands, coastal bluffs and escarpments, beaches, and dunes.

The bill also requires municipalities to give DEEP a copy of each coastal site plan for any activity proposed within a FEMA-designated V, VE, A, or AE area (i.e. special flood hazard areas), or Limit of Moderate Wave Action (LiMWA) area (i.e. where wave heights are between 1.5 and 3 feet), or any site with tidal wetlands, beaches, or dunes. They must do this within 15 days after receiving the plan. DEEP may comment on a plan within 35 days after receiving it, and DEEP's comments must be considered before final action is taken on the plan. Current law requires this process only for the coastal site plans of shoreline flood and erosion control structures.

The law also currently requires the municipal zoning commissions to give DEEP a copy of a submitted coastal site plan and receive DEEP's comments for consideration. The bill extends these requirements to zoning boards of appeals.

EFFECTIVE DATE: October 1, 2025

§ 7 — LOCAL EVACUATION AND HAZARD MITIGATION PLANS

Beginning October 1, 2027, requires municipal evacuation or hazard mitigation plans to identify and address certain threats due to sea level change (e.g., to critical infrastructure) and ways to avoid or reduce climate change's effects; requires use of geospatial data in identifying those threats

Beginning October 1, 2027, the bill requires municipal evacuation plans and municipal hazard mitigation plans to identify and address (1) threats to surface transportation, critical infrastructure, and local land uses due to sea level change and (2) actions, strategies, and capital projects to avoid or reduce impacts and risks from climate change (e.g., increased precipitation, flooding, sea level rise, and extreme heat). The transportation, infrastructure, land uses, actions, strategies, and capital projects must be identified in geospatial data using the state's plane coordinate system, as applicable, which must be provided to the Department of Emergency Services and Public Protection (DESPP), the Department of Transportation (DOT), and the Office of Policy and Management (OPM) if they ask for it. This work may be done regionally.

§ 8 — MUNICIPAL CULVERT AND BRIDGE DATA

Beginning May 1, 2028, requires each municipality to annually submit a geospatial data file to its regional council of governments on its culverts and bridges; requires each regional council of governments to annually submit the files to OPM

Beginning by May 1, 2028, the bill requires each municipality to annually submit a geospatial data file on each culvert and bridge within its control and boundaries to the regional council of governments (COG) to which it belongs.

Under the bill, the report must include each culvert's and bridge's (1) geospatial data, using the state's plane coordinate system; (2) locational coordinates; and (3) age and dimensions. It must also have any other information determined necessary by, and be in the format set by, OPM in consultation with DOT and DEEP.

The bill then requires each COG, beginning by July 1, 2028, to annually (1) submit the geospatial data file to the OPM secretary and (2) report any municipality that did not submit its data file.

§ 9 — MUNICIPAL RESERVE FUNDS

Explicitly allows municipal reserve funds to cover expenditures intended to increase a capital improvement's resiliency against climate change impacts

Existing law restricts the use of municipal reserve funds to specified purposes, including financing capital and nonrecurring expenditures to plan, construct, reconstruct, or acquire a specific capital improvement. The bill explicitly allows the funds to cover these expenditures when they are intended to increase a capital improvement's resiliency against climate change impacts (e.g., increased precipitation, flooding, sea level rise, and extreme heat).

As under existing law, reserve funds may also be used to (1) acquire a specific piece of equipment; (2) pay property tax revaluation costs; and (3) pay the costs associated with preparing, amending, or adopting a municipal plan of conservation and development. By law, the municipality's budget-making authority must recommend, and its legislative body must approve, any expenditure from the reserve fund.

§ 10 — TOWN AID ROAD

Expands the eligible uses of Town Aid Road program funds by adding construction, reconstruction, improvements, and maintenance to increase resiliency against increased precipitation, flooding, sea level rise, and extreme heat

The bill expands the eligible uses of municipal Town Aid Road (TAR) program grants to include construction, reconstruction, improvements, and maintenance to increase resiliency against increased precipitation, flooding, sea level rise, and extreme heat.

By law, $12.5 million of money appropriated to DOT is allocated each fiscal year for distribution under the TAR program. Currently, municipalities can use their TAR grant for a variety of activities, such as highway and bridge construction or maintenance, snow plowing and sanding, tree trimming or removal, installing traffic signs and signals, traffic control, vehicle safety programs, parking planning, and providing essential public transportation services and facilities.

§§ 11-14 — PLANS OF CONSERVATION AND DEVELOPMENT

Generally expands the information that must be included in local, regional, and the state's plans of conservation and development to include strategies for responding to, and information related to, climate change effects (e.g., increased precipitation or extreme heat)

Plans of conservation and development are statements of development, resource management, and investment policies created by certain government entities. Municipalities and COGs must update their plans at least once every 10 years, and OPM must submit an updated plan to the legislature for its approval once every five years (CGS §§ 8-23, 8-35a & 16a-24 et seq.).

The bill requires each type of plan (i.e. local, regional, and state) to include strategies for responding to, and information related to, climate change effects, as described below.

EFFECTIVE DATE: July 1, 2025, except January 1, 2026, for the local plan submission provisions (§ 12).

Local Plans (§§ 11 & 12)

Required Considerations. State law sets out what local planning commissions (or a special committee a commission appoints) must consider when preparing local plans of conservation and development, including things like the municipality's needs; protecting and preserving agriculture; using development patterns that are consistent with the municipality's soil, terrain, and infrastructure capacity; the state and regional plans of conservation and development; and the most recent sea level change scenario.

For plans adopted on or after October 1, 2027, the bill broadens the commissions' considerations to include the most recent hazard and climate projections from federal and state authorities, such as the National Oceanic and Atmospheric Administration (NOAA), FEMA, the U.S. Environmental Protection Agency (EPA), and UConn.

Plan Purposes. State law sets the requirements for local plans of conservation and development. The bill adds to the mandated content by requiring plans adopted beginning October 1, 2027, to:

1. include a climate change vulnerability assessment (see below);

2. take into account identified threats, vulnerabilities, and impacts from the vulnerability assessment for the recommended most desirable land uses;

3. note inconsistencies with reducing vehicle mileage as a growth management principle;

4. identify infrastructure (e.g., facilities, public utilities, and roadways) critical for evacuation and sustaining quality of life during a natural disaster that must always be operational;

5. identify strategies and design standards that may be used to avoid or reduce risks from natural disasters, hazards, and climate change; and

6. include geospatial data that is (a) used to prepare the plan or (b) needed to convey the plan's information.

The bill allows local plans of conservation and development to identify areas vulnerable to climate change effects to prioritize funding for infrastructure needs and resilience planning.

Under the bill, the climate change vulnerability assessment must (1) be based on information considered when preparing the plan and (2) assess existing and anticipated threats and vulnerabilities from natural disasters, hazards, and climate change (e.g., increased temperatures, drought, flooding, wildfire, storms, sea level rise, and saltwater intrusion). It must also assess the impacts of the disasters and hazards to individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, public health, safety, and welfare.

Additionally, the assessment must:

1. identify goals, policies, and techniques to avoid or reduce the above threats, vulnerabilities, and impacts;
2. describe any consistencies and inconsistencies between the assessment and any existing or proposed municipal natural hazard mitigation plan, floodplain management plan, comprehensive emergency operations plan, emergency response plan, post-disaster recovery plan, long-range transportation plan, or capital improvement plan; and
3. identify and recommend any needed (a) integration of data from the assessment into these plans and (b) actions to make the assessment and plans consistent.

Lastly, the bill allows a planning commission or its special committee to use information and data from the plans that are compared for consistency as part of the vulnerability assessment (e.g., hazard mitigation or emergency response plans) when preparing the plan of conservation and development. This explicitly includes using a document the applicable COG coordinated. However, this data cannot be incorporated by reference; it must be summarized and applied in the plan to the municipality's specific policies, goals, and standards.

Optional Commission Recommendations. The bill similarly expands the topics for which commissions and special committees may make recommendations in their plans. Existing law permits recommendations for things such as airports; parks; locations for public buildings, public utilities, and public housing projects; programs to implement the plan; and priority funding areas.

The bill also permits recommendations for a (1) land use program to promote reducing and avoiding risks from natural disasters, hazards, and climate change; (2) transfer of development rights program, which sets criteria for sending and receiving sites and related technical details; and (3) identifying a resiliency improvement district, which the bill authorizes municipalities to establish.

Plan Submission. Under existing law, the planning commission must submit a copy of the plan to OPM, along with a description of any inconsistencies between the plan and the state plan of conservation and development, within 60 days after adopting it. The bill requires that (1) the submission also include the geospatial data used to prepare the plan, as prescribed by the OPM secretary, and (2) the described inconsistencies include a comparison with the applicable regional plan of conservation and development.

Regional Plans (§ 13)

By law, regional conservation and development plans must, among other things, identify areas where it is feasible and prudent to promote compact, transit-accessible, pedestrian-oriented mixed-use development patterns. They also note inconsistencies of those patterns with certain specified growth management principles, such as protecting environmental assets that are critical to public health and safety. The bill adds protecting ecosystem services to these principles.

Current law allows for regional plans of development to encourage energy-efficient development patterns, use of solar and other forms of renewable energy, and energy conservation. Under the bill, the plans may also include land use strategies to reduce climate change effects, and the development patterns must be resilient in addition to energy efficient.

The bill also requires these plans, beginning October 1, 2025, to (1) show consistency with the regional long-range transportation plan and the regional summary of the hazard mitigation plan (where there is a regional hazard mitigation plan) and (2) identify critical facilities in the region along with geospatial data showing the facilities' location, address, and general function. This data must be available to DESPP, DOT, and OPM if they ask for it.

State Plan (§ 14)

The state plan of conservation and development (POCD) is a five-year plan to guide state agency action affecting land and water resources. OPM, through its secretary, prepares revisions to the plan and the law specifies numerous considerations and components the POCD must address and include (CGS § 16a-24 et seq.).

The bill broadens the required considerations and recommendations related to flooding and erosion beginning with POCDs adopted after the adoption of the 2025-2030 POCD. Specifically, as shown in the table below, these later plans must also (1) consider risks from changes in the rate and timing of precipitation and increased average temperatures from extreme heat; (2) identify impacts from the extreme heat and drought; and (3) make land use strategy recommendations that minimize risks to public health, infrastructure, and the environment.

Table: Required POCD Contents Under Current Law and the Bill

Current Law	***Future POCDs Under the Bill***
Consider risks due to increased coastal flooding and erosion (depending on site topography), based on the most recent sea level change scenario for Connecticut published by UConn's Marine Sciences Division	Consider risks due to: • increased flooding and erosion (depending on site topography), based on the most recent sea level change scenario for Connecticut published by UConn's Marine Sciences Division and other sources OPM deems appropriate, and

Current Law	*Future POCDs Under the Bill*
	• changes in the rate and timing of annual precipitation and increased average temperatures from extreme heat
Identify impacts from the increased flooding and erosion on infrastructure and natural resources	Identify impacts from extreme heat, drought, and increased flooding and erosion on infrastructure and natural resources
Make recommendations for siting future infrastructure and property development to minimize using areas prone to the flooding and erosion	Make recommendations for: • siting future infrastructure and property development to minimize using areas prone to the flooding and erosion and • land use strategies that minimize risks to public health, infrastructure, and the environment
Consider the state's greenhouse gas (GHG) reduction goals*	Consider the state's GHG reduction goals*

*The Global Warming Solutions Act requires the state to reduce GHG emissions to certain levels, like 45% below 2001 emission levels by January 1, 2023, and 80% below 2001 emission levels by January 1, 2050. It also requires the state to reduce GHG emissions from electricity supplied to electric customers in the state to zero percent by January 1, 2040 (CGS § 22a-200a).

§ 15 — CIVIL PREPAREDNESS PLAN

Beginning October 1, 2028, requires the state's civil preparedness plan and program to consider observed and projected climate trends related to certain situations

By law, the DESPP commissioner must prepare a comprehensive state plan and program for civil preparedness (activities and measures to address certain disasters or emergencies), subject to the governor's approval. Beginning October 1, 2028, the bill requires the plan and program to consider observed and projected climate trends related to extreme weather events, drought, coastal and inland flooding, storm surge, wildfire, extreme heat, and any other hazards the commissioner deems relevant.

§ 16 — ZONING REGULATIONS

Requires that municipal zoning regulations provide for proper ways to mitigate and avoid the negative effects of sea level change; allows the regulations to (1) require or promote resilience and (2) give incentives for using flood-risk reduction building methods

The bill requires that zoning regulations adopted under the Zoning

Enabling Act (as opposed to a special act) include proper ways to mitigate and avoid the potential negative effects of sea level change on public health, public welfare, and the environment. In doing so, the regulations must consider the most recent sea level change scenario for Connecticut published by UConn's Marine Sciences Division.

The bill allows zoning regulations to require or promote resilience (i.e. the ability to prepare for and adapt to changing conditions and withstand and recover rapidly from deliberate attacks, accidents, or naturally occurring threats or incidents, such as those associated with climate change), including risks from extreme heat, drought, or prolonged or intense precipitation. It also allows them to give incentives for developers who use flood-risk reduction building methods.

EFFECTIVE DATE: October 1, 2027

§§ 16-18 & 33 — TRANSFER OF DEVELOPMENT RIGHTS

Allows municipal zoning regulations to provide for (1) a regional TDR system and (2) sending and receiving sites in conjunction with a multi-town or regional TDR system; allows COGs to administer joint or multi-town TDR systems; allows two or more municipalities to set up a TDR bank; sets criteria for eligible sending and receiving sites

Municipal or Regional TDR Systems (§§ 16, 18 & 33)

A transfer of development rights (TDR) system involves separating the right to develop land from the land itself, a process that makes the development right a marketable credit. These systems usually involve designating (1) preservation areas (i.e. sending sites) where building is restricted and (2) development areas (i.e. receiving sites) where developers can exceed permitted densities if they buy development rights from owners in the preservation areas. Existing law allows (1) a single municipality to establish a TDR system through its zoning regulations and (2) two or more municipalities to enter into an agreement for a joint or multi-town TDR system.

The bill allows municipalities to provide for (1) a regional TDR system through their zoning regulations, just as existing law allows for municipal TDR systems, and (2) sending and receiving sites in conjunction with a multi-town or regional TDR system. The bill also allows COGs or other agencies to administer these joint or multi-town

TDR systems.

As under current law for municipal TDR systems, the bill allows regional TDR systems to vary density limits in connection with a transfer. It also eliminates the current requirement that a TDR system adopted through zoning regulations require both parties (transferors and transferees) to apply jointly for the transfer.

TDR Banks (§ 18)

The bill allows two or more municipalities that have entered into a TDR agreement to enter into an interlocal agreement to set up a TDR bank. (It does not specify a TDR bank's purposes or duties.) These interlocal agreements must:

1. identify potential sending and receiving sites and include the local development rights legislation that was or will be adopted by the municipality or municipalities where the site is located,
2. describe procedures for terminating the TDR bank, and
3. describe the conversion ratio to be used in the receiving site.

Under the bill, the conversion ratio may express the extent of additional development rights in any combination of units, floor area, height, or other applicable development standards that the municipality may modify to create incentives for purchasing development rights.

Eligible Receiving Sites. Under the bill, each of these receiving sites must be:

1. eligible to connect with a public water system;
2. within one-half mile from public transportation facilities (e.g., rail and bus stations) and above the 100-year flood elevation;
3. outside the boundaries of core forest (i.e. unfragmented forest land that is at least 300 feet from the boundary between forest land and non-forest land, as determined by the DEEP commissioner); and

4. outside the boundaries of any area impacted by the state's most recent sea level change scenario.

Eligible Sending Sites. The bill specifies that eligible sending sites may include:

1. core forest or agricultural land;

2. farm land classified under the "PA 490 program" (which allows eligible land to be assessed for property tax purposes based on its current use, rather than its fair market value);

3. areas identified as containing habitat for endangered or threatened species (as identified under state or federal law or a written determination of the U.S. Fish and Wildlife Service or state and federally recognized tribe); and

4. areas within the boundaries of a floodplain or area impacted by the state's most recent sea level change scenario.

Definitions (§ 17)

Under the bill, a "receiving site" is one or more designated sites or land areas to which development rights from one or more sending sites may be transferred and where increased development is allowed to occur because of the transfer. A "sending site" is one or more designated sites or land areas in which development rights are designated for use in one or more receiving sites.

EFFECTIVE DATE: July 1, 2025, except the provision (1) defining receiving and sending sites (§ 17) is effective upon passage and (2) on zoning regulations (§ 16) is effective October 1, 2027.

§ 19 — STATE WATER PLAN UPDATE

Requires the state water plan's next update to (1) consider (a) the potential impact of climate change on water resource quality and (b) temperatures and precipitation information when identifying water quantities and qualities for various uses and (2) include recommendations and an implementation plan for reducing effects on water from climate change and extreme weather

The bill requires the next update to the state water plan to consider (1) the potential impact of climate change on water resource quality and

(2) past conditions and predictions of future temperatures and precipitation when identifying available quantities and qualities of surface water and groundwater that are for public water supply, health, economic, recreation, and environmental benefits on a regional basin scale. It must also have recommendations and an implementation plan to reduce effects on water quality and quantity from climate change and extreme weather events.

By law, the Water Planning Council (WPC) is responsible for preparing and periodically updating the state water plan, which is used to manage the state's water resources. The WPC is comprised of the DEEP and Department of Public Health (DPH) commissioners, the Public Utilities Regulatory Authority (PURA) chairperson, and the OPM secretary, or their designees. Adoption of the plan, and revisions to it, involves (1) an opportunity for the public to review the plan, attend a public hearing on it, and submit written comments; (2) legislative review, which may include a public hearing; and (3) approval by the governor if the legislature does not timely approve it (i.e. within 24 months after its original submission) (CGS §§ 25-33o and 22a-352).

§ 20 — WATER SUPPLY AND SEWAGE DISPOSAL SYSTEM REGULATION AND PERMIT REVIEW

On a 10-year basis beginning by the end of 2028, requires DEEP, DPH, and PURA to review and revise their water supply regulations and DEEP and DPH to review and revise their sewage disposal system permitting processes and related regulations, all to include certain projections

The bill requires DEEP, DPH, and PURA to each (1) review their respective regulations on water supply and (2) revise them to include the most concurrent projections on precipitation, temperature, and other conditions that could impact water quality, quantity, and distribution.

The bill also requires DEEP and DPH to each review and revise their sewage disposal system permitting processes and related regulations to include the most concurrent projections on precipitation, flooding, sea level rise, and other conditions that could impact public safety and environmental quality.

These efforts must be done every 10 years, beginning by December 31, 2028.

§§ 21-30 — RESILIENCY IMPROVEMENT DISTRICTS

Creates a framework authorizing municipalities to establish resiliency improvement districts to finance capital projects addressing climate change mitigation, adaptation, or resilience; allows municipalities to finance projects in these districts by designating incremental property tax revenue and specified savings generated in the district, imposing benefit assessments on real property in the district, and issuing bonds backed by these revenue streams and other sources; allows municipalities to fix property tax assessments in the district for up to 30 years

Overview

The bill allows municipalities, through their legislative bodies, to establish a resiliency improvement district to finance capital projects meant to address climate change mitigation, adaptation, or resilience. It allows a municipality to finance projects in the district by (1) designating all or part of the new or incremental real property tax revenue and specified savings generated in the district for repaying the costs incurred to fund the projects; (2) imposing assessments on real property in the district benefiting from certain public improvements (i.e. benefit assessments); and (3) issuing bonds with up to 30-year terms backed by various sources, including these revenue streams, to pay project costs.

The bill imposes certain criteria for designating a resiliency improvement district that generally parallel those in existing law for designating a tax increment financing district. It specifies a process for establishing a resiliency improvement district that, among other things, requires a municipality to (1) consider the proposed district’s contribution to the municipality and its residents, (2) determine whether it conforms with its plan of conservation and development, and (3) hold at least one public hearing on the proposal.

It requires a municipality’s legislative body to adopt a master plan for the resiliency improvement district and prescribes the plan’s components, including a financial plan that defines the costs and revenue sources required to accomplish the master plan. It also allows municipalities to fix property tax assessments in the district for up to 30 years.

To carry out a district master plan, the bill allows municipalities to issue bonds with up to 30-year terms backed by various sources, including (1) their full faith and credit (i.e. general obligation (GO) bonds); (2) the income, proceeds, revenues, and property within the district; and (3) tax increment revenues, increased savings, and benefit assessments.

Establishing the District (§ 22(a), (d) & (e))

The bill allows a municipality's legislative body to establish a resiliency improvement district within the municipality's boundaries subject to the bill's requirements. (Under the bill, a "municipality" is a town, city, borough, consolidated town and city, or consolidated town and borough.) The district is effective when the legislative body approves it and adopts a district master plan, as described below. If the municipality operates under a charter that prohibits these districts, the bill prohibits it from establishing one.

The bill also allows two or more contiguous municipalities to enter into an interlocal agreement to set up a district and adopt a district master plan for a district made up of contiguous properties partially located in each. They must adopt the agreement before they set up the district or plan according to the interlocal agreement law. The agreement must divide among the participating municipalities any power, right, duty, or obligation set out in the bill. As with other districts, joint districts are effective when the respective legislative bodies approve it and adopt a district master plan.

Advisory Board (§ 29)

The bill allows the legislative body of each applicable municipality to create a board to advise it and designated administrative entities on (1) planning, building, and implementing the district master plan and (2) maintaining and operating the district after the plan's completion. The advisory board's members must include people who own or occupy real property in or next to the district.

Conditions for Approval (§ 23)

The bill requires municipalities (through their legislative bodies, or board of selectmen if the legislative body is a town meeting) to take certain steps before establishing a district and approving a district master plan.

Planning Commission. The municipality must give the proposed district master plan to its planning commission, if it has one, and ask it to study the plan and issue a written advisory opinion, with a determination as to whether it is consistent with the municipality's plan of conservation and development.

Public Hearing. The municipality must hold at least one public hearing on the proposed district. It must publish notice of the hearing at least 10 days in advance in a conspicuous place on the municipality's website (or municipalities' websites, in the case of a joint district) and include (1) the hearing's date, time, and place; (2) a legal description of the proposed district's boundaries; and (3) the draft district master plan. The draft plan must also be (1) available for people to physically review it and (2) posted on each applicable municipality's website.

Approval Criteria. The municipality must determine whether the proposed district meets certain criteria. First, it must consider if it and its master plan will contribute to the municipality's well-being or improve its residents' health, welfare, or safety.

In addition, it must determine whether the proposed district meets the following conditions:

1. it must contain an area that experiences, or is likely to experience, adverse impacts from hazards or climate change (e.g., sea level rise, rising groundwater, extreme heat, wildfire, drought, or flooding);

2. it must have been identified in (a) a municipal hazard mitigation plan, (b) a local or regional plan of conservation and development, or (c) another related planning process;

3. the plan must show that it reduces risks from these identified adverse impacts in the district;

4. a portion of its real property must be suitable for commercial, industrial, mixed-use, or retail uses or transit-oriented development; and

5. it must not increase the vulnerability and risk to adjacent properties or other hazards in the district.

If there are existing residential uses in the district, the proposed district must also provide for replacing or renovating these residential buildings under certain conditions. Specifically, if the district is in a flood zone or within the sea level rise boundaries in the sea level change scenario for Connecticut published by UConn's Marine Sciences Division, it must:

1. include a height standard of at least two feet of freeboard above the base flood elevation, or as designated by the state building code or municipal building requirements, whichever imposes a greater height standard, and indicate whether construction of or renovation to commercial or industrial buildings must be flood-proofed or elevated; and

2. allow vehicles to access these buildings at a height of two feet above base flood elevation.

Lastly, the original assessed value of the proposed district (i.e. the value of all taxable real property in the district as of the prior October 1), plus the original assessed value of all of the existing tax increment districts within the relevant municipalities, cannot exceed 10% of the total value of taxable property in the municipalities as of the October 1 immediately before the district's establishment. This calculation does not include any districts consisting entirely of contiguous property owned by a single taxpayer (i.e. parcels divided by a road, power line, railroad line, or right-of-way).

Dissolving the District or Changing Its Boundaries (§ 22(c))

Under the bill, a municipality's legislative body may generally vote to dissolve a district or change its boundaries at any time. But it may not dissolve the district or decrease its boundaries if the district has any outstanding bonds, other than municipal GO bonds.

District Powers (§ 22(b) & (f))

Development. The bill authorizes a municipality, within a district and consistent with its district master plan, to:

1. acquire, construct, reconstruct, improve, preserve, alter, extend, operate, and maintain property or promote development to meet the plan's objectives (in doing so, it may acquire property, land, and easements through negotiation or by other legal means);

2. execute and deliver contracts, agreements, and other documents related to the district's operation and maintenance;

3. issue bonds and other obligations as the bill allows;

4. enter into fixed assessment agreements for real property in the district, subject to the restrictions described below;

5. accept grants, advances, loans, or other financial assistance from public or private sources and do anything necessary or desirable to secure the aid (the bill specifies that this funding includes funds from the Climate Change and Coastal Resiliency Reserve Fund, stormwater authorities, and flood prevention, climate resilience, and erosion control systems); and

6. according to terms it establishes, (a) provide services, facilities, or property; (b) lend, grant, or contribute funds; and (c) take any other action it is authorized to perform for other municipal purposes.

These powers are in addition to those the municipality has under the Constitution, the statutes, special acts, or the bill's other provisions.

Fixing Assessments in the District. The bill allows a municipality, through its board of selectmen, town council, or other governing body, to enter into written agreements with a taxpayer to fix the assessment of real property in the district for up to 30 years. The property's fixed assessment, plus the value of any future improvements, cannot be less than its assessment as of the last regular assessment date without the future improvements.

Fixed assessment agreements must be recorded on the municipality's land records. This recording (1) constitutes notice to the property's subsequent purchasers or encumbrancers, whether they acquire the property voluntarily or involuntarily, and (2) is binding.

A municipality may bring an action in the Superior Court for the judicial district in which it is located to force a taxpayer to comply with the agreement's terms.

Tax Abatements for Affordable Housing in the District. The bill specifies that it does not limit a municipality's authority under the law to offer, enter into, or change any tax abatement for real property in the district if that property has at least one affordable housing unit. (By law, a unit is affordable if it costs a household no more than 30% of its income, for households making up to the median income of the town where the unit is located.)

District Master Plan (§ 24)

Requirement. The bill requires a municipality's legislative body to adopt a (1) "district master plan" for the district and (2) statement of the percentage or amount of "increased assessed value" that will be designated as "captured assessed value" under the plan, as described below. It must adopt the plan (1) at the same time it adopts the district, subject to the bill's procedures, and (2) after receiving the planning commission's (or combined planning and zoning commission's) written advisory opinion or 90 days after it requested the opinion, whichever comes first.

Purpose. Under the bill, the "district master plan" is a statement of means and objectives prepared by the municipality, or municipalities acting under an interlocal agreement, relating to a district designed to do the following:

1. reduce the risk of, or exposure to, extreme events, hazards, and climate change effects;

2. support economic development;

3. provide housing opportunities in existing residential areas;

4. improve or broaden the tax base; and

5. build or improve the physical facilities and structures needed for "resilience projects," "environmental infrastructure," or "clean energy projects."

Under the bill, "resilience projects" are those (including capital projects) designed and implemented to address climate change mitigation, adaptation, or resilience. They include projects (1) mitigating the effects of river, bay, sea, or groundwater rise; extreme heat or the urban heat island effect; or drought and (2) meant to reduce flooding risk. (By law, "resilience" is the ability to prepare for and adapt to changing conditions and withstand and recover rapidly from deliberate attacks, accidents, or naturally occurring threats or incidents, such as those associated with climate change.)

"Environmental infrastructure" is structures, facilities, systems, services, and improvement projects related to water, waste and recycling, climate adaptation and resiliency, agriculture, land conservation, parks and recreation, and environmental markets such as carbon offsets and ecosystem services. "Clean energy projects" are renewal energy projects using Class I renewable sources (e.g., wind and solar).

Components. The district master plan must include:

1. a legal description of the district's boundaries;

2. the tax identification numbers for its lots or parcels;

3. the present condition and uses of its land and buildings and how building and improving physical facilities or structures will reduce or eliminate risk from existing or expected hazards;

4. the district's existing or expected hazards;

5. the public facilities, improvements, or programs anticipated to be financed in whole or part;

6. if the district has existing residential housing, a plan to rehabilitate, build, or replace the housing, subject to the state's plan of conservation and development and consolidated plan for housing and community development, that includes meaningful efforts to reduce displacement;

7. a plan for maintaining and operating the resiliency improvements after they are completed;

8. the district's maximum duration, which cannot exceed 50 fiscal years, beginning with the year in which the district is established; and

9. a financial plan, as described below.

Financial Plan Component. The bill requires the district master plan to include a financial plan that identifies the project costs and revenue sources required to accomplish the district master plan. The financial plan must contain:

1. cost estimates (a) for the anticipated public improvements and developments and (b) to support relocating or temporarily housing displaced residents;

2. the maximum amount of indebtedness to be incurred to implement the plan;

3. the anticipated revenue sources (e.g., increased savings, fees, assessments, grants, or other sources);

4. a description of the terms and conditions of any agreements, including any anticipated savings agreements, assessment agreements, contracts, or other obligations related to the master plan;

5. estimates of the district's increased assessed values and increased

savings; and

6. for each year, the (a) portion of the increased assessed values and savings that will be applied to the plan as captured assessed values and (b) resulting tax increments.

Amending and Reviewing the Master Plan. The bill (1) authorizes the legislative body of each applicable municipality to amend the master plan and (2) requires it to review the plan at least once every 10 years after its initial approval in order for the district and plan to remain in effect. (However, as long as any debt authorized and issued by the municipality under the bill's authority is outstanding, a district cannot be dissolved for failing to comply with this requirement.) The bill specifies that these provisions do not apply to plans that include development funded in whole or part by federal funds if federal law prohibits it.

Tax Increment Revenues (§ 25)

In addition to imposing benefit assessments to finance projects, the bill allows municipalities to finance projects using the incremental (1) real property tax revenue generated in the district ("tax increment") and (2) savings to district residents or businesses resulting from the reduction of any existing insurance premium or other premium, surcharge, or fee after the district's implementation ("increased savings"). It also allows the municipality to use this revenue stream to repay the bonds issued to finance the projects, as described below.

Captured Assessed Value. The bill generally allows each applicable municipality to designate all or part of the district's tax increment and increased savings to finance all or part of the district's master plan. In the case of any existing or planned residential use in the district, it allows the municipality to use the percentage of this revenue and savings needed to (1) rehabilitate, build, or replace dwellings and (2) increase or improve access to affordable housing within the municipality, either in or next to the district.

Under the bill, the amount of tax increment revenue designated by the municipality is determined by the district's "captured assessed value," that is, the percentage or amount of the incremental increase in property values ("increased assessed value") that is used from year to year to finance the plan's project costs. The incremental increase in property values is the amount by which the value of the district's property as of October 1 of each year ("current assessed value") exceeds its value as of October 1 of the tax year before the district was established ("original assessed value"). The captured assessed value is subject to any fixed assessment agreements.

Once the municipality establishes the district and adopts its master plan, its assessor must certify the original assessed value of the taxable real property within the district's boundaries. The assessor must also annually certify the:

1. current assessed value of the district's taxable real property,
2. amount by which the current assessed value has increased or decreased from the original assessed value, and
3. amount of the captured assessed value.

Apportioning Property Taxes in the Municipality. The bill requires that property taxes paid by property owners within the district be apportioned equally with the property taxes paid by other property owners in the municipality located outside the district. It specifies that its provisions do not authorize the unequal apportionment or assessment of taxes on real property in the municipality.

District Master Plan Fund (§ 25(c))

Under the bill, municipalities that designate a percentage or amount of captured assessed value in their district master plans must establish a fund for depositing the resulting incremental tax revenues and paying project costs. They must also deposit in the fund any benefit assessments imposed on real property in the district, as described below.

Account Structure. The fund must consist of a (1) project cost account and (2) development sinking fund account for any bonds issued to carry out or administer the district master plan. The bill authorizes the municipality to transfer funds between the accounts, as long as the transfers do not yield an insufficient balance in either account to cover its annual obligations.

The project cost account is pledged to and charged with paying project costs outlined in the financial plan, including reimbursing project cost expenditures incurred by a public body (e.g., the municipality, a developer, a property owner, or another third-party entity), other than reimbursements paid with bond proceeds.

The development sinking fund account is pledged to and charged with (1) paying interest and principal on district bonds as they come due, including any redemption premium; (2) paying the costs of providing or reimbursing any entity that provides a guarantee, letter of credit, bond insurance policy, or other credit enhancement device used to secure debt service payments on district bonds; and (3) funding any required reserve fund.

Depositing Tax Increment Revenues. The municipality must annually set aside all tax increment revenues on captured assessed values and deposit the revenues in a specific order. The revenues must first go to the development sinking fund account, in an amount necessary to pay the annual debt service on the bonds issued (considering estimated future revenues that will be deposited to the account and earnings on this amount), excluding any GO bonds issued by the municipality that are backed solely by its full faith and credit. Any remaining revenues must go to the project cost account.

Excess Revenues. At any time during the district’s term, the municipality’s legislative body may vote to return to the municipality’s general fund any tax increment revenues remaining in either account that exceed the amount necessary to pay the account’s obligations. In doing so, it must consider any transfers made between the accounts.

Audit Requirement. The bill requires the district master plan fund and its accounts to be audited annually by an independent auditor according to generally accepted accounting principles. The audit report must be (1) open to public inspection and (2) provided to the state's Auditors of Public Accounts.

Eligible Costs (§ 26)

The bill limits the use of a district master plan fund to paying certain costs for (1) improvements made within the district, (2) improvements made outside the district that are directly related to or necessary for the district's establishment or operation, and (3) environmental improvement projects developed by the municipality that are associated with the district.

Improvements Made in the District. The bill allows the fund to pay the following costs for improvements made within the district:

1. capital costs, as described below;
2. financing costs, including closing and issuance costs, reserve funds, and capitalized interest;
3. real property assembly costs;
4. technical and marketing assistance program costs;
5. professional service costs, including licensing, architectural, planning, engineering, development, and legal expenses;
6. maintenance and operation costs (i.e. the cost of the activities necessary to maintain and operate facilities after their development, including informational, promotional, and educational programs, as well as safety and surveillance activities);
7. administrative costs, including reasonable charges for the time municipal employees, other agencies, or third-party entities spend implementing a district master plan; and
8. organizational costs related to the district's planning and establishment, including the cost of conducting environmental impact studies, informing the public about the district, and

implementing the district master plan.

Under the bill, capital costs include the cost of:

1. acquiring or constructing land, improvements, infrastructure, measures designed to improve resilience, environmental infrastructure, clean energy projects, public ways, parks, buildings, structures, railings, signs, landscaping, plantings, curbs, sidewalks, turnouts, recreational facilities, structured parking, transportation improvements, pedestrian improvements, and other related improvements, fixtures, and equipment for public or private use;

2. demolishing, altering, remodeling, repairing, or reconstructing existing buildings, structures, and fixtures;

3. remediating environmental contamination;

4. preparing a site and finishing work; and

5. incurring associated fees and expenses, such as licensing, permitting, planning, engineering, architectural, testing, legal, and accounting expenses.

Improvements Made Outside the District. For improvements made outside the district that are directly related to or necessary for establishing or operating the district, the fund may pay the:

1. portion of the costs reasonably related to constructing, altering, or expanding facilities required due to improvements or activities within the district, including roadways, traffic signals, easements, sewage or water treatment plants or other environmental protection devices, storm or sanitary sewer lines, water lines, electrical lines, fire station improvement, and street signs;

2. costs of public safety and public school improvements made necessary by the district's establishment; and

3. costs of mitigating any of the district's adverse impacts on the municipality and its constituents.

Benefit Assessments (§ 27)

Funding Mechanism. Under the act, a municipality that constructs, improves, extends, equips, rehabilitates, repairs, acquires, provides a grant for, or finances the cost of public improvements in a district may assess a proportion of these costs as a benefit assessment on real property in the district that benefits from these public improvements. It may, by ordinance, apportion the value of the improvements according to a formula that reflects the actual benefits accruing to the various properties because of the development and maintenance (presumably, the public improvements and their maintenance).

The municipality may (1) require property owners to pay the benefit assessments in annual installments for up to 50 years and (2) forgive the benefit assessments in any given year without affecting future installments. It may assess buildings or structures constructed or expanded in the district after the initial benefit assessment is imposed as if they existed at the time of the original benefit assessment.

Revising and Adopting the Assessments. The municipality must revise and adopt the assessments at least once a year within 60 days before the start of the fiscal year. If the municipality imposes the benefit assessments before acquiring or constructing the public improvements, it may subsequently adjust the assessments once the improvements are complete to reflect their actual cost.

Public Hearing and Notice Requirement. Before estimating and imposing a benefit assessment, the municipality must hold at least one public hearing on the payment schedule or any revisions to it. It must publish a notice of the hearing at least 10 days in advance in a conspicuous place on the municipality's website (or municipalities' sites for joint districts). The notice must include:

1. the hearing's date, time, and place;
2. a legal description of the district's boundaries;

3. a statement that all interested property owners in the district will be given an opportunity to be heard at the hearing and file objections to the assessment amount;

4. the maximum assessment rate to be increased in any one year; and

5. a statement indicating that the proposed list of properties to be assessed and the estimated assessments against those properties are available at the town or assessor's office.

The notice may also include the maximum number of years that the assessments will be levied. The municipality must make the proposed benefit assessment schedule available to any member of the public, upon request, by the notice's publication date.

The bill generally applies the same statutory public hearing and appeal procedures to district benefit assessments as apply under existing law to municipal sewer system benefit assessments levied by water pollution control authorities (CGS § 7-250). It substitutes the municipality's board of finance (or legislative body if it has none) for the water pollution control authority for purposes of this process. The municipality must also follow this notice and hearing process when increasing benefit assessments or extending the number of years that they will be levied.

Collection and Enforcement. The municipality has the same powers to collect and enforce the benefit assessments as it does for municipal taxes. It must establish the payment due date and provide notice of the due date at least 30 days in advance by (1) publishing it in a conspicuous place on each applicable municipality's website (with the posting's date and time) and (2) mailing it to the last known address of each affected property owner. Assessment revenues must be paid into the appropriate district master plan fund account.

Unpaid benefit assessments are liens against the property. Property owners must pay the same interest rate on delinquent assessments as on delinquent property taxes (1.5% per month or 18% per year). The liens

(1) may be continued, recorded, and released in the same manner as property tax liens; (2) take precedence over all other liens and encumbrances, except those for municipal property taxes; and (3) may be enforced in the same way as property tax liens.

Bonds (§ 28)

To carry out or administer a district master plan or other functions under the bill's provisions, municipalities may issue bonds and other obligations (e.g., refunding bonds, notes, interim certificates, and debentures) backed by:

1. their full faith and credit (i.e. GO bonds);
2. the income, proceeds, revenues, and property within the district, including grants, loans, advances, or contributions from state, federal, or other sources;
3. tax increment and increased savings revenues and benefit assessments; or
4. any combination of these sources.

Under the bill, only the municipality's GO bonds count towards its bond cap.

The bill requires municipalities to authorize these bonds, without the state's consent, by resolution of its legislative body, regardless of any other statute, municipal ordinance, or charter provision governing municipal bond issuances. The municipality's legislative body, or the municipal officers to which the legislative body delegates authority for issuing the bonds, must determine:

1. how the bonds will be issued and sold;
2. their interest rates, including variable rates;
3. the term over which they will mature, which must be no more than 30 years;

4. when interest will be paid;

5. whether and under what terms bonds may be purchased or redeemed; and

6. all other issuing conditions.

It allows the municipality to secure the bonds by executing a trust agreement with a bank or trust company that contains reasonable provisions for protecting and enforcing bondholders' rights. Any pledge the municipality makes concerning such an agreement is (1) valid and binding from the time it is made; (2) immediately subject to a lien without physical delivery of the money; and (3) valid and binding against all parties with claims against the municipality, regardless of whether the parties received specific notice of the lien. It specifies that any expenses the municipality incurs in carrying out the trust agreement may be treated as project costs.

The bill assures bondholders that state and local entities may invest in the bonds and that the state will not limit or alter the district, or the municipality's powers and duties with respect to the district, until the bonds are repaid.

The bill specifies that its provisions do not restrict a municipality's ability to raise revenue to pay project costs by any other legal means.

Priority Projects (§ 30)

Under the bill, districts must prioritize the solicitation, selection, and design of infrastructure projects designed to increase resilience and that either:

1. use natural and nature-based solutions meant to restore, maintain, or enhance ecosystem services and processes that maintain or improve environmental quality in or next to the district or

2. address the needs of environmental justice communities (i.e. distressed municipalities or areas where at least 30% of the

population consists of low-income people who are not institutionalized and have an income below 200% of the federal poverty level) or vulnerable communities (i.e. populations that may be disproportionately affected by climate change).

If the resiliency project results in affordable housing being demolished or reduced, the municipality, resiliency project developer, property owner, or a third-party entity must commit to replacing these units in the district within four years. If this is not feasible within the district, then the units must be replaced reasonably close to the district at a rate of at least two units for each one that would have otherwise been replaced in the district.

§ 31 — SECOND-GENERATION ANTICOAGULANT RODENTICIDES

Requires DEEP, by January 1, 2026, to classify second-generation anticoagulant rodenticides as restricted use pesticides

The bill requires the DEEP commissioner, by January 1, 2026, to classify all second-generation anticoagulant rodenticides for restricted use, meaning that they may cause unreasonable adverse environmental effects. By law, this classification requires pesticides to be applied only by, or under the direct supervision of, a certified applicator or subject to other restrictions the commissioner imposes through regulations. (Currently, DEEP classifies these rodenticides for general use, meaning no specialized license is required to apply them.)

Under the bill, “second-generation anticoagulant rodenticides” are pesticide products containing brodifacoum, bromadiolone, difenacoum, or difethialone (see *Background*).

EFFECTIVE DATE: Upon passage

Background

Second-Generation Anticoagulant Rodenticides. Most rodenticides are anticoagulant compounds that interfere with blood clotting and cause death from excessive bleeding. Second-generation anticoagulants were developed to control rodents that are resistant to first-generation anticoagulants. These pesticides are more likely to be effective after a single feeding and may remain in animal tissue longer than first-generation products. They are registered only for the commercial and structural pest control markets.

Related Bill. sHB 6915 (File 112), favorably reported by the Environment Committee, (1) prohibits using second-generation anticoagulant rodenticides in Connecticut, subject to certain exemptions, and (2) requires DEEP to report to the Environment Committee on the potential implications of applying existing restrictions and licensing requirements to this rodenticide use.

§ 32 — NEONICOTINOIDS

Generally prohibits, beginning October 1, 2027, using pesticides with neonicotinoids; exempts certain uses (e.g., for agriculture or in certain personal or pet care products)

The bill prohibits, beginning October 1, 2027, using a pesticide that has any neonicotinoid (see *Background — Neonicotinoids*), unless, upon receiving a request, the DEEP commissioner determines that there is no other effective control option. To make this determination, the bill requires the commissioner to consult with the Connecticut Agricultural Experiment Station's (CAES) director and it allows the CAES director to consult with the Pesticide Advisory Council.

The bill exempts from the ban any neonicotinoid that is:

1. for use in, or application to, agriculture, seeds, ornamental shrubbery, or trees; or

2. not labeled for plant use, like those for personal care products, pet care, veterinary purposes, or indoor or structural pest control.

The bill authorizes the DEEP commissioner to assess a civil penalty of up to $2,500 per violation to anyone who violates the ban.

EFFECTIVE DATE: Upon passage

Background — Neonicotinoids

By law, a neonicotinoid is a pesticide that selectively acts on an organism's nicotinic acetylcholine receptors (i.e. impacts the nervous system), including clothianidin, dinotefuran, imidacloprid, thiamethoxam, and any other pesticide that the DEEP commissioner, after consulting with CAES, determines will kill at least 50% of a bee population when up to two micrograms of it is applied to each bee (CGS § 22-61k). Neonicotinoids that are labeled for treating plants are "restricted use," and may only be applied by someone certified under state law to do so or by someone that person supervises.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute
Yea 24 Nay 9 (03/14/2025)

Judiciary Committee

Joint Favorable
Yea 25 Nay 12 (04/25/2025)

Appropriations Committee

Joint Favorable
Yea 40 Nay 10 (05/05/2025)

Finance, Revenue and Bonding Committee

Joint Favorable
Yea 38 Nay 16 (05/12/2025)