



## 2024 Acts Affecting Environment

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## Notice to Readers

This report provides summaries of new laws (public acts and special acts) significantly affecting the environment enacted during the 2024 regular legislative session and June Special Session (JSS). OLR's other Acts Affecting reports, including Acts Affecting Animals and Agriculture and Acts Affecting Energy and Utilities, are, or will soon be, available on [OLR's website](#).

Each summary indicates the public act (PA) or special act (SA) number. Not all provisions of the acts are included. The report does not include vetoed acts unless the veto was overridden. Complete summaries of public acts are, or will soon be, available on [OLR's website](#).

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, House Clerk's Office, or [General Assembly's website](#).

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## **Climate Resilience**

### ***Greater Mystic Tourism Working Group***

Under a new act, a working group must develop an economic and tourism plan for the greater Mystic area (i.e., Groton, New London, and Stonington). Among other things, the group must (1) consider the potential impact of future flooding events on tourism areas and (2) identify federal funding opportunities for tourism, transportation, and climate resilience infrastructure ([SA 24-2](#), effective upon passage).

### ***Resiliency Low Interest Loan Program***

New legislation requires the Department of Energy and Environmental Protection (DEEP) commissioner to set up a low interest loan program for municipalities and private entities for climate resiliency projects funded through a new Climate Resiliency Revolving Loan Fund and authorizes up to \$10 million in state general obligation bonds to capitalize the fund. Resiliency projects include infrastructure repairs and projects in response to unplanned climate events. The legislation also requires DEEP to report annually to the Environment Committee on the program ([PA 24-151](#), §§ 58 & 59, effective July 1, 2024).

### ***Resilient Bridgeport Project***

The legislature authorized the DEEP commissioner to acquire (by purchase, gift, devise, exchange, or eminent domain) up to 25.7 acres in Bridgeport for flood control and protection and related public purposes. The acquisition must be needed to build a disaster relief, long-term recovery, or infrastructure restoration project (i.e., the Resilient Bridgeport Project). The act authorizing the acquisition also prescribes the process for DEEP, if needed, to require relocating or removing public service facilities for the property ([PA 24-69](#), § 14, effective July 1, 2024).

## **DEEP Program Administration**

### ***Dam Safety***

Responding to recent concerns about the safety of dams in the state, the legislature passed a new law that sets out a process for the DEEP commissioner, without public hearing, to order a dam's owner or caretaker to remedy a problem with a dam under certain circumstances. Under the act, she may also correct a dam's problem and make its owner or caretaker liable for the associated costs and expenses. The act also explicitly prohibits maintaining a dam in a condition that might endanger life or property unless it is a hazard only to its owner's property ([PA 24-94](#), effective upon passage).

## ***Hearings for Certain Permits***

Several state laws require DEEP to hold a public hearing on permit applications if it receives a petition signed by at least 25 people asking for one. This year's American Rescue Plan Act (ARPA) allocation implementer requires specified information to be included in petitions about certain transportation capital projects and a hearing is only required if the petition alleges aggrievement or unreasonable pollution or destruction of public trust. These requirements apply to permits for regulated activities in wetlands; certain work in tidal, coastal, or navigable waters waterward of the coastal jurisdiction line; and certain state agency activities in or affecting a floodplain ([PA 24-81](#), §§ 127-130, effective July 1, 2024).

## ***Lien Releases***

A new law creates a process by which someone with an interest in real property that is the subject of a satisfied undischarged DEEP lien may request the discharge and DEEP must abide by the request. Under this process, DEEP has 60 days after receiving the request to mail a release to the requester and any municipality where the lien is recorded ([PA 24-42](#), effective upon passage).

## **Land Use**

### ***Farmland Preservation***

A new law eliminates a requirement that the agriculture commissioner consult with the DEEP commissioner before approving a request to remove a development rights restriction from agricultural land preserved under either the Farmland Preservation Program or Community Farm Preservation Program ([PA 24-100](#), §§ 1 & 2, effective upon passage).

### ***Open Space Grant Program***

The state's Open Space and Watershed Land Acquisition Program generally gives state grants to municipalities, land trusts, and water companies to buy land for its preservation as open space. A new law makes the following three changes related to the program:

1. allows up to 5% of grants to reimburse for in-kind services or incidental expenses under certain circumstances;
2. expands the circumstances under which these grant funds can be used to restore or protect open space an applicant already owns (e.g., if the land is in an environmental justice community); and
3. increases the Natural Heritage, Open Space and Watershed Land Acquisition Review Board's membership to include two DEEP-appointed members who represent or are from

certain communities, such as environmental justice areas ([PA 24-69](#), §§ 9-13, effective July 1, 2024).

## ***The Siting Council***

A new law makes changes to the Public Utility Environmental Standards Act (PUESA), which governs the Connecticut Siting Council's authority and procedures and gives it jurisdiction over siting various energy facilities (e.g., generation and transmission projects). Among other things, the new law (1) adds requirements to transmission line certificate applications, (2) requires an applicant to consult with state legislators and a municipality's legislative body for certain applications, (3) increases municipal participation account payments, and (4) requires the council to consider additional factors before approving an application for a transmission line or solar facility. It also establishes new procedures for (1) violations, penalties, and enforcement of PUESA's provisions and certificate requirements, and (2) property acquisitions through eminent domain. Additionally, it expands restrictions on council members' affiliations with utilities and facilities and requires the council to hire employees it needs to perform its duties ([PA 24-144](#), most provisions effective October 1, 2024).

## ***State Historic Preservation Officer Project Reviews***

During the June Special Session (JSS), the legislature codified in statute and revised procedures for certain project reviews by the State Historic Preservation Officer (SHPO) under the Connecticut Environmental Policy Act. Among other things, the new law requires SHPO to (1) make an initial determination of a project's impact to historic structures and landmarks within 30 days after receiving the information it needs to do so and (2) develop a feasible alternative mitigation plan with the project proponent if it determines that there will be an impact. If the project proponent and SHPO cannot reach a mitigation agreement, the new law allows the proponent to request that the economic and community development commissioner review the proposed plan and recommend revisions, which SHPO must incorporate ([SB 501, JSS](#), § 43, effective October 1, 2024).

## **Motor Vehicle Emissions**

### ***Connecticut Hydrogen and Electric Automobile Purchase Rebate (CHEAPR) Program***

By law, CHEAPR gives rebates and vouchers to residents, municipalities, businesses, nonprofits, and tribal entities that buy battery electric vehicles, plug-in hybrid vehicles, and fuel-cell electric vehicles. CHEAPR rebate or voucher amounts are set administratively by DEEP, and DEEP must provide a higher rebate to residents of environmental justice communities. Prior law required the rebate or voucher amount for residents of these communities be up to 100% more than a standard

rebate. A new law increases the amount to at least 200% greater than the standard amount ([PA 24-81](#), §§ 54 & 55, effective upon passage).

### ***School Bus Idling***

A new law requires Department of Motor Vehicles (DMV) to review (and revise if needed) regulations, policies, and guidance for school bus owners and operators on operating and inspecting school buses. This must be done to ensure that these policies and procedures (1) promote adherence to the state's anti-idling law for school buses and air quality idling regulations and (2) do not require a school bus to idle for more than three minutes during its daily vehicle inspection. The new law also requires DMV to give guidance to school bus owners and operators on aspects of the daily inspections that may be performed with the engine off and post the guidance on its website ([PA 24-20](#), § 38, effective upon passage).

## **Renewable Energy**

### ***Energy Procurements***

New legislation expands and modifies the state's energy procurement authorizations, including for renewable energy and zero-emission resources. Existing law authorizes DEEP to solicit proposals from energy providers and direct the electric distribution companies (i.e., Eversource and United Illuminating) to enter into contracts for selected projects. Among other things, the act (1) requires DEEP to coordinate new zero-carbon procurements for nuclear facilities with other states; (2) authorizes DEEP to solicit proposals from certain hydropower providers; and (3) adds requirements to the existing offshore wind procurement authorization and extends the maximum term length for agreements entered into under it from 20 to 30 years ([PA 24-38](#), most provisions effective upon passage).

### ***Solar Facilities***

This year, the legislature passed a law to expand and study solar facility deployment in the state. Among other things, the act (1) authorizes more capacity, under certain circumstances, for two programs under the state's capped renewable energy tariffs (i.e., the Nonresidential Energy Solutions program and the Shared Clean Energy Facility program); (2) modifies eligibility for the Green Bank's Commercial Property Assessed Clean Energy Program; and (3) requires DEEP to include information on the potential siting of solar projects in the state in its next Integrated Resource Plan. The act also has several study requirements, including that (1) PURA examine whether the existing tariff programs should be extended and (2) DEEP study the feasibility and potential cost-related impacts of establishing a uniform capacity tax for solar facilities in the state ([PA 24-31](#), various effective dates, as amended by [PA 24-151](#), § 113, effective July 1, 2024).



## **Solid Waste Management**

### ***Beverage Container Redemption***

A new law prohibits, under the state's beverage container redemption law ("bottle bill"), offering an empty beverage container to a dealer, redemption center, reverse vending machine, distributor, or deposit initiator, to obtain its refund value or handling fee if the offeror knows, or should know, that it was already redeemed or originally purchased out-of-state. It correspondingly requires dealers, redemption centers, and reverse vending machine operators to post a sign informing users of the prohibition. Violations are subject to the same fines that apply to other bottle bill violations (e.g., between \$50 and \$100 for a first offense) ([PA 24-2](#), effective upon passage).

### ***Bonding for Waste Reduction Strategies***

This year's bond act authorizes up to \$10 million to DEEP for programs to support solid waste reduction strategies ([PA 24-151](#), § 2(d), effective July 1, 2024).

### ***Product Stewardship***

For more than a decade, the legislature has passed laws to have certain discarded personal, family, or household products managed through statewide stewardship programs. Two of this year's acts revise the laws for the tire and gas cylinder programs.

The tire program-related act (1) expands program requirements to generally include ensuring that collectors and processors are qualified and substantially comply with the laws and regulations of the states in which they operate; (2) allows DEEP to conditionally approve a stewardship plan and gives a stewardship organization 60 more days to implement its program; (3) allows the organization to hold more funds by eliminating a ban on having held funds exceed program costs; and (4) reduces the maximum fee that DEEP may assess a stewardship organization for administration costs ([PA 24-124](#), effective upon passage).

For gas cylinders, an act (1) requires producers to be part of an approved program by October 1, 2024, rather than October 1, 2025; (2) gives a stewardship organization that implements an approved stewardship plan a private right of action for damages against a noncompliant producer under certain circumstances; and (3) requires DEEP's annual report on producer noncompliance to have a list of compliant, rather than noncompliant, producers ([PA 24-133](#), effective upon passage).

### ***School Composting***

For public and private K-12 schools, a new law (1) delays, from January 1, 2025, to July 1, 2026, the requirement for certain organic materials generators to separate the materials and recycle

them and (2) limits the requirement to buildings or facilities located within a 20-mile radius of a permitted source-separated organic material composting facility ([PA 24-45](#), § 6, effective July 1, 2024).

### ***Tipping Fee Stabilization***

Among other things, [PA 23-170](#) (1) created the quasi-public MIRA Dissolution Authority as a successor to the Materials Innovation and Recycling Authority (MIRA) to do things such as winding down MIRA's operations and activities and (2) specified that MIRA's funds were not surplus revenues and required them to be used to support the authority's properties, systems, and facilities. This year's bond act allows, through the end of FY 26, up to \$6 million of the authority's funds spent for tipping fee stabilization to be reimbursed through state bonding. It also (1) caps the total issuance of state bonds for MIRA funds at \$13.5 million and (2) prohibits using any MIRA funds for tipping fee stabilization beginning in FY 27 ([PA 24-151](#), § 115, effective upon passage).

### ***Waste Management Study***

The legislature extended by one year, to July 1, 2025, the deadline for the Office of Policy and Management to submit recommendations to the Environment and Energy and Technology committees on the feasibility and advisability of creating a new quasi-public state agency, waste authority, or other entity for developing new solid waste infrastructure, operate and maintain new or existing solid waste infrastructure, and for other purposes ([PA 24-81](#), § 76, effective upon passage).

## **State Parks and Boating**

### ***Enforcement on Border Waters***

The legislature passed a new law that grants people with authority to enforce boating laws (e.g., environmental conservation officers and patrolmen) the power to make arrests on any part of waters lying between Connecticut and a neighboring state for violations and bring the violator to trial in the state where the violation happened. However, they may only exercise this cross-border authority if Massachusetts, New York, or Rhode Island enacts a similar law ([PA 24-123](#), effective upon passage).

### ***Passport to the Parks***

A provision in the ARPA allocation implementer increases the Passport to the Parks motor vehicle registration fee to \$24 for a triennial registration, \$16 for a biennial registration, and \$8 for an annual registration. It also provides funding from the Passport to the Parks account for operating Batterson Park and the Thames River Heritage Park water taxi, and requires DEEP to enter into

memorandums of agreement (MOAs) for these purposes ([PA 24-81](#), §§ 40-43, effective July 1, 2024, except the MOA requirements take effect upon passage and the fee increases take effect July 1, 2025).

### ***Pawcatuck River Slow-No-Wake***

The legislature created a slow-no-wake zone for boating vessel operators on the Pawcatuck River, which is near the Rhode Island border, between Pawcatuck Rock (red marker No. 16) and Graves Neck (red marker No. 6). These zones limit a boat's speed and the size of the wake it produces. A violation of the zone is an infraction, and the DEEP commissioner must administer the provision ([PA 24-10](#), § 1, effective July 1, 2024).

## **Vegetation Management**

### ***Carbon Sequestration Study***

A new law requires the Department of Transportation (DOT) to give a grant, from available resources, to UConn's Department of Natural Resources and the Environment to study carbon sequestration (i.e., capturing and storing carbon dioxide) by trees and other vegetation along roads and other areas in the state. It earmarks special tax obligation bonds authorized for specified transportation projects for this study. UConn must submit an interim report to the Transportation and Environment committees, by January 1, 2025, and a final report with its findings and recommendations by July 1, 2025. It must also present one or both of these reports at a hearing these committees hold ([PA 24-151](#), §§ 53 & 63, effective July 1, 2024).

### ***Invasive Plants***

A new law adds the following seven plants to the list of invasive or potentially invasive plants that are generally banned in the state, regardless of any municipal ordinance: Porcelainberry, mugwort, quackgrass, Japanese angelica tree, Japanese wisteria, Chinese wisteria, and callery pear. By law, a violator of the ban is subject to a fine of up to \$100 per plant ([PA 24-11](#), effective October 1, 2024).

### ***Railway Pesticides***

The legislature changed the requirements that railroads must follow when applying pesticide to their rights-of-way. Specifically, it (1) expands the types of information for the vegetation management plans they annually submit to DOT and each town in which they will apply pesticide in the coming year; (2) requires them to also develop, subject to public comment, yearly operational plans with, among other things, maps showing the rights-of-way and difficult-to-identify sensitive areas and information about the herbicides that will be applied; and (3) imposes method- and area-

specific restrictions on applications in their rights-of-way, such as those occurring near public surface water sources, private wells, or wetlands. A violation of these requirements is subject to a fine of up to \$90 and DEEP and DOT may enforce the application restrictions, but within available resources ([PA 24-9](#), effective July 1, 2024).

### ***Seagrass Restoration***

A new law requires the eelgrass working group convened under [SA 23-7](#) to reconvene by January 1, 2025, to review the Long Island Sound Eelgrass Collaborative’s work on permitting and eelgrass restoration policies in Connecticut, among other things. It also requires DEEP to select a Connecticut Seagrass Coordinator responsible for, among other things, supporting and evaluating eelgrass restoration efforts in the state ([PA 24-12](#), effective upon passage).

### ***Vegetative Buffers***

A new law allows DEEP to use funds available for stormwater infrastructure to acquire conservation easements along streams and rivers in the state. The property owner of an acquired conservation easement must keep native trees, shrubs, and herbaceous cover along the stream or river instead of lawn, golf courses, and athletic fields (i.e., a “vegetated condition” buffer). The DEEP commissioner may set the percentage of stormwater infrastructure funds that may be used for this purpose ([PA 24-10](#), § 2, effective upon passage).

## **Water Resources**

### ***Aquifer Protection Areas or Watersheds***

A new law clarifies notice requirements for zoning-related applications that could impact an aquifer protection area or water company’s watershed. The act specifies that this notice requirement applies when the application concerns land that (in whole or part) is within those areas or watersheds ([PA 24-68](#), § 3, effective July 1, 2024).

### ***Farmington River Waters***

The legislature passed a new law that requires the DEEP commissioner to make Colebrook River Lake Dam release and holdback requests to the U.S. Army Corps of Engineers, as needed, to achieve an optimum flow in the Farmington River for fish and wildlife, recreation, river health, flood risk reduction, tourism, hydropower, and safety. The commissioner must consult with the Metropolitan District Commission (MDC) when doing this. The new law also requires MDC to release from the Goodwin Dam any amount of water released from the Colebrook Dam based on the commissioner’s requests.

Additionally, this new law requires the DEEP commissioner to report to the Environment Committee with recommendations for managing the Colebrook River Lake waters between certain levels if the federal government releases MDC from its responsibility for these waters ([PA 24-13](#), effective upon passage).

### ***School PFAS Testing Grants***

A new law specifies that school districts are eligible for funding from the General Fund's PFAS Testing account to test for and remediate per- and polyfluoroalkyl substances (PFAS) contamination in drinking water supplies. (PFAS are a class of man-made chemicals that are resistant to heat, water, and oil. They bioaccumulate (i.e., concentrations increase over time) and do not break down.) By law, the DEEP commissioner uses the account, in consultation with the Department of Public Health (DPH) commissioner, to provide grants or reimbursements to municipalities ([PA 24-59](#), § 2, effective upon passage).

### ***Well Testing***

A new law makes various changes to laws on private and semipublic well testing. It specifies that DPH or the local health authority (with DPH's approval) may share test results with certain people, such as the current or prospective property owner. Among other things, it also (1) requires lead testing for newly constructed wells only if the well is for an existing structure and (2) prohibits newly constructed wells from being used for domestic purposes until the local health authority determines that their test results are satisfactory ([PA 24-68](#), § 16, effective upon passage).

## **Miscellaneous**

### ***Harbor Improvements***

A new law requires the Connecticut Port Authority (CPA) to establish the "Small Harbor Improvement Projects Account" which must be used for dredging projects or private maritime infrastructure projects in harbors not under CPA authority. For dredging projects, the account may be used to (1) support local and state matching requirements, (2) cover costs associated with environmental regulatory requirements or management practices, or (3) cover project costs in the absence of adequate federal funds (but CPA must seek federal reimbursement). Projects must have all permits and authorizations before they receive funding ([PA 24-48](#), effective upon passage).

### ***Hartford Sewer Grant Program***

[PA 23-204](#) established the Hartford Sewerage System Repair and Improvement Fund program to give financial assistance to eligible Hartford residents and property owners for certain flooding damages. This year, the legislature passed a law that, among other things, (1) caps grants for

damage to property that an applicant used for business purposes at \$50,000; (2) generally limits grant eligibility to individuals who request a sewer backup prevention assessment from MDC by April 30, 2025; and (3) creates a process for judge trial referees (rather than the comptroller) to hear applicants' appeals of decisions about their eligibility or their grant amounts ([PA 24-81](#), §§ 23 & 24, effective upon passage).

### ***Joint Appointment of Municipal Officials***

This session, the legislature authorized regional councils of governments and municipalities acting jointly to make appointments on a municipality's behalf for municipal functions that are subject to a shared services or regional services agreement. Under the act, these municipal functions include the (1) planning activities described in laws on local plans of conservation and development and (2) administrative and regulatory activities under the laws on inland wetlands agencies, among others. These appointments must apply jointly to each municipality that is a party to the agreement and be instead of the municipality's individual appointment. Under the act, this authority supersedes state and local law, local charters, and home rule ordinances that would prohibit or limit making these joint appointments ([PA 24-151](#), § 127, effective July 1, 2024).

### ***PFAS in Consumer Products***

The legislature passed a law regulating the sale and use of certain products containing PFAS and authorizing the DEEP commissioner to enforce its provisions. DEEP may also participate in creating a multijurisdictional clearinghouse for manufacturers' information, including a database for products containing intentionally added PFAS.

Beginning January 1, 2026, the act requires disclosures to purchasers if the following products contain intentionally added PFAS: outdoor apparel for severe wet conditions and turnout gear for firefighters and emergency medical service personnel. Beginning July 1, 2026, it requires manufacturers to label the following 12 product categories if they contain intentionally added PFAS: apparel, carpets or rugs, cleaning products, cookware, cosmetics, dental floss, fabric treatments, children's products, menstruation products, ski wax, textile furnishings, and upholstered furniture. And beginning January 1, 2028, it bans manufacturing, selling, or offering or distributing for sale all of these products if they contain intentionally added PFAS.

This new law also bans using, selling, or offering for sale as a soil amendment any biosolids (i.e., residue from treating domestic sewage) or wastewater sludge that contains PFAS ([PA 24-59](#), § 1, effective October 1, 2024).

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