



**Governor Ned Lamont
State of Connecticut**



FACT SHEET
2024 Legislative Session

**SENATE BILL 11
AN ACT COORDINATING CONNECTICUT RESILIENCY PLANNING AND BROADENING
MUNICIPAL OPTIONS FOR RESILIENCE**

The Problem

Climate change is real, it's happening and, we can act. Last year was the hottest year on record for the worldⁱ. Mitigation and adaptation remain critical actions we must continue to take to protect Connecticut's residents, businesses, infrastructure, and environment.

While flooding drew the most attention in 2023, the state experienced multiple high heat events, including in April, when the high temperature exceeded 95 degrees on record in Hartfordⁱⁱ. We saw these heat waves last into the fall where nearly 30 school districts were forced to close early due to the prolonged heatⁱⁱⁱ. In addition to heat, water has become a huge challenge when it's too much, too little, or not in the right place. In 2022, all Connecticut counties were designated as primary natural disaster areas due to the drought^{iv}. In 2023, 27 farms lost about \$21 million of sales revenue due to flooding^v. Intense and relentless rain washed away roads and culverts, which isolated homes and eliminated emergency access.

Governor Lamont's Solution

This year, Governor Lamont is proposing changes to the way we prepare and respond to the impacts of climate change, accounting for these intense events in our plans, modernizing our capital infrastructure data, and adding tools to the municipal toolbox. This bill, in addition to the ARPA allocation of \$5.75 million for climate resilience activities and \$5 million increase to the microgrid & resiliency grant program, will foster local, regional, and state adaptations to a changing climate. It encourages integration between local, regional, and state plans.

This bill requires the creation or maintenance of geospatial data for critical infrastructure and land use to make it easier for municipalities to track infrastructure condition; model against flooding, heat, and other natural events; and coordinate across government.

Sections 1 – 10 create an infrastructure financing tool like a tax increment financing district, adding Resiliency Improvement Districts as an option for municipalities to construct or improve infrastructure to reduce or avoid the impacts from climate change. This will also permit multiple municipalities to enter into agreements to address shared vulnerabilities.

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Sections 11 & 12 amend the local Plan of Conservation and Development (POCD) statutes to require a climate change vulnerability assessment to specify land use strategies that reduce or avoid risks. The changes require a climate change vulnerability assessment, specific strategies to reduce or avoid risk, and coordination with other local and regional plans. Identifying specific areas provides the legal justification for local zoning such as overlay zones, floating zones, transfer of development rights, or other tools. Actions listed in these plans support grants for state and federal funding. Other states require climate change to be in local comprehensive plans including New Jersey, Rhode Island, and Maine.

Section 13 modifies the civil preparedness statute to incorporate the dangerous and deadly impacts from extreme heat.

Section 14 clarifies how municipal evacuation and hazard mitigation plans should consider sea level rise and requires that the analysis be available in Geographic Information Systems (GIS). Actions listed in these plans support grants for federal funding.

Sections 15 & 16 clarify how climate change or resiliency projects relate to local capital funding streams, the municipal reserve funds, and town aid road.

Section 17 requires municipalities to geolocate their culverts and bridges and share with the relevant state agencies utilizing \$500,000 in ARPA funding proposed in the Governor's budget. This complete dataset will allow comparison to flood and stormwater modeling.

Section 18 amends the regional POCD statute to incorporate changes from local POCDs, as amended by integrating long-range transportation, hazard mitigation, evacuation, and land use planning and it requires the creation of geospatial information for critical infrastructure. This bridges the gap between land use and critical infrastructure planning.

Sections 19, 20, & 21 update provisions of the state building code to require that commercial and residential buildings and building elements be designed to provide optimum greenhouse gas emission reduction, and climate change resiliency over the useful life of the building and to incorporate the current International Energy Conservation Code. It also modifies the composition of the Codes and Standards Committee and education and training requirements for the mechanics and application of the State Building Code.

Section 22 increases the authority of local zoning regulations to mitigate and avoid negative impacts from climate change and provide for a transfer of development rights program.

Section 23 expands the transfer of development rights (TDR) program available to municipalities, permitting a multi-town or regional entity like a Council of Governments, land trust, or other institution can create and hold a 'land bank' to increase the program's flexibility and address conservation and development for a greater area.

Section 24 establishes a working group under the leadership of the Commissioner of the Insurance Department to examine potential financing mechanisms to increase resilience at the homeowner or business level.

Section 25 updates the state POCD statute to include integrated planning as it relates to the impacts of climate change on our infrastructure, natural resources, and land use.

Section 26 requires that our future State Hazard Mitigation Plan (HMP) continues to consider the impacts of climate change. Connecticut's current HMP, like our neighbors in Massachusetts, New Hampshire, Vermont, Rhode Island (2024 Draft), Maine, and others, incorporates the risks from climate change. Actions listed in these plans support grants for federal funding.

Sections 27-31 make changes to the Open Space and Watershed Land Acquisition (OSWA) and Urban Green and Community Garden (UGCG) grant programs by removing barriers that make it difficult for many communities to take advantage of available funding. Specifically, this bill adds environmental justice communities to the UGCG eligibility, which will more than double the number of municipalities eligible to benefit from this program and expands applicant eligibility to non-profits. These sections also establish reimbursement for due diligence expenses related to OSWA funded land, adds two seats to the OSWA board, and increases the maximum OSWA award amount for projects in environmental justice communities to 75% of the fair market value of the property.

Section 32 requires that if and upon the update to the state water plan, such plan will consider past conditions and predictions of future temperature and precipitation in its consideration for water quality and water supply planning.

Section 33 requires the Department of Public Health (DPH), Department of Energy and Environmental Protection (DEEP), and the Public Utilities Regulatory Authority (PURA) to review and, if necessary, update water supply regulations to account for climate change. It also requires DPH and DEEP to review and update regulations or permitting processes for sewage disposal to account for climate change. These will be reviewed every ten years.

Section 34 provides provisions to complete the Resilient Bridgeport project, which is a flood protection structure that will keep the South end of Bridgeport's residents and power grid infrastructure safe from future storm surges and sea level rise. This will grant DEEP the same types of acquisition and construction authority as the Department of Transportation (DOT), and will split the cost of moving utilities 50/50 with the utility companies.

Section 35 removes the joint application requirement for TDR.

ⁱ <https://wmo.int/media/news/wmo-confirms-2023-smashes-global-temperature-record>

ⁱⁱ <https://portal.ct.gov/-/media/Water/Drought/2023/CISA-Extreme-Weather-Trends--Impacts--CT-Climate-Focus--07202023.pdf>

ⁱⁱⁱ <https://www.wtnh.com/news/back-to-school-news/unrelenting-heat-and-humidity-prompt-some-connecticut-school-districts-to-send-students-home-early/>

^{iv} <https://portal.ct.gov/Office-of-the-Governor/News/Press-Releases/2022/10-2022/Governor-Lamont-Announces-Farmers-in-All-Eight-Connecticut-Counties-Now-Eligible-for-Disaster>

^v <https://portal.ct.gov/-/media/Office-of-the-Governor/News/2023/20230724-agricultural-disaster-declaration-request.pdf>