§ 55-0117. Comprehensive management plan; approval.

1. The planning entity shall:

(a) consult with appropriate officials of any local, state or federal agency which has jurisdiction over lands and waters within the area;

(b) consult with the officials of any municipality which has jurisdiction over lands and waters within areas designated or proposed as special groundwater protection areas;

(c) consult with interested professional, scientific and citizens' organizations;

(d) consult with citizen's advisory committees;

(e) transmit any draft and final plan to all affected municipalities for review and comment; and

(f) conduct public hearings at places within the area, and at such other places as may be appropriate, for the purpose of providing interested persons with an opportunity to express their views with respect to matters covered by the plan.

2. The plan shall be submitted to the commissioner. The plan shall be accompanied by a transmittal letter in which the planning entity certifies that:

(a) the plan when implemented will achieve its stated water quality objectives and protect the ecological values of the special groundwater protection area which are significant for maintenance of water quality;

(b) the plan requires the exercise of land use and zoning responsibilities to the greatest extent practicable to regulate the use of land and water resources in a manner consistent with the purposes of this article;

(c) the planning entity has afforded adequate opportunity, including public hearings, for public governmental involvement in the preparation and review of the plan, and whether such review and comment thereon were considered in the plan; and

(d) the extent to which adequate assurances have been received from appropriate local officials that the recommended implementation program identified in the plan will be initiated within a reasonable time after the date of approval of the plan and such program will insure effective implementation of the local aspects of the plan.

3. The commissioner shall review the plan and within ninety days certify that the plan conforms with all applicable state laws, official rules and regulations, state water resource management plans, and where submitted, the nominating petition as defined in section 55-0109 of this article. As part of the review and certification process, the commissioner shall also certify the boundaries.

4. If the commissioner finds that the plan is still not in compliance with applicable state law, official rules and regulations, and state water resource management plans, after a second review, he shall withhold approval of all outstanding planning entity claims for reimbursement pending satisfactory revision of the plan.

5. Upon certification of the plan and the boundaries, the identified area or areas are officially adopted by the commissioner as special groundwater protection areas.

6. Upon adoption of the boundaries by the planning entity, the special groundwater protection areas shall be designated as critical environmental areas as defined by regulations pursuant to section 8-0113 of this chapter and an environmental impact statement shall be prepared pursuant to section 8-0109 of this chapter for any action found to have a significant impact upon such areas. Such statement shall meet the requirements of the most detailed environmental impact statement required by section 8-0109 of this chapter or by any rule or regulation promulgated pursuant to such section. Upon certification of the plan by the commissioner, such statement shall include a detailed statement of the effects of any proposed action on, and its consistency with, the comprehensive management plan of the special groundwater protection area program, as implemented by the commissioner pursuant to this article.