

LAWS OF DELAWARE  
VOLUME 84  
CHAPTER 139  
152nd GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 126

AN ACT TO AMEND TITLE 29 OF THE DELAWARE CODE RELATING TO THE CLEAN WATER FOR DELAWARE ACT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 80, Title 29 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 8082. Clean Water Trust oversight.

(a) To ensure coordination of the management of resources available for Clean Water Trust projects and other programs that impact the quality of the State's water resources, the Clean Water Trust Oversight Committee ( "Committee" ) is established and shall serve in an advisory capacity to the Governor and the General Assembly.

(b) The Committee shall be comprised of 7 members to include all of the following:

- (1) The Secretary of the Department of Natural Resources who shall serve as its Chair.
- (2) The Secretary of the Department of Health and Social Services.
- (3) The Secretary of the Department of Finance.
- (4) The Secretary of the Department of Agriculture.
- (5) The Secretary of the Department of Transportation.
- (6) The Chair and Co-Chair of the Joint Capital Improvement Committee of the Delaware General Assembly.

(c) Members who serve by virtue of their position may designate a designee to serve on the Committee.

(d) The Committee shall be responsible for oversight of the Clean Water Trust account and shall produce and publish an annual report and strategic plan for clean water that shall include all of the following:

(1) An annual report, titled "The Mulrooney Report," accounting for the sources, benefits, and uses of the Clean Water Trust account and other water quality programs funded with state or federal resources including wastewater, stormwater and drinking water infrastructure and programs for drainage, beach preservation, waterway management, cover crop, the conservation reserve enhancement program, tax ditches and conservation cost-sharing that shall include a list of all funded projects.

(2) An annually updated strategic plan that shall include all of the following:

- a. Multi-year water quality goals and progress toward meeting those goals.
- b. Challenges facing the achievement of such water quality goals.
- c. A prioritized list of proposed projects to attain such goals, including increased accessibility to low-income and traditionally underserved communities.
- d. Drinking water testing priorities of the State.
- e. Recommendations on minimum funding levels for wastewater and drinking water projects benefitting low-income and traditionally underserved communities through low interest loans and affordability grants.
- f. Recommendations on strategies that support low-income consumer affordability.
- g. An annual work plan report on the implementation of the strategic plan for the previous fiscal year addressing success indicators, deliverables and milestones.

(e) Prior to the publication of the initial annual report and strategic plan, the Committee shall hold at least 3 publicly noticed meetings in Dover to seek input and allow public comment. Thereafter, the Committee shall hold at least 1 publicly noticed meeting prior to publication of the annual report and annually updated strategic plan. All meetings under this subsection shall comply with § 10004 of this title.

(f) The Committee must submit the annual report and the updated strategic plan identified in § 8082(d) to the General Assembly, the Governor, and the Director and Librarian of the Division of Research of Legislative Council no later than February 1 of each year.

(f g) The Water Infrastructure Advisory Council and the conservation districts shall provide outside, technical assistance and advice to the Committee.

Approved August 3, 2023