

Environment Committee JOINT FAVORABLE REPORT

Bill No.: SB-7

Title: AN ACT CONCERNING CLIMATE CHANGE PLANNING AND RESILIENCY.

Vote Date: 3/22/2018

Vote Action: Joint Favorable

PH Date: 3/14/2018

File No.: 266

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SPONSORS OF BILL:

Environment Committee

Governor's Bill

Sen. Bob Duff, 25th Dist.

Sen. Martin M. Looney, 11th Dist.

Rep. Joe Aresimowicz, 30th

Rep. Matthew Ritter, 1st Dist.

Rep. James Albis, 99th Dist

Rep. Dorinda Borer, 115th Dist.

Rep. Joe de le Cruz, 41st Dist.

Rep. Christine Conely, 40th Dist.

Rep. Patricia A. Dillon, 92nd Dist.

Rep. Mary M. Mushinsky, 85th Dist.

REASONS FOR BILL:

To establish an interim and significant 45% target reduction in greenhouse gas emissions by 2030. To better prepare municipalities and protect our resident's property by updating coastal boundary maps.

RESPONSE FROM ADMINISTRATION/AGENCY:

Governor Dannel P. Malloy: With the creation of CIRCA (Connecticut Institute for Resilience Climate Adaptation) Connecticut is leading the nation in developing the best available scientific analysis. Through extensive research CIRCA has projected that Connecticut will experience a sea level rise of approximately two feet by 2050. In response to these undisputed facts Connecticut must be prepared by updating the current statutory references to sea level rise to reflect the new projections. This proposal will protect Connecticut's investments by requiring all future state projects in our Coastal Boundary meet CIRCA'S projections by adjusting up an additional two feet above base flood.

The proposal will help municipalities better prepare and protect our residents property by updating coastal boundary maps to reflect the landward distance represented by the

approximate two feet in sea level rise. In addition SB7 establishes an interim and significant 45% target reduction in greenhouse gas emissions by 2030 to insure that Connecticut remains on a path to achieve an 80% reduction of greenhouse gas emissions by 2050 as mandated under the Global Warming Solutions Act. While our temperatures and sea levels rise we Connecticut cannot and will not sit back and wait for a federal solution. The time is now to ensure that sound science-based policy making drives Connecticut forward

Bill Welz, Director of Policy Office of the Governor : CIRCA projects a rise in sea level of approximately 20 inches by 2050. Changes are necessary to ensure the success of future projects and this proposal sets an interim target of a 45% reduction in greenhouse gas emissions by 2030.

Robert J. Klee, Commissioner, Connecticut Department of Energy & Environmental Protection : It is now time to once again prioritize climate change by implementing a planned framework, integrate our climate and energy policies and find ways to adapt to our changed climate. Several sections of the bill modify and update existing state and local land use planning.

NATURE AND SOURCES OF SUPPORT:

James O'Donnell , Executive Director, Connecticut Institute for Resilience and Climate Adaptation : This proposed legislation are prudent first steps to adapting to the impacts of sea level rise but my work finds that four different approaches to prediction agree that mean sea level in Long Island Sound is likely to rise up to 20 inches by 2050. This is based on extensive reviewed reports and the projections based on local data. Information for the legislature and the record has been submitted along with documents summarizing the projects we have completed and or collaborated with other state agencies.

John Humphries, Organizes, CT Roundtable on Climate and Jobs : We urge the committee to update the Global Warming Solutions Act by targeting greenhouse gas emissions 45% below 2001 levels by 2030. In the northwest corner a petition was distributed to educate residents and it demonstrated widespread support for SB 7. The petition that has gathered more than 175 endorsements from more than 25 towns is included in the written testimony. We suggest these changes;

1. Section 16: Clarify that the Connecticut council on Climate Change shall meet no less than twice a year. The Governor appoint at least two representatives from nongovernmental organizations to the Council
2. Section 29: Change the requirements for the biannual report to identify existing and proposed activities and improvements and activities and programs that are designed to meet the greenhouse gas emission reduction requirements.

Louis W. Burch, Program Director, Citizens Campaign for the Environment : Citizens Campaign for the Environment supports adding climate change impacts, civil preparedness, hazard mitigation plans to state & local plans of conservation and development. CCE strongly supports establishing Global Warming Solutions Act into the State's Comprehensive Energy Strategy (CES) and Integrated Resource Plan (IRP).

Tom Swan, Executive Director of the Connecticut Citizen Action Group : The interim target of 45% reduction in GHG emissions by 2030. It is urgent that we move forward and incorporate climate change and emissions reductions targets in Connecticut's Comprehensive Energy Strategy and Integrated Resource Plan. CCAG urges we go even bolder and call for 100% renewable by 2050.

Betsy Gara, Executive Director, Connecticut Council of Small Towns: Our concerns regarding this bill are:

Section 9(f) that requires municipal planning commissions to amend or update the municipal coastal boundaries and submit the changes to the commissioner for review and approval. We do not believe that DEEP should have any role in approving or disapproving local zoning regulations.

Section 14 requires municipalities to consider CIRCA's sea level rise scenarios when preparing any municipal evacuation plans rather than NOAA's.

Section 16 creates a Connecticut Council of Climate Change and includes a representative of COST and we would be pleased to serve.

Mark Kresowik, Eastern Region Deputy Director, Sierra Club : The bill should be amended to end any continued subsidy for gas, whether thru fuel cells, pipelines or heating conversions. We suggest that at least 50 percent of the revenues be invested in opportunities reduce pollution, increase, assess to the benefits of clean energy and help workers and communities move beyond dirty energy. Provide rebates only for lower income residents and small business to help those disadvantaged by our current energy and economic systems.

David Sutherland, Director of Government Relations, The Nature Conservancy: The Northwest Atlantic coast from Virginia to Maine has had some of the largest increases in the rate of sea level rise on the planet. Realistic planning is essential especially now since the rate of rise between 1989 and 2012 has tripled. This bill provides a scientifically-based moderate sea level projection to better prepare our communities for the increased threat posed by rising waters. We have included recommendations to changes sections 8 and 14.

Chris Phelps, Environment Connecticut State Director : Establishment of the Connecticut Council on Climate Change in the bill suggests that the language be modified to specify membership of the council. It should include no less than two members representing nongovernmental organizations with expertise in climate science and public policies and meet no less than twice per year. We support the inclusion and consideration of the state's climate commitments by renaming it and requiring DEEP to incorporating the short, mid, and long-term climate commitments into its short-term energy planning.

Brookfield Renewable: The carbon reduction target of at least 45% below 2001 levels will help drive important enhancements to state and local planning strategies and sector-specific emission reduction policies. Connecticut must thoughtfully balance its carbon reduction goals with electricity costs and ratepayer impacts. We urge the removal of the Renewable Portfolio Standard's Class I vintage requirement for run-of-river hydropower resources of 30 MW or less. This class I program limits hydropower facilities to those that began operation after July 1, 2003 and prevents the state from accessing all existing, cost-effective carbon-free resources. The change would allow Connecticut to claim the environmental attributes of

existing small-scale hydropower resources ensuring that emission reductions are achieved in the most efficient and cost-effective manner.

William E. Dornbos, Senior Attorney & Advocacy Director, Arcadia Center: The bill is a key step toward a climate-safe Connecticut. Establishing a 2030 reduction target for GHG emissions of 45% will help set a reasonable carbon-reduction path for the long term. We also recommend that the bill be modified to ensure that the new 2030 GHG emissions will be enforceable. An unenforceable target will not be sufficient to achieve necessary reductions in GHG emissions.

Arcadia Center has included EnergyVision 2030, a path towards a reliable consumer-oriented clean energy future in the written testimony.

Claire Coleman, Climate and Energy Attorney, Connecticut Fund for the Environment:

CFE supports establishing an interim target of 45% reduction in GHG emissions by 2030, establishment of a Connecticut Council on Climate Change with proposed modifications to strengthen the value of the council, incorporating climate change and emission reduction targets and updating Connecticut's statutes regarding planning for sea level rise

Connecticut Green Bank: The Connecticut Green Bank supports the comprehensive energy strategy, integrated resources plan, emission reduction target, coastal resilience and the creation of council.

Gale E. Ridge: has a few comments and observations..

Section 1 contains so many categories that are worthy but I have inserted some suggestions and thoughts. Redirect development back into metropolitan and town centers to include encroachment and preserve the soils and island-ecosystems. Restore existing town and city centers by establishing vehicle free zones through either traffic redirection or moving infrastructure under or around these centers. City and town centers are more energy efficient, increase of public transportation would result in cleaner air, reduction in the need to constrict future pipelines, more public walking, cycling and a return to traditional community sensibilities. Create and establish a raid-free fund which may be used immediately following a natural or anthropogenic disaster. We need to move quickly so we suggest bringing dates and schedules forward by at least 5 years.

Genese Leach, Policy Manager, Audubon Connecticut: It is time for bold climate action and recommitting Connecticut to proactive planning and concrete actions towards a healthier climate. This bill establishes a new target for building Connecticut's clean energy future.

Francis Pullaro, Executive Director, RENEW Northeast : Create an additional milestone of January 1, 2030 for the state to reduce greenhouse gas emissions. The bill implements the Governor's Council on Climate Change (GC3) recommendations.

JoAnne Bauer, (ACOTE): I support Connecticut's commitment to addressing the impacts of climate change by reducing greenhouse gas emissions, planning for sea level rise, planning for local resilience and integrating climate goals into the state's energy plans.

Bill Rath Legal Research Fellow, UConn Law Center for Energy & Environmental Law :

Current Connecticut statutes invoke either historical tide gauge or the 2012 NOAA global sea level changes but these do not account for the effects of climate change. The UConn projections are specific to Long Island Sound. SB 7 expands consideration to include decision-making activities during planning and would be well served by this provision and the intent to use a single, specific, and time-referenced value whenever sea level is changed. Section 14 of SB 7 must be carefully crafted to assure that there is statutory authority for the development and deployment.

The Environment Committee received approximately 120 additional similar testimonies supporting the bill explaining this is an important bill and climate change needs to be addressed in Connecticut.

NATURE AND SOURCES OF OPPOSITION:

Eric Brown, Senior Council, Connecticut Business and Industry Association:

Sections 2,3,4,5 and 10 are ill-advised and not related to planning and resiliency. CBIA appreciates the intent of the bill to ensure municipalities appropriate data and planning procedures to provide adequate mitigation against storms and changes in sea level along the Connecticut shoreline. Sea level changes for planning purposes be based on modifications to the NOAA data and reports by the University of Connecticut which under the statute may only occur every ten years. What value does the UCONN scenario “updates” add to the NOAA data? CBIA would appreciate this being looked into with a critical eye. CBIA opposes all sections and provisions that go beyond planning and resiliency. We urge deletion of the following sections:

Section 2, Section 3, Section 4, Section 5, and Section 10 that seeks to *mandate* that we reduce greenhouse emissions by an additional 35% over the next 12 years. CBIA has no objections to sections 1,6-9 or 11-30 other than our previous clarifications.

Fuelcellenergy: Fuelcellenergy opposes Sections 2 and 3. These sections should focus on the Integrated Resource Plan (IRP) and Comprehensive Energy Plan (CES) documents from energy planning into environmental and ecological focused mandates.

The clarity and quality of the work product produced by these two important reports are likely to suffer if the primary purpose is shifted to serving and supporting environmental policy goals. Section 10 should be deleted completely. This proposal did not receive a proper airing before being brought before the legislature.

Reported by: Pamela Bianca, Asst. Clerk

Date: 03/28/2018