



TESTIMONY IN **SUPPORT** OF **HB 5103**
AN ACT REQUIRING AN EVALUATION OF THE STATE'S ENVIRONMENTAL JUSTICE LAW

February 19, 2020

To: Honored Chairs Sen. Cohen and Rep. Demicco and Distinguished Members of the Environment Committee

From: Alex Rodriguez, Connecticut League of Conservation Voters

Thank you for the opportunity to testify **IN SUPPORT** of **HB 5103**, An Act Requiring an Evaluation of the State's Environmental Justice Law.

Connecticut is known as a nationwide leader in the fight against climate change, however our state has not done enough to address environmental injustice. **Low-income black and Latino communities in Hartford, Waterbury, New Haven, and Bridgeport are disproportionately impacted by climate change, pollution, and other environmental threats.**

In 2008, Connecticut signed its first environmental justice legislation into law. Although imperfect, it was a step in the right direction. It recognized the unjust placement of "affecting facilities" (power plants, sewage treatment plants, waste incinerators, and landfills) near low-income and minority communities. **These toxic sites are responsible for disproportionately high rates of asthma and other respiratory diseases among low-income residents and communities of color.** The original law ensured that affecting facilities could not be placed near these communities without meaningful public participation and input.

The bill before you today, HB 5103, proposes a number of revisions to the existing law. It would strengthen the language and expand the scope of the bill in order to provide more opportunity for public participation and greater protections for environmental justice communities.

HB 5103 is necessary because environmental racism still impacts communities across our state. A study released in March 2019 by researchers at Clark University found that **air pollution is disproportionately caused by white Americans' consumption of goods and services, but disproportionately inhaled by black and Hispanic Americans.** The study found that, on average, Latinos inhale 63 percent more of the pollution that leads to heart and breathing deaths than they produce. For African-Americans, that figure is 56 percent.

Hartford is currently home to an aging, high-polluting trash incinerator that city residents would like to see closed. This state-run incinerator serves 70 Connecticut towns and is the county's second largest air polluter. A key piece of the solution would involve investment in multi-stream recycling and composting services. Only then can Hartford communities breathe easier.

Waterbury communities also face significant pollution threats. In 2017, F&G LLC expanded their waste hauling operations in Waterbury from 100 tons a day to 700 tons a day. This plan

dramatically increased truck trips through the low-income, Hispanic communities in the South End—already one of the most polluted neighborhoods in Connecticut. Residents objected to the plan, but were overruled, despite the fact that **F&G did not comply with environmental justice regulations stipulated in the 2008 law**. Under state regulations, F&G and commercial entities looking to set up or expand business are required to post comprehensive notices of their intentions for industrial development. The state must do a better job of ensuring multilingual outreach to residents who may not speak English for fair inclusion of representation in these situations.

HB 5103 would expand the scope of the existing law and strengthen its language. Rather than *suggesting* that developers conduct public engagement activities like notifying neighborhood and environmental groups of their plans in writing, HB 5103 *mandates* these activities. Additionally, HB 5103 adds a new clause which automatically nullifies any application for an affecting facility if the applicant does not abide by the stated rules of public participation. This revision would have potentially stopped F&G’s application in Waterbury from being approved—and protected the vulnerable communities in the south end.

Under Connecticut’s original environmental justice law, municipalities, owners and developers are allowed to enter into a “community environmental benefit agreement” with affected communities to mitigate the adverse effects of pollution. The mitigation activities include environmental education, diesel pollution reduction, and support for open spaces. HB 5103 proposes additional activities such as the establishment of a wellness clinic, ongoing asthma screening, air monitoring performed by a licensed environmental professional, an ongoing traffic study and watercourse monitoring.

Connecticut still wrestles with incidences of environmental racism and disproportionate health effects for low-income and minority communities. Strengthening the language and expanding the scope of our existing environmental justice legislation is a proactive, smart step towards achieving environmental justice.

On behalf of the Connecticut League of Conservation Voters, I urge you to **VOTE YES ON HB 5103**, and help position Connecticut as a national environmental justice leader.

Sincerely,

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