

Public Hearing – February 21, 2020
Environment Committee

Testimony Submitted by Commissioner Katie S. Dykes

House Bill No. 5103 – *An Act Requiring an Evaluation of the State’s Environmental Justice Law.*

Thank you for the opportunity to present testimony regarding House Bill No. 5103 – An Act Requiring an Evaluation of the State’s Environmental Justice Law. The purpose of this bill is to clarify the requirements of the existing statute in several ways. First, it clarifies the types of mitigation that may be warranted under a community environmental benefit agreement for additional impacts related to a certain facility. Second, the bill makes mandatory four public participation methods to be implemented by an applicant. Third, the bill will deem as denied an application submitted by an applicant that has not met the public participation requirements. Finally, the bill requires communities that are burdened by five or more affected facilities to enter into a community environmental benefit agreement for an additional facility.

The Department of Energy and Environmental Protection (DEEP) supports this bill as it provides clarity for applicants and DEEP that work together to develop, approve and implement meaningful public participation prior to the submission of a permit application. This proposal builds upon Connecticut’s commitment to addressing environmental justice and equity issues statewide.

While facilities that handle waste, sewage, generate energy, and/or are sources of air pollution may in some cases be necessary for our communities and economy to thrive, it is of paramount importance that any negative environmental and human health impacts do not accrue disproportionately to our urban or lower income centers, and that the economic benefits of such facilities are shared equitably with their host communities. As a State, we must monitor for, and actively mitigate against any correlation between race and income-related demographic characteristics and the siting of noxious uses. This bill is a step in our progress to provide a stronger voice and greater efficacy for our environmental justice communities to receive fair and equitable treatment in the siting process.

We welcome the opportunity to work with the committee on this important initiative.

Thank you for the opportunity to present testimony on this proposal. Should you have any questions, please do not hesitate to contact Mandi Careathers, the Department’s legislative liaison, at Mandi.Careathers@ct.gov.