



Public Hearing – March 10, 2023
Environment Committee

Testimony Submitted by Commissioner Katie S. Dykes

House Bill [1144](#) – An Act Concerning the State’s Property Acquisition and Condemnation Authority for Certain Flood Prevention, Climate Resilience and Erosion Control Systems

Thank you for the opportunity to present testimony regarding House Bill 1144 – An Act Concerning the State’s Property Acquisition and Condemnation Authority for Certain Flood Prevention, Climate Resilience and Erosion Control Systems. The Department of Energy and Environmental Protection (DEEP) appreciates the Committee raising this bill at the agency’s request, as it will improve the state’s ability to address its coastal and inland resilience challenges as we invest an unprecedented level of federal funding that is currently available through the Bipartisan Infrastructure Bill and that may soon be available through the Inflation Reduction Act.

For state agencies that have existing statutory powers to acquire land, this bill would authorize such agencies to provide assurances to, accept funds from or otherwise cooperate with any federal agency and any other state agency for the construction, operation and maintenance of flood prevention, climate resilience or erosion control systems. In addition, to facilitate that work just mentioned, the bill unifies acquisition processes, and the readjustment, relocation, or removal of public service facilities processes. Finally, the bill authorizes DEEP to create an interim flood prevention, climate resilience and erosion control board when a proposed flood prevention, climate resilience or erosion control system under such agency’s purview is of state-wide or regional significance and the host community or communities have not established a board.

This bill additionally would clarify the process for agencies with existing acquisition authorities, including condemnation authority, and adds clarity to each agency’s existing authorities to authorize acquisition for flood prevention, climate resilience or erosion control. If Connecticut is going to make enhancements to its grey, green, and blue infrastructure that will make our state and our communities more resilient, agencies that perform public works-types projects would benefit from having the authority to implement resiliency measures.

Some questions have arisen about which agencies would receive this clarified and unified authority. The bill may be improved by specifying the impacted agencies. We would be happy to work with the Committee on clarifying that this bill would not apply to the Department of Transportation. The Department of Transportation, while also a public works-type agency, already has sufficient authority to conduct resilience projects that benefit the transportation system.

Thank you for the opportunity to present testimony on this proposal. Should you have any questions, please do not hesitate to contact Harrison Nantz at Harrison.Nantz@ct.gov.