



Senate

General Assembly

File No. 141

January Session, 2023

Senate Bill No. 121

Senate, March 21, 2023

The Committee on Environment reported through SEN. LOPES of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT REQUIRING ENVIRONMENTAL IMPACT EVALUATIONS FOR CERTAIN ACTIONS OF THE CONNECTICUT AIRPORT AUTHORITY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 22a-1b of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 The General Assembly directs that, to the fullest extent possible:

5 (a) Each state department, institution or agency shall review its
6 policies and practices to insure that they are consistent with the state's
7 environmental policy as set forth in sections 22a-1 and 22a-1a.
8 Notwithstanding the provisions of section 15-120bb, for the purposes of
9 this section, the Connecticut Airport Authority shall be deemed a
10 sponsoring institution for any expansion of any property under the care,
11 custody or control of the authority and for any acquisition of property
12 by said authority.

13 Sec. 2. Section 22a-1c of the general statutes is repealed and the
14 following is substituted in lieu thereof (*Effective from passage*):

15 As used in sections 22a-1 to 22a-1i, inclusive, "actions which may
16 significantly affect the environment" means individual activities or a
17 sequence of planned activities proposed to be undertaken by state
18 departments, institutions or agencies, or funded in whole or in part by
19 the state, which could have a major impact on the state's land, water, air,
20 historic structures and landmarks as defined in section 10-410, existing
21 housing, or other environmental resources, or could serve short term to
22 the disadvantage of long term environmental goals. Such actions shall
23 include but not be limited to new projects and programs of state
24 agencies and new projects supported by state contracts and grants, but
25 shall not include (1) emergency measures undertaken in response to an
26 immediate threat to public health or safety; or (2) activities in which
27 state agency participation is ministerial in nature, involving no exercise
28 of discretion on the part of the state department, institution or agency.
29 The expansion of any property under the care, custody or control of the
30 Connecticut Airport Authority and the acquisition of property by said
31 authority shall constitute actions which may significantly affect the
32 environment.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22a-1b(a)
Sec. 2	<i>from passage</i>	22a-1c

ENV *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Department of Energy and Environmental Protection	GF - Cost	67,081	68,658
State Comptroller - Fringe Benefits ¹	GF - Cost	27,011	27,687
CT Airport Authority	Bradley International Airport Enterprise Fund and General Aviation Airport Enterprise Fund - Cost	Indeterminate	Indeterminate

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill results in total costs to the state of \$94,092 in FY 24 and \$96,345 in FY 25 and annually thereafter. This includes costs to the Department of Energy and Environmental Protection (DEEP) of: (1) \$63,081 in FY 24 and \$64,658 in FY 25 to hire an Environmental Analyst II to evaluate the environmental impact evaluation plans (EIEs) that the Connecticut Airport Authority (CAA) would submit to DEEP for review; and (2) \$4,000 in each year for expenses associated with the

¹The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated active employee fringe benefit cost associated with most personnel changes is 42.82% of payroll in FY 24.

position. The total also includes expenses of \$27,011 in FY 24 and \$27,687 in FY 25 within the Office of the State Comptroller for fringe benefits associated with the new position.

There is currently one staff person at DEEP who reviews EIE documents, in addition to performing other duties.

The bill is also expected to increase costs for CAA projects subject to the additional CEPA requirements; however, the magnitude of the costs will depend on the scope and type of project undertaken. While CAA currently adheres to the federal National Environmental Policy Act, there may be additional actions needed to comply with CEPA, including additional time required for state-level reviews, depending upon the project. It is worth noting that CGS Sec. 22a-1f allows environmental statements prepared pursuant to federal requirements to be used in place of EIEs.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**SB 121*****AN ACT REQUIRING ENVIRONMENTAL IMPACT EVALUATIONS FOR CERTAIN ACTIONS OF THE CONNECTICUT AIRPORT AUTHORITY.*****SUMMARY**

This bill requires the Connecticut Airport Authority (CAA) to conduct an environmental impact evaluation (EIE) before it acquires property or expands property under its care, custody, or control. It does so by making CAA a “sponsoring institution” (presumably a “sponsoring agency”) under the Connecticut Environmental Policy Act (CEPA), regardless of existing law specifying that CAA is not a state department, institution, or agency.

Under CEPA, state departments, institutions, or agencies proposing or funding actions that may significantly affect the environment must generally prepare an EIE before deciding whether to undertake or approve the action. The EIE process involves public review and comment (CGS § 22a-1b et seq.).

The bill also expands CEPA’s list of actions that may significantly affect the environment (and require an EIE) by including (1) property acquisition by CAA and (2) the expansion of property under the authority’s care, custody, or control. Currently under CEPA, actions that may “significantly affect the environment” are activities that could have a major impact on the state’s land, water, air, historic structures and landmarks, existing housing, or other environment resources, or that could serve short-term to the disadvantage of long-term environmental goals. Emergency measures to respond to immediate public health or safety threats or certain activities with limited state agency involvement are exempt (CGS § 22a-1c).

EFFECTIVE DATE: Upon passage

BACKGROUND***Related Bill***

SB 120, reported favorably by the Environment Committee, expands CEPA's public rights to sue or intervene in certain administrative proceeds to include unreasonable destruction of properties under CAA's care, custody, or control that have historic structures or landmarks.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 32 Nay 0 (03/03/2023)