

COUNCIL ON ENVIRONMENTAL QUALITY



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Matthew Pafford
Environmental Analyst
Office of Policy and Management
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Hartford, Connecticut 06106-1379

Email: matthew.pafford@ct.gov

RE: Revised Generic Environmental Classification Document

Dear Mr. Pafford:

The Council on Environmental Quality (Council) acknowledges the diligence of the Office of Policy and Management (OPM) in revising the Generic Environmental Classification Document (ECD), which included requesting input from multiple State agencies. Though the Council offered suggestions during the development process, it wishes to provide the following additional comments about the final draft.

Part II (New)

The Public Scoping process, of the Connecticut Environmental Policy Act (CEPA), is a mechanism to provide wide distribution of information about a proposed action and to elicit input regarding improvements or ways to avoid environmental harm. Part II of the revised ECD lists categories of projects that require Public Scoping to help determine whether an Environmental Impact Evaluation should be conducted.

The revised ECD makes no mention of energy facilities. Large heating or energy production facilities, of any kind, might have significant environmental effect and consequently qualify as actions that “may significantly affect the environment in an adverse manner...” under Part II of the revised ECD.

It should not matter if a proposed facility is subject to other regulatory / approval reviews. Inclusion of an energy project in the CEPA process would not be burdensome or duplicative. The application and approval processes for energy projects are rigorous. The information needed for them also should fulfill the CEPA requirements for a Scoping Noticeⁱ. The benefit of the Public Scoping is wider dissemination of notice and additional opportunity for input from the public and State agencies.ⁱⁱ The Council recommends inclusion of the following text into Part II of the revised ECD, “Construction of an energy facility on or in water, and/or undeveloped land, except for emergency generation”.

Part II (h).

The revised ECD adds language to address potential impacts on farmland, “Any action, other than maintenance or repair of an existing facility, which may significantly affect all of, or a portion of, a block totaling 25 or more contiguous acres identified as important farmlands in 7 CFR § 657.5 of the U.S. Code of Federal Regulations, which includes prime farmlands, unique farmland, and farmland of statewide and/or local importance”. Because farms in Connecticut are often composed of small parcels interrupted by walls, roads, wetlands or vegetative barriers, the Council suggests that the draft wording be revised from “a block totaling 25 or more contiguous acres” to “a block totaling 25 or more acres”. This would eliminate any possible confusion regarding the intent to address potential impacts on farmland, regardless of its connectivity.

Public Notice

The Council is willing to publish, in the Environmental Monitor, the comments that are received by OPM, should OPM so desire.

Thank you for your consideration of the Council’s comments on the revised ECD.

Please do not hesitate to contact the Council if you have any questions.

Sincerely,



Peter Hearn,
Executive Director

ⁱ CGS 22a-1b. (5) A sponsoring agency shall provide the following at a public scoping meeting: (A) A description of the proposed action; (B) a description of the purpose and need of the proposed action; (C) a list of the criteria for a site for the proposed action; (D) a list of potential sites for the proposed action; (E) the resources of any proposed site for the proposed action; (F) the environmental limitations of such sites; (G) potential alternatives to the proposed action; and (H) any information the sponsoring agency deems necessary.

ⁱⁱ CGS 22a-1b. (6) Any agency submitting comments or participating in the public scoping meeting pursuant to this section shall include, to the extent practicable, but not be limited to, information about (A) the resources of any proposed site for the proposed action, (B) any plans of the commenting agency that may affect or be affected by the proposed action, (C) any permits or approvals that may be necessary for the proposed action, and (D) any appropriate measures that would mitigate the impact of the proposed action, including, but not limited to, recommendations as to preferred sites for the proposed action or alternatives for the proposed action that have not been identified by the sponsoring agency.