



Conservation and Development Policies: The Plan for Connecticut

2018-2023 Revision



Meeting of the Continuing Legislative Committee
on State Planning & Development

Presented by:
CT Office of Policy & Management

August 16, 2017

2018-2023 C&D Plan Revision Timeline

- **September 15, 2016** — OPM submitted an initial draft of the State C&D Plan to the Continuing Legislative Committee on State Planning and Development for a 90-day review. (CGS Sec. 16a-28(a))
- **May 12, 2017** — OPM published a revised draft C&D Plan based on feedback from the Continuing Committee and informal public workshops. (CGS Sec. 16a-28(b))
- **May 12, 2017 – October 16, 2017** — OPM conducts public hearings and solicits comments on the draft C&D Plan. (CGS Sec. 16a-28(c))
- **December 1, 2017** — OPM submits a recommended draft State C&D Plan to the Continuing Committee for consideration. (CGS Sec. 16a-29)
- **2018 Legislative Session** — Continuing Committee holds a public hearing on the draft State C&D Plan, prior to making its own recommendation to the General Assembly for approval or disapproval. (CGS Sec. 16a-30(a))

Completed
Forthcoming

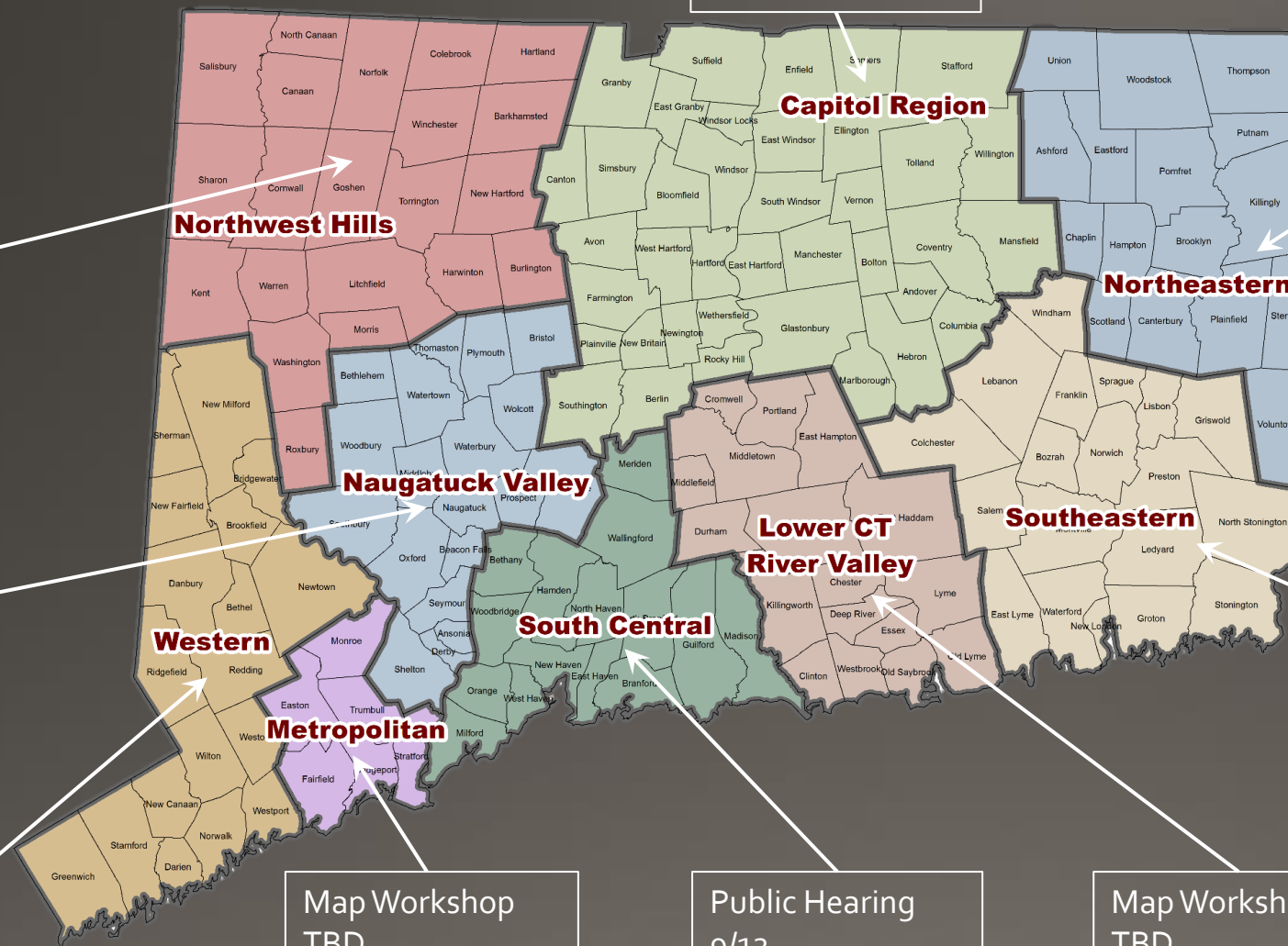
Map Workshop
8/01
Public Hearing
9/08

Map Workshop
TBD
Public Hearing
9/18

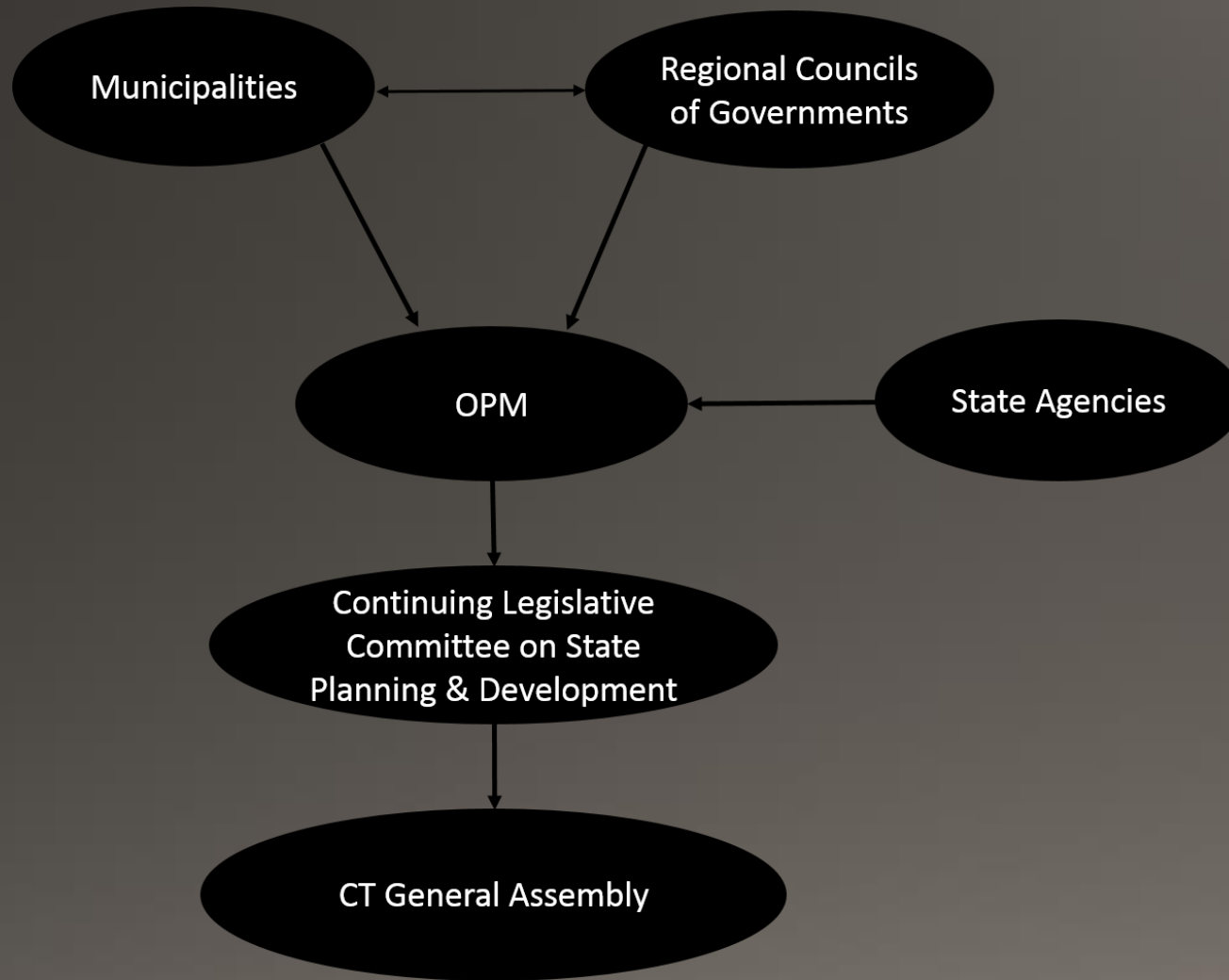
Public Hearing
9/12

Map Workshop
6/27
Public Hearing
9/11

Map Workshop
TBD
Public Hearing
9/25



State C&D Plan Revision and Adoption Process



The State C&D Plan is developed by OPM, adopted by the General Assembly, and implemented by state agencies

(CGS Sec. 16a-24 thru Sec. 16a-33)

State C&D Plan Implementation

- CGS Sec. 16a-31(a) requires agencies to be consistent with the C&D Plan whenever they undertake, or authorize grants for, any of the following actions using more than \$200,000 in state or federal funds:
 - The acquisition of real property
 - The development or improvement of real property
 - The acquisition of public transportation equipment or facilities



DOT maintenance facility under construction in Colchester, CT.
Source: Lawrence Brunoli Inc.

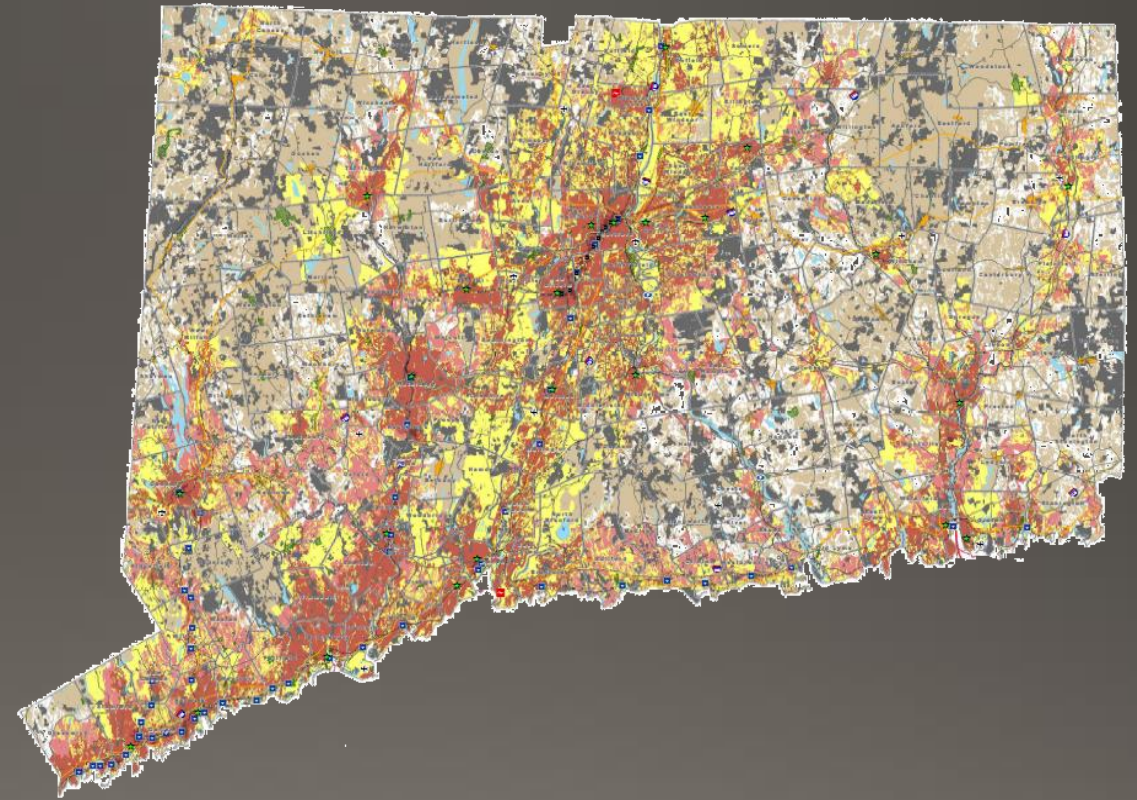
Growth Management Principles (GMP)

- GMP #1: Develop within Areas of Existing and Planned Infrastructure
- GMP #2: Expand Housing Opportunities for all Household Types
- GMP #3: Develop Around Transportation Nodes and Corridors
- GMP #4: Conserve and Restore the Natural Environment
- GMP #5: Protect Environmental Assets Critical to Health and Safety
- GMP #6: Integrate Planning Across all Levels of Government

Priority Funding Areas (PFAs) Delineated on the Locational Guide Map (LGM)

(CGS Sec. 16a-35c — 16a-35h)

- State agencies choosing to provide funding for a “growth-related project” located outside a PFA must request an exception from OPM based on the project meeting the following requirements:
 - Determination that such project is consistent with the POCD of the affected municipality(ies); and
 - Determination that such project meets at least one of nine exception criteria listed under CGS Sec. 16a-35d(b)



Identifying Growth-Related Projects

CGS Sec. 16a-35c(a)(2)

A growth-related project means a project that includes any of the following when costs are in excess of \$200,000:

- (A) the acquisition of real property, except the acquisition of open space for the purposes of conservation or preservation
- (B) the development or improvement of real property
- (C) the acquisition of public transportation equipment or facilities
- (D) the authorization of each state grant for the acquisition or development or improvement of real property or for the acquisition of public transportation equipment or facilities, with exceptions¹

¹See next slide for a list of exceptions to (D).

Identifying Growth-Related Projects (cont.)

CGS Sec. 16a-35c(a)(2)

- The following projects are excepted from the definition of growth-related project only when funded by a state grant:
 - Projects for maintenance, repair or renovations to existing facilities
 - Acquisition of land for telecommunications towers whose primary purpose is public safety
 - Parks, conservation and open space, and acquisition of agricultural, conservation and historic easements
 - Certain federally-funded projects to purchase or rehabilitate existing single or multifamily housing
 - Certain bond-funded projects that would (1) conflict with the tax-exempt status of the bonds or conflict with a trust agreement between the Department of Housing and a trustee, or that (2) would otherwise prohibit financing of an existing project or financing provided to cure or prevent any default.
 - Projects that promote fair housing choice and racial economic integration as described in Sec. 8-37cc
 - Projects at an existing facility needed to comply with state environmental or health laws or regulations
 - School construction projects funded by the Department of Education under chapter 173
 - Libraries; municipally owned property or public buildings used for government purposes
 - Any other project, funding or other state assistance not included under subparagraphs (A) to (D), inclusive

Application of the LGM for 2018-2023

Priority Funding Areas	Balanced Priority Funding Areas	Village Priority Funding Areas	Conservation Areas	Undesignated Areas
Growth-related projects may proceed without an exception	Growth-related projects may proceed without an exception, if the sponsoring agency documents how it will address any potential policy conflicts after consulting with the appropriate resource consultation agency	Growth-related projects may proceed without an exception, if the sponsoring agency documents how it will help sustain village character	Growth-related projects may proceed with an exception*	Growth-related projects may proceed with an exception*

* Exception Process Requires a State Growth-Related Project to be Consistent with the Municipality's POCD

Continuing Committee Endorsement & Role of LGM (May 2013)

- State agencies shall not use the LGM by itself to determine consistency with the text of the C&D Plan
 - LGM shall only be used to determine whether a growth-related project is located within a priority funding area
- Priority funding area requirements of CGS Sec. 16a-35d allow for a PFA exception process that is weighted toward consistency with the municipal POCD
 - Ensures local support for projects located outside of PFAs
 - Reduces the need for interim map changes
 - Encourages municipalities to develop robust POCDs

Examples of Typical State Actions

DOAg

- Farmland Preservation Program

DEEP

- Open Space & Watershed Land Acquisition Grant Program
- Recreation & Natural Heritage Trust Program
- Clean Water Fund

DPH

- Drinking Water State Revolving Fund

Examples of Typical State Actions

DECD

- Brownfield Programs
- Economic & Manufacturing Assistance Act
- Historic Preservation Tax Credits

DOT

- Highway and Bridge Program (Fix it First)
- Public Transportation Infrastructure and Rolling Stock
- Bike & Pedestrian Enhancements

Examples of Typical State Actions

- DOH
 - Affordable Housing (Flex), HOME & Housing Trust Fund Programs
 - Community Development Block Grant: Small Cities
- OPM
 - Responsible Growth & Transit-Oriented Development Grant Program
- DAS
 - State Facility Capital Projects

Emergent Issues

- Ch. 297 vs. Ch. 297a –Inter-related or independent?
 - Should statutory definition of “funding” in CGS Sec. 16a-35c be modified to also apply to CGS Sec. 16a-31(a)?
- Role of Municipal POCD relative to state agency funding decisions
- Improving transparency between State C&D Plan and CEPA statutory requirements (i.e., why vs. how)
- Attorney General’s opinion on State Police Firearms Training Facility

Definition of “Funding”

- Chapter 297a provides the following definition of “funding”:
 - Sec. 16a-35c. Priority funding areas. Definitions. Delineation of boundaries. Review and approval. (a) As used in this section and sections 16a-35d to 16a-35g, inclusive:
 - (1) “Funding” includes any form of assurance, guarantee, grant payment, credit, tax credit or other assistance, including a loan, loan guarantee, or reduction in the principal obligation of or rate of interest payable on a loan or a portion of a loan;
- Chapter 297 provides no definition of “funds” or “funding”:
 - Sec. 16a-31. Application of plan. (a) The following actions when undertaken by any state agency, with state or federal funds, shall be consistent with the plan...

Check OPM's website for
information and updates:

www.ct.gov/opm/cdplan

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