Western Connecticut
COUNCIL OF GOVERNMENTS

February 15, 2023

Esteemed Chairs Cohen and Lemar,
Members of the Transportation Committee:

The Western Connecticut Council of Governments (WestCOG) appreciates the opportunity to comment on Raised Bill 1083, *An Act Establishing a Transportation Carbon Budget for the State*.

WestCOG has two primary concerns regarding this bill:

1. Redundancy with an ongoing federal rulemaking on this very subject. On July 15, 2022, the Federal Highway Administration published in the Federal Register a notice of proposed rulemaking entitled *National Performance Management Measures; Assessing Performance of the National Highway System, Greenhouse Gas Emissions Measure*. This rule, as announced by the White House, would create a nationwide system for states and local governments to track and reduce greenhouse gas emissions from the transportation sector. Publication of a final rule in the Federal Register is expected this year. Given the risk for duplication and conflict between Bill 1083 and the final rule, **action on this bill should be placed on hold until a final rule has been published**, and relevant parties have had time to provide and interpret any necessary guidance.

2. Potential conflict with federal law. The bill would require not just state-funded but also federally-funded transportation projects to adhere to a "transportation carbon budget for the state." The parameters of federal programs are set by Congress, and it is not clear that the bill language is compatible with federal law or regulation. Before the bill advances, an **opinion should be sought from the United State Department of Transportation to confirm that it does not create any conflicts with federal law** or regulation.

Until these concerns have been addressed, it is WestCOG's recommendation that no action be taken on Bill 1083 or related concepts.

Should you have questions or require additional information, please do not hesitate to contact me. Thank you for your consideration.

Francis R. Pickering
Executive Director