



COUNCIL ON ENVIRONMENTAL QUALITY

Recommendations for Legislation

January 9, 2015

The Council on Environmental Quality (CEQ) publishes *Environmental Quality in Connecticut*, the state's annual report on the condition of our air, water, land and life. The Council also is required to recommend legislation "for remedying the deficiencies of existing programs and activities." (CGS Section 22a-12) From its review of statewide environmental indicators and its investigation of complaints, the Council has identified important needs and deficiencies, and recommends the following solutions.

The Basics: People, Land and Water

Much of Connecticut's environmental progress is built upon a surprisingly small number of programs. Indicators of *Environmental Quality in Connecticut show improvement when these basic programs are working. The following recommendations would lead to measurable improvements if adopted by the General Assembly.**

- 1. Clean Water:** Maintain the current capital budget for the Clean Water Fund, which provides grants and loans to cities and towns to
 - o reduce overflows of raw sewage that pollute rivers and close beaches on Long Island Sound,
 - o reduce the nitrogen and phosphorous discharges that lead to hypoxia (low oxygen) in the Sound,
 - o employ thousands of workers to correct longstanding infrastructure deficiencies.
- 2. Reduce the number of violations** of environmental laws.

Every year, the Department of Energy and Environmental Protection (DEEP) documents violations by hundreds of service businesses (such as gas stations, convenience stores, landscapers and medical offices) for failure to register, conduct required tests and/or maintain proper records. With few (if any) exceptions, such violators pay no penalties.

Recommendation for Improving Compliance (Deterrence): The above type of violation should be deterred by authorizing DEEP to assess penalties for failure to submit required reports, and for complete failure to respond to warning letters or notices of violation; the ensuing improvements in compliance would allow DEEP to focus enforcement resources on higher environmental priorities.

Recommendation for Improving Compliance (Permit Adjustments Related to Compliance): For permitted facilities that fail to submit required monitoring reports, shorten the time period between permit renewals. For example, owners of alternative sewage treatment facilities who fail to submit required monitoring reports should be required to renew their permits after five years, instead of the current ten-year permit period. Also, DEEP should be authorized to include performance bonds as conditions of some permits, as a tool for ensuring that required monitoring is completed.

3. Put land conservation back on track

The pace of land conservation is not adequate to meet Connecticut's goals. Also, the state lacks a clear, deliberative process for evaluating proposals to convey state conservation land out of state ownership. Also lacking is a comprehensive map of the resources of Long Island Sound that could help to guide management and conservation of the Sound's resources.

Recommendations for Farmland Preservation: Maintain the current capital budget and allocate sufficient staff so that the Department of Agriculture preserves 2,000 acres per year.

Recommendation for Conservation Lands: Authorize sufficient capital funds (estimated to be \$25 million) each year to enable DEEP and matching-grant recipients to preserve, through acquisition or easement, at least 8,000 acres of priority conservation lands annually. Allocate adequate staff to attain these goals.

Recommendation for Stronger Protections for Preserved Lands: Propose an amendment to the state constitution (consistent with other states' constitutions) that would define a public and deliberative process for evaluating any proposal to convey land already preserved as a state park or forest.

Recommendation for Mapping the Land and Water Resources of Long Island Sound: Authorize an appropriate agency to complete a "Blue Plan" to aid in the wise use and conservation of Long Island Sound.

*Data related to all recommendations can be found in [*Environmental Quality in Connecticut*](#) on the Council's website.

Problems Uncovered, Solutions Found

The following recommendations arose from special Council reports and investigations of citizen complaints.

- Move the **state water plan** forward with an adequate appropriation.
- Improve **training for municipal inland wetlands agencies**. Training is available online at no or low cost to each municipality, but some municipalities still do not have one member or staff person (the minimum required by statute) who has completed training. To begin, require municipal wetlands agencies to disclose their training status, and require DEEP to gather information from municipalities (as part of their required reports) regarding their training status.
- Allow all **state parks** to open in 2015 with enough staff to manage the physical properties and the destructive behaviors of some visitors. Also, adopt the recommendations of the General Assembly's Program Review And Investigations Committee that would enable the DEEP to use specific revenues (cabin rentals, for example) for essential park maintenance.
- **Invasive species** are the largest ecological threat to Connecticut's native habitats. The state has a plan for responding to aquatic invasive species, but not terrestrial species. Require an appropriate agency (the Connecticut Agricultural Experiment Station, DEEP, Agriculture, UConn, or all four) to prepare a **plan** for rapid detection and eradication of newly discovered *terrestrial* invasive species.

The Council has placed several other potential deficiencies on a "watch list" for further analysis and possible action. Please contact the Council if you have any questions or comments.