



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Public Hearing – February 23, 2009
Environment Committee

Testimony Submitted by Commissioner Gina McCarthy
Department of Environment Protection

Proposed House Bill No. 5467 - AN ACT CONCERNING THE REGULATION OF RESIDENTIAL DOCKS BY A HARBOR MANAGEMENT COMMISSIONS

Thank you for the opportunity to present testimony regarding Proposed House Bill 5467 - AN ACT CONCERNING THE REGULATION OF RESIDENTIAL DOCKS BY A HARBOR MANAGEMENT COMMISSIONS.

The Department supports the concept of this bill, which complement our longstanding efforts to work with harbor management commissions, particularly in the lower Connecticut River area, on the increasingly important issue of the cumulative impact of docks and other waterfront development. By clarifying existing harbor management planning authorities, SB 432 would enable towns to address the issues associated with dock, visual and historic impacts on a proactive, planned basis rather than by reacting to individual permit applications.

The Department's involvement with dock issues and harbor management commissions goes back a number of years, and was largely initiated by a controversy over "Megadocks" in the lower Connecticut River that spawned a number of legislative proposals, including one sponsored by DEP in 2002. Unfortunately, the legislation that did pass, which is now codified at section 25-102m of the general statutes (PA 04-183), has not resulted in any substantive progress in harbor management. Nonetheless, the Department has been able to fund dock management studies by the Connecticut River Estuary Regional Planning Agency and the Chester Harbor Management Commission, and sponsored a workshop on dock management that was well-attended by the harbor management community. Currently DEP staff is working closely with several commissions who are in the process of updating their harbor management plans to better address the cumulative impacts of residential docks on navigational, scenic, environmental, and cultural values.

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With respect to this bill, it is important to note that harbor management planning remains voluntary, and the bill would not require any community implement any standards, studies, plans, or other efforts that it does not feel are appropriate or necessary for its waterfront. While it is appropriate for DEP as a State agency to continue its regulatory authority over the State's public trust waters, we believe that local communities are in the best position to articulate a specific vision as to what their waterfronts should look like, and to develop tailored standards for landscape protection in terms of docks, scenic and historic resources. As such, HB 5467 is consistent with the Department's own 2002 legislative proposal, and with our regular cooperation with communities concerned about docks and the visual and cultural impacts of waterfront development.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact the Department's legislative liaison, Robert La France, at 424-3401.