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## Saving Connecticut's Environment in Hard Times: Statement to the GAE Committee in Opposition to S.B. 839

By David Morse

The news that Department of Environmental Protection director Gina McCarthy is leaving to take a post in the Obama administration poses challenges for Connecticut.

McCarthy will indeed be a "hard act of follow," as the Courant observed in a recent editorial. Ms. McCarthy restored faith in a DEP that had been weakened during the Rowland administration by budget cuts, cronyism, and inertia, all of which compromised the Department's ability to oversee construction projects and enforce regulations that protect our forestland, water, and the air we breathe.

Governor Rell needs to choose a successor of like quality – not a political appointee. That's no small challenge.

Rell, to her credit, made a good pick with McCarthy, an environmentalist with a strong professional background. One hopes she will find someone as distinguished who can maintain McCarthy's momentum.

In light of this turn of events, it's more important than ever that the Governor reconsider her proposal to kill an important environmental watchdog: the Council for Environmental Quality. The Governor wants to fold CEQ into the DEP and eliminate its budget, to save a dime.

But it wouldn't even be a dime! CEQ works on a shoestring, costing only \$170,000 a year for the Executive Director and his assistant and expenses. Members of the Council donate their time. Divide the 3.6 million people in Connecticut into that \$170,000 and it works out to around a nickel per person per year.

What do we get for our nickel?

For starters, we get CEQ's annual report on the State of our Environment, which shows with graphs and plain language how we're doing compared with past years. No state agency offers an assessment this broad, this clear, and this candid. That report alone would be worth the nickel.

In addition, CEQ offers special reports. One such report, "Preserved But Not Protected," exposes the inadequacy of laws protecting preserved lands, such as state and municipal parks and land trusts, from encroachment. CEQ documents a case of illegal cutting of 120-year-old trees, and other abuses.

If caught, the criminals receive a modest fine for trespassing and a bill for the assessed market value of the logs -- not the actual loss, including the costs of restoration. A slap on the wrist. CEQ recommends changes in the laws necessary to protect these lands. Good thing, because these abuses are likely to become more common.

No state agency identified the problem and offered a comparable list of legal remedies. The problem simply fell between the cracks. Gina McCarthy admitted she found the CEQ encroachment report "eye-opening."

CEQ's independent status allows it to report on situations that state agencies may ignore, as happened in this case, or in which they may be complicit. Richard Sherman, a CEQ member, observes that state agencies include "some of the biggest violators of the Connecticut Plan for Conservation and Development."

In that same independent spirit, CEQ offers a forum for citizens' complaints of environmental abuses that would not otherwise be heard, because a situation may fall outside a town's purview or may fall into the bailiwick of an agency with a vested interest in a particular outcome. The Council provides a neutral hearing.

And if that weren't enough for our nickel, CEQ is used as a resource by legislators and environmental advocates.

Lori Brown, Executive Director of the bipartisan League of Conservation Voters, says "There's no question that Connecticut absolutely needs to keep CEQ. I don't know of a single group that has worked on significant state environmental policy that doesn't go to the CEQ for help."

How much more can we get for one nickel?

The need for watchdog groups like CEQ is critical in an era of economic privation when private companies may be under pressure to cut corners, and when DEP, the Department of Public Health and other public agencies charged with oversight and enforcement are going to be stretched for lack of personnel.

We need both things: a highly qualified Commissioner to oversee DEP and an independent CEQ to see us through the days ahead.

*David Morse is an independent journalist who covers human rights and environmental affairs. He lives in Storrs. This statement has been submitted to The Hartford Courant as an Op/Ed.*