



**HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.**

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*Your Home  
Is Our  
Business*

February 25, 2010

To: Senator Gary D. LeBeau and Representative Jeffrey J. Berger, Co-Chairs,  
and members of the Commerce Committee

From: Bill Ethier, CAE, Chief Executive Officer

Re: RB 174, AAC the Standards of Water Quality

**The HBA of Connecticut is a professional trade association with 1,100 member firms** statewide, employing tens of thousands of Connecticut citizens. Our members are residential and commercial builders, land developers, home improvement contractors, trade contractors, suppliers and those businesses and professionals that provide services to our diverse industry. We estimate that our members build 70% to 80% of all new homes and apartments in the state.

**We strongly support RB 174 as a just single step to restore oversight and sound process to DEP's important regulatory efforts.**

**There is no question that the Department of Environmental Protection's mission is important to Connecticut's citizens, present and future. But no just cause should trump citizens' need for balanced, reasoned oversight of the tools and methods any agency uses to implement its mission.**

DEP's water quality standards (WQS) form the basis of many of the agency's regulatory programs. The WQS, therefore, have significant regulatory affect on businesses, individuals and municipalities. For almost the first twenty years of the state's Uniform Administrative Procedures Act (UAPA), DEP's WQS were adopted pursuant to the UAPA's model process, including notice and comment procedures, review by OPM, the Governor's Office and Office of Attorney General, and final oversight by the Regulations Review Committee. The legislature removed WQS from this UAPA process in 1990.

We are well aware of DEP's most recent – almost secretive – attempt to quickly push through its new WQS, providing little effective opportunity for the regulated community or the broader public to comment. The failure of WQS to go through the UAPA is just another of the many methods used by DEP and some other agencies to sidestep the UAPA and Regulations Review Committee's oversight. These include the adoption of general permits, guidance manuals, documents, and policies that have regulatory impact (see our testimony before the Environment Committee on RB 120, attached).

**Regulations and other methods of control over the regulated community must be adopted in the open, under the light of outside review.** Only then will certainty of regulatory requirements and soundness of process have a chance; only then will CT be seen as a place to do business and grow once again. We urge you to pass RB 174 and thank you for the opportunity to comment on this legislation.

Attachment (HBA of CT testimony on RB 120)