



*Connecticut Chapter
645 Farmington Ave.
Hartford, Connecticut 06105
www.connecticut.sierraclub.org*

Martin Mador, Legislative Chair

Commerce Committee
March 16, 2010

Testimony In Support of
SB453 AAC The State's Regulatory Environment

I am Martin Mador, 130 Highland Ave., Hamden, CT 06518. I am the volunteer Legislative Chair for the Sierra Club Connecticut Chapter. I hold a Masters of Environmental Management from the Yale School of Forestry and Environmental Studies.

Sierra is pleased to endorse SB 453. Our mission, of course, is to preserve, protect, and enhance the environment of our state and our world. We are committed to not only high standards, but appropriate and efficient methods for reaching these goals. We certainly need to rely on regulatory processes in a variety of ways. It is important that these processes are efficient, appropriate, well conceived, and properly executed. They must be based on good science, must be imposed in a fair manner, and must produce timely and predictable results. What we do today can have a lasting impact. While short-term perspective is easy and tempting, consideration of the long term implications has to be part of the mix.

Regulations which are badly crafted are not helpful. Regulations which are administered badly may do little to move us towards the goal. Both cases may simply antagonize our (potential) allies, cost us our credibility, and in the end do far more harm than good.

Perhaps the most important point I can make here is this: the best friend an environmentalist can have is a thumping economy. When the economy is thriving, we have access to the resources we need to reach our goals. When it is not, we founder. Therefore, it is in our own selfish interest to help work towards a strong economy. The business community should not be our competitor; it should be our ally.

We are well aware of recent criticism of Connecticut's regulatory structure. Our DEP has been critically underfunded for decades. Funding is well below the national average of the states. This deprives us of the expertise we all need. The sometimes egregious time to obtain a permit benefits no one. Bad projects might be delayed, but good ones are as well-delay is an equal opportunity villain. As short handed as we have been before, the recent round of early retirements cost us 7% of DEP staff, 1900 years of experience in all. Yes, this reduction helped address our looming deficit, but it cannot but damage our regulatory efforts.

Some of our problems stem from this lack of resources. DEP, for example, no longer has the staff to support the many town Inland Wetlands Commissions. Other problems come from our many permitting agencies with overlapping, simultaneous or unclear jurisdiction: DOT, DPH, Siting Council, OPM, DECD, US Army Corps, DPUC, and DEP. We have no structure in place to manage or oversee this complex approval process.

There have been a number of bills this session which address the regulatory climate, some of them in this very committee. In my view, many of them, unfortunately, seek to dismantle the regulatory structure instead of fixing it. Streamlining the system so that it works efficiently, effectively, predictably and in a timely fashion is fine—we fully support this. However, the verb “streamline” must not be confused with “bypass”.

We have great respect for the Program Review and Investigations Committee. The PRI reports I have read have been well researched and well written. Sierra welcomes the request for a PRI study on our regulatory climate. If the impact of our regulatory processes are unduly detrimental to state business and commerce, we need to know this. We are confident such a study will also suggest appropriate fixes, such as the lack of agency resources and coordination. Implementing these proposed fixes will improve the regulatory environment, will help to preserve our environment and hence our quality of life, and will strengthen and grow the state’s economy.

My wish is that the business and environmental communities go forward in partnership, not in discord, rancor, and mis-trust.