

**TESTIMONY OF
SANDY BRESLIN, DIRECTOR OF GOVERNMENT AFFAIRS
AUDUBON CONNECTICUT**

**COMMERCE COMMITTEE PUBLIC HEARING
February 24, 2011**

IN OPPOSITION TO:

S.B. 1019 An Act Expediting the State Permitting Process
***H.B. 6400 An Act Streamlining the Department of Environmental Protection's
Stormwater General Permitting Process***
S.B. 1020 An Act Concerning Water Resources and Economic Development

Senator LeBeau, Representative Berger and honorable members of the Commerce Committee, thank you for the opportunity to testify today ***IN STRONG OPPOSITION*** to S.B. 1019, ~~S.B. 6400~~ and ~~H.B. 1020~~. My name is Sandy Breslin and I represent Audubon Connecticut, the state organization of the National Audubon Society. Our mission is to protect birds, other wildlife and their habitats through education, science and conservation and legislative advocacy for the benefit of people and the health of our natural environment.

I appreciate the opportunity to appear before the Commerce Committee because I rarely have the opportunity to talk about the fact that bird watching and wildlife-related recreation is big business in our state before an audience so qualified to understand the importance of this fact. Connecticut is home to an incredible diversity of native wildlife and vegetation. This diversity of plant and animal life, along with the wild places essential for their survival, supports a thriving economic engine in the state. Whether along the shoreline of Long Island Sound, in the forests of the Northwest Hills, boating along the Connecticut River or hiking in the fields of the northeast's Quiet Corner, Connecticut's diversity of wildlife is a significant economic driver.

The following information is based on a 2006 analysis of U.S. Census data regarding the economic impact of wildlife-related recreation.

Participation in Wildlife-Associated Recreation in Connecticut:¹

¹ U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, U.S. Census Bureau. *2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*. 2008.

² a) U.S. Department of the Interior, Fish and Wildlife Service, and U.S. Department of Commerce, U.S. Census Bureau. *2006 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation*. 2008. International Association of Fish and Wildlife Agencies, National Wildlife Federation. *Fish and Wildlife Recreation: Boosting Our Economy*. Compiled from *2001 National Survey of Fishing, Hunting and Wildlife-Associated Recreation*. U.S. Fish and Wildlife

- Total including hunters, fishers, and wildlife watchers: 1.3 million
- Wildlife Watchers: 1.2 million
- Bird watchers 857,000
- Expenditures including equipment and trips: \$873 million
- Estimated Jobs Created² 9,835

For wildlife watchers, people whose principal motivation for spending or traveling is wildlife watching, expenditures include equipment and related items such as binoculars, cameras, wild bird food, membership in wildlife organizations, camping equipment, motor homes, trip-related expenditures such as for food, lodging, and transportation, and other items such as books, magazines, contributions, and land-leasing.

Taken together, **S.B. 1019, H.B.6400 AND S.B. 1020** seek to impede, divert and limit the ability of the Department of Environmental Protection (DEP) to protect the natural resources on which this economic sector depends..

OPPOSE – S.B. 1019 AA Act Expediting the State Permitting Process, which would provide for the automatic approvals of permits if DEP does not act upon them within a 45-day time limit. In 2010, this committee heard a number of bills seeking to shorten or short cut DEP permitting processes. After extensive negotiations, Public Act 10-158 An Act Concerning the Permit and Regulatory Authority of the Department of Environmental Protection and Establishing an Office of the Permit Ombudsmen within the Department of Economic and Community Development was enacted. In its September 2010 report, required by this law, DEP analyzed the staff necessary to meet a 180-day timetable for permit approvals and found that an estimated 64 additional staff with various skills sets would be needed to meet this standard.

DEP is an agency that has consistently been asked to do more with less. In 2008, the Connecticut Council on Environmental Quality (CEQ) reported that our state spends fewer tax dollars per capita than any other northeast state to protect its environment and take care of its parks.³ According to CEQ, DEP has lost almost 10% of its staff since 2003 and its number of inspections (dependent on staff availability and travel) has decreased by 60% since 1990 levels with a concomitant decrease in compliance among the regulated community.

Absent any plans to increase DEP’s budget or provide additional staff in order to meet a 45-day time limit for permit approval, Audubon Connecticut ***strongly urges*** the Commerce Committee ***to oppose*** this legislation.

OPPOSE – S.B. 6400 AA Streamlining the Department of Environmental Protection’s Stormwater General Permitting Process, which seeks to bypass the current process for environmental review by a Soil and Water Conservation District or the DEP by allowing professional engineers to certify compliance with the Stormwater General Permit (GP).

Service. b) *Sportfishing in America*. 2002, c) *Economic Importance of Hunting in America*. 2002. International Association of Fish and Wildlife Agencies.

³*Dreams Deferred: An Assessment of the Cost of Attaining Connecticut’s Goals for State Parks and Environmental Protection*, A Special Report of the Connecticut Council on Environmental Quality, March 2008.

This legislation would create a situation where **the proverbial “fox” would be guarding the “hen house.”** The Stormwater General Permit itself is already a mechanism for streamlining the review and approval of proposed projects. Though the concept of creating additional authorities to augment the agency’s capacity to expedite this process is not necessarily one we would oppose, empowering professional engineers, who depend upon applicants for their livelihood, to certify compliance with this GP creates endless opportunities for conflicts of interest and would require the establishment of a new educational, regulatory, and review structure within DEP that would itself require additional appropriations to enact.

In the end, we have to ask how this proposal could ever satisfy the requirement to safeguard our state’s clean water and protect the natural resources that depend upon it. Audubon Connecticut ***strongly urges*** the Commerce Committee ***to oppose*** H.B. 6400.

OPPOSE – S.B. 1020 AA Concerning Water Resources and Economic Development, which seeks to circumvent the current process to establish statewide regulations regarding streamflow. Ensuring an adequate supply of safe, clean water for both people and natural processes has been the focus of an ongoing effort in Connecticut for more than five years. This process, which has involved state agencies and a broad range of business, utility and environmental stakeholders is at critical point in negotiations, and is currently under consideration in the Regulations Review Committee. Though we appreciate the desire to achieve “closure” on this issue, S.B. 1020 would undercut all the effort that has been carried out in good faith by all parties so far.

Water is essential for the health of people, wildlife and our economy. Balancing the demand for water is difficult and complex process. We urge the Commerce Committee to support the current effort to establish streamflow regulations and ***oppose*** S.B. 1020.

Conclusion:

A healthy environment is essential to a healthy economy in Connecticut. Audubon looks forward to working with the Committee and the DEP to identify opportunities to improve the process of safeguarding our clean water, clean air and the other natural resources that support Connecticut’s outdoor recreation and wildlife-based economy. Unfortunately, S.B. 1010, H.B. 6400 and S.B. 1020 are steps in the wrong direction.

Thank you for the opportunity to comment on these important matters today.

Audubon Connecticut, the state organization of the National Audubon Society, works to protect birds, other wildlife and their habitats through education, science and conservation, and legislative advocacy for the benefit of people and the earth’s biological diversity. We own and manage more than 4,500 acres of land statewide. Through our network of nature education centers, protected wildlife sanctuaries and local, volunteer Chapters we seek to connect people with nature and inspire the next generation of conservationists.

