

CONNECTICUT MARINE TRADES ASSOCIATION

20 Plains Road
Essex, CT 06475-1501

(860) 767-2645 • Fax (860) 767-3559 • e-mail cmta@snet.net

February 9, 2011

Environment Committee
Legislative Office Building
Hartford, CT 06106

Re: **R.B. No. 835 AN ACT CONCERNING THE STRUCTURES AND DREDGING PERMIT PROCESS.**

Senator Meyer, Representative Roy and Distinguished Members;

The Connecticut Marine Trades Association (CMTA) and our membership urge you to support **R.B. No. 835 AN ACT CONCERNING THE STRUCTURES AND DREDGING PERMIT PROCESS**. This bill will add to section 22a-361, two very important legal rights previously denied a permit applicant under these sections.

The applicant's right to request a hearing is respected in other environmental permit procedures to ensure that complete information is available and allowed to enter any and all records of the proceedings. Heretofore this was not permitted in structures and dredging permit determinations except when the Commissioner or the state desired a hearing or if a petition with 25 signatures is submitted.

The second addition with this initiative is an appellate provision in accordance with the provisions of section 4-183 to mirror other environmental permit procedures. This would allow a person who has exhausted all administrative remedies available within the agency and who is aggrieved by a final decision may appeal to the Superior Court. This too was a provision previously absent in this permit process.

Adding the hearing process may certainly add to the costs and administrative concerns of the Department but the process is necessary to ensure that the applicant gets a fair review. The addition of the appellate process also may add to the costs and expenses of handling such structures and dredging permit applications but it is necessary and only fair to all parties when the Department is representing not only an administrative and advocacy position for this industry but a regulatory and enforcement position as well.

We urge you to support **R.B. No. 835 AN ACT CONCERNING THE STRUCTURES AND DREDGING PERMIT PROCESS**. It is an important addition to the permit process and ensures that an applicant can bring all the information they feel necessary to be considered. Thank you for the opportunity to comment on these issues and please know that we are available to discuss them at any time.

Sincerely,

John S. Johnson
Legislative Chair

Grant W. Westerson
Executive Director

Linda A. Kowalski
The Kowalski Group