

**Testimony of Shirley McCarthy, MD, PhD
Before the Commerce Committee**

Regarding
**HOUSE BILL 5465, AN ACT CONCERNING THE STATE'S
REGULATORY AND PERMITTING PROCESS**

Submitted by
Shirley McCarthy, Professor, Yale School of Medicine

March 15, 2012

To: Senator LeBeau, Representative Berger, and members of the Committee:

I would like to comment on House Bill 5465, AAC the State's Regulatory and Permitting Process. I oppose this bill, which threatens to undo important environmental protections.

There is already overdevelopment in CT and insufficient environmental protection.

HB 5465 contains several measures that will remove environmental protections:

The bill would create a **90-day time limit for the Department of Energy and Environmental Protection to review permit applications**. If DEEP does not issue a decision in 90 days, the permit will be automatically approved. Permit applications are frequently complex, and it can be time-consuming and labor-intensive to determine whether a given project will be a boon to the state or will unduly damage our natural resources.

The DEEP is chronically understaffed and not infrequently have the resources to do all necessary research within 90 days, *thus this bill virtually guarantees that damaging projects will be approved*. The bill requires Commissioner of Economic and Cultural Development to **conduct a cost-benefit analysis of all existing state agency regulations** to determine whether the economic costs outweigh their economic benefits. Any regulation that does not pass this overly narrow analysis would be sent to the Regulations Review Committee for revision, where they could be rendered weak/useless or repealed entirely. While the hope is that no agency regulation will be an economic burden, that cannot be the sole criterion by which a regulation is judged! This provision could result in significant rollbacks to important regulations that protect our lands and water. In addition, this measure will place a large burden on DECD and Regs Review.

Lastly, the bill **seeks to repeal the stream channel encroachment law**, a basic protection that allows DEEP to identify stream channels and to consider the impacts of development in those areas upon stream flows, groundwater, wildlife, flooding hazards and other factors critical to the protection of public health, property and the environment. Given the strong storms and flooding we have seen in recent years, this is the wrong time to repeal flood control measures.

Please reject HB 5465!!!! One planet: One future.

Sincerely, Shirley McCarthy
Yale School of Medicine
333 Cedar St.
New Haven, CT 06520
shirley.mccarthy@yale.edu
203-785-2384