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Date: 2012, February 22
To: The Connecticut Legislature Environmental Committee
Subject: HR Bill 5128-R

Thank you for considering this testimony on the above titled legislation.

I am a Certified Public Accountant and an MBA who has been involved in numerous land use and development issues within the Town of Guilford. I would like to address this legislation from an economic and management perspective based on seven years of studying the climate change issue generally and sea level rise specifically at a local level. I hasten to add that I am not in any way an expert in engineering or environmental science and do not presume to speak to the merits of this bill as it must be informed by those disciplines. Further, I am commenting from my experience, but in the capacity of a private citizen.

In 2004 I chaired a land use subcommittee of the Guilford Planning and Zoning Commission which specifically endeavored to address development opportunities along our shoreline in the context of responsible environmental stewardship. Since Climate Change was becoming a more prominent issue and the aspect of sea level rise would be particularly relevant to our purpose, I convened a workshop of municipal officials on the Connecticut shoreline on 2004/11/19, to receive the best intelligence we could access at this time. We had the benefit of internationally known experts such as Gary Yohe and others with local expertise particular to our circumstances.

I entered that day-long workshop with a neutral and open frame of mind on the subject. I emerged five hours later with two conclusions:

- 1) If the Climate Change paradigm and its sea level component lives up to projections, half of what I imagined to be possible for the area of focus would likely be imprudent.
- 2) Governments at all levels will be grossly unprepared to deal with a long term, multi-variant phenomenon such as this that crosses management and technical discipline silos and will demand a highly collaborative approach that would dwarf the Apollo project.

We initiated the land use study with the specification of a twenty year development horizon and an eighty year impact horizon. That assumes that any concrete that gets poured in this area will likely be usable for another eighty years.....or not. That fits nicely with the role-out of sea level rise projections. I can tell you, based on extensive observations of seasonal high tides and numerous storms over seven years that if sea level rise exceeds 2.5 feet above annual mean high tide, at least four neighborhoods will lose significant property, and the town as a whole will loose related tax base.

This phenomenon will not happen over night, with respect to sea level rise. It will occur gradually in phases and impose challenges to individual and municipal decision-making regarding whether we continue to invest in protective strategies, or we recognize that Nature holds the trump card.

Severe storms and hurricanes are a different story. They accelerate the impacts of sea level rise, but have the illusion of being 'temporary'. They come, they go, we rebuild and move on. But if they come with increasing frequency and increasing severity, then they are gradually and steadily degrading our economic resilience at the individual and community levels while we wait patiently for the main event of sea level rise, which will come and stay, and which could manifest itself sufficiently within 20 to 30 years.

I would like to make two points based on my observations and contemplation of the past seven years.

1. Sea level rise and the policies that we adopt to deal with it and other aspects of climate change do not merely impact the property owners on the shore. They affect all tax payers of the town to the degree that the loss of shoreline tax base shifts the burden to remaining property owners, and the increase in public infrastructure costs adds to the tax burden further. Within shoreline towns, we are all in this together to some degree, and we must all have a voice in the discussion and decide what makes the most long term sense.

It is my observation that in the current economic climate, chief elected officers are more inclined to support additional investments in high value shoreline property to boost tax base than to consider the more distant impacts of sea level rise. But this all too typical short term thinking does not bail out their municipalities; on the contrary, it increases their dependency on and exposure to an unsustainable situation that will make withdrawal more painful down the road.

2. I know of no municipalities on the shoreline that are adequately staffed and resourced to deal with this issue effectively, and that includes my own, although we have been at it for seven years with varying degrees of focus and effort. It is imperative for the State to step forward and lead in leveraging expertise and resources to bring a comprehensive and flexible strategy and action plan to this subject.

I can picture few municipal officials who will have the political will or institutional resources to successfully deal with the ill-informed interests and their 'property rights' mantra. It will require state and regional support to give local officials needed professional and political support to implement sensible policy.

In 2008 this Legislature enacted a bill introduced by Senator Meyer, Section 7 of Public Act No. 08-98, *An Act Concerning Connecticut Global Warming Solutions*, which required the Executive branch to do what it had been unwilling to do previously: to evaluate and report on the impacts of Climate Change on Connecticut. The report which was issued in 2010⁽¹⁾ was an essential and important first step in providing municipal officials the information necessary to begin to develop intelligent environmental, land use and infrastructure policy. But I suspect it remains unread and unused by many of the government officials who can benefit from it most. This underscores the importance of the State taking the next step in translating the information of that report into policy and action, implemented by municipalities through coordinated regional action.

I would like to close my remarks with the following observations:

- 1) Whether or not this legislation passes, Nature will exercise eminent domain over a significant portion of private and public property. In the context of that reality, this legislation should seek to make such process as orderly as possible for the benefit of all who will be directly or indirectly affected.

- 2) Climate Change is a dynamic process. Concepts and policies intended to address it, such as defining the mean high tide line and various legal and regulatory measures attached to that concept, must be designed and applied with flexibility appropriate to that reality.
- 3) Response to sea level rise and climate change in general should be based on data driven contingency planning that recognizes potential distinctions across the geography of application in both time and place, and does not presume to be a rigid, one-size-fits-all solution.

If we continue to kick the Climate Change can down the road, we will eventually discover that the road is flooded, and the can is floating back toward us with the incoming tide.

Respectfully,

Sidney F. Gale

(1) The Impacts of Climate Change on Connecticut Agriculture, Infrastructure, Natural Resources and Public Health, by the Governor's Steering Committee (GSC) on Climate Change, Adaptation Subcommittee, 2010

Sidney F. Gale
Biographical information

Sidney F. Gale, CPA, MBA, CGMA, conducts a consulting practice focusing on business strategy, management controls and project management.

He has served the Town of Guilford on its Economic Development, and Planning and Zoning Commissions, and chaired its Transportation Planning Committee. He has actively promoted sustainable growth strategies and strengthening of regional planning processes. He has served on the Town's Energy Task Force, and has been an advisor to its Hazard Mitigation and Pre-disaster Planning Committee on issues of climate change and transportation. During his leadership of the Town Center South Planning Committee in 2004, he convened a regional conference of municipal officials to explore the implications of Climate Change on land use policies relating to shoreline development.

Mr. Gale has given presentations on planning for the impacts of Climate Change to various civic and governmental groups in the Northeast and has testified before the Connecticut Joint Legislative Committee on the Environment regarding bills promoting methodical, science-based processes for assessing the impacts of Climate Change and developing strategies for adaptation and mitigation. He has also testified in favor of expanded integrated public transit systems for Connecticut.

When not engaged in professional and public service pursuits, Sid is an active member of the Shoreline Amateur Radio Club of southeastern Connecticut, Connecticut Amateur Radio Emergency Service (ARES), and writes a blog on public policy and management issues.

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