

**Testimony of the City of New Haven
Before the Environment Committee**

Regarding

**RAISED BILL 5128, AN ACT CONCERNING CERTAIN REVISIONS
TO THE COASTAL ZONE MANAGEMENT STATUTES**

Submitted by

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Senator Meyer, Representative Roy, and members of the Committee,

The City of New Haven Plan Department is pleased to have the opportunity to comment on Raised Bill 5128, An Act Concerning Certain Revisions to the Coastal Zone Management Statutes.

First, we strongly support this bill as it will ensure that sea level rise (SLR) is adequately addressed by the state and every coastal municipality. New Haven has been planning for sea level rise to some extent at the local level, but we believe that this is also a regional issue and needs collaboration and planning at the regional level with participation from adjacent coastal municipalities and state agencies.

We recently updated our Hazard Mitigation document (August, 2010), which was officially adopted by the Federal Emergency Management Agency (FEMA). Planning for sea-level rise was one component of this plan. However, due to lack of funding opportunities to study sea-level rise issues in detail we could not investigate adaptations or defenses to cope with SLR, nor could we research costs of potential infrastructure damage, depth of the underlying infrastructure, detailed visualization scenarios (to educate coastal residents), or the estimated cost of elevating properties currently close to sea-level, etc. Nor were we able to estimate the cost of protecting, removing or altering endangered properties. Without this type of research strong recommendations for the coastal community cannot be proposed.

However, the bill does not go far enough to ensure the protection of existing structures and water dependent uses. As you are aware, Hurricane Irene has had a devastating impact on the coastal properties in Connecticut including New Haven. Many of our shoreline public parks were hard hit with damage adding up to several millions of dollars due to soil and beach erosion and destruction of park facilities including: shoreline, beaches, piers, play equipment, walkways and landscaping. Fortunately, the storm had comparatively less impact on our existing residential community in the coastal area. However, our residential properties still remain extremely vulnerable to coastal flooding threats.

The Coastal Management Act was created with P.A. 78-152 with many of its provisions created by P.A. 79-535. Section 1. Subdivision (2) of subsection (b) of section 22a-92 states "Structural solutions are permissible when necessary and unavoidable for the protection of infrastructural facilities, water-dependent uses, or existing inhabited

structures, and where there is no feasible, less environmentally damaging alternative and where all reasonable mitigation measures and techniques have been provided to minimize adverse environmental impact.” While this language may make allowances for “hardening” to protect homes and parks, ambiguity exists that limits its application.

Public parkland is at a premium in our state, and certainly in New Haven, where average population density is in excess of 7,000 persons per square mile. While losing twenty feet of shoreline in a 200 acre park may not seem like a proportionally dramatic negative impact; it is the first domino in a line of dominos that will fall to storm upon storm. The City has worked diligently with the Office of Long Island Sound Programs at DEEP to stabilize and restore our coastal access areas. It is increasingly clear that re-establishing natural tidal areas and native vegetation is not enough on its own to stop the relentless erosion caused by large storms. The City respectfully requests that harder constructed measures be clearly permitted as a reinforcing backup to the existing shoreline in areas where shoreline sites are permanently devoted to water dependent use or water dependent public use such as public access or recreation for the general public.

In New Haven there are at least 850 properties with an elevation of less than 11 feet and susceptible to flooding during major storm events. Of these, 350 are homes in Morris Cove area of the city which has had repetitive flooding in the past. A majority of these homes were built before 1978, with some dating back prior to 1900. These “existing inhabited structures” are vulnerable to storms, yet, permitting for even the rebuilding of existing seawalls is nearly impossible.

This review of the Coastal Management Act presents an opportunity to clearly permit “hardening” to protect water dependent uses and “existing inhabited structures” and to clarify the process by which applications can be granted. Thank you for your attention to this matter.