CONNECTICUT MARINE TRADES ASSOCIATION

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February 22, 2012

Environment Committee
Legislative Office Building
Hartford, CT 06106

Re: **S.B. No. 86 (Raised) 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 **S.B. No. 86 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 all 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 on three narrow occasions, activity within shellfish beds, an application with interstate ramifications or when dealing with energy programs and the siting council.

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 by the Commissioner 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 processing 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 **S.B. No. 86 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
President

Linda A. Kowalski
The Kowalski Group