



State of Connecticut

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Testimony of Senator John McKinney, Minority Leader
Environment Committee Public Hearing
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SB 376 AN ACT CONCERNING THE COASTAL MANAGEMENT ACT AND SHORELINE FLOOD AND EROSION CONTROL STRUCTURES.

In 2011, Connecticut was struck by two unprecedented storms, Tropical Storm Irene and the Halloween Blizzard. The damage which occurred because of these storms has had an effect on businesses, residents, and legislators. Particularly in response to Irene, the State of Connecticut has reacted to protect the citizens, businesses, and infrastructure which are integral to Connecticut.

The effects of Irene were most devastating to the shoreline of Connecticut; homes, businesses, even whole neighborhoods flooded out by the storm surge and damaged by high winds. Such damage has not been seen in our state since the Great Hurricane of 1938 ripped through Connecticut. The need to rebuild and recover after Irene is just as significant as it was 73 years ago.

However, as people began surveying the damage to homes and properties along the Connecticut coastline they were greeted with a shock beyond the damage from the storm. A dichotomy of policy ideals has occurred between those who feel state citizens who live along the shore should be allowed to rebuild and protect their properties, and those who feel the state shoreline should not be controlled by manmade structures and should be allowed to naturally erode irrespective of how that erosion affects personal property. It is not right for legislators and state agency staff to use Irene, a "100 year flood" type storm, as an excuse to prevent coastal homeowners from rebuilding and defending their homes and property.

Senate Bill 376 works to establish a measured response to the damage caused by Tropical Storm Irene; compromising between the right of property owners to rebuild and protect their homes and the need to ensure the Connecticut coast is protected from hardening. The bill does not expand any property owner's rights along the coastline. Instead it takes into account the need to ensure any defensive structures placed along the shoreline conform to the best environmental designs and methods. It also acknowledges the fact that there are many ways to protect against potential flooding and/or storm surges. The goal is specifically to prevent hardening the shoreline.

This bill requires that coastal site plan applications for erosion control include three alternative options to demonstrate to local zoning boards and the State Department of Energy and Environmental Protection (DEEP) that the environmental impact as well as the desire to protect property has been

taken into consideration by applicants. This information can then be utilized to weigh the pros and cons of the various options before approving applications. This will hopefully create an atmosphere of working *with* residents who wish to protect their property instead of the current staff level regulatory policy of rejecting "seawall" applications.

With DEEP Commissioner Dan Esty's own view that flexibility and thoughtfulness is important to establishing a policy which is acceptable to both shoreline property owners and shoreline preservationists, I think SB 376 provides a useful template for residents and conservationists to establish a dialogue. I urge you to support SB 376 as the beginnings of a fair compromise.