



## State of Connecticut

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### *Testimony of Senator Kevin Kelly (R-21) Minority Whip*

#### SB376 AN ACT CONCERNING THE COASTAL MANAGEMENT ACT AND SHORELINE FLOOD AND EROSION CONTROL STRUCTURES.

Tropical Storm Irene in 2011 struck Connecticut unexpectedly and left its mark both physically along the shoreline and mentally within the minds of residents and legislators across the state. Some communities faced minor damage while others were flooded and without power for days. Not since the Great Hurricane of 1938 has a storm of this magnitude hit Connecticut. As a state, we were prepared for neither the strength of the storm, nor the damage it would leave in its path. Due to the damage caused a couple years back by the tornado which tore through Bridgeport and the southern parts of Stratford, the infrastructure in Stratford susceptible to Irene had been strengthened and many of the more dangerous trees had already fallen. Had it not been for this, the damage from Irene would most likely have been much worse. However, the power failures and storm damage through the towns of Monroe, Seymour and Shelton was still extensive. Throughout my district, the flooding was severe and the storm surge covered a significant area of Stratford's coastline.

My particular concern is to allow more local control of flood prevention efforts since municipal leaders and community members understandably have a better idea of how to defend their properties. And therein lies the problem: since the storm, we in the Legislature have been searching for ways to prevent such destruction from occurring again. But in the search for programs or policies to protect residents from future severe storm damage, a policy dispute has occurred. Some legislators and agency staff believe it is more important to take Irene as a sign that people need to move away from the shoreline and allow it to be naturally reclaimed. Others believe that citizens have a right to enjoy shoreline properties and therefore should have the right to defend them from unusually destructive storms. A compromise needs to be made which allows local zoning to take part in establishing environmentally conscious policies which allow for property protection without hardening Connecticut's coastline.

**Senate Bill 376** effectively established the groundwork for such a compromise. It clarifies the coastal erosion control policies and rules. It recognizes the need to prevent shoreline "hardening" by forcing applicants to take into account the wide variety of methods available for defending properties against flooding and storm surges. This is an integral part of the application process which also requires local zoning boards to take the submission of alternative methods into account when making a decision regarding coastal erosion control projects. This bill, importantly, does not expand property owner rights, it merely reinforces those rights already granted to shoreline property owners to defend their land. Key to this entire bill is the recognition that the goal is to prevent "hardening" the shoreline.

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The Legislature should be focusing on ways to work *with* the property owners along the Connecticut coastline, not against them. To this end, SB376 makes an effective launching point for a dialogue to begin between property owners and shoreline conservationists to form a compromise which will allow local control of the methods and means by which Connecticut can ensure property owner rights and prevent unnecessary "hardening" of our coast.

I urge you to support SB376. The Legislature should not be picking one side over the other in this case. It should be presenting a vehicle to the concerned parties to work on this issue together.