Testimony presented to the Environment Committee of

The Connecticut General Assembly

By the Commissioner of the Connecticut Department of Agriculture

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H.B. No. 5117 AAC Genetically–Engineered Foods

S.B. No. 86 AAC the Structures and Dredging Permit Process

Good morning Chairman Meyer and Chairman Roy, Vice Chairs Senator Maynard and Representative Miller and Ranking Members Senator Roraback and Representative Chapin. I would like to thank the Committee for the opportunity to testify here today.

The Connecticut Department of Agriculture has some concerns related to the practicability of the provisions contained in H.B. 5117 An Act Concerning Genetically-Engineered Foods. Enacting labeling requirements on Connecticut producers when no other states require them will place Connecticut farmers at a competitive disadvantage. The Department believes that a national policy is necessary to keep the playing field level for Connecticut farm families. Uncertainty about whether a crop has become contaminated Through open field pollination may require all farmers to label Connecticut crops with a "May be Partially Produced with Genetic Engineering" label thereby making the designation near meaningless. We should not lose sight of the fact that genetically engineered crops are researched and designed with a whole host of benefits in mind: drought resistance, reducing the need for pesticides, increasing production and driving down costs, reducing soil erosion, and helping to literally feed the world.

The Department would like to share its concerns with S.B. 86 An Act Concerning the Structures and Dredging Permit Process. An applicant seeking a structures and dredging permit must submit the proposed project to the Bureau of Aquaculture, Department of Agriculture, local Shellfish Commission, and local Harbor Management Commission and include the comments of these agencies in the application submitted to the DEEP. If a project raises the concerns of resource professionals a pre-application consultation meeting is held between the DEEP and the applicant's engineering consultants. An attempt is made to address issues prior to the submission and a tentative determination is arrived at, which is publically noticed. Most applications are modified to address the concerns of resource professionals prior to application submission negating a determination that a public hearing is necessary. Public hearings can be expensive and consume significant staff hours. Public hearings are necessary when an applicant avoids the advice of the various resource professionals and submits an application that is determined to significantly impact resources and habitat. S.B. 86 would enable any applicant who chose to ignore the advice of the local shellfish commission or harbor management commission to submit an application that impacted local resources and habitat or was not consistent with coastal consistency planning to request a public hearing. The expenses of the public hearing would not be paid by the applicant but would be assumed by the resource agencies that needed to assign staff to submit supporting information and hear the public comments as well as the applicants. Following the hearing the Commissioner of Energy and Environmental Protection would weigh all the testimony submitted, and make a determination that would balance the rights of the property owner to access water, against the impacts to marine resources, marine habitats, sensitive fish

spawning periods, and adjacent properties and uses for consistency. Connecticut statutes place significant responsibility on the Commissioner of Energy and Environmental Protection to ensure the environmental resources of the State are not significantly impacted. It is likely that the applicants request for a hearing will not impact the Commissioner's determination significantly, however, will place an additional burden on the State financially.

Applicants presently are afforded the right to a hearing after a final determination of the Commissioner. Affording them the opportunity of a hearing prior to a final determination is unnecessary and costly.