

Testimony of Lee D. Hoffman Related to
Senate Bill 23: An Act Enhancing Emergency Preparedness and Response
March 20, 2012

My name is Lee Hoffman. I am an attorney with the Hartford office of Pullman & Comley and served as a member of Governor Malloy's Two Storm panel. As you may recall, Governor Malloy formed the STORM Irene Panel after Tropical Storm Irene left a record number of Connecticut residents without power – more than were affected by Hurricane Gloria. That record was soon topped, however, by the October Nor'easter, sometimes referred to as Winter Storm Alfred, which broke the record set by Irene only months before.

The two storms that beset our state last year were not overly powerful, certainly not in the realm of category III hurricanes that have previously come onto Connecticut's shores. Damage could have been far worse if the storms were stronger or if they had occurred during the cold of February rather than in relatively mild temperatures. Realizing this, Governor Malloy tasked our group with evaluating the responses made by federal, state and local authorities, first responders, volunteers and the business community in both storms in order to better understand the strengths and weaknesses of the response effort, and suggest where improvements could be made.

Our panel was drawn from a variety of sectors, including municipal leaders, the military, the business community, first responders, volunteer organizations, and even a lawyer. We spent literally hundreds of hours listening to testimony, reading thousands of pages of documents, and obtaining information from nationally recognized experts in storm response. This culminated in our Panel issuing a report to Governor Malloy which contained 82 recommendations related to storm response. These recommendations were far ranging, including state response, utility issues, effects on municipalities, the health care community, GIS improvements and general improvement of communication between all responders to emergencies. The recommendations encompassed in the report involve multiple constituencies, not just the state, and therefore are best treated broadly. Only by proceeding in such a fashion will the state best be prepared for the next emergency it may face. I am gratified that this committee is now evaluating legislation which will assist the state in strengthening itself for a response to the next emergency.

The Two Storm Panel did its best to make recommendations that could be implemented within the existing frameworks of the various state, municipal and private entities that play a role in emergency response. Put another way, the recommendations we made were ones that were designed to be implementable within current structures, so as to allow the state to get to work on preparing for the next emergency. One excellent example of this is Governor Malloy's directive to William Hackett, the State Emergency Management Director, to update and improve the state's Master Plan. Doing so will better ensure a unified response by the state, municipalities, the utilities and others who must respond when disaster strikes. Mr. Hackett is well on his way to achieving this goal, as is evidenced in the January 3, 2012 memorandum he drafted to Governor Malloy which outlines Mr. Hackett's proposal for improving the State's planning and preparedness. If you have not seen it yet, I commend that memorandum for your reading.

SB 23 cleanly addresses three recommendations made by the Two Storm Panel that could not otherwise easily be addressed without legislation. It allows for the development of reasonable

performance standards for utility recovery after storms (something that no other state has done), it provides for participation in emergency exercises by utilities (perhaps the most crucial of all recommendations) and it creates a microgrid pilot program which should assist in the hardening of selected infrastructure at a reasonable cost. Many of the other recommendations found in our report can, and in many cases are already in the process of being addressed by various state agencies who have the authority to implement those recommendations.

In conclusion, the approach already taken by Governor Malloy, and further articulated in SB 23 addresses not only responses to the two storms we faced last year, but also responses to future, unforeseen emergencies. This approach, along with the work currently being done by the state, the municipalities and the utilities provides Connecticut with the best assurance that systems will be hardened, communications will remain open, and emergency response will best be geared to the safety of Connecticut's citizens. Thank you.