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Helen Higgins  
Executive Director

March 9, 2012

To: Planning and Development Committee

RE: S.B. No. 343 (RAISED) AN ACT CONCERNING INTERVENTION IN PERMIT PROCEEDINGS PURSUANT TO THE ENVIRONMENTAL PROTECTION ACT OF 1971.

Testimony of Helen Higgins, Executive Director, Connecticut Trust for Historic

My name is Helen Higgins, and I am Executive Director of the Connecticut Trust for Historic Preservation. The Trust is Connecticut's non-profit statewide preservation organization, established by Special Act of the Connecticut General Assembly in 1975 (SA 93-75). It is committed to protecting and nourishing the vitality of significant buildings and landscapes through grants, loans, on-site technical preservation assistance, educational programs and publications.

I am testifying in opposition to SB 343. It will weaken existing environmental protections, subject environmental interveners to harassment, and severely limit public participation in environmentally sensitive projects..

Suits allowing citizens to oppose unreasonable and illegal pollution and environmental degradation have been key to cleaning our water and air and preserving open space in Connecticut since passage of the CEPA (Connecticut Environmental Protection Act) 40 years ago. Weakening these provisions will reverse this progress and degrade our environment. While most requirements against frivolous or baseless litigation apply to all parties equally, this law would single environmental interveners out for punitive measures.

While the rationale behind this bill is that there are a host of frivolous suits being filed under this provision, a systematic DEEP report required by the legislature which explicitly addressed this issue, found that environmental interventions are "rare" and only occurred in two out of every 1,000 permits. It also emphasized that the law provided a necessary way for the public to have input into environmental decisions that impact them.

Please oppose SB 343.