The Nature Conservancy
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Testimony of David Sutherland – Director of Government Relations
Before the Appropriations Committee – February 20th, 2013

In Opposition to the Elimination of Staff Position at the Council on Environmental Quality, and to Sections 132-34 of Bill 6354 Which would Alter the Oversight of the Council

On behalf of The Nature Conservancy, I would like to express our opposition to Governor Malloy's proposals to eliminate funding for one of only two staff positions at the Council on Environmental Quality (CEQ), and to move the agency under the auspices of the Office of Governmental Accountability (OGA). The CEQ has been a crucial component of the success Connecticut has achieved on the environmental front in the past four decades.

The CEQ, created in 1971, is a nine-member volunteer board that, though housed in the DEEP for administrative purposes, has a separate staff and budget and works independently of the DEEP.

The council's many statutory responsibilities require at least two staff positions. A loss of one of these positions would force the CEQ to:

- eliminate review of Environmental Impact Evaluations of state agency construction projects;
- eliminate review of high-impact applications referred by Siting Council;
- eliminate review of certain land transfers and other interagency services;
- cut back on publication of the online Environmental Monitor, the official site where all state agencies post notices required by C.G.S. Section 22a-1b(d) - the Connecticut Environmental Policy Act) and C.G.S. Section 4b-47, regarding proposed transfers of state property to once per month; and
- cut back on investigations of citizen complaints regarding the administration and enforcement of municipal and state environmental laws.

The need for these functions would not disappear if half of CEQ's staff is eliminated; they would be imposed upon other state agency's staff. Our office alone gets many calls regarding citizen complaints and state agency development plans. If we could not refer callers to the CEQ, we would suggest they call DEEP or other agencies, which would be far more difficult bureaucracies for citizens to navigate.

It is very difficult to discern what problem currently exists that warrants the "solution" being proposed regarding the Office of Governmental Accountability. The CEQ is very efficient and well-run now. Eliminating half of its staff and transferring

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its remaining staff person and its volunteer council to the OGA would not create any efficiencies. On the contrary, the CEQ would have to deal with an entirely new added layer of administrative bureaucracy, which has no expertise in environmental policy.

I'll give one of what could be many examples of the role CEQ has played in resolving environmental problems in a constructive, efficient manner. A few years ago, residents of Hartford and the Connecticut Coalition for Environmental Justice approached the CEQ with concerns about the CRRA's South Meadow peaking power plant. Consisting of eight aging jet engines that generate electricity on days of high demand, the plant had been operating for 42 years with no air pollution control or monitoring equipment.

The CEQ determined that, when operating, the plant emitted more particulate pollution than any other power facility in the state. In December 2011, DEEP published notice of intent to renew the plant's air quality permit with only minor changes. Due to CEQ's subsequent involvement, CRRA made significant changes to its permit application and a new, much improved permit was issued in August 2012.

As is typical, the CEQ not only helped achieve a constructive resolution to the specific case, but also used it as a case study to recommend changes in overall state policy regarding peaking power plants.

The CEQ provides crucial service, at a minimum cost, to Connecticut's natural resources and residents. Please maintain its current funding and its current administrative structure. Moving it to OGA will cost money, hinder its independence, and reduce its efficiency.