

**South Central Connecticut Regional Water Authority**  
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January 30, 2013

Testimony to the Environment Committee Supporting HB 5309 and HB 5311

**House Bill 5309 - ACT CONCERNING THE FINE FOR VIOLATING A QUARANTINE OR REGULATION OF THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION**

**House Bill 5311 - AN ACT AUTHORIZING THE DIRECTOR OF THE CONNECTICUT AGRICULTURAL EXPERIMENT STATION TO ENTER INTO COMPLIANCE AGREEMENTS TO STOP THE SPREAD OF THE EMERALD ASH BORER**

*The South Central Connecticut Regional Water Authority (SCCRWA) is a non-profit, public corporation and political subdivision of the state. Our mission is to provide our customers with high quality water at a reasonable cost while promoting the preservation of watershed land and aquifers. We provide approximately 48 million gallons of water per day to almost 500,000 consumers in our region. The source of this water is a system of watershed and aquifer areas that cover about 120 square miles within 24 municipalities. Much of our 27,000 acres of land is managed for watershed protection, timber resource conservation, wildlife habitat, open space, education, and research. This includes commercial sawtimber harvests and a firewood cutting program. The vast majority of our land and these activities occur within the New Haven County emerald ash borer (EAB) quarantine zone.*

The SCCRWA is aware of the vulnerability of Connecticut's forest resource, upon which the SCCRWA's customers depend for clean water, to destructive forest pests. In addition, commercial timber harvesting and firewood use are important components of the state's economy. The use of timber and firewood harvesting are important tools the SCCRWA uses for sound, sustainable forest management for drinking water supply protection.

**The SCCRWA supports the revised language of CGS 22-84a proposed in House Bill No. 5311 to allow the Director of the Connecticut Agricultural Experiment Station (CAES) to issue permits and enter into compliance agreements with any party** – not just the U.S. Department of Agriculture – to control exotic, invasive pests. The spread of insects and pathogens does not always follow patterns that can be predicted or captured by legislation; and often local experts at the state level can affect better control than regulators at the federal level. Giving the Director this tool to work with landowners, industry, and other affected parties will allow the state to be swift and firm, yet flexible in its response. Providing such a swift response helps take away uncertainty that can paralyze markets for forest products, further hindering forest management in difficult economic times. A swift and firm response also helps to slow the spread of pests and pathogens, giving affected parties time to respond and adapt.

We would also encourage the co-chairs to ensure the bill, in its final form, applies to *all* highly destructive pests and pathogens, not just EAB. The bill, as it is written now, appears to apply *only* to EAB, and thus would give the Director the ability to issue permits and enter into compliance agreements with any party only regarding EAB. Expanding the bill would avoid delayed response in the future to potentially swift-moving forest pests and pathogens, and make the legislative and regulatory process more efficient.

**The SCCRWA also supports the revisions to CGS 22-84c proposed in House Bill No. 5309, updating the fines for violating a quarantine regulation.** The current permissible fines, between five and one

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hundred dollars, along with the inconvenience of returning the regulated articles to the point of origin, are hardly a disincentive for violating a CAES quarantine. The proposed fines are strong yet reasonably in line with the value of forest products: on the low end of \$500, they are approximately twice what a cut, split, and delivered load of firewood is worth. On the high end of \$2,500, they are approximately double what a tri-axle load of decent ash sawlogs would be worth. This flexibility to scale the punishment to the crime, coupled with the loss of productivity associated with returning the regulated articles, offers the director a firm and fair tool to help slow the spread of destructive pests.

If you have any questions or concerns, please do not hesitate to contact me, William R. VanDoren, at [bvandoren@rwater.com](mailto:bvandoren@rwater.com) or (203) 401-2714.

Thank you for your consideration,



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