

CONNECTICUT MARINE TRADES ASSOCIATION

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March 18, 2013

Planning and Development Committee
Legislative Office Building
Hartford, CT 06106

Re: Committee Bill No. 460 AAC Coastal Protection Measurers, Routine Maintenance and Repair of Shoreline Structures, State-Wide Policy Concerning Water Resources and Procedures of the Department of Energy and Environmental Protection.

Chairmen Cassano and Rojas, Senator Fasano and Representative Aman and Members; The Connecticut Marine Trades Association (CMTA) and our membership urge you to give your support to **Committee Bill No. 460 AAC Coastal Protection Measurers, Routine Maintenance and Repair of Shoreline,...and Environmental Protection.**

This is an omnibus bill with a number of initiatives impacting the regulated community and modifying the Department of Energy and Environmental Protection management's thereof. The first issue would be to allow certain shoreline structures, fill, obstructions, or encroachments in place before January 1, 1995, to be maintained and repaired as a matter of right. If the DEEP has not already issued a notice of violation on any of these older structures, etc, that predate by almost twenty years, they would now become approved.

It would also allow up to 50% of all pilings in a structure be replaced in one year as routine maintenance in lieu of the previous 25%. It should be immaterial how many pilings are replaced annually, for maintenance, as long as the original specifications are maintained. Earlier upkeep means a stronger and safer structure.

A certificate of permission, one of the DEEP's faster modes of permitting would be reduced to a response time of 30 days for the Commissioner to reply, instead of 45 days for the permit to automatically be approved. This would streamline the process a bit and lessen the burdens on the agency. This initiative would also encourage the cooperative use of confined aquatic disposal (CAD) cells, a new technology for disposal of materials unsuitable for normal open water dispersal.

Other issues that this bill would attend to are prohibiting civil penalties being due and payable until a hearing is conducted, limiting the length of an order by the Commissioner of DEEP, and allowing any person or municipality aggrieved by a decision of the Commissioner of Energy and Environmental Protection to request a hearing.

We ask you again to support **Committee Bill No. 460 AAC Coastal Protection Measurers, Routine Maintenance and Repair of Shoreline,...and Environmental Protection.** It contains a number of initiatives that would change some operating parameters of the Department of Energy and Environmental Protection to simplify processes and provide more rights to the property owners. Thank you for the opportunity to comment on these issues and please know that we are available to discuss them at any time.

Sincerely,

John S. Johnson
Legislative Chair

Grant W. Westerson
President

Linda A. Kowalski
The Kowalski Group