



Connecticut Department of
**ENERGY &
ENVIRONMENTAL
PROTECTION**

**STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – March 7, 2014
Environment Committee

Testimony Submitted by Interim Commissioner Robert J. Klee
Presented By Deputy Commissioner Macky McCleary

Raised Senate Bill No. 310 – AAC CERTIFICATES OF PERMISSION FOR THE REPLACEMENT OF CERTAIN PILINGS

Thank you for the opportunity to present testimony regarding Senate Bill No. 310 - AAC CERTIFICATES OF PERMISSION FOR THE REPLACEMENT OF CERTAIN PILINGS. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

DEEP has concerns about this proposal because, as written, it appears both unnecessary and unclear. Under current law, the replacement of individual pilings supporting an authorized structure generally does not require a certificate of permission under the general statutes §22a-363b. In particular, after last year's PA 13-179, up to fifty percent of pilings may be replaced as routine maintenance in any year, meaning that all the pilings in a structure may be replaced within two years with no regulatory process at all.

Further, the language regarding replacement of pilings on the same footing is confusing, since pilings are rarely placed on footings but are driven directly into the substrate. When pilings are replaced, they are frequently driven adjacent to the old pilings, which are cut off below the substrate rather than being removed. In any event, we would be happy to work with the proponents of Senate Bill No. 310 - AAC CERTIFICATES OF PERMISSION FOR THE REPLACEMENT OF CERTAIN PILINGS to address any specific concerns they may have.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or Robert.LaFrance@ct.gov (or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or Elizabeth.McAuliffe@ct.gov).