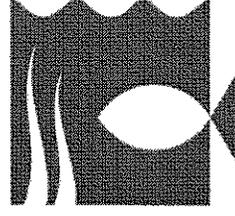


**Connecticut Fund
for the Environment**



Save the Sound®
A program of
Connecticut Fund for the Environment

**Testimony of Connecticut Fund for the Environment
Before the Committee on Public Health**

In opposition of HB 5543, AN ACT CONCERNING WATER QUALITY

Submitted by Zachary Bestor
Legal Fellow / Attorney
March 17, 2014

Connecticut Fund for the Environment ("CFE") is a non-profit environmental organization with over 5,500 members statewide. The mission of the CFE, and its program Save the Sound, is to protect and improve the land, air and water of Connecticut and Long Island Sound. We use legal and scientific expertise and bring people together to achieve results that benefit our environment for current and future generations.

Dear Senator Gerratana, Representative Johnson, and members of the Committee on Public Health:

Connecticut Fund for the Environment submits this testimony in opposition of Proposed HB 5543: An Act Concerning Water Quality. If passed, this legislation would allow water companies to make substantial changes in the use of water company lands without oversight or supervision from the Commissioner of Public Health.

Water company lands are, of course, one of Connecticut's most precious environmental resources. They purify our drinking water provide critical habitat and passive recreational opportunities. Because watershed lands act as natural filters, trapping sediment, chemicals and other pollutants, the development and maintenance of watershed land has a direct impact on drinking water quality.

Currently, whenever a water company wants to change the use of water company land, they must apply for a permit from the Department of Public Health. The bill would redefine "change in use" to mean a change that would be inconsistent with water supply purposes and negatively affect water quality or purity. This definition would give the water companies great discretion to make changes in use with without having to apply to the Department of Public Health for a permit, thus eliminating the need for oversight or approval from the Commissioner of Health.

Another part of the bill exempts "routine maintenance" from change of use. While we don't disagree with this concept, we believe it should be done at the administrative level and there is no need for legislation at this time.

We also are concerned with Section 2 that would allow professionals to certify applications. The Commissioner must retain full authority to make decisions on submittals to the

department. Overreliance on professionals hired by defendants to do the job of the department would be inappropriate and a danger to the public health.

Therefore, we oppose this bill based upon the negative consequences it would have on water company lands and the drinking water it protects.

Thank you for your time and consideration on this matter.

Sincerely,

/s/ Zachary Bestor

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