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Empowering Communities, Advocating Solutions.

**Testimony to the CGA Joint Committee on the Environment  
Testimony by Citizens Campaign for the Environment  
Louis W. Burch, Program Coordinator**

**February 27, 2015  
Hartford, CT**

Senator Kennedy, Representative Albis, distinguished members of the Environment Committee, thank you for the opportunity to testify today.

My name is Louis Burch, Connecticut Program Coordinator for Citizens Campaign for the Environment (CCE). Supported by over 80,000 members in Connecticut and New York State, CCE works to empower communities and advocate solutions that protect public health and the natural environment. CCE would like to offer the following testimony:

**HB 6839- AAC a Long Island Sound Blue Plan and Resource and Use Inventory (SUPPORTIVE)**

Long Island Sound (LIS) is Connecticut's most valuable natural resource, and an economic driver for our entire region. According to a recent report by the Long Island Sound Study and New England Interstate Water Pollution Control Commission (NEIWPCC), LIS's total asset value is worth between \$690 billion and \$1.3 trillion. LIS is the region's largest and most biologically diverse estuary, and includes some of the area's most productive natural habitats.

Unfortunately, with no spatial guidance plans over Long Island Sound, Connecticut lacks the authority to plan future uses of the Sound on a holistic basis. In the past, this has led to large-scale infrastructure proposals that have proven to be inconsistent with the uses and values of LIS (i.e. Broadwater). Under the current law, the public and the CT Department of Energy and Environmental Protection (DEEP) may only intervene in development projects as part of the larger regulatory process, which has proven to be a very costly and inefficient way to ensure that the interests and needs of the LIS community are being served in a balanced, sustainable manner.

The LIS Blue Plan and Resource Inventory will be a collaborative effort between the commissioners of DEEP, DOT, and DoAg, along with representatives from UCONN, marine trade industry groups, conservation groups, and other relevant stakeholders. This process will evaluate the attributes and natural character of the LIS bottomlands, designate sensitive conservation areas and factor in existing public and industrial uses of the Sound to create a master planning document that can be used by the state and local governments. The master plan will help ensure new development projects are consistent with existing uses of the Sound, while preserving the environmental, cultural, and economic values of the LIS community as a whole.

While it's important for Connecticut to move forward planning for LIS' future, it is of critical importance to remember that the Sound is a bi-state resource. CCE strongly recommends creating a mechanism through which Connecticut will work with NYS Department of State and other relevant state agencies to develop a unified plan for LIS. Only by collaborating with our neighbors in New York will Connecticut be able to accomplish the larger restoration goals we have adopted for Long Island Sound.

Additionally, CCE recommends creating a process that includes ample opportunities for diverse stakeholder participation. There is a broad spectrum of views regarding the use and value of Long Island Sound among conservation and industry groups alike. Ensuring that each field of stakeholders is *well represented* will make for a more transparent, collaborative process on all sides of the issue. **The environmental, economic, and cultural value of LIS cannot be overstated, and a Long Island Sound Blue Plan that actively engages all stakeholders is urgently needed. CCE strongly supports HB 6839 and respectfully urges its passage.**

#### **SB 940- AAC The Sustainability of the Nitrogen Credit Exchange Program (SUPPORTIVE)**

Excess nitrogen in our waterways contributes to harmful algal blooms (HABs) that can severely impair our aquatic ecosystems. HABs lead to diminished water quality and can deplete water bodies of necessary dissolved oxygen, making it difficult for aquatic life to thrive. Hypoxic conditions like these create a massive "dead zone" in Long Island Sound during the late summer, which has been estimated to cover an area roughly four times the size of Manhattan. This oxygen-starved area is highly inhospitable to aquatic life, particularly for shellfish and crustaceans, which are an important part of our Maritime economy.

Certain algal blooms such as toxic *red tide*, can poison shellfish and pose a threat to human health. Direct exposure to red tide, along with consumption of contaminated shellfish, can cause irritation and illness in people. Research shows that individuals with severe or persistent respiratory conditions (such as asthma or chronic lung disease) may even experience stronger adverse reactions than the general population.

Nitrogen reduction in LIS is necessary to maintain the health of the marine environment, as well as our economy and public health. Connecticut's Nitrogen Trading Program has proven to be a cost effective, time tested way to reduce our state's nitrogen impact on LIS. The program has helped publicly owned treatment works (POTWs) across the state reduce nitrogen pollution in the Sound by more than 60% over the last 15 years. Unfortunately, now that Connecticut is ahead of its nitrogen reduction goals, the state has excess nitrogen credits and not enough eligible buyers to purchase them. This means that Connecticut is losing money on what was designed to be a cost-effective and sustainable program.

SB 940 limits state purchases of nitrogen credits required by law, while preserving the integrity of the nitrogen credit trading program. This will alleviate the fiscal impact on Connecticut, while still enabling the state to participate in nitrogen credit programs in the future. **Water quality is of paramount importance to Connecticut's economy and quality of life, and states that go above what is required by law to reduce water pollution should not be penalized for good behavior. CCE supports SB 940, and encourages this committee to pass this legislation as soon as possible.**

#### **HB 5709- AAC the Department of Energy and Environmental Protection's Authority to Designate Additional Stormwater Sewer Systems Outside of Urban Areas (OPPOSED)**

Stormwater runoff coming off of rooftops, roads, parking lots and other impervious surfaces collects a wide range of heavy metals, motor oil, pesticides, fertilizers, pet waste and other pollutants. Ultimately, this polluted runoff is carried into combined sewer/storm drains, which discharge directly into our rivers, streams and

estuaries. Polluted runoff is one of the leading causes of degraded water quality in LIS, which lead to beach closures and have an adverse impact on fish and aquatic wildlife.

HB 5709 would prohibit DEEP from issuing permits to small municipalities in Connecticut. DEEP has determined that certain municipalities are disproportionately causing the stormwater pollution that causes LIS to fall below federally mandated water quality standards. These standards exist to ensure that our water can support aquatic life and remains safe for humans to swim and fish in, and must be implemented. Exempting small municipalities from regulation would be counterproductive in achieving our State's water quality goals, and is contrary to federal and state law.

Putting small municipalities beyond the reach of law is the wrong thing to do. Clean water is a resource all communities benefit from, and as such it is a shared responsibility. **Connecticut has traditionally been a nationwide leader in water protection, and should continue to raise the bar by holding each community accountable for their own pollution. CCE strongly opposes HB 5709, and urges this committee to take no action on this ill-conceived proposal.**