



Connecticut Fund
for the Environment

Save the Sound®

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

***In Strong Opposition to*
SB 427 AAC Public Trust Components of the State Water Plan**

Submitted by Karen Burnaska
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Connecticut Fund for the Environment is a non-profit environmental organization with thousands of members statewide. The mission of CFE, and its bi-state 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.

Connecticut Fund for the Environment and its bi-state program Save the Sound (CFE/Save the Sound) writes in strong opposition to SB 427, AAC Public Trust Components of the State Water Plan, and asks the Environment Committee to not move it forward.

First, we are concerned that there is an incongruity between the title and content of the bill. The bill seeks to revise the Connecticut Environmental Protection Act, not the State Water Plan as the title implies. The state water plan, a document that has been years in the making, will undergo review by the four committees of cognizance during this session. The State Water Plan is not a regulatory document but is a platform for future management decisions regarding policies to address water resource balance in the state. We would ask those committees to pass the plan as is so that the state can move into the implementation phase, instead of adding yet another year of planning.

Second, we are deeply concerned that the bill seeks to amend the Connecticut Environmental Protection Act. That act was established in 1971 and designed to protect the public's right to healthy air, clean water, and protected natural resources. The bill, on the other hand, seeks to add a provision that severely curtails the public's right against unreasonable pollution, impairment, and pollution. Not only could this result in damage to the availability and adequacy of water for neighbors surrounding private wells, and potentially an entire basin, it is a slippery slope to the erosion of the public trust doctrine and the Connecticut Environmental Protection Act itself. The ability of one person or entity to "run a well dry" or "bleed a neighbor's aquifer" is unacceptable. It is the responsibility of the State to manage water, as a public trust resource, sustainably and to the benefit of all.

Exempting this subset of water from the existing public trust law is contrary to the charge given to elected officials to protect the public health and safety of Connecticut's residents. **Please oppose SB 427.**

Thank you for your consideration of my comments.