

Environment Committee JOINT FAVORABLE REPORT

Bill No.: HB-6637

AN ACT REQUIRING AN INVASIVE SPECIES STAMP FOR THE OPERATION
Title: OF A MOTORBOAT ON THE WATERS OF THE STATE.

Vote Date: 3/8/2019

Vote Action: Joint Favorable Substitute

PH Date: 3/1/2019

File No.: 183

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SPONSORS OF BILL:

Sen. Julie Kushner, 24th Dist.

Rep. Emil Altobello, 82nd Dist.

Rep. David Arconti, 109th Dist.

Rep. Kenneth M. Gucker, 138th Dist.

Rep. David Michel, 146th Dist.

REASONS FOR BILL:

Many lake authorities and associations are experiencing increases with pervasive and invasive aquatic invasive species and toxic cyanobacteria blooms. Invasive plants are expensive to manage and are often transferred between different bodies of waters by boats. Concerns have been brought to the attention of the committee in that many boaters operating their vessels on state waters are from out-of-state and may not be contributing to the cleanup of such waters. Additionally, funding sources from the state to assist municipalities in combating aquatic invasive species are diminishing. This bill expands the Connecticut Lakes and Ponds Preservation account to include rivers, and seeks to fund the Connecticut Lakes, Rivers and Ponds Preservation account through the creation of an invasive species stamp for the operation of a motorboat on waters of the state.

Substitute Language – LCO No. 5713

The bill as originally drafted would have (1) required the purchase of an invasive species stamp for vessels only operating on the inland waters of the state, and (2) established a five dollar fee for Connecticut residents and a twenty dollar fee for out-of-state registrants to be paid at the time of registration of such vessels. Among other concerns, the Connecticut Department of Motor Vehicles (DMV) shared testimony that the agency is unable to know if a

registered boat will be used on inland waters and if vessels registered out of state are used in the state. Testimony shared by the Connecticut Department of Energy and Environmental Protection explained that non-resident boaters do not have to register their vessel with the DMV. Additionally, testimonies shared with the committee explained that some major rivers are also threatened by the infestations of invasive species. Substitute language seeks to address concerns by (1) requiring the purchase of an invasive species stamp for vessels to be operated in any waters of the state, (2) the fee will be five dollars for residents registering their vessel with the DMV, (3) any vessel that is registered in another state will pay twenty dollars for such stamp to DEEP and such stamp will expire on April 30th of the following year, and (4) includes rivers to the Connecticut Lakes and Ponds Preservation account established in section 14-21aa of the general statutes.

Correction – 4/4/19

The JF Report had incorrectly reported that boaters, under current law are required to obtain a boating certificate issued by DEEP. Current law requires out-of-state residents to obtain a safe boating certificate for personal watercrafts; however, out-of-state residents may operate a motorboat in the state without the safe boating certificate.

RESPONSE FROM ADMINISTRATION/AGENCY:

Katie S. Dykes, Commissioner, Connecticut Department of Energy and Environmental Protection (DEEP): Supports the bill; however, DEEP noted that the administration is not in favor of off-budget accounts. Therefore, any program considered should be appropriated and discussed as part of a larger budget discussion with the Office of Policy and Management and the Governor’s Office. DEEP notes the following concerns with the original draft of the bill: (1) most nonresidents will be unaffected by a twenty five dollar stamp fee because current law does not require boats registered out of state to be re-registered in the state through the Department of Motor Vehicles, and (2) some major rivers, including the Connecticut River and Housatonic River are also threatened by invasive species and should be included in the Connecticut Lakes and Ponds Preservation Account.

Judeen Wrinn, Acting Commissioner, Connecticut Department of Motor Vehicles (DMV): Opposes the bill. Although in support of the concept of the bill, the bill as originally drafted does not outline how the program would work within current staffing levels and appropriations. DMV notes the following concerns with the original draft of the bill: (1) DMV is unable to determine if a boat will be used on inland waters, coastal waters, or elsewhere as the agency does not require that identification, (2) DMV is not able to identify non-residents who may intend to operate a vessel on inland waters of the state, such vessels are not required to interact with the DMV, (3) the DMV has no ability to monitor compliance with non-resident boaters, and (4) the DMV cannot afford the required IT system changes, and would need approximately six to nine months of planning and programming.

NATURE AND SOURCES OF SUPPORT:

Representative Tim Ackert, 8th Assembly District: Towns in the eighth assembly district have been combating Hydrilla for many years. Hydrilla is a highly invasive aquatic plant, costing towns \$100,000 annually for treatment. Boaters need to clean their vessels to stop

the spreading of invasive species from one lake to another. In place of a stamp, the legislature should establish a program similar to the passport to the parks program, wherein, Individuals should pay a fee when they register their vessel. A chart is provided in testimony as to the fee amount as it relates to the boat size.

James Berardino, Lobbyist and Marketing Director, Connecticut Council of Small

Towns (COST): The financial and biological detriment aquatic invasive species causes towns are significant. This bill is important because state agencies, municipalities, and lake authorities lack the resources to address this growing threat. Treatment can cost over \$100,000 annually. An example is Coventry Lake that costs \$130,000 annually for treatment and is expected to need another six to ten years of treatment. COST recommends the original draft of the bill be amended to (1) apply a \$5 fee on all boats registered in the state, (2) require a person onboard an out-of-state vessel to have an invasive species stamp purchased through the DEEP Automated License System, and (3) include rivers to the Lakes and Ponds Preservation Account.

Amy Blaymore Paterson, Executive Director, Connecticut Land Conservation Council

(CLCC): CLCC supports the bill and requests that the committee amend the bill to (1) include rivers to the Lakes and Ponds Preservation Account, and (2) expand the program so that funds are available to land trusts that work in cooperation with towns to address aquatic invasive species.

Margot Burns, Environmental Planner, Lower Connecticut River Valley Council of

Governments (RiverCOG): Since 2011, RiverCOG has worked to survey and remove invasive water chestnuts from the lower Connecticut River. In 2018, Hydrilla was found on the main stem of the Connecticut River and is problematic because it can grow about a foot a day, reduces oxygen in the water, obstructs water related activities, and can clog flood control channels.

Alicea Charamut, River Steward, Connecticut River Conservancy: Connecticut cannot get ahead of emerging threats from aquatic invasive plants in all of the state's waters. This is due to budget restrictions and lack of staff to the Department of Energy and Environmental Protections (DEEP). At the same time, Hydrilla has become a major problem for Connecticut waters. The River Conservancy recommends that the bill be amended to (1) include the five dollar stamp to all boats registered in the state, (2) require a person on board a vessel registered out-of-state to purchase an invasive species stamp through DEEP, (3) change the effective date from October 1, 2019 to April 1, 2020 to match up with current state boat registration time schedule, and (4) include rivers to the Connecticut Lakes and Ponds Preservation Account.

Lisa Conant, Vice Chair, Coventry Town Council: Shared personal testimony of the impact Hydrilla has had in Country Lake. The town has been working with DEEP for several years to monitor and control the Hydrilla problem in the lake. The annual cost of treatment is \$125,000 annually and will require six to ten more years of treatment. Hydrilla can easily spread and it is very likely that it was introduced to Coventry Lake via watercraft.

Betsy Gara, Executive Director, Connecticut Water Works Association: Invasive species and cyanobacterial blooms are an increasing concern to water companies because they can

contaminate drinking water reservoirs by the spreading from lakes and ponds located upstream. Potential issues with water contamination include water quality, clogging of intakes and raw water pumps, potential substrates for benthic algae, and overall ecological issues.

Kristine L. Hall, Selectman, Town of New Fairfield: Shared personal testimony of the impact invasive species has had on Candlewood Lake and Squantz Pond. New Fairfield has a large vested interest in the continuing health and vitality of Candlewood Lake. The degradation in quality of the lake will have a negative impact on the financial viability of the town.

Hillary Kenyon, Environmental Scientist, Northeast Aquatic Research LLC: There are only two recorded lakes having no invasive plants in Connecticut, these are Winchester Lake and West Hill Pond. An invasive species stamp is the simplest way to encourage boaters to clean, drain, and dry their vessels prior to moving from one waterbody to another.

Leslie Kane, Managing Director, Audubon Connecticut: In 2014, the Environment Committee held an informational forum on aquatic invasive plants. Testimony provides a link to a recording of the forum. Additionally, the Connecticut Department of Energy and Environmental Protection awarded \$150,000 to ten municipalities and one lake authority for studies and control projects. Even so, aquatic invasive species continues to persist throughout the state.

Margaret Miner, Executive Director, Rivers Alliance of Connecticut (Rivers Alliance): River Alliance makes an assumption that the bill will apply to rivers, but recommends the committee amend the bill to clarify the types of waters covered under the bill. The Rivers Alliance also recommend the bill prioritize the use of the least toxic treatment for combating invasive species and that funding is also made available for prevention. Members of the lake communities share different thoughts as to the appropriate use of pesticides and herbicides invasive species.

David Sutherland, Director of Government Relations, The Nature Conservancy: Although supportive of the bill, language should be amended to extend the eligibility for grants to rivers and streams. An increasing number of invasive species are being moved into the state. Boats' moving from one water body to another is the leading cause of the spreading of invasive species. In 2015 and 2016, the General Assembly provided grants to control aquatic invasive species; however, the demand for grants outstripped the \$250,000 and \$300,000 allocated. While the Nature Conservancy would like a straight appropriation for invasive control, a stamp and fee as proposed in the bill is a feasible and appropriate method for funding invasive control programs.

The Environment Committee received approximately 70 similar testimonies supporting the bill in that (1) invasive aquatic species has become a major problem for the local ecosystems surrounding state waters, (2) municipalities and lake authorities are often unable to fully fund effective and appropriate treatment to combat invasive species, and (3) rivers are also negatively impacted by the expansion of invasive aquatic species and should be included to the Connecticut Land and Ponds Preservation account. Testimonies provided by towns and

local lake authorities provide personal statements as to the negative impact and costs associated with the treatment of their local bodies of water.

NATURE AND SOURCES OF OPPOSITION:

None Submitted.

Reported by: Pamela Bianca / Ussawin R. Bumpen Date: 4/3/2019