



COUNCIL ON ENVIRONMENTAL QUALITY

Draft Recommendations for Legislation

November 22, 2013

The Council on Environmental Quality (CEQ) publishes *Environmental Quality in Connecticut*, the state's annual report on the status of our air, water, land and life. The Council also is required by law (CGS Section 22a-12) to recommend legislation "for remedying the deficiencies of existing programs and activities." From its review of statewide environmental indicators and investigation of citizen complaints, the Council has identified the most critical deficiencies and offers these recommended solutions.

THE BASICS: LAND, RIVERS, SOUND AND PARKS

A few programs form the foundation of Connecticut's environmental progress. They are *essential* if Connecticut is to chart needed improvement in its major environmental indicators. To meet its goals, Connecticut will need to:

- Maintain the current capital budget for the **Clean Water Fund** to prevent raw sewage from entering rivers and Long Island Sound and to reduce nitrogen discharges that cause hypoxia in the Sound.
- Maintain the current capital budget for **farmland preservation**; preserve 2,000 acres each year.
- Improve the level of protection for state conservation lands to ensure their **preservation in perpetuity**.
 - Implement a **standard procedure for initiating exchanges and conveyances of land**, one that brings essential information to the decision-makers early in the process.
 - Grant legal protections to lands of **high conservation value** – including state parks, forests, and wildlife management areas – so that they remain protected in perpetuity. More information is available in the brief slide show, *Preserved But Maybe Not*, on the Council's website and in a forthcoming white paper of the same name.
- Authorize sufficient capital funds (estimated to be \$20 million) each year to preserve 12,000 acres of **priority conservation lands** by the state and matching-grant recipients.
- Appropriate sufficient funds to allow all **state parks** to open in 2014 with staff.
- Appropriate sufficient funds to mount an effective defense against the largest ecological threat to Connecticut's native habitats: **invasive species**.
 - Require an appropriate agency (the Connecticut Agricultural Experiment Station, DEEP, Agriculture, or all three) to prepare a **plan** for rapid detection and eradication of newly discovered terrestrial invasive species (to complement the existing state plan for aquatic species).

CITIZEN COMPLAINTS: PROBLEMS UNCOVERED, SOLUTIONS FOUND

Through its investigation of citizen complaints, the Council sometimes identifies gaps or deficiencies in existing laws and programs which result in inadequate protection of state residents. The following recommendations arose from Council investigations.

Air Pollution from Outdoor Wood Furnaces

Outdoor wood furnaces (OWFs), which are subject to minimal siting requirements but no emission limits, can be significant sources of harmful air pollution. Connecticut's current statutory requirements for siting OWFs will expire in 2014.

- Adopt a bill that improves existing statutory requirements for existing OWFs and limits pollution from new OWFs. Do NOT let existing requirements expire, as they are slated to do, without adopting new ones.

All-Terrain Vehicles

Illegal use of ATVs damages trails, parks, nature preserves and other properties. Enforcement is difficult.

- Improve law enforcement agencies' ability to enforce existing laws by including forfeiture of the vehicle as a potential penalty.

Alternative Sewage Treatment Systems

Alternative Treatment Systems are small sewage treatment systems that discharge treated effluent to groundwater. Some system operators comply with DEEP's discharge limits and reporting requirements while a significant number do not; the consequences are the same in each case because there is little oversight or enforcement.

- Amend water pollution control statutes to impose a minimum penalty of \$1000 for repetitive failure (i.e., two successive failures) to submit required monitoring reports for alternative sewage treatment systems.
- Shorten time periods between permit renewals (from ten years to five) for facilities that fail to report required reports.

Tower Siting

Applicants to the Connecticut Siting Council for telecommunications towers must notify abutting landowners but not the people who bear the visual impacts. Most applications *identify* the addresses with views of the proposed tower, but notice is not sent to those addresses.

- Amend CGS Section 16-50I(b) to require notice of any application to the Connecticut Siting Council for a telecommunications tower to be sent to properties that will have a view of the tower.

Flowing Water, Flowing Wastes

Recent controversies highlight the risks of relying on *ad hoc* decisions when using streams and rivers for water supplies. The statewide water plan required by statute was never completed.

- Fund and adopt a statewide water allocation policy and plan as recommended by the Water Planning Council.
- Expand the (now diminished) network of stream gages so Connecticut can know where the water is.

Current law contains uncertainties and gaps that could expose Connecticut to hazardous wastes.

- Protect residents from harmful effects of imported waste products generated by hydraulic fracturing (fracking).