



Save the Sound[®]

Action for our region's environment.

**Testimony of Save the Sound
Before the Conservation and Development Subcommittee
of the Appropriations Committee**

House Bill No. 6439

**AN ACT CONCERNING THE STATE BUDGET FOR THE BIENNIUM ENDING JUNE
THIRTIETH, 2023, AND MAKING APPROPRIATIONS THEREFOR**

**Submitted by Katherine M. Fiedler, Esq.
February 19, 2021**

Save the Sound is a nonprofit organization representing over 4,200 member households and 10,000 activists statewide. Our mission is to protect and improve the land, air, and water of Connecticut and the entire Long Island Sound region. We use legal and scientific expertise and bring citizens together to achieve results that benefit our environment for current and future generations.

Dear Co-Chairs Osten and Walker, Vice-Chairs Hartley, Dathan, and Nolan, Ranking Members Miner and France, and members of the Conservation and Development Subcommittee:

Save the Sound submits this testimony regarding funding for the Department of Energy and Environmental Protection (DEEP). DEEP is charged with ensuring that the state's natural resources are preserved, conserved, and protected, and achieves this by fairly and effectively implementing environmental quality standards and laws. The Department has shown leadership and perseverance in working to fulfill its mandate through a decline in resources over the past two decades, to be further compounded by the upcoming 2022 retirement cliff. At the same time, DEEP has been tasked with additional responsibilities, covering gaps in federal enforcement, tackling emerging issues, such as PFAS contamination, managing the increasing use of open spaces and natural resources, and fulfilling the increasingly important and urgent role for state government in confronting the climate crisis.

While many levels of funding in the proposed budget for DEEP have remained the same as recent years, which we commend during this challenging budget biennium, we cannot simply maintain the status quo when current funding levels are already low, and often insufficient. Further, this budget does propose several concerning cuts to DEEP program areas. That being said, we fully understand and appreciate the budget situation faced by the State in light of the coronavirus pandemic that has yielded cuts or stagnation in funding for DEEP. Yet we are facing extraordinary threats to our environment and public health. Over this past year, we have had many wake-up calls on the critical importance of state government, in all of its roles – including that of our environmental agency, DEEP. These lessons should not be ignored.

We have witnessed the inextricable links between the environment and countless other impacts on communities and individuals. Overburdened environmental justice communities are suffering

from more severe cases of coronavirus because of comorbidities caused, in part, by excessive environmental pollution. Connecticut residents are seeking refuge and recreation in the state's open spaces at unprecedented levels straining state park infrastructure and fragile ecosystems, while also demonstrating the need for equitable access to open spaces and beaches. There has been an increase in subsistence fishing and hunting to aid in challenging economic circumstances. With new office structures, the need to transition to e-governance systems, including the significant task of digitization, for efficient permitting and for transparency for the general public has never been clearer. We have realized, and relearned, the scope and urgency of environmental justice. We have seen evidence of climate chaos locally and globally. And we have seen the challenges of when the climate crisis collides with the pandemic, with regard to public health and safety during those extreme weather events. All of which have demonstrated that DEEP's role is increasingly critical and serves each and every Connecticut resident.

Of particular concern to Save the Sound is DEEP's ability to carry out environmental inspections and enforcement, responsibilities that are at the core of DEEP's mission as they ensure compliance with environmental laws that protect our water, land, wildlife, and air, as well as public health. The Environmental Quality branch is responsible for a transparent and fair system of inspections for facilities capable of spewing toxic and dangerous chemicals and other pollutants into our water and air or devastating critical forests and wetlands. The Environmental Conservation branch is responsible for a field presence to assure that fish and game are protected and that our natural spaces do not suffer from intensive use. If these functions are not protected, there is no meaningful environmental protection.

- We urge that DEEP be funded to be able to properly conduct environmental enforcement, within both the Environmental Quality and Environmental Conservation branches, and that the unprecedented environmental challenges we face now and into the future are considered. For that reason, we oppose cuts to the following line items: Environmental Quality (Line 12491) – a cut of \$300,000 from 2021 levels; Environmental Conservation (Line 12501) – a cut of over \$550,000 from 2021 levels; and Clean Air (Line 12490) – a cut of over \$200,000 from 2021 levels. The proposed budget does not outline a justification for these proposed cuts, therefore it is hard to understand the impacts or rationale. But we can expect that these cuts will significantly impact environmental compliance outcomes, especially in light of responsibilities that are growing exponentially.

Also paramount to effective and fair enforcement is the sufficient staffing of the Department. Enforcement staff ensure that environmental requirements are met by the regulated community through both direct enforcement and through the expectation of consistent enforcement. Environmental enforcement requires a suite of skills and acquired expertise and relationships in order to be done most effectively and efficiently. Within the Environmental Conservation branch, Environmental Conservation officers enforce fish and game laws, but also ensure public safety in the state's natural areas both on and off the water. These roles inherently require "boots on the ground" for both the actual enforcement, and a consistent presence to promote compliance. Fundamentally, effective enforcement requires *people*.

- Staffing levels have declined since a peak in 2013, with currently 140 fewer positions than that peak. In 2018 and 2019, the General Fund funded 618 full-time positions; yet in 2020 and 2021, it only funded 583 positions. In the proposed budget for 2022 and 2023, there is a cut of 12 positions – leaving only 571. We understand that DEEP positions funded by the Consumer Counsel and Public Utility Control Fund have, in turn, increased by 12. We seek to understand if this is simply a reallocation of funding for the same positions, or if these positions will move under the Public Utilities Regulatory Authority. Again, the proposed budget does not outline a justification for this change, therefore it is hard to understand the impacts or rationale, including if this shift signals a significant change in the staffing resources available to the Environmental Quality and Environmental Conservation branches.

As previously noted, there are also funding categories that have remained stagnant despite increases in responsibilities, risk of environmental harm, and the general costs of doing business, therefore our concerns extend beyond the cuts highlighted herein. We might soon start to see the impacts of this insufficient funding on environmental quality, despite the hard work done by talented and passionate agency staff, if not remedied.

Thank you for your continued commitment to ensuring that Connecticut's Department of Energy and Environmental Protection has the resources it needs to protect our air, water, open space, and public health, and to be leaders in the climate crisis.

Respectfully submitted,

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