

COUNCIL ON ENVIRONMENTAL QUALITY



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July 29, 2009

Amey Marrella
Acting Commissioner of Environmental Protection
79 Elm Street
Hartford, CT 06106

Dear Acting Commissioner Marrella:

I am enclosing the Council's comments on the proposed generic environmental classification document (ECD), which we submitted to the Office of Policy and Management today.

In the Council's view, the proposed ECD cannot work until the Connecticut Environmental Policy Act (CEPA) regulations are revised. As one example, an agency that conducted an environmental assessment under the proposed ECD without following that assessment with an environmental impact evaluation or finding of no significant impact (FONSI) would be in violation of the regulations – an absurd situation, as FONSI's no longer are authorized by statute.

As we state in our comments, aspects of the CEPA process needs to be overhauled. Too much money and too much time are wasted on environmental impact evaluations of little value. The ECD probably is the last piece of the process that needs to be changed, not the first.

The Council supports the idea of brief environmental impact evaluations for all projects – an approach in which your Department has led the way – with maximum public information. We could support a regulatory maximum on the number of pages. More importantly, there are tools that could replace the 1978 concepts of ECDs and FONSI's. For example, an on-line environmental assessment worksheet could be completed for each project and posted for public review, with only a percentage of projects proceeding to a full environmental impact evaluation.

The Council repeats its long-standing recommendation to your Department to amend the CEPA regulations, and offers its assistance where it could be helpful. Thank you for your attention to these comments. As always, I trust you or your staff will not hesitate to contact us if you wish to discuss them.

Sincerely,

Barbara C. Wagner
Chair