

Council on Environmental Quality

At a Glance

SUSAN D. MERROW, Chair

Karl J. Wagener, Executive Director

Established - 1971

Statutory authority – Conn. Gen. Statutes Sec. 22a-11

Central office - 79 Elm Street, Hartford, CT 06106

Number of employees – Two

Recurring operating expenses – \$170,481.02

Organizational structure – Nine-member appointed council

Mission and Statutory Authority

The Council on Environmental Quality's three main duties are to prepare and submit to the Governor the state's annual report on the status of Connecticut's environment, to advise other state agencies and to receive and investigate citizen complaints. It also has specific responsibilities under the Connecticut Environmental Policy Act, or CEPA (Conn. Gen. Statutes Sec. 22a-1 through 22a-1h), and other statutes. The Council is within the Department of Energy and Environmental Protection (DEEP) for administrative purposes only. Members of the nine-person Council are appointed by the Governor (5, including the Chair), Speaker of the House (2) and President Pro Tempore of the Senate (2). Members serve without compensation.

Public Service / Improvements / Achievements 2016-2017

The Council submitted *Environmental Quality in Connecticut* – the state's annual report on the condition of its air, water, land and wildlife – to Governor Dannel P. Malloy in April 2017. The Council continued its use of graphical environmental indicators that chart the state's progress. Because the report is published online only, the Council is able to publish updates if additional data become available. An update was published in June, for example, to incorporate data on forest bird populations, bats, and gasoline consumption that were not available in April. The Council also elaborated on statistics published in the April report that focused on a sharp decline in environmental enforcement activity, particularly regarding pesticides.

The Council developed new indicators of ecological health, building on an effort begun in 2014. Specifically, the Council identified species of wildlife that are accurate indicators of the quality of their habitats. The 2015 report launched a new annual index value for populations of forest birds. The report for 2016 included a whole new section, Mosaic Habitats, to illustrate trends in species that require a combination of habitats, such as turtles, bats and Ruffed Grouse. The development of such indicators requires considerable care in the selection of species, and the Council was advised by several biologists.

All agencies submit their environmental impact evaluations (EIEs) of proposed projects for the Council's advice. The Council offered detailed comments on a large sewer project in Mansfield and a proposal to remove trees in a state-owned Natural Area Preserve in Groton.

The Connecticut Siting Council is required to solicit comments from this Council, which submits comments on proposed projects in cases where the applications do not provide satisfactory information about scenic and ecological resources.

In early 2016, the Council began a review of the state's laws and policies that encourage large-scale solar energy facilities to be built on forests and prime farmland, with a goal of determining how they could more effectively be directed toward industrial areas. In February 2017, it published a special report, *Energy Sprawl in Connecticut – Why Farmland and Forests are Being Developed for Electricity Production; Recommendations for Better Siting*. The report's major recommendations were adopted by the Connecticut General Assembly and signed by Governor Dannel P. Malloy as part of P.A. 17-218.

Several statutes give additional responsibilities to the Council. It was consulted by DEEP (pursuant to Conn. Gen. Statutes Sec. 23-8(b)) when the latter was revising the state's land conservation strategy, and the Council provided detailed advice throughout 2016, in writing and at public meetings. It advised the Water Planning Council prior to the latter's approval of an environmental consultant to conduct a study of a proposed quarry in a drinking-water supply watershed (pursuant to P.A. 16-61, An Act Concerning an Environmental Study on a Change in Use of New Britain Water Company Land). Subsequently, the Council offered detailed comments on the scope of the environmental study, which led to significant changes including the expansion of the study to encompass four seasons. The Council monitored progress on the study throughout 2016 and 2017 and discussed it with the consultants in public meetings.

Connecticut residents are encouraged to bring their environmental concerns and complaints to the Council. State law directs the Council to investigate citizen complaints alleging violation of any statute or regulation in respect to environmental quality. Citizens spoke at Council meetings to express concerns about a proposed water bottling plant, insufficient training for foresters to recognize pre-European archaeological sites, the proposed location for a firearms training facility, New Britain's plans for allowing mining on watershed lands, a proposed power plant, invasive species, impacts of unplanned growth around a university campus, and use of municipal open space that did not comply with state requirements. In addition, staff received complaints and inquiries regarding a shoreline trail that was being constructed without an environmental analysis, an ancient burial ground that was being exhumed for a development project, a residential development that was being planned at a former illegal dump site, the possible adverse health effects of certain outdoor lighting, idling diesel trucks, Gypsy Moth

infestation, illegal damming of a stream, orange drinking water, fumes from a neighbor's fuel tank overflow, possible wetlands contamination from a junkyard, Connecticut's emissions inspections for large diesel trucks in relation to neighboring states, and others. The Council investigated all of the complaints it received and offered recommendations to the relevant state agencies, where warranted, and pursued the solutions until they were implemented.

Some complaints or concerns lead to more detailed investigation. In response to the concerns noted above regarding pre-European archaeological sites on state forest land, the Council heard from experts, including representatives of the Narragansett Indian Tribal Historic Preservation Office and the New England Antiquities Research Association, on the occurrence of archaeological and sacred sites on state property. In light of every agency's statutory responsibility to plan for the protection of such resources, the Council sent a letter in September to Commissioner of Energy and Environmental Protection Rob Klee with copies to leaders of other relevant agencies.

All reports are published on the Council's website. By encouraging people to read its reports online, the Council has been able to eliminate printing and thereby conserve money and resources. Residents can receive e-mail notices of all new publications, as well as public meetings, by signing up for free e-alerts through the website.

Twice each month the Council publishes the *Environmental Monitor*, an online publication that replaced the Connecticut Law Journal as the official publication for CEPA notices. All state agencies post their notices that are required by CEPA, as well as notices of proposed land transfers as required by Conn. Gen Statutes Sec. 4b-47, in the *Environmental Monitor*. The *Environmental Monitor* is distributed to all municipal clerks as well as any citizen who subscribes to e-alerts through the website. This electronic publication saves considerable sums by eliminating printing and mailing costs.

The Council's total expenditures in FY 2017 were less than its FY 2016 expenditures, and equal (within 270 dollars) to its expenditures in FY 2008 (in nominal dollars not adjusted for inflation), and. This reduction was achieved in part by staff taking several days of unpaid leave, and partly by not purchasing anything.