

Council on Environmental Quality

At a Glance

Susan D. Merrow, Chair

Peter Hearn, Executive Director

Established - 1971

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

Central office - 79 Elm Street,

Hartford, CT 06106

Number of employees – Budgeted for two

Recurring operating expenses, including salaries, fringe and all other expenses. The Council is funded out of the “Passport to Parks” Account, not the General Fund. – \$327,942

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 2018-2019

The Council submitted *Environmental Quality in Connecticut* – the state's annual report on the condition of its air, water, land and wildlife – to Governor Ned Lamont, members of the Connecticut Legislature, and the public in May. The report included over thirty interactive charts that show environmental trends in the State. The Council's report shows both environmental trends and the practical causes and consequences of those trends. For example, trends in forest acreage is accompanied by trends in the bird populations that inhabit the State's forests. Similarly, increased water temperature in Long Island Sound is illustrated by the shifting of resident fish species from those with a cold water preference to those with a warm water preference. For the 2018 Annual Report, the reported frequency and location of the invasive Emerald Ash Borer was added. This supplemented the other indicator of invasive insect pests, the rate of occurrence of the Asian Tiger mosquitos. Both indicators are illustrative of the pace of the damage being done by invasive species as the climate changes. In the 2018 Annual Report, the Council dropped its historic measure of the State's recycling rate in favor of a measure of Connecticut's total waste diversion efforts. This new indicator includes source reduction, reuse, recycling, composting, etc. and is a more meaningful measure of progress in dealing with the problem of solid waste.

All State agencies submit their environmental impact evaluations (EIEs) of proposed projects for the Council's advice. The Council reviewed four EIEs from State agencies in FY 2018–2019. It submitted comments with recommendations regarding one of the EIEs to the agency that proposed the project.

Twice a month the Council publishes the *Environmental Monitor*, an online publication that replaced the Connecticut Law Journal as the official publication for CEPA notices. The Council assists all state agencies, if needed, with the posting of those CEPA notices. The *Environmental Monitor* also contains notices of proposed land transfers, as required by Conn. Gen Statutes Sec. 4b-47. It is distributed electronically to all municipal clerks as well as over 440 citizens that have subscribed to the Council's e-alerts through the Council's website. In January of 2019, the *Environmental Monitor* posted, for the first time, a notice of a project that had been posted formerly but was being withdrawn by the sponsoring agency. In the past, notices of terminated or postponed projects had not appeared and the public would be challenged to learn their status.

When requested by State agencies, the Council publishes special notices of environmental importance in the *Environmental Monitor*. In accord with that policy, the Council posted notice of the availability of the Long Island Sound Blue Plan for review and comment. The Council also submitted comments in support of the Blue Plan to DEEP Commissioner Katie Dykes.

The Connecticut Siting Council is required to solicit comments from the Council on Environmental Quality, which will comment on proposed projects in cases where the applications do not provide satisfactory information about scenic or ecological resources. In FY 2018–2019, the Council reviewed nineteen applications or petitions that were made to the Siting Council for telecommunications facilities, fuel cell facilities, electric transmission facilities, and solar electric generating facilities.

In August 2018, the Council made its final recommendation to the Joint Standing Committees on Environment and on Public Health that legislation not be enacted to allow the proposed change in use of New Britain Water Company land. The recommendation was the result of a legislative mandate that the Council review and report on a study to assess the potential environmental impact of a proposed quarry expansion onto public reservoir land (Public Act No. 16-61 - An Act Concerning an Environmental Study on a Change in Use of New Britain Water Company Land).

In October 2018, the Council submitted comments to the Public Utilities Regulatory Authority requesting that the principle that the waters of the State are a “public trust” be acknowledged by the parties requesting a merger between the Connecticut Water Company and the San Jose Water Company. Previously, the Council published (in March of 2018) “*Connecticut Residents and the Public Trust in Air, Water, Wildlife and Other Resources*”, an analysis of the historic roots of the public trust doctrine in Connecticut law and instances of when it had been invoked.

State law directs the Council to investigate citizen complaints alleging violation of any statute or regulation in respect to environmental quality. Connecticut residents often bring their environmental concerns and complaints to the Council. In FY 2018–2019, fourteen individuals came to speak with the Council at its scheduled monthly meetings about environmental matters that concerned them. The citizens spoke on a variety of topics including water quality, forest and land use, climate change, a proposed State Police Training Facility, wetlands, and the threat posed by invasive plants. The Council also received twenty-five complaints and inquiries from individuals who contacted the Council but did not come to a Council meeting. Those complaints and inquiries involved a variety of environmental issues, including an innovative method for reusing agricultural waste that led to the Council producing a summary of research on the topic. This was presented to DEEP, which had to decide whether to issue a permit for it. The Council was able to refer or resolve every complaint and inquiry it received.

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.

The Council's total expenditures in FY 2018-19 fell below its budgeted allocation due to an unexpected retirement that created a vacancy that lasted for ten months. That vacancy has now been filled and the budget is expected to return to the level listed in this report.