

# DREAMS DEFERRED?

CLEAN WATERS

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VITAL PARKS

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GREEN LANDS

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EFFICIENCY & SUSTAINABILITY

An Assessment  
of the Cost of Attaining Connecticut's Goals  
for State Parks and Environmental Protection



A Special Report of the Connecticut Council on Environmental Quality

March 6, 2008

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## EXECUTIVE SUMMARY

Connecticut's environmental goals are within reach, but they will not be reached unless progress accelerates.

### PART 1: AN INVESTMENT PLAN TO REACH CONNECTICUT'S ENVIRONMENTAL GOALS

**Part 1** of this report examines the capital investment required to meet the state's goals for land conservation, clean water and recycling as well as repair of state parks. Capital spending for the past five years was well below one-third of the annual amount required to meet established targets. Capital authorizations for the current fiscal year are closer to what is required. Without capital investment, core goals definitely will be missed.

**Recommendation 1:** Authorize capital funding sufficient to reach Connecticut's established goals for land conservation, sewage-free rivers, a restored Long Island Sound, waste recycling and repair of state parks. In sum, this is about 190 million dollars per year; capital investments usually are funded from general obligation bonds, but alternatives must be examined. Separately, municipalities will require about 150 million annually in loans for sewage treatment construction projects, which the state typically provides through the sale of revenue bonds. These amounts are shown in more detail in Table 1 on Page 6.

### PART 2: CONTINUOUS RESPONSIBILITIES AND DAILY OPERATIONS

After the capital investments are made, Connecticut residents will see clear improvements in Connecticut's environment, as well as those sectors of the economy that depend on clean waterways, a thriving sound, and tourism. Meanwhile, the basic tasks of protecting air and water and managing our forests and parks go on daily, and are the foundation on which any future improvements will be built. Remarkably, the Department of Environmental Protection (DEP) spends no more state tax dollars (adjusted for inflation) in a day of operation than it did when it was created in 1972. It seems unlikely that the 1972 General Fund appropriation would be enough in 2008, given 35 years of added responsibilities. **Part 2** of this report examines that statement and concludes: It's not.

The DEP is unable to respond adequately to Connecticut's current and emerging problems, primarily because its limited funds are bound to traditional programs that cannot be abandoned. The DEP relies on numerous fees and federal grants to do its work and is remarkably productive. Many residents doubtless would be surprised to learn that their state tax dollars are used only minimally to pay for core environmental protection programs such as regulation of industrial water pollution and waste, agricultural pollution, air quality and similar programs. The largest share of the DEP's General Fund dollars (i.e., dollars appropriated from state taxes) go to state park operations, and yet analyses show that the state parks are themselves in need of greater General Fund support. The separate plights of state park operations and the DEP's environmental protection programs are a major theme of this report and lead to the recommendations below:

**Recommendation 2:** For budgeting purposes only, detach the operation of state parks from other DEP functions. Fund the maintenance and operation of state parks and En-Con police at recommended levels as a service distinct from environmental protection.

**Recommendation 3:** Appropriate adequate General Fund dollars to the DEP that would allow the DEP to plan and fully implement essential environmental tasks, including:

- improve compliance,
- help create responsible growth and landscape stewardship,
- reduce pollution caused by runoff from developed areas new and old,
- help municipal wetlands commissions respond to growing development pressure,
- prevent excessively low flows in rivers and streams,
- create internet-based training, licensing and permitting,
- reduce greenhouse gas emissions,
- manage declining species.

**How much is needed?** The Council is confident that this answer can be calculated, but neither the Council nor the DEP has the resources to complete the detailed analysis. The amount will be less than one percent of the state's annual General Fund budget, but considerably more than the 0.24% (24 one-hundredths of one percent) appropriated for the next fiscal year. The need is likely to be about one-eighth of one percent for state park operations and two-thirds of one percent for environmental protection programs. This would put in Connecticut in the mid-range of similar states (Table 2, page 15).

The amount needed for state park operations was assessed by an objective consultant in 2003. A parallel analysis of the DEP's environmental protection obligations could yield a dependable estimate of the amount required to meet goals.

**Recommendation 4:** Governor M. Jodi Rell and The General Assembly should require the DEP to commission an objective analysis of the staffing and other annual operating expenses required to fulfill its environmental protection obligations, similar to the study completed for state park operations in 2003, and provide funds to complete the study.

**Recommendation 5:** Restore the Environmental Conservation Fund to solvency by:

- A. Creating a saltwater fishing license, with revenue going to the Environmental Conservation Fund.
- B. Amending statutes to return all revenue from sporting license sales and timber sales from state forests to the Environmental Conservation Fund.

**Recommendation 6:** The DEP should assess the level of service expected by applicants and set fees accordingly. Improvements in routine regulatory work should be paid for by the regulated parties.

The goals cited in this report – sewage-free rivers; vital parks and forests; thriving agriculture, a Sound that fully supports aquatic life; more recycling and less garbage disposal; reductions in the gases that cause global warming – are long-established in state plans and statutes and describe the Connecticut that its residents desire. The right investments will deliver those goals, and could reduce expenses of other state agencies when the overall health of residents improves along with their air and water and their time spent outdoors.

## INTRODUCTION

Connecticut's citizens have set goals that are both challenging and realistic:

- Healthful air every day
- Sewage-free waters
- Conservation of farms, fields, forests and beaches
- A sustainable future where materials are recycled and energy is used efficiently

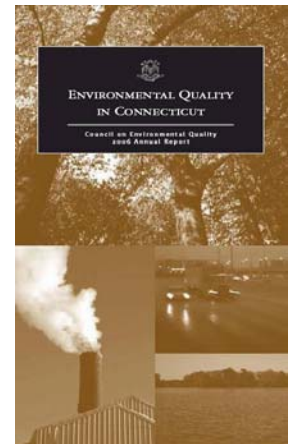
The Connecticut public also expects the DEP to provide a service that residents evidently enjoy very much: the operation of state parks. The evidence is seven million visitors a year. The operation of state parks, a direct service to individual residents, is so different from the responsibilities of regulating air, water and waste – usually thought of as the core of environmental protection – that this report distinguishes between “state park operations” and “environmental protection.” The funding challenges are quite different as well.

As illustrated in *Environmental Quality in Connecticut* and on the following pages, the state's goals are within reach. However, despite an uptick in spending in the current year, Connecticut is not on track to meet those goals.

To reach some of those goals, there is no substitute for substantial investment of capital funds. These are outlined in Part 1 of this report. From time to time, technological innovations are developed that have the effect of lowering costs to government. Also, market-style programs such as the trading of nitrogen credits have led to more efficient deployment of public expenditures. However, despite hopes for innovations and greater efficiencies, there is an unavoidable need for public funds if Connecticut wants to see the future it envisions. These investments are estimated in Part 1.

The term “investment” is not used here as a euphemism for expenditure. Public expenditures for greater recycling, park improvements and energy efficiency, for example, will return great sums to Connecticut. The returns might go to Connecticut residents, municipalities, and businesses, rather than back to the state's coffers, but they are returns nonetheless. For example, in the late 1980s and early 1990s Connecticut invested about \$40 million in state funds to help launch curbside recycling in towns and cities. To date, residents have saved at least \$200 million, the difference between what it cost to handle the recyclables and what was avoided in disposal costs.

When these capital investments are made, Connecticut residents will see clear improvements in Connecticut's environment and economy. Meanwhile, the basic tasks of protecting air and water and managing our forests and parks go on daily, and are the foundation on which any future improvement will be built. Remarkably, the Department of Environmental Protection (DEP) spends no more state tax dollars (adjusted for inflation) in a day of operation than it did when it was created in 1972. It seems unlikely that the 1972 General Fund appropriation would be enough in 2008, given 35 years of added responsibilities. Part Two of this report examines that statement and concludes: It's not.



## PART 1: CAPITAL INVESTMENT TO REACH CONNECTICUT'S ENVIRONMENTAL GOALS

The Council on Environmental Quality is charged with evaluating progress toward environmental goals and identifying deficiencies in environmental programs. In its most recent report on statewide environmental conditions in June 2007, the Council concluded that progress had slowed to the point where goals were in real jeopardy. During 2007, actions by Governor M. Jodi Rell and the General Assembly restored funding to some of the programs that had been chronically underfunded.

On the following eight pages, the Council illustrates some of Connecticut's core environmental goals, the trends, and the estimated costs of getting the state to those goals. These are summarized in Table 1 on Page 6.

For large capital investments in sewage treatment, land conservation and other functions, the emphasis in Table 1 is on bond authorizations because those are the traditional means of funding capital improvements in Connecticut.\* However, the Council recommends consideration of alternatives, including new revenue sources (such as unredeemed bottle deposits directed to municipalities to enhance recycling programs).

The DEP surely will need capital funds to take care of other problems as well, from decaying dams to eroding streambanks, as well as building a system of greenways. This report addresses only the most prominent core goals that are not being met.

Most of the graphs that appear on the following pages are taken from the June 2007 report, *Environmental Quality in Connecticut*, the Council's annual report on the condition of the state's environment. That report identified the goals that were not being met, and promised an assessment of the financial resources that would be needed to meet the goals. This is that assessment.

In Table 1 on the following page, the pink column shows the Council's estimate of the money required to meet the statutory or other established goals of the state, which are shown in the first three columns. Other columns show the state's recent history of actual expenditures for those programs and the amounts authorized for the current fiscal year. It is important to note that funds authorized are not always spent.

### SUMMARY OF RECOMMENDATIONS (CAPITAL INVESTMENT)

**In order to meet its established environmental goals, Connecticut should plan to invest about \$190 million per year in capital improvements (Table 1).** Traditionally, these investments are funded from general obligation bonds, but other alternatives require exploration.

\*For readers not familiar with Connecticut's budgeting of capital expenses: Bonding (i.e., borrowing) to fund capital projects is authorized by the General Assembly each year in legislation separate from the annual operating budget. This money is not available for spending until the Bond Commission allocates all or a portion of the authorized amount at one of its monthly meetings. General obligation bonds, the most common type, are ultimately guaranteed and paid off by the state's general taxing authority. Revenue bonds are repaid by specific sources of money; in the case of the Clean Water Fund, revenue bonds are used to fund loans to municipalities, and the loan repayments are used to pay off the bonds.

**TABLE 1: SUMMARY OF CORE STATE ENVIRONMENTAL GOALS, PROGRESS, ESTIMATED FINANCIAL NEED AND RECENT FINANCIAL EFFORT**

Resource	Goal	Target Date	Progress toward target	State's Share of Annual Capital Investment Needed to Reach Goal (2007 dollars)	Average Annual capital expenditure, 2003-2007 <sup>1</sup>	FY 08 Bond Authorization <sup>2</sup> [other funds in brackets]
Farmland	130,000 acres <sup>3</sup>	2050 <sup>4</sup>	25%	GOB: 15,000,000 Other (CIAct): 3,000,000	1,447,000	5,000,000 [3,000,000]
Open Space: Forests, Parks and Grasslands	673,210 acres <sup>5</sup>	2023	73%	GOB: 44,000,000 <sup>6</sup> Other (CIAct): 3,000,000	13,180,000	18,000,000 <sup>7</sup> [3,000,000]
Clean Waters: Sewage-Free Rivers and Sound	1) Elimination of raw sewage overflows	2020	50%	Combined Clean Water Needs:	Combined Clean Water Needs:	Combined Clean Water Needs:
Sound without "dead zones"	2) 59% reduction in nitrogen from 1999 levels <sup>8</sup>	2014	42%	GOB: 100,000,000 for grants to municipalities	GOB: 29,650,000 for grants to municipalities	GOB: 96,000,000 for grants to municipalities
Other sewage plant upgrades <sup>9</sup>	3) Rivers will meet standards	2028	70%	RB: 150,000,000 for loans to municipalities	RB: 58,390,000 for loans to municipalities	RB: 235,000,000 <sup>10</sup> for loans to municipalities
Recycling	58% "diversion" rate (recycling + reduction) <sup>11</sup>	Missed earlier goal	About halfway	6,000,000	0	0
Greenhouse Gases / Energy Efficiency	Return to 1990 emission levels	2010	Not on track	Need for increase; most costs not paid from tax dollars <sup>12</sup>	N.A.	N.A.
State Parks	Correct all deficiencies in State Parks per Objective Evaluation Criteria	2020	<50%	15,000,000	3,280,000	0
TOTAL				<b>GOB: 185,000,000 CIAct: 6,000,000 RB: 150,000,000</b>	GOB: 47,557,000 RB: 58,390,000	GOB: 119,000,000 CIAct: 6,000,000 RB: 235,000,000

### Abbreviations Used in Table 1:

GOB – General Obligation Bonds

RB – Revenue Bonds

CIAct – Community Investment Act, or Public Act 05-228

### Notes for Table 1

1. This column shows the amount actually spent in each year, on average, from 2003 through 2007.
2. This column shows bonding that was authorized by Governor Rell and the General Assembly for Fiscal Year 2008. Not all of this money has yet been allocated by the Bond Commission, which is a necessary step before the money can be spent. In brackets, this column also shows money made available through the Community Investment Act (P.A. 05-228).
3. The goal for farmland can be found in the *Conservation and Development Policies Plan 2005-2010*. The goal is derived from *A Food Production Plan for Connecticut, 1980-2000*.
4. There is no official target date for meeting the farmland preservation goal. At the current rate of farmland loss, the Council projects the total farmland in the state to be less than 130,000 acres (the preservation goal) after about 2050. Therefore, the target date must be 2050 or earlier, or the goal can never be met.
5. The goal for open space conservation is in CGS 23-8(b). This is a collective goal for land conserved by the state, municipalities, nonprofit land conservation organizations, and water companies.
- 6 & 7. The dollar amounts shown for open space (forests, parks and grasslands) are the state share only. Much of the land is conserved by other entities (see note 5) often with the assistance of state matching grants. Also, those entities often contribute toward state purchases.
8. The nitrogen goal is from the U.S. Environmental Protection Agency's approval of Connecticut's and New York's plan for managing the Total Maximum Daily Load of nitrogen discharged to Long Island Sound.
9. There will be nearly constant need for sewage treatment plant rebuilding as the life expectancy of a plant typically is about 20 years.
10. The amount of bonding for clean water loans was greater than the "annual need" because of the need to catch up. Several years of underfunding led to a serious backlog of projects.
11. The recycling goal is from the Solid Waste Management Plan approved by the Department of Environmental Protection in December 2006. The "diversion" rate is the amount of garbage that must be diverted from the solid waste stream through waste reduction and recycling in order to avoid long-distance out-of-state hauling and new disposal facilities in state. The old recycling goal, found in CGS 22a-220, was missed.
12. According to recent draft reports under consideration by the Connecticut Energy Advisory Board at the time of this publication, Connecticut can greatly enhance efficiency in electricity consumption by boosting funding for Demand Side Management. These would not be tax dollars; more likely, they would be derived from utility bill.

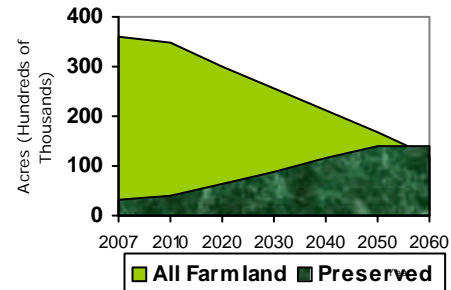


## FARMLAND: 130,000 BY 2050



### Acres (in thousands) of farmland preserved by the Connecticut Department of Agriculture (cumulative)

Preservation rates of recent years would not be sufficient to get the state to its preservation goal of 130,000 acres before that land is lost to nonagricultural uses.



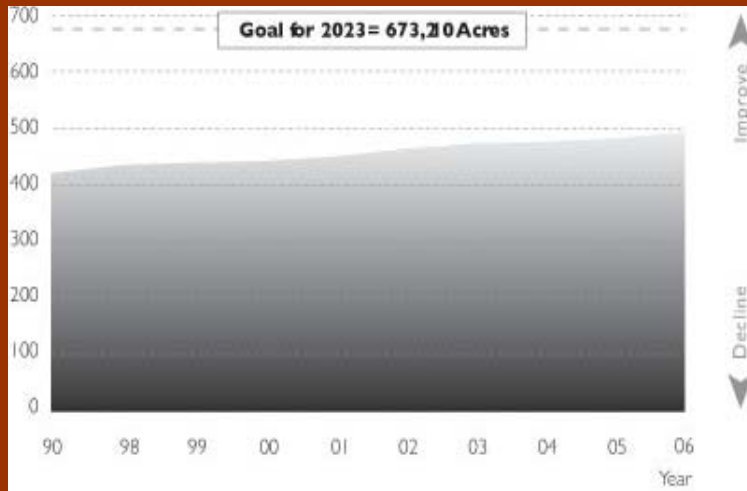
The chart above shows the intersection of two trend lines. The bottom area represents the acres that can be preserved *if the anticipated, historically-high FY2008 rate of expenditure for preservation of farmland continues*. The lighter-shaded area above it is the farmland that will be left if the recent rate of loss of these lands continues. These lines intersect at 130,000 acres around 2055, which means the goal can be reached before the land is gone.

- Connecticut will need to acquire nearly 2,500 acres annually to achieve the farmland preservation goal of 130,000 acres. At the current rate of loss the total area of farmland will drop below 130,000 acres between 2050 and 2060.
- Preservation rates were less than 1,000 acres per year from 1998 to 2006.
- The Department of Agriculture is expected to have \$10,000,000 of state bond funds to spend in Fiscal Year 2008, despite authorization of only \$5,000,000 last year, because of previous authorizations that have not been spent.

## RECOMMENDATIONS FOR 2008

- Allocate at least \$15 million annually for the Farmland Preservation Program.
- Allocate at least \$5 million annually to assist municipalities with farmland preservation.
- Cease awarding state subsidies for development projects that convert prime agricultural lands to nonagricultural uses. In 2007, the Council reviewed plans for two state-funded projects that combined would convert more than 100 acres. Both involved Small Town Economic Assistance Program grants, pointing to a need to amend that program to be consistent with all other state grant programs, which are always reviewed by the Commissioner of Agriculture prior to funding.

## LOSING THE RACE FOR OPEN SPACE



Combined acreage of preserved land (in thousands), including:

- State-owned forest, parks, and wildlife areas
- Class I and II watershed lands owned by water utilities
- Estimated municipal open space
- Estimated nonprofit lands (land trusts, The Nature Conservancy, etc.)
- Federal conservation land

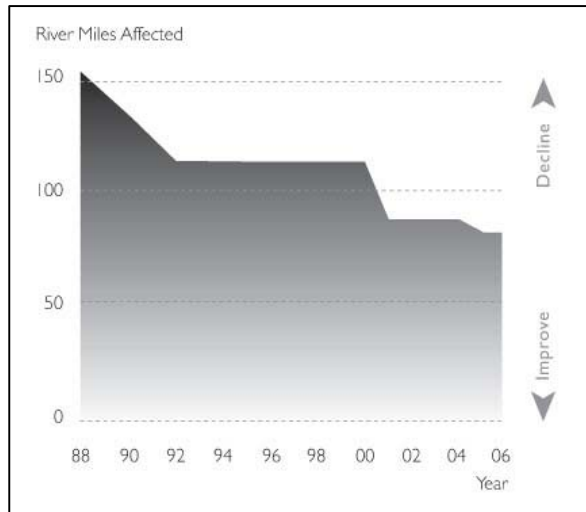
- State law (CGS Section 23-8(b)) sets a goal of conserving 21% of Connecticut's land area. The year 2023 was set as the target date.
- From 2000 through 2003, the pace of land preservation was sufficient to keep Connecticut on track toward its goal, but acquisition slowed in 2004 through 2007.

## RECOMMENDATION FOR 2008

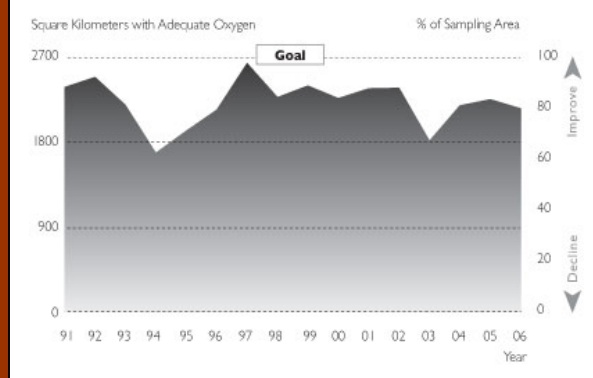
To meet the goal for 2023, Connecticut needs to preserve about 10,000 acres annually:

- Authorize and allocate \$44 million annually to the Recreation and Natural Heritage Trust Fund (\$22 million) and the Open Space and Watershed Land Acquisition Matching Grants Program (\$22 million).
- Integrate land conservation with responsible growth and with cultural resource protection through the proposed Face of Connecticut Fund.

## CLEAN RIVERS, A SOUND ALIVE



Miles of rivers affected by untreated sewage overflows from combined sanitary/storm sewers



Area and percentage of Long Island Sound that has enough oxygen all year to fully support aquatic life

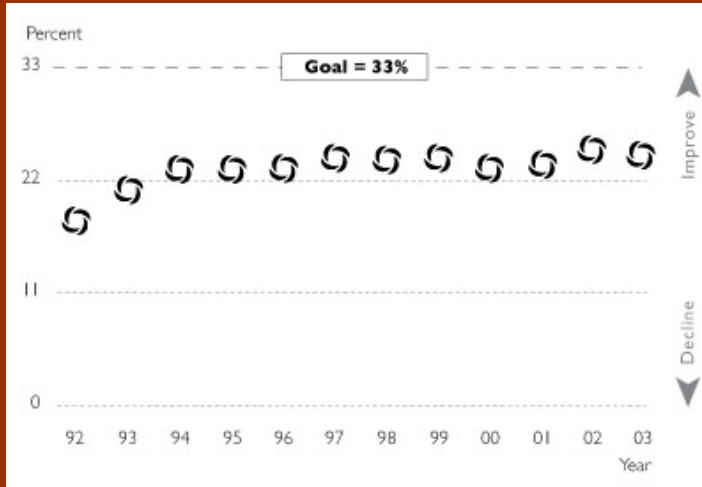
- The state Clean Water Fund is the workhorse of Connecticut's campaigns to rid its rivers of untreated sewage and to restore Long Island Sound. The Fund provides grants and loans to cities and towns to upgrade their sewage treatment systems, separate storm from sanitary sewers, and reduce nitrogen in the effluent. (Excessive nitrogen leads to depleted oxygen in Long Island Sound.)
- The source of the grant money traditionally has been general obligation bonds, while the loan money is from revenue bonds sold by the state. Other sources of capital for grants should be considered.

### RECOMMENDATIONS FOR 2008

Authorize and allocate at least \$100 to \$120 million dollars per year annually in General Obligation Bonds to assist municipalities with the cost of upgrading sewers and sewage treatment. Authorize and allocate a necessary amount of Revenue Bonds, estimated to be about \$150,000,000 in most years, for loans to municipalities.

A detailed assessment of clean water infrastructure needs can be found in *The Clean Water Fund Dilemma: Increasing Demands With Diminishing Fiscal Resources*, A Report from the Clean Water Fund Advisory Work Group to DEP Commissioner Gina McCarthy, February 2007.

## RECYCLING: STUCK IN SECOND GEAR



Percentage of municipal solid waste recycled  
(Goal is obsolete)

- After a successful launch of statewide recycling in the 1980s, progress has stagnated. Even data collection has suffered from nonfunding, resulting in the outdated chart to the left.
- To achieve this initial success, the state made more than 40 million dollars in capital investments.
- At present, some recycling-related expenses at the DEP are paid for by a \$1.50 per ton fee assessed at resource recovery facilities. This amount is not nearly adequate to move the state closer to its 58% recycling and waste-reduction goal stated in the Solid Waste Management Plan, adopted in December 2006.
- Connecticut residents spend tens of millions of dollars yearly to ship hundreds of thousands of tons of garbage out of state because it is not recycled.

## RECOMMENDATIONS FOR 2008

According to the Solid Waste Management Plan, at least \$28 million dollars will be needed over the next five years. Potential sources of this money include:

- Appropriations
- Bonding
- Widening the \$1.50-per-ton fee, collected now only at resource recovery facilities, to include garbage that is shipped out of state.
- Capturing at least a portion of future unredeemed bottle deposits and earmarking them for specific municipalities' recycling expenses. *The Council views this as the preferable alternative to using tax dollars.*

The money is absolutely necessary to implement many of the strategies of the Solid Waste Management Plan.

If the expenditures and programs are successful, Connecticut residents eventually will save more than one hundred million dollars per year -- the amount they will be spending to ship the garbage out of state if recycling efforts fail.

## WASTING ENERGY, CHANGING THE CLIMATE

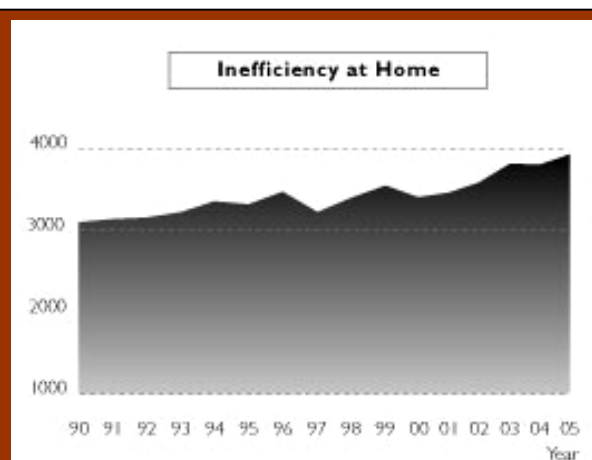


Chart 1: Residential electricity consumption per person (In Kilowatt Hours)

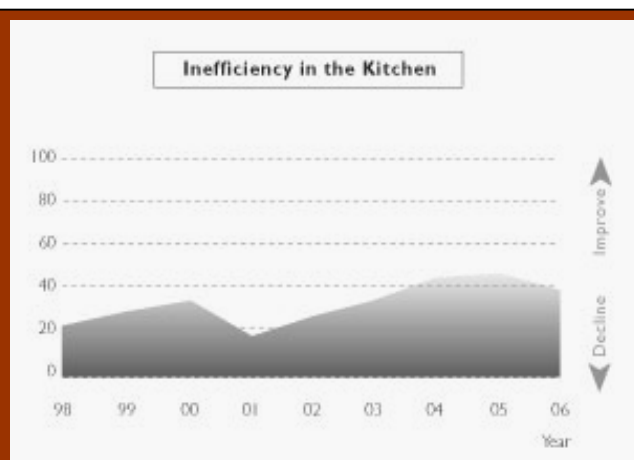


Chart 2: Percent of refrigerators bought in Connecticut that are ENERGY STAR certified

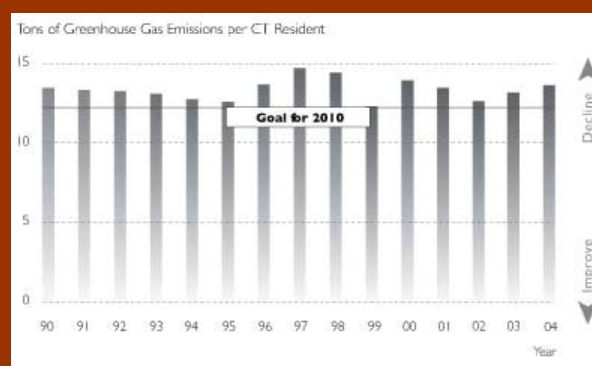


Chart 3: The goal line on the graph shows the level of the average resident's share of emissions that must be achieved if the 2010 goal is to be reached.

- Chart 1 shows that the average Connecticut resident uses more electricity at home each year than he or she used in the previous year. In 2003, households surpassed the commercial sector as Connecticut's greatest consumers of electricity. The Connecticut Siting Council attributes this increase to the large size of new homes and greater use of consumer electronics and appliances, **especially air conditioners**.
- Chart 2 shows that most people buy appliances that are not the most energy efficient. (Refrigerators are shown but trends are similar for most other appliances.)
- Chart 3 shows one result of these trends: Connecticut is not on track to achieve the goal it set for reducing greenhouse gas emissions.

### RECOMMENDATION FOR 2008

Surveys\* show that most residents are aware of ENERGY STAR appliances, but statistics show they don't buy them. **The state must provide far greater incentives to purchase ENERGY STAR air conditioners and appliances to correct the trend.**

\*CT Electric Conservation Programs Study, prepared for the CT Energy Advisory Board, Feb. 2008

## MORE STATE PARKS THAN STAFF

■ Recommendation of 2003 Analysis  
 ■ Actual annual average, 2003 - 2007

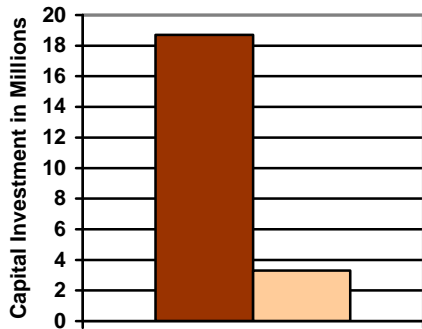
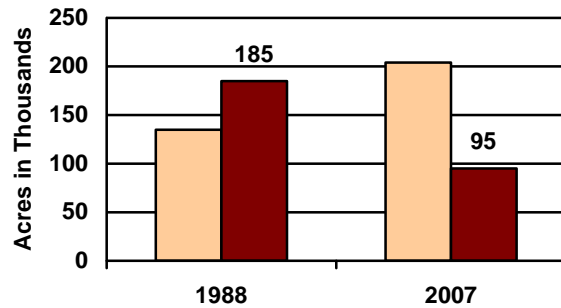


Chart 1: Annual capital spending on parks by the DEP (in millions)

■ Parks & Forests ■ Full Time Staff



Acres of state forests and state parks maintained by the DEP and approximate full time personnel assigned to those properties.

- In 2003, at a cost of \$250,000, an objective consultant analyzed the capital and annual operating needs of Connecticut's State Park System. The study revealed large gaps between the parks' needs and their financial resources. Chart 1 shows the gap in capital investment.
- Many state parks are supported by the enthusiasm and manual labor of volunteers. Thousands of Connecticut residents have joined Friends groups, and these groups contribute many thousands of hours of labor to the park system. Unfortunately, their skills and labor, which should be employed for special park enhancement projects, are too often exploited for routine maintenance chores that the state should perform. According to reports received by the Council, volunteers at some parks mow trails, repair walls, pull vines, and remove pet waste.
- Chart 2 illustrates how park staffing has declined while responsibilities have increased. There are actually more state parks (106) than there are full-time staff positions in the parks (95).
- Seven million visitors a year confirm that Connecticut residents want their parks.

## RECOMMENDATIONS FOR 2008

- The operation and maintenance of state parks should be funded by the state as a service that Connecticut residents desire, a service that is inherently different from the regulation and protection of air, water and wildlife.
- Fund the Connecticut state park system at adequate levels. This will require at least \$20 million per year from the General Fund in annual operating costs, and \$15 million per year in capital investment.

## PART 2: CONTINUOUS RESPONSIBILITIES AND DAILY OPERATIONS OF THE DEP

### SUMMARY OF CONCLUSIONS (OPERATIONS)

The DEP is unable to respond adequately to Connecticut's current and emerging problems, primarily because its limited funds are bound to traditional regulatory programs that cannot be abandoned.

The remarkable workload and productivity of the DEP includes, each year, 3,000 permits, more than 6,000 inspections, seven million park visitors, flood and dam management, and dozens of other services as well as forward-looking initiatives such as no Child Left Inside which are intended to have long-term benefits for Connecticut residents. However, in relation to the state's goals, the DEP's work is, simply put, not enough.

### SUMMARY OF RECOMMENDATIONS (OPERATIONS)

**1. For budgeting purposes only, detach the operation of state parks from other DEP functions.** Fund the maintenance and operation of state parks and EnCon police at recommended levels as a service distinct from environmental protection.

**2. Appropriate adequate General Fund dollars to the DEP that would allow the DEP to plan and fully implement necessary environmental tasks,** including:

- improve compliance,
- help create responsible growth and landscape stewardship,
- reduce pollution caused by runoff from developed areas new and old,
- help municipal wetlands commissions respond to growing development pressure,
- prevent excessive low flow in rivers and streams,
- create internet-based training, licensing and permitting,
- reduce greenhouse gas emissions,
- manage declining species.

**How much is needed?** The Council is confident that the answer can be calculated, but neither the Council nor the DEP has the resources to perform the necessary calculations. The amount is almost certainly less than one percent of the state's annual General Fund budget, but considerably more than the (nearly) one-quarter of one percent appropriated for next fiscal year. It is likely to be about one-eighth of one percent for state park operations and two-thirds of one percent for environmental protection programs.

The amount needed annually for state park operations has been assessed by an objective consultant to be about \$27 million, of which about \$20 million would need to be from the General Fund.

**3. Governor M. Jodi Rell and the General Assembly should require the DEP to commission an objective analysis of the staffing and other expenses required to fulfill its environmental protection obligations,** similar to the study completed for state park operations in 2003, and appropriate an adequate sum to complete the study.

**4. Restore the Environmental Conservation Fund to solvency by:**

- A. Creating a saltwater fishing license, with revenue going to the Environmental Conservation Fund.
- B. Amending statutes to return all revenue from sporting license sales and timber sales from state forests to the Environmental Conservation Fund.

**5. The DEP should assess the level of service expected by applicants and set fees accordingly.** The cost of improvements in routine regulatory work should be paid for by the regulated parties.



## OVERVIEW OF ANNUAL OPERATIONAL EXPENDITURES

It is well known that Connecticut spends fewer tax dollars than other states to protect its environment and take care of its parks (Table 2). Is Connecticut government so efficient that it can achieve its goals with far less money? Would Connecticut be a better place to live if it spent a few dollars more? The Council on Environmental Quality set out to answer these questions.

**Table 2: General Fund Dollars Appropriated to Protect the Environment and Operate State Parks for Fiscal Year 2007  
(Not Including Capital Expenditures)**

State	Percentage of State's General Fund Spent on Environmental Protection and State Parks	General Fund Dollars Spent Annually on Environmental Protection and State Parks, Per Capita
Massachusetts	0.66 %	\$ 24.90
New Jersey	0.75	27.30
New York	0.57	15.39
Rhode Island	1.24	37.00
Connecticut*	0.23	10.29

\* The percentage and amount listed for Connecticut are somewhat different from the figures used elsewhere in the text of this report. In order to provide an "apples-to-apples" comparison among states in this table, the Council used a simplified calculation (i.e., General Fund dollars appropriated to the DEP divided by total state General Fund appropriations, and also by population), whereas the text of this report explains how certain amounts should be added (fringe benefits for employees, for example) and subtracted (environmental fees and fines returned to the General Fund) to obtain more precise numbers.

In Part One of this report, The Council prepared an estimate of what it will cost state taxpayers in capital investments to achieve their environmental protection and park-management goals. Here it is useful (and eye-opening) to see how state tax dollars currently are being used to regulate waste, water and air pollution: In short, they aren't.

## WHERE IS THE MONEY GOING?

Most of the state's core environmental quality programs are paid for by the industries they regulate and federal grants. This is ideal. The Connecticut taxpayer is getting protection from industrial waste and pollution almost for free. State tax dollars are being used minimally for these core programs. However, state tax dollars *are* used for administrative functions (accounting, information management, payroll, human resources, etc.) that support those environmental regulatory programs. If those administrative costs (including the fringe benefits for taxpayer-funded positions<sup>1</sup>) are pro-rated across all DEP programs, the average Connecticut resident can be seen to still be paying a very modest sum. Two examples:

State tax dollars spent per CT resident for regulation of air pollution: \$1.50 per year

State tax dollars spent per CT for regulation of waste and industrial water pollution: 0.86 per year

*(These are net amounts that account for the money these programs return to the General Fund.<sup>2</sup>)*



There are numerous core programs that directly spend almost no state dollars. Two examples:

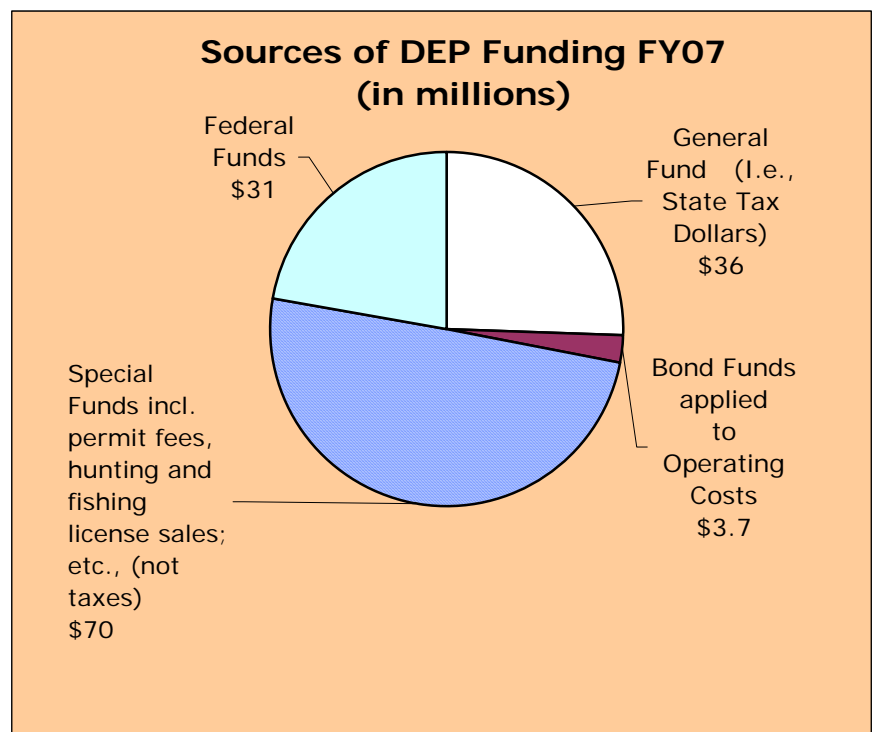


Prescribed burn: Naugatuck State Forest, Naugatuck, CT

- The DEP's Division of Forestry is responsible for managing the forests on more than 200,000 acres of state forest land, in addition to its many other duties. It spends about \$800,000 General Fund (taxpayer) dollars to do so, and generates about \$500,000 in General Fund revenue from the sale of wood. Thus, the average resident sees more than 200,000 acres of his or her forests managed for about a dime. By all accounts, however, a dime is not enough, and any additional expenditure would return a commensurate amount to the state's coffers.

- In 2007, there was considerable discussion at the General Assembly and in communities across the state regarding the regulation of large-scale on-site wastewater renovation systems, sometimes called advanced septic systems or package treatment plants. These systems are installed to serve large developments where sewers do not exist and traditional septic systems cannot handle the waste. Data revealed a regulatory program with a growing backlog and a slowness to issue Notices of Violations. That program operates with no state tax dollars, and in fact must rely on fees paid by permit applicants from other industries (see page 23). The solution to more timely and effective regulation should call on the applicants to pay much greater fees, and not to expect more appropriation of tax dollars.

If the taxpayers' money is not going to regulate waste, water and air pollution, nor to manage most of the state's land, where is it going? Overwhelmingly, it is going to management of state parks and other outdoor recreation areas (almost half), with some going to management of fish in Long Island Sound, rivers and lakes; wildlife and natural diversity; with some also going to engineering services such as dam safety, flood management and the like. In short, General Fund dollars are providing important services to the public, only a few of which are actually environmental protection (see following sections).



## QUICK FACTS ABOUT STATE TAXES AND THE ENVIRONMENT

General Fund appropriations to the DEP in 1972: 7.26 million

General Fund appropriations to the DEP in 2007, in 1972 dollars: 7.16 million

Percent of state General Fund appropriated to the DEP in 1972: 0.7 (70 one-hundredths of 1%)

In 2007: 0.23 (23 one-hundredths of 1%)

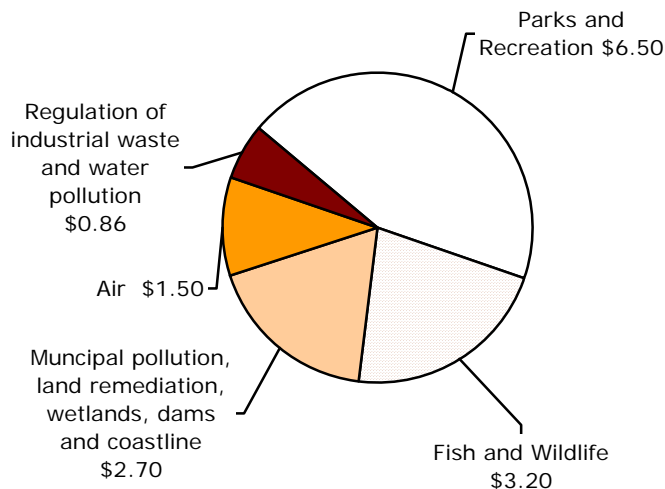
Percentage of DEP's work paid for with state tax dollars, 1977: 70

1997: 42

2007: 28

State budget documents show appropriations to the DEP from the General Fund (i.e., state tax dollars) to be about 38 million dollars in the current fiscal year. The actual cost to taxpayers is greater. On average, each staff person hired from the General Fund has fringe benefit costs equal to about 60% of salary; these costs show up elsewhere in the state budget. Figuring in those costs, the DEP costs the taxpayers a little less than \$58 million. However, **the DEP also generates about \$7 million annually for the General Fund**, so the true cost is about \$51 million dollars, or about \$14.70 per resident. The chart below shows how this \$14.70 is spent:

### Per capita expenditures of state tax dollars (i.e., General Fund appropriations) on major DEP functions



## THE PARKS PROBLEM

In total, the DEP's operations cost the average resident about \$14.00 in state taxes. About \$6.50 of this goes to management and patrolling of state parks and other outdoor recreation areas such as boat launch areas and some state forests.<sup>3</sup>

Connecticut's population is growing, and people need access to their state parks. As most residents know, many parks were reduced to "walk-in" status in 2003, seasons were shortened, lifeguards were pulled from lower-use beaches, and numerous other reductions were made to services. ("Walk-in" means internal roads and parking have been

closed; visitors might be able to park near the road and carry all necessary supplies in and garbage out.) It seems unlikely that further significant reductions or efficiencies could be found and implemented.

Despite the fact that the operation of parks requires far more General Fund dollars than any environmental quality regulatory program, and that state parks also generate revenue from entrance fees, the greatest documented operating deficiency within the DEP is in the budget for state parks management.<sup>4</sup>

Based on the latest available data, 45 states spend greater portions of their state budgets to take care of their state parks, with the other New England states far ahead of Connecticut.<sup>5</sup>

The Council can find no objective evaluations that suggest Connecticut is taking good care of its parks. To the contrary, every such report concludes the opposite:

- The General Assembly's Program Review and Investigations Committee concluded in December 2006 that **current numbers of DEP Environmental Conservation (En-Con) police officers, who provide law enforcement for the parks, are inadequate**. Even more alarming, the Committee reported that "nearly all EnCon 'customers' contacted by program review staff expressed some level of dissatisfaction with the level of service provided by the EnCon police related to staffing." Most park supervisors expressed dissatisfaction with response time and failures to respond (while noting all individual officers' professionalism).
- The DEP received a thorough park-by-park analysis of capital and staffing deficiencies in 2003, prepared by the consulting firm Clough Harbour and Associates LLP. **The operating budget was found to be approximately half of what it needs to be** "in order to avoid future problems with deferred maintenance and to provide park users with the basic level of service to provide for their comfort, security and safety."<sup>6</sup>
- The Statewide Comprehensive Outdoor Recreation Plan (SCORP) completed in 2005 included an extensive, federally-funded public survey. It, too, concluded that **there were deficiencies in the conditions of state parks**.<sup>7</sup>

People who visit state parks owe a largely unrecognized debt to thousands of volunteers who pitch in to maintain and improve state parks. Their donated labor (and sometimes funds) is what keeps some parks from becoming state embarrassments. In the words of some of these volunteers, as reported to the Council:

- "There are too many horse trails, constructed horse jumps, bridges, and mowing of state land by adjacent land owners. I anticipate that before long there will be excessive trail bike activity and dog walking that will damage the riverbanks... These activities and the consequences on sensitive habitat along with erosion of trails have been carefully documented on a GIS map for the CT DEP and we have walked the [park] property with the CT DEP so they could see first hand what is going on. CT DEP's response is there is nothing that they can do about it because they lack adequate resources."

- “Bluff Point and Haley Farm are becoming overgrown by invasive species and the trails have seriously eroded. If it were not for the efforts of Groton Open Space Association, the wonderful meadows at Haley Farm would revert to forest and trash and dog waste would accumulate.”

In general, the commitment and skills of the volunteers are so valuable that they should be put to use for park improvements and special visitor services, not exploited for routine maintenance and janitorial work.

There are fewer full-time state parks employees (95) than there are parks (106). The 2003 assessment determined that the 51 largest parks require about 200 full-time staff, plus about 1900 seasonal positions (versus the 500 filled last year).

Seventy percent of Connecticut households use state parks.<sup>8</sup> The majority of residents support spending more to maintain and improve parks.<sup>9</sup> Why, then, do the parks languish in disrepair? Why has park staffing been reduced by one third since 1995? To date, no compelling explanation has surfaced. Perhaps this was expressed best in a recent newsletter of the Friends of Connecticut State Parks, which helps to promote the parks and contributes untold hours of volunteer assistance: “The lack of realistic monetary support for personnel and operations is bewildering, especially in light of the minimal cost of the park system to Connecticut taxpayers and its crucial position in the state’s tourism industry.”

#### DO PARKS COMPETE WITH ENVIRONMENTAL PROTECTION?

If the General Fund budget support for parks were increased to the level necessary to operate an adequate park system, would the environment improve? People’s lives would improve, the state’s tourism industry and overall economy probably would improve, and people might learn more about their natural resources, which should prove to be beneficial to society. But would the additional appropriations lead to measurable improvements in Connecticut’s air, land and water, in the way an investment in pollution control or recycling or land preservation would lead to improvements?

**The Council recommends that the General Assembly view state parks operation as a program quite distinct from the regulatory, pollution control and natural resource management programs of the DEP.** It is a service strongly desired by state taxpayers. State government should set aside enough money (probably 20 million General Fund dollars) in the budget each year to allow the DEP to operate an adequate park system. Then, for environmental protection, calculate what the rest of the DEP needs. Otherwise, the parks will absorb any incremental appropriations and the DEP will not be able to move forward on *environmental protection*.

## **BEYOND PARKS: PROTECTING AND IMPROVING THE ENVIRONMENT**

*(by regulating waste, curbing pollution, reducing impacts of land development, and managing natural resources)*

The volume of regulatory work performed by the DEP is large. It receives more than 3000 applications a year, of which about 700 to 800 are individual permits, meaning the application is reviewed by engineers and analysts and a decision is made. In most cases, the public has an opportunity to comment and/or request a public hearing. The large remainder of the applications consists of a) general permits, which are essentially automatic if the person or company registering for the permit meets the conditions of the general permit in question, and 2) "short process" permits for minor and temporary activities. General permits were introduced and expanded by the DEP in order to help manage its workload of minor pollution sources; they apply to dozens of types of facilities from certain generators and docks and moorings to recycling and composting facilities, scrap tire processors, and many types of wastewater discharges.

Each year, slightly more individual permit applications are received than are closed out, and there are generally about 1300 individual applications pending at the end of any year. When the general permits and short process permits are included, about 1800 applications are pending at the end of any year. In December 2007, the number was 2600.

Inspections have declined almost every year for ten years, though they increased slightly in 2006. The number of inspections conducted in 2006 (6,791) was less than half the number conducted in 1997 (14,587).

The good news about this significant regulatory workload is that it is largely paid for by the federal government and the industries that are being permitted and inspected. The bad news is that the programs are bound to the funds, and the funds to the programs, and the Department is utterly unable to respond to emerging demands for which there is no specific revenue.

## **UNEQUIPPED FOR A CHANGING WORLD**

The demands of environmental protection are changing significantly. Manufacturers have adapted to modern regulations or moved, vehicles have been getting cleaner and utilities have been reducing their emissions. Traditional regulatory programs will not get Connecticut to its goals.

The DEP estimates that many more miles of rivers and streams are affected by runoff from developed areas than from sewage and industrial pollution combined. There is a general consensus that the gravest threat to our state's water, air, forests and wildlife is sprawling land development and pavement, much of which exceeds that which is required to meet consumers' demands. Yet the DEP is not able to respond when it cannot pull funds from the traditional regulatory programs.

- The DEP has identified Landscape Stewardship – "coordination and focusing of the Department's many programs that influence land development to ensure that they are not having unintentional adverse effects" – as an important priority. But the cur-

rent effort, which is supported by fee revenue from other programs, is necessarily very limited in scope.

- The DEP has only two staff positions to run and oversee the statewide inland wetlands and watercourses program (with one in the process of being added). Previous CEQ examinations show that a minimum of six are needed. Towns say repeatedly that they are under greater pressure from development and need assistance from the DEP, but the DEP can no longer provide such assistance as it once did; the DEP must apply most of its resources to the municipal commission training program.

Three specific examples of why two staff positions are not enough to run a statewide wetlands program:

1. When the Council referred a complaint of an alleged wetlands violation to the DEP, it took DEP staff more than a year to do a cursory investigation (with no site visits), and another year to conclude the case, with resultant recommendations to the town still not implemented.
  2. The DEP produced an award winning wetland training video/CD that covers part of the first segment of the training classes organized by the DEP. It was produced at a discount by a public college. The second CD will not be produced unless outside funds are found, probably from the future settlement of an environmental violation. In the Council's view, this should be a routine expense, not dependent on the prosecution of a polluter.
  3. The DEP's inland wetlands division must spend most of its time creating and coordinating training sessions for municipal wetlands commissions, as local commissions are required by law to have at least one member who has completed training. Nonetheless, at public forums around the state, the Council repeatedly hears from local commissions that more training is required. Also, an ongoing review by the Council has found that many municipalities are flouting the training requirement. Training is undeniably important: A Council study in progress has found that commissions with trained members are more protective of wetlands than those without.
- The Department has been delayed in renewing discharge permits for numerous companies. Renewed permits usually replace older pollution limits with more stringent ones. Because renewal results in an improved environment, delays serve no party and postpone attainment of the state's goals.
  - The type of outdoor resource most in demand by Connecticut residents are **greenways**, places where people of all ages can walk, ride, use wheelchairs other nonmotorized means to exercise and enjoy the air. The resources the DEP can devote to greenways are minimal.
  - Deadlines for removing sewage from rivers have been missed. For example, Connecticut cities that have combined sewer overflows (page 10) were required to submit long-term control plans by the end of 2007. Only one has been reviewed by the DEP. The re-





sult is likely to be a delay in meeting goals for sewage-free rivers, as well as many millions of dollars of extra construction costs.

- The Department takes many years to complete some tasks that should only take one or two, if they are completed at all. Two examples:
  - The DEP is responsible for updating regulations for the Connecticut Environmental Policy Act. It has not done so, even though the Act was amended substantially in 2002.
  - The DEP has been working since 2001 to determine how much land in the state is protected open space, and it likely won't know for at least two more years.
- The DEP is not able to take full advantage of the internet and other current technology, though it is making slow strides with advances such as online sales of licenses. The DEP currently is recruiting a contractor to develop an on-line training program for companies that generate small quantities of hazardous waste. It is able to do so only because of a settlement with a polluter. This type of e-government initiative should be expected of a modern agency, and not dependent on the prosecution of a polluter.
- Hundreds of thousands of tons of garbage are being shipped hundreds of miles by truck to be buried out of state because Connecticut failed to meet its recycling goals. The DEP recognizes this and has recommended a huge increase in waste recycling and reduction, but can't do the necessary work.

## THE PATH TO THE PRESENT

Analysis of past budget trends does not illuminate the path to the future, but it does illustrate how the DEP ended up fiscally handcuffed.

The DEP employs about 1,000 people, the same as in 1988. The three big changes over those two decades are 1) The park system has expanded, 2) the Department has been charged with dozens of new responsibilities, with very few reductions in responsibilities, and 3) Appropriations of General Fund dollars have become a much smaller source of money for the DEP.

When the DEP was created in 1972, nearly 90 percent of the staff was paid from the General Fund. In 1988, that was down to 75 percent. Following the creation of the Environmental Quality Fund and Environmental Conservation Fund in 1990, which allowed the DEP to retain certain revenues, the General Fund portion of the budget declined yearly (with the exception of a slight increase in 1998) to its current level of 37 percent of staff (and just 26 percent of overall DEP spending).

For a few years following the creation of the special funds in 1990, the number of employees increased slightly, peaking at about 1100 in the late 1990s. The special funds were intended to supplement the DEP's budget, but the trend has been for industry fees and user fees (parks, fishing and hunting, etc.) to replace General Fund appropriations.

Remarkably, the General Fund appropriation for the DEP in FY 2007, when adjusted for inflation, was below the General Fund appropriation for FY 1972.

Whatever complaints people might have about the DEP, they can't complain that the DEP is wasting state tax dollars.

#### **FEES: TOO HIGH OR TOO LOW? WHO IS PAYING?**

One of the most controversial applications handled by the DEP in 2007 concerned a sewage treatment facility in Madison, where a developer proposed a 127-unit development at the edge of a state park. The sewage treatment facility would discharge to the ground. DEP engineers spent many hours reviewing the application, visiting the site, and determining specific monitoring and other requirements that would be essential to the protection of the public and nearby marshes over the long term if the permit were approved. This was followed by months of hearings and further review. As of this writing, the permit awaits the Commissioner's final decision.

The application fee paid by the developer was \$4,725. This amount did not begin to cover the DEP's costs. So who paid for the DEP's review? It is not easy to determine, but certainly it was not the Connecticut taxpayer. That section of the DEP receives no General Fund appropriations. The costs were paid from a combination of federal grants and fees paid by other businesses for other projects.

Clearly, application fees for large-scale underground sewage discharges need to be increased. If the fees were increased tenfold, they could very well still be inadequate to cover costs, and the size of the fees, when applied to other types of applicants, could be perceived as impediments to attracting desirable businesses. However, if fees remain low, then the difference has to be made up by tax dollars.

#### **ANOTHER PROBLEM WITH SPECIAL FUNDS: INSOLVENCY**

The DEP submitted a report to the General Assembly in March 2007 that shows the status of its special funds.<sup>10</sup> The Environmental Conservation Fund – which receives certain categories of sporting license fees and park entrance fees – were projected to be empty in 2009 if changes are not made. Revenues are not expected to keep pace with expenses for several reasons:

- Hunting and fishing license sales are on a long-term decline in Connecticut and nationwide.
- Sale of wood from state forest lands will not increase because of insufficient staff.
- Park admission revenue fluctuates with the weather, but most expenses do not.

Many fees and revenues generated by the DEP are returned to the General Fund. One of the largest categories is the sale of wood from state forest land, currently about a half million dollars per year. The revenue is limited by the acreage that can be harvested, which in turn is limited by the number of DEP foresters available to plan and oversee the harvesting. The DEP manages (through harvesting contracts) only a fraction of the land that could be managed annually on a sustainable basis. According to the DEP, harvesting of timber from state land enhances forest growth, diversity and health and yields



considerable economic benefits. However, the DEP has been in a cyclical rut of returning fewer tax dollars to the General Fund because fewer dollars can be expended to manage the state forests. Each additional dollar spent on state forest management yields a net return to the state treasury, but the seemingly simple solution of hiring more foresters to expand harvesting simply does not occur under the current financial structure. The Council recommends legislation that would deposit wood-harvesting revenue into the Environmental Conservation Fund, where it could be used for management of state forests.

For similar reasons, the Council recommends legislation to deposit other natural-resource related fees, such as lobster licenses, trapping rights revenue, and several others to the DEP's Environmental Conservation Fund to return that fund to solvency and allow the DEP to meet its goals.

## RECOMMENDATIONS FOR THE DEP ANNUAL OPERATING BUDGET

**1. For budgeting purposes only, detach the operation of state parks from other DEP functions.** Fund the maintenance and operation of state parks and EnCon police at recommended levels as a state-provided service distinct from environmental protection. For guidance on the amount, consult the 2003 assessment<sup>11</sup> and the 2006 review of EnCon police by the General Assembly's Program Review and Investigations Committee. These will require at least \$20 million in General Fund appropriations annually. (Current appropriations are about \$15 million).

**2. Appropriate adequate General Fund moneys to the DEP that would allow the DEP to plan and fully implement necessary programs to:**

- improve compliance by regulated parties
- promote responsible growth and landscape stewardship,
- reduce pollution caused by runoff from developed areas new and old,
- assist municipal wetlands and land use commissions,
- prevent excessively low flow in rivers and streams,
- create internet-based training, licensing and permitting,
- reduce greenhouse gas emissions,
- manage declining species of wildlife.

**How much is needed?** The Council is confident that the answer can be calculated, but neither the Council nor the DEP has the resources to perform the necessary calculations. The amount is almost certainly less than one percent of the state's annual General Fund budget, but considerably more than the (nearly) one-quarter of one percent appropriated for next fiscal year. It is likely to be about one-eighth of one percent for state park operations and two-thirds of one percent for environmental protection programs.

The amount needed annually for state park operations has been assessed by an objective consultant to be about \$27 million, of which about \$20 million would need to be from the General Fund. It would be possible to conduct a parallel study of staffing needs of environmental protection programs, which should be tied closely to results and goals.

3. **Governor M. Jodi Rell and the General Assembly should require the DEP to commission an objective analysis of the staffing and other expenses required to fulfill its environmental protection obligations**, similar to the study completed for state park operations in 2003, and appropriate an adequate sum to complete the study.
4. **Restore the Environmental Conservation Fund to solvency** by:
  - A. Creating a saltwater fishing license, with revenue going to the Environmental Conservation Fund. (If Connecticut does not do this, saltwater anglers in Connecticut will pay a fee to the federal government beginning in 2012.)<sup>12</sup>
  - B. Amending statutes to return all revenue from the sale of sporting licenses and timber sales from state forests to the Environmental Conservation Fund.
5. **The DEP should assess the level of service expected by applicants and set fees accordingly.** The cost of improvements in routine regulatory work should be paid for by the regulated parties. Many of Connecticut's environmental fees are high in relation to some other states, while others (such as those for advanced subsurface wastewater treatment discharges) are far below where they need to be to support regulatory action. Perhaps most regulated companies are satisfied with current levels of service. The DEP should convene advisory boards of industries to help set appropriate fee schedules, and base the fees on the specific level of service desired by most regulated parties. For permits that are obtained more frequently by individual households (such as docks in tidal waters), the fees should continue to be assessed at the level required to regulate the same.

## NOTES

1. The fringe benefit amounts for employees paid from General Fund appropriations do not appear in the DEP's budget; they are appropriated elsewhere in the state budget. However, fringe benefits for employees paid by special funds (fees and license revenue) are paid directly by the DEP and do appear in the DEP's budget.
2. Most bureaus of the DEP return dollars to the General Fund. These include numerous fees and licenses that, by statute, go to the General Fund and not a DEP special fund. Other categories include revenue from sale of wood and other resources from state lands, and fines and penalties collected from violators of pollution laws as well as fish, wildlife and natural resource laws. The DEP returns more than six million dollars per year to the General Fund.
3. These sums were calculated for outdoor recreation and for every DEP bureau by 1) starting with the General Fund appropriation to the bureau, 2) subtracting the amount returned by that bureau annually to the General Fund from fees, fines, or other revenue, 3) adding the estimated costs of employees' fringe benefits (which do not appear in the DEP's General Fund budget but are a cost to the taxpayer) and 4) pro-rating the cost of the DEP's central office and administrative functions across the other bureaus so that all costs are accounted for.
4. *Connecticut State Parks Infrastructure Conditions Assessment*, December 2003, prepared by Clough, Harbour and Associates LLP for the CT DEP.
5. National Association of State Park Directors, Annual Information Exchange, 2005
6. *Connecticut State Parks Infrastructure Conditions Assessment*, December 2003, prepared by Clough, Harbour and Associates LLP for the CT DEP, p. ES-17.

7. *Connecticut Statewide Comprehensive Outdoor Recreation Plan 2005-2010*, State of Connecticut, Department of Environmental Protection September 2005.
8. *Connecticut Statewide Comprehensive Outdoor Recreation Plan 2005-2010*, State of Connecticut, Department of Environmental Protection September 2005, p. 119.
9. *Connecticut Statewide Comprehensive Outdoor Recreation Plan 2005-2010*, State of Connecticut, Department of Environmental Protection September 2005, p. 126.
10. Report to Appropriations Subcommittee, Department of Environmental Protection, March 1, 2007.
11. *State Environmental Conservation Police*, Legislative Program Review and Investigations Committee, Connecticut General Assembly, December 2006.
12. Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006, Public Law 109-479, Section 401 (16 U.S.C. 1881).
13. *Connecticut State Parks Infrastructure Conditions Assessment*, December 2003, prepared by Clough, Harbour and Associates LLP for the CT DEP.

## ABOUT THE COUNCIL ON ENVIRONMENTAL QUALITY

The duties of the Council on Environmental Quality are described in Sections 22a-11 through 2a-13 of the Connecticut General Statutes. The Council is a nine-member board that works independently of the Department of Environmental Protection (except for administrative functions). The Chairman and four other members are appointed by the Governor, two members by the President Pro Tempore of the Senate and two by the Speaker of the House. The Council's primary responsibilities include:

1. Submittal to the Governor of an annual report on the status of Connecticut's environment, including progress toward goals of the statewide environmental plan, with recommendations for remedying deficiencies of state programs.
2. Review of state agencies' construction projects.
3. Investigation of citizens' complaints and allegations of violations of environmental laws.

In addition, under the Connecticut Environmental Policy Act (CEPA) and its attendant regulations, the Council on Environmental Quality reviews Environmental Impact Evaluations that state agencies develop for major projects. The Council publishes the Environmental Monitor (<http://www.ct.gov/ceq/monitor.html>), the official publication for project information under CEPA.

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