

Immediate Release  
December 16 2014  
For further Information  
Kevin Maloney (203) 710-3486  
Ron Thomas (203) 430-5537

**CCM's Local Officials Stand United: Oppose Proposed New DEEP Stormwater Permit as Impractical and Costly Unfunded Mandate**  
**New CCM survey results conclude state permit would cost towns and cities over \$100 million, statewide. Over 50 municipal CEOs show unified opposition at December 16, news conference at Crowne Plaza Hotel, Cromwell**

The Connecticut Conference of Municipalities (CCM) held a news conference today, Tuesday, December 16, at 10:30 a.m., in Cromwell at the Crowne Plaza Hotel to:

- Call on the State Department of Energy and Environmental Protection (DEEP) to reject the new draft permit for the Discharge of Stormwater from Municipal Sewer Systems (MS4) -- that DEEP has proposed as a new huge unfunded state mandate on town and city governments across Connecticut.
- Release the results of a new *CCM statewide survey of town and cities which finds that the new permit – if not drastically modified by DEEP -- would cost over \$100 million statewide (See first attachment for complete survey results to date).*
- *More than 50 municipal leaders participated in the December 16 new conference in advance of the Wednesday morning, December 17 hearing, at DEEP headquarters in Hartford. (See second attachment for complete list of municipal leaders at the news conference). Key speakers at the news conference included Matthew Galligan, Town Manager of South Windsor and President of CCM; Mark Boughton, Mayor of Danbury and First Vice-President of CCM; William Dickinson, Mayor of Wallingford; and Catherine Ino, First Selectman of Killingworth.*

The draft MS4 permit would impose costly unfunded state mandates on municipalities and their residential and business property taxpayers. The MS4 General Permit as proposed by DEEP, goes well beyond the recommended EPA guidelines, implementing a two tier system and establishing detailed, and costly schedules that dictate the frequency of street sweeping and catch basin cleaning schedules, imposing costs that towns and cities simply cannot meet. The proposed permit contains numerous requirements that would require the adoption new local ordinances that may be beyond the scope of what is allowed under the current General Statutes of Connecticut.

The draft MS4 permit would impose significant expenses that Connecticut's municipalities would be hard pressed to meet and, if approved, would likely result in raising taxes, reducing other key services or result in employee layoffs.

The permit as proposed significantly expands the number and scope of requirements for compliance with the MS4 permit, and created a two-tier system that will require every town and city in the state to register and meet the requirements of the MS4 permit. The permit adds 16 additional

requirements and expands the requirements of the permit and adds 26 additional reporting requirements to be included in the Annual Report.

CCM has numerous specific concerns with the draft MS4 permit including but not limited to:

- The proposed permit **would usurp local zoning authority**. The Department cannot usurp the local zoning authority of towns, delegated by the state through statute or special act, by imposing new zoning requirements through a permit. If this is the intention of the Department, then it should seek these changes through the legislative or regulatory process.
- The **increased frequency of required road sweeping by towns and cities is problematic**. Compliance with this requirement would dramatically increase municipal costs to cover the required increase in labor and needed capital equipment.
- **Additional sampling and testing of dry and wet weather stormfall monitoring sets unrealistic standards**. This would require increased municipal resources or the hiring of an outside vendor, and result in increased laboratory costs required to analyze the samples.
- The proposed permit would result in **increased municipal costs to meet the Public Outreach and Education requirements**, as well as the costs associated with increasing Public Involvement and Participation.
- Municipal officials have concerns with the **costs associated with the expansion and implementation of Illicit Discharge Detection and Elimination (IDDE) ordinance**, the requirement to track and locate the source of illicit discharges, and the implementation of program to prevent future IDDEs. Additionally, the proposed permit states that illicit discharges are prohibited, and a violation of this permit and remain a violation until they are eliminated, and in effect, placing the municipal permit holder in violation and liable for the illicit discharges by third parties.

CCM requests that any provisions contained within the proposed MS4 permit that go beyond the mandated Federal EPA requirements -- such as the creation of a Tier II permit for 49 towns not covered by the Tier I permit -- be removed from the proposed permit.

DEEP should conduct a comprehensive cost-benefit analysis of the requirements and costs within the proposed permit, to ensure that any increased costs result in measurable improvements to the environment and at reasonable costs to local taxpayers. There can - and should - be a better balance, and more cooperative process, of protecting the State's water bodies while also protecting local governments' ability to adequately afford and provide services to their taxpayers.

Other costly mandates: Road Sweeping, Catch Basin Cleaning, Dry and Wet Weather Stormfall Monitoring, Public Outreach and Education, leaf Collection and Disposal, Changes to Local Zoning Ordinances, Legal Authority to Prohibit and Investigate, and Snow Management.

While the effects would be felt in every town, here are examples of the overall financial impacts on some of sample small, medium, and larger municipalities:

- Norwalk (pop. 85,603) - \$3.57 million in total costs
- Greenwich (pop. 61,171) - \$5.1 million in total costs

- Bristol (pop. 60,477) - \$882,000 in total costs,
- East Hartford (pop. 48,571) - \$1.9 million in total costs
- New Milford (pop. 28,338) - \$2.2 million in total costs
- East Lyme (pop. 19,022) - \$122,000 in total costs
- Killingly (pop. 17,826) - \$467,000 in total costs
- Ledyard (pop. 15,078) - \$160,000 in total costs
- Haddam (pop. 7,885) - \$294,000 in total costs
- Barkhamsted (pop. 3,662) - \$644,000 in total costs
- Franklin (pop. 1,899) - \$39,750 in total costs

CCM will continue to advocate that towns and cities must be protected from the costs imposed by the proposed modifications to the DEEP permit and we will continue to seek reasonable ways to reduce the number, scope and costs of the additional requirements that DEEP has proposed.