

**CONNECTICUT BAR ASSOCIATION
ENVIRONMENTAL LAW SECTION MEETING MINUTES
NOVEMBER 10, 2005**

INTRODUCTION & BUSINESS

Meeting convenes at 7:15 p.m.

Joey Lee Miranda presented a plaque in appreciation to outgoing Chair **Patricia McCullough**, announced that the executive committee had voted to increase dues for section membership from the current \$15.00 to \$30.00 effective May 2006 and requested that the vote on a special assessment to address the current deficit be tabled until the Treasurer completes his due diligence on the matter with CBA staff.

Marvin Bellis, Treasurer provided a status update on the current deficit and the progress of his due diligence inquiry.

Roger Reynolds discussed pro bono opportunities for our membership and identified a start up solar project looking for someone to work on contract issues. Anyone interested should contact Roger directly at CFE.

Lou Pepe, CBA President, stopped in to thank our membership for their support of the CBA and to discuss CBA's legislative initiatives for the upcoming session and its involvement in a constitutional challenge to the new bankruptcy laws. He shared his goal to increase CBA membership by requesting each of our section members solicit one new member to join CBA this year and announced CBA's success in raising \$12,000 dollars towards the Katrina effort.

PRESENTATION

Joey Lee introduced speaker, **Gina McCarthy, Commissioner** of the Connecticut Department of Environmental Protection (DEP) and thanked **Rena Ortega** from the Programming Committee for arranging for tonight's speaker.

The Commissioner opened her remarks with an overview of the issues, agendas and challenges she has encountered in her first 10 months as head of the agency including differences in legislation between her native Massachusetts and Connecticut, agency decision making and the role of municipalities in environmental issues. She is intent on promoting a more proactive DEP by building up the morale of the agency with the ultimate goal of motivating the staff towards good and timely decision making. The Commissioner is pleased with the quality of the staff at DEP, but finds CT to be a tough place to work because of its' small size and the intense focus of the media on agency action.

While encouraged by the number of decisions that have been issued by staff, the Commissioner continues to examine the structure of the agency and encourage interaction within the agency culture. Finding decisions paralyzed at upper levels of the agency, she requested and received authority to hire 9 assistant directors whose positions are designed to create an opportunity to delegate authority within the agency without creating an additional level of bureaucracy. She has challenged staff to put

together a delegation scheme as its most critical goal, and continues to work on instituting work plans outlining individual bureau annual responsibilities.

The Commissioner announced that she is seeking additional funding for the park side of DEP, concerned with Clean Water Fund monies for wastewater systems, encouraging open space through the farm land bill, and looking both to improve the functioning of the LUST Fund and for the stream flow regulations to be drafted by end of year in order to balance water issues. The Commissioner expressed her sadness with the departure of Assistant Commissioner Jane Stahl, her major disagreement with recent decisions by LEP board and her overall desire to change the agency from a military to a more team-oriented approach.

The Commissioner identified two big issues the agency is currently addressing: “e government” & improving efficiency. An information management and technology group is working for the Commissioner’s office to revamp the agency web page to improve web access to the Agency. The Commissioner is working with staff to focus on improving efficiency in their decision making process to address the timeliness of issuing decisions. The Commissioner plans to meet with stakeholders to discuss these issues, and will move to complete new general permits for transfer stations, waste water permits from construction sites and water diversion, and update the RSRs by fall of next year. She also plans to hire an outside consultant to conduct a systems analysis of both the RCRA and remediation programs and to work with small companies on RCRA, pollution prevention and technical assistance rather than enforcement action.

The Commissioner closed her remarks by indicating her intent to hire a brownfields advocate, a general counsel and two associate attorneys.

After the presentation was complete, the floor was opened for questions from the members.

ADJOURNMENT @ 8:40 p.m.

Nancy K. Mendel, Secretary, Environmental Section