



# Protecting Connecticut's Future

## Overcoming the 2022 Environmental Cliff

CT Department of Energy and Environmental Protection (DEEP) will soon face unprecedented retirements and department budget cuts. Without adequate preparation these could paralyze DEEP's ability to perform its core function of environmental enforcement and protection.

DEEP has consistently been asked to do more with less. Over time, the Department's budget and staff numbers have seen steady decreases even as its responsibilities grow to cover gaps in federal enforcement, tackle emerging issues, and confront the climate change crisis. Upcoming retirements will dramatically strain DEEP's resources and its ability to enforce environmental laws.

**If DEEP is not adequately funded and staffed, we will see significant threats to the environment, public health, and quality of life for Connecticut residents.**

## The Problem

**2022 RETIREMENTS:** By July 1, 2022, agencies statewide are expected to experience significant retirements of experienced staff: an average of 40 percent of all state employees are eligible to retire and will face disincentives to delay retirement. Approximately 26 percent of DEEP staff who responded to a 2019 survey only plan on remaining with the agency for 3 more years.

**COVID-19 AND BUDGET CUTS:** The COVID-19 pandemic has severely strained state resources. In August 2020, Governor Ned Lamont directed state agencies to "find ways to cut spending by 10% or more in the next two fiscal years." OPM Secretary Melissa McCaw suggested retirements can facilitate these budget cuts by "agencies find[ing] ways to capture that potential payroll savings by managing with fewer personnel."

**AGGRAVATING EXISTING DEFICITS:** Total DEEP positions—873 in 2020—have declined steadily after a peak of 1,030 in 2013. Resource constraints are cited as the justification for regulatory and legislative environmental rollback attempts.

DEEP's rates of inspection have trended downward over the past 15 years. The agency conducted 3,151 inspections in 2019, down from over 6,500 per year between 2006 and 2010. DEEP is also trending toward informal enforcement action rather than formal—in 2019, DEEP conducted 1,285 informal enforcement actions, over 25 percent more than the yearly average 2006 through 2010. Meanwhile, referrals to the Attorney General's office and EPA are at their lowest levels.

Under the prior federal administration, the EPA conducted record low enforcement efforts, passing the buck to the states. The Biden administration may reverse course but states will still play an outsized role in enforcement.

**40%**  
of all state  
employees  
are eligible  
for retirement  
in 2022

**26%**  
of DEEP staff  
plan to leave  
by that time



*How can we protect environmental quality and public health given inevitable changes in agency structure and resource constraints?*

## The Solutions

Change is inevitable, but environmental harm is not. The General Assembly, the Governor, and DEEP itself must act now to ensure this change doesn't come at the cost of the state's environmental resources and public health.

### Action steps for the Governor's office and the General Assembly:

#### 2021 Legislative Session Priorities

- Provide resources to re-hire inspection and enforcement staff to retain or enhance enforcement capacity
- Establish a Task Force that will include broad stakeholder representation
- Ensure DEEP staffing and resource constraints aren't used to strip responsibilities and oversight
- Prioritize transition to e-governance

#### Ongoing Priorities

- Reform current contract policies and practices
- Conduct regular legislative or CEQ review of compliance rates and environmental quality
- Commit to fund and staff major projects and initiatives

### Action steps for DEEP:

- Prioritize rehiring of enforcement and inspection staff
- Plan employee training to replace senior positions anticipated to be vacated
- Make compliance and enforcement data available to the public to enable understanding of environmental threats and facilitate advocacy
- Track compliance rates to ensure continued environmental outcomes
- Prepare for and retain flexibility to tackle emerging issues
- Explore reconfiguration of staffing while maintaining baseline staffing levels
- Retain oversight and ensure transparency wherever responsibilities are privatized
- Build resource resiliency into every major program area

For Save the Sound's full report on these challenges and solutions, visit [www.savethesound.org](http://www.savethesound.org).