

# NAIOP

COMMERCIAL REAL ESTATE  
DEVELOPMENT ASSOCIATION

CONNECTICUT AND  
SUBURBAN NEW YORK CHAPTER

**Re: SB 120 (Raised), An Act Authorizing Review of the Department of Environmental Protection's Guidance Statements and Policy by the General Assembly's Regulation Review Committee.**

Dear Senators and Representatives:

On behalf of the Connecticut and Suburban New York Chapter of NAIOP, Commercial Real Estate Development Association, I write with regard to SB 120 (Raised), An Act Authorizing Review of the Department of Environmental Protection's Guidance Statements and Policy by the General Assembly's Regulation Review Committee. Our chapter, whose members include the owners, developers, and investors in commercial, industrial and mixed use real estate in Connecticut would now like to take this opportunity to express our support for this legislation.

We believe that SB 120, if enacted will help Connecticut's economy recover in an environmentally sound way and do nothing to weaken DEP's stringent standards. The legislation addresses concerns in the commercial real estate development community and other important commercial sectors about DEP using unofficial so-called "Guidance" documents that have general applicability to the regulated community but which have not been vetted and approved by the Uniform Administrative Procedures Act. Thus stakeholders, such as our members, have not had the important opportunity to participate in the notice and comment rulemaking provided by the Act. This has not only served as "gag" on our being able to express important industry issues to DEP in a formal manner by which the entire Connecticut public would be able to review our input, but it also deprives DEP from the beneficial exercise of being required to consider ideas that might serve the environment and the economy. Lawmakers should encourage state agencies to work with the regulated community to achieve environmental goals in a sensible, balanced way and SB 120 will help achieve that goal.

NAIOP will be pleased to work with the legislature in adopting legislation that will help to clean up, redevelop, and maintain Connecticut's environment. We will be happy to provide additional information upon request. Thank you for your attention and consideration.

Best regards,



Brian Brennan,  
President  
NAIOP Connecticut and Suburban New York Chapter