

CGS 25-33 c through j

Sec. 25-33c. Legislative finding. The General Assembly finds that an adequate supply of potable water for domestic, commercial and industrial use is vital to the health and well-being of the people of the state. Readily available water for use in public water systems is limited and should be developed with a minimum of loss and waste. In order to maximize efficient and effective development of the state's public water supply systems and to promote public health, safety and welfare, the Department of Public Health shall administer a procedure to coordinate the planning of public water supply systems.

Sec. 25-33d. Definitions. As used in sections 25-33c to 25-33j, inclusive:

(a) "Public water system" means any private, municipal or regional utility supplying water to fifteen or more service connections or twenty-five or more persons;

(b) "Public water supply management area" means a region determined by the Commissioner of Public Health to have similar water supply problems and characteristics;

(c) "Exclusive service area" means an area where public water is supplied by one system;

(d) "Commissioner" means the Commissioner of Public Health;

(e) "Satellite management" means management of a public water supply system by another water company;

(f) "Coordinated water system plan" means (1) the individual water system plans of each public water system within a public water supply management area, filed pursuant to section 25-32d, and (2) an area-wide supplement to such plans developed pursuant to section 25-33h which addresses water system concerns pertaining to the public water supply management area as a whole.

Sec. 25-33e. Delineation of public water supply management areas. (a) Not more than six months after July 1, 1985, the Commissioner of Public Health, in consultation with the Public Utilities Regulatory Authority, the Commissioner of Energy and Environmental Protection and the Secretary of the Office of Policy and Management, shall delineate the preliminary boundaries of public water supply management areas and establish preliminary priorities for initiation in such areas of the planning process established in sections 25-33f to 25-33h, inclusive. Not more than one year after July 1, 1985, the commissioner, after a hearing, shall delineate the final boundaries of such areas. In making such delineation, the commissioner shall consider the following: (1) The similarity of water supply problems among water companies operating in the preliminary management area; (2) population density and distribution in the area; (3) the location of existing sources of public water supply, service areas or franchise areas; (4) existing interconnections between public water systems; (5) municipal and regional council of governments boundaries; (6) natural drainage basins; (7) topographic and geologic characteristics; and (8) any other factor he deems relevant.

(b) Not more than one year after July 1, 1985, the commissioner, after hearing, shall establish the final priorities, for initiation of the planning process. In establishing such priorities, the commissioner shall consider the existence and severity of the following in each management area: (1) Uncoordinated planning, (2) inadequate water supply, (3) unreliable water service, and (4) any other factor he deems relevant.

Sec. 25-33f. Water utility coordinating committees. Membership. (a) The Commissioner of Public Health, following the final priorities established pursuant to section 25-33e, shall convene a water

CGS 25-33 c through j

utility coordinating committee for each public water supply management area to implement the planning process established by this section and sections 25-33g and 25-33h.

(b) A water utility coordinating committee shall consist of one representative from each public water system with a source of water supply or a service area within the public water supply management area and one representative from each regional council of governments within such area, elected by majority vote of the chief elected officials of the municipalities that are members of such regional council of governments. Each committee shall elect a chairman, adopt and amend, as required, a work plan and schedule for a coordinated plan and adopt rules, including, but not limited to, rules for publication of meeting times and agendas, and for public comment, including notice of a comment period and documentation of responses to comments.

Sec. 25-33g. Assessment of water supply conditions and problems. Exclusive service area boundaries. (a) Each water utility coordinating committee, in consultation with the Commissioners of Public Health and Energy and Environmental Protection, the Secretary of the Office of Policy and Management and the Public Utilities Regulatory Authority, shall develop a preliminary assessment of water supply conditions and problems within the public water supply management area. The committee shall solicit comments on the preliminary assessment from municipalities, regional councils of governments, state agencies and other interested parties and respond to any comment received. The committee shall thereafter prepare a final assessment.

(b) The committee shall establish preliminary exclusive service area boundaries, based on the final assessment, for each public water system within the management area, and may change such boundaries. In establishing exclusive service area boundaries the committee shall solicit comments on such boundaries from municipalities, regional councils of governments, the Commissioners of Energy and Environmental Protection and Public Health, the Public Utilities Regulatory Authority, the Secretary of the Office of Policy and Management and other interested persons within the management area and respond to any comment received. If there is no agreement by the committee on such boundaries, or on a change to such boundaries, the committee shall consult with the Public Utilities Regulatory Authority. If there is no agreement by the committee after such consultation, the Commissioner of Public Health shall establish or may change such exclusive service area boundaries taking into consideration any water company rights established by statute, special act or administrative decisions. In establishing such boundaries, the commissioner shall maintain existing service areas and consider the orderly and efficient development of public water supplies. In considering any change to exclusive service area boundaries, the commissioner shall maintain existing service areas, consider established exclusive service areas, and consider the orderly and efficient development of public water supplies.

Sec. 25-33h. Coordinated water system plan. Regulations. (a) Each water utility coordinating committee shall prepare a coordinated water system plan in the public water supply management area. Such plan shall be submitted to the Commissioner of Public Health for his approval not more than two years after the first meeting of the committee. The plan shall promote cooperation among public water systems and include, but not be limited to, provisions for (1) integration of public water systems, consistent with the protection and enhancement of public health and well-being; (2) integration of water company plans; (3) exclusive service areas; (4) joint management or ownership of services; (5) satellite management services; (6) interconnections between public water systems; (7) integration of land use and water system plans; (8) minimum design standards; (9) water conservation; (10) the impact on other uses of water resources including water quality, flood management, recreation and aquatic habitat issues; and (11) acquisition of land surrounding wells proposed to be located in stratified drifts.

CGS 25-33 c through j

(b) The plan shall be adopted in accordance with the provisions of this section. The committee shall prepare a draft of the plan and solicit comments thereon from the Commissioners of Public Health and Energy and Environmental Protection, the Public Utilities Regulatory Authority, the Secretary of the Office of Policy and Management and any municipality, regional council of governments or other interested party within the management area. The municipalities and regional councils of governments shall comment on, but shall not be limited to commenting on, the consistency of the plan with local and regional land use plans and policies. The Public Utilities Regulatory Authority shall comment on, but shall not be limited to commenting on, the cost-effectiveness of the plan. The Secretary of the Office of Policy and Management shall comment on, but shall not be limited to commenting on, the consistency of the plan with state policies. The Commissioner of Energy and Environmental Protection shall comment on, but shall not be limited to commenting on, the availability of water for any proposed diversion, water quality, flood management, recreation and aquatic habitat issues. The Commissioner of Public Health shall comment on, but shall not be limited to commenting on the availability of pure and adequate water supplies, potential conflicts over the use of such supplies, and consistency with the goals of sections 25-33c to 25-33j, inclusive.

(c) The Commissioner of Public Health shall adopt regulations in accordance with the provisions of chapter 54 establishing the contents of a plan and a procedure for approval or amendment to the plan.

Sec. 25-33i. Consistency with plan. Restriction on approval of public water supply system. (a) Any permit issued by the Commissioner of Public Health pursuant to this chapter shall, to the extent feasible, be consistent with any coordinated plan adopted pursuant to section 25-33h.

(b) No public water supply system may be approved within a public water supply management area after the Commissioner of Public Health has convened a water utility coordinating committee unless (1) an existing public water supply system is unable to provide water service or (2) the committee recommends such approval.

Sec. 25-33j. Contract for services to water utility coordinating committee. The Commissioner of Public Health may enter into contracts with consultants to provide services to water utility coordinating committees. The amount of any contract shall not exceed two hundred fifty thousand dollars. Any appropriation made to the Department of Public Health for the purposes of this section shall not lapse until the Department of Public Health has completed the planning process for a water utility coordinating committee.