

September 21, 2018

Lori Mathieu
Public Health Section Chief
Drinking Water Section
Department of Public Health
410 Capital Ave,
Hartford, CT 06134

RE: Comments on Water Utility Coordinating Committee Coordinated Plans

Dear Ms. Mathieu:

The Connecticut Department of Energy and Environmental Protection has completed its review of the Coordinated Plans for each of the three WUCCs. We appreciate the effort that went into these plans, as well as the ability for DEEP and the public to participate in the process. The WUCCs provided a critical forum for the water utilities to cooperatively discuss and document important issues. We look forward to having this process continue into the future.

As you are aware, Public Act 14-163 amended the authorizing statutes of the Coordinated Water System Plan to include: “(10) the impact on other uses of water resource including water quality, flood management, recreation and aquatic habitat issues”. While the Coordinated Plans specifically address this for regionally significant future sources, we believe the intent of the legislation was broader than that. DEEP suggested a number of topics for discussion during the process in our 7/20/17 letter (particularly for modules 7, 10, 11 and 14) that would have begun to address this, but those topics were not discussed during the coordinated planning process. In addition, DEEP made several suggestions for clarification or expanded discussion in our 4/18/18 comment letter on the Integrated Reports that were also not addressed. Both of these letters are attached for reference. We believe not effectively discussing these topics nor reflecting them in the Coordinated Plans were missed opportunities.

As the WUCCs continue to meet, we encourage them as well as the DPH to consider tapping the collective wisdom of this forum to expand discussion and consideration of the nexus between public water supply and environmental sustainability of the water resources utilized by those systems. You should consider discussion of:

- Rising peak-day ratios, including the use of potable water to over-irrigate lawns, and the role of conservation to help reverse this trend;

- Continued listing of and reliance on proposed future sources with significant environmental concerns which would hinder development of these sources;
- Expansion of ESAs increasing regional use of limited local sources of supply;
- Expansion of public drinking water supply into areas without sewers (which can cause a net import of water and overload subsurface disposal systems), as well as the converse (which can cause a net export of water, and impact ground water levels and wells), and the need for more coordinated planning;
- Evaluation of conjunctive use of sources, supply management and interconnections on a holistic level, which can reduce/mitigate adverse environmental impacts and increase resiliency. There are several good examples of this already occurring, including water banking, which could be shared and considered.

If you have any questions on the above comments, please do not hesitate to contact me or Corinne Fitting or my staff at (860) 424-3724 or corinne.fitting@ct.gov.

Sincerely,



Denise Ruzicka

Director

Division of Water Planning & Management

Bureau of Water Protection & Land Reuse

Cc: Richard Iozzo, DPH Drinking Water Section via email: richard.iozzo@ct.gov

Attachments

April 18, 2018

Water Utility Coordinating Committee Chairpersons
c/o Brendan Avery, Recording Secretary, Central WUCC, via email;
c/o Samuel Alexander, Recording Secretary, Eastern WUCC, via email;
c/o David Banker, Recording Secretary, Western WUCC, via email

RE: Comments on WUCC Integrated Reports

Dear Water Utility Coordinating Committee Chairmen and Members;

The Connecticut Department of Energy and Environmental Protection (DEEP) has completed its review of the Integrated Report. Thank you for the opportunity to participate in the WUCC process. DEEP is supportive of the WUCC planning process and the effort the utilities have put into developing the reports.

The Integrated Report makes a number of findings and recommendations, summarized in Table 12-1, which DEEP supports. In particular, DEEP encourages:

1. Refinement of the projected demands as new Individual Water Supply Plans are completed and can be incorporated into the overall projections. This would include refinement of the impacts of the Streamflow Regulations as more realistic impact analyses are included.
2. Further discussions and adjustments to the methodology for calculation of available water to meet MMADD, which could mitigate the apparent need for water in a number of systems across the state.
3. Use of interconnections to address supply deficits and increase system resiliency. However, it is also important to acknowledge the resiliency and environmental benefits of having multiple small sources.
4. Meeting with regulatory agencies early in the source development process and complete analysis of potential environmental impacts when developing new sources.
5. Continued coordination and work with the state agencies on drought management and water conservation to improve water efficiency.

Each regional WUCC report lists water utilities which are evaluating development of additional sources of supply, including regionally significant supplies. The overall analysis and scale are appropriate for the Integrated Report, but it should be noted that environmental and fisheries concerns have been raised for several of the sources mentioned that would factor into diversion permitting for those sources when proposed for development.

DEEP noted several items in the Integrated Report where clarification may be helpful, as follows (page numbers are from the Western Report):

1. Section 2-10, page 2-2, 2nd para: First of many times “water efficiency” is used in this document, however it is not defined or explained to any degree. Examples of efficiency should be included.
2. Section 2.3, page 2-13, 1st complete paragraph, 1st sentence: could be more explicit on what the “current process” is.
3. Section 2.4.1, page 2-14, last paragraph, last sentence: a short explanation on why warmer temperatures mean lower water quality could be added here.
4. Section 2.4.1, page 2-15, in-depth discussion of available water vs. safe yield seems out of place here in the climate change section. This would be more helpful in previous section 2.3, however, retain some basic concept of relation between climate change and safe yield here in 2.4.1.
5. Section 3.6, page 3-28, text box: Assumptions based on extrapolation of available data could easily under- or over-predict the effects of the regulations, that’s precisely why system-specific evaluations are necessary. This text box needs to be corrected.
6. Section 3.6, page 3-28, 5th and 6th bullet: Include brief explanation of “RGQ80” bioperiod reference, and insert “cfs” after flow rates.
7. Section 3.6, page 3-28: include mention of Waterbury being exempt due to Shepaug Reservoir flow plan.
8. Section 5.2.2 - May wish to add at end: In general, DEEP interconnection permitting considerations include 1) the overall need for, or ability to provide water for the interconnection based on individual water supply planning, 2) opportunity to increase water supply through decreased unaccounted for water and/or increased conservation in lieu of the requested transfer, 3) potential for environmental impact at the transfer source.
9. Section 7.4, page 7-4, second to last paragraph, second sentence, “...if the project is regulated by a federal agency, such as (USACE) **or (FERC)**.” FERC added here as a possible trigger for 401 Water Quality Certification.
10. Section 7.4, page 7-5, second paragraph, first sentence, “...environmental groups can pose **petition** for restrictions on water supply development...”
11. Section 7.4, page 7-6, “The Connecticut Environmental Policy Act (CEPA) was used beginning in the late 1990s as a basis for intervention in a diversion permit application. The State Supreme Court, opening the door for the use of CEPA to oppose diversions, upheld this intervention.” Reference citation for court decision should be provided in footnote. The DEEP Legal Office hasn’t been consulted, however the diversion program is unaware of this specific precedence.

12. Section 8.0, page 8-1, 3rd para, "It is assumed that permits would not be issued for the development of a source where the yield is greater than 50% of the 7Q10 flow. While permit criteria varies depending on the resource, 50% of the 7Q10 is used ~~as~~ for planning purposes" (note typo). This criterion is too general. DEEP General Permit for Diversion of Water for Consumptive Use uses 5% of 99% durational flow as a cutoff for minimal environmental effect. Please at least explain the rationale, behind choosing this number.
13. Section 8.0, page 8-1, last para, 1st sentence: Diversion permits are not riparian rights – the permits allow reasonable use of the water, but do not constitute a "water right". A legal interpretation is not really appropriate in a planning document of this nature. We recommend striking this paragraph.
14. Section 11.1, page 11.1, 2nd to last para: "Competing uses must also be addressed, including the potential impacts on existing diversions, active and passive recreation, aesthetics, downstream waste assimilation, **archaeological resources**, and other downstream uses."
15. Section 11.2, page 11.3, "If the wellfield is completed in stratified drift, **and serves more than 1000 people**, the numerical modeling completed in accordance with the **Aquifer Protection Area Level A Mapping** regulations is used to predict the response of the aquifer and watercourses under different pumping scenarios."
16. Section 12.0, page 12-1, "These volumes of water are unlikely to be developed in the (?) or nearby the region." Missing something here.

If you have any questions on the above comments, please do not hesitate to contact me at (860) 424-3724 or corinne.fitting@ct.gov.

Sincerely,



Corinne Fitting
Supervising Environmental Analyst
Division of Water Planning & Management
Bureau of Water Protection & Land Reuse

Cc: Lori Mathieu, Chief, DPH Drinking Water Section

July 20, 2017

(Via email)

Mr. Russell Posthauer, Jr., Co-Chair, Western WUCC
Mr. Daniel Lawrence, Co-Chair, Western WUCC
Mr. Bart Halloran, Co-Chair, Central WUCC
Mr. David Radka, Co-Chair, Central WUCC
Mr. Bob Congdon, Tri-Chair, Eastern WUCC
Mr. Mark Decker, Tri-Chair, Eastern WUCC
Mr. Jonathan Avery, Tri-Chair, Eastern WUCC

RE: June 2017 Introduction to Integrated Report Planning Elements of the Coordinated Water System Plan

Dear Water Utility Coordinating Committee (WUCC) Chairs:

The Department of Energy and Environmental Protection (DEEP) has reviewed the above-referenced materials, which includes each topic that the Integrated Report will address and which offers discussion points for those topics. We offer a few additional thoughts and ask that you consider the following in your discussions:

Module 7:

Regarding drought triggers: In response to the recent drought, many water utilities instituted their drought triggers. Several utilities found that the drought triggers did not initiate early enough, and then the triggers moved from one drought stage to the next very quickly, necessitating rapid response that wasn't very effective. In addition, some utilities found themselves in an emergency situation before impact of earlier response measures were felt. Revisions to the drought triggers were necessitated as part of the emergency declarations. We acknowledge that a one-size-fits-all approach to drought trigger planning is not appropriate due to the site and facility-specific configurations which can drive local water planning. However, are there lessons learned or suggestions for trigger revisions that could be shared in the WUCC forum from these experiences?

Regarding increasing peak-day ratios: You may wish to acknowledge that from the standpoint of wise water use and environmental impact (to say nothing of the negative impact on the lawns that are being over-watered,) utilizing treated, potable water to over-irrigate lawns is a significant waste of potable water and something that the public and environmental groups are very concerned about. Conversion of peak-day irrigation use to lower, more stable water uses would benefit all the customers of the system.

Module 10:

There are a number of proposed source alternatives that continue to be included in Water Supply Plans, even when obstacles to development have been identified (such as proposed use of Class B water bodies (e.g. Candlewood Lake), or sites where there are significant environmental concerns.) This may speak to a need to more critically assess proposals in individual water supply plans, especially with respect to potential adverse environmental impacts associated with source alternatives.

Module 11:

Please note that the diversion permitting process for interconnections up to 1 million gallons a day has been streamlined considerably by creation of a general permit, which a number of water utilities have taken advantage of.

Discussions in the State Water Plan Policy Subcommittee considered interconnections at length. The discussions centered on how interconnections could be encouraged not only from a system resiliency and flexibility standpoint, but also to potentially provide flexibility to alleviate environmental stress. As required in CGS Section 25-33h(a), the coordinated water system plan is to consider the impact on other uses of water resources, and as mentioned in several modules, this would be an appropriate place to consider such impacts. Are there ideas on how such interconnections might be facilitated and under what circumstances?

Module 13:

How does the decrease in per capita water use each year (estimated at about 1% decrease per year due to low flow fixtures, etc.) offset stream flow releases over the next 10 years? This should be considered in any discussion of impact to MOS.

What about consideration of other regulations such as the lead and copper rule, perchlorate or emerging contaminants in this section?

Module 14:

A few additional discussion prompts might include:

3. What should trigger an evaluation of the environmental impacts of an individual registered source of public water supply, and how this could be most efficiently conducted? It would be helpful for the Water Planning Council to hear ideas and suggestions for an approach on this.
4. Utilities that have undertaken steps to reduce the environmental impact of a specific diversion might share approaches and benefits / impacts of such actions.

Module 16:

You may wish to consider listing some of the plans the utilities should be thinking about.

Thank you for your consideration of our comments.

Sincerely,



Denise Ruzicka

Director

Bureau of Water Protection and Land Reuse

Water Planning & Management Division

cc: (Via email):

Mr. David Murphy, Milone & MacBroom, Inc.
Ms. Jeanine Gouin, Milone & MacBroom, Inc.
Mr. Scott Bighinatti, Milone & MacBroom, Inc.
Ms. Lori Mathieu, Department of Public Health