

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

Jewel Mullen, M.D., M.P.H., M.P.A.
Commissioner



Dannel Malloy
Governor

October 9, 2012

Mr. Daniel D. Morley
Policy Development Coordinator
Office of Policy and Management
450 Capitol Avenue, MS #54ORG
Hartford, CT 06106-1379

Re: Conservation & Development Plan Comments

Dear Mr. Morley:

Thank you for the opportunity to review the public draft of the *2013-2018 Conservation and Development Policies: A Plan for Connecticut*. The Department of Public Health provides the following comments:

1. **The Drinking Water State Revolving Fund (DWSRF)** is a low interest, long term loan program funded by federal EPA capitalization grant funds for drinking water sustainable infrastructure projects. The highest funding priority is given to projects that will achieve compliance with the federal Safe Drinking Water Act or provide necessary public health protection. The DWSRF is federally prohibited from being used for projects which are primarily intended for economic development or population growth. Pursuant to 40 CFR 35.3520(e)(5) **projects ineligible for DWSRF funding include:**

“Projects needed primarily to serve future population growth. Projects must be sized only to accommodate a reasonable amount of population growth expected to occur over the useful life of the facility.”

Typical projects which are eligible for the DWSRF include drinking water infrastructure replacement or rehabilitation projects including water treatment plant upgrades, water main replacement/rehabilitation and other facility (pump station, storage tank, etc.) replacement/rehabilitation projects. In establishing reasonable amount of population growth expected to occur over the useful life of the facilities funded under the DWSRF, the DPH utilizes population assessment criteria established in RCSA Section 25-32d-3(b)(5) that is contained in the individual Water Supply Plans for all community water systems which serve greater than 1000 persons:



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“an assessment of population changes within existing and future service areas for the five, twenty, and fifty year planning periods using the Office of Policy and Management's most current population data and projections, including an explanation of any deviations thereto and maps depicting the existing and future service areas”.

The DPH would consider all such infrastructure replacement and rehabilitation projects “non-growth related projects” that are not subject to “priority funding area” considerations.

DWSRF projects that are proposed for eligible small public water systems serving fewer than 1000 persons are typically infrastructure replacement or rehabilitation projects that are necessary to comply with regulatory requirements, replace/rehabilitate existing aging infrastructure or address other public health problems. These “small systems” typically have a fixed customer base and are not capable of taking on economic development or growth related projects. This is due to the limited water supply available from their groundwater-only sources of water supply and such growth related projects would not be eligible for DWSRF. The DPH would consider all of these projects “non-growth related projects” that are not subject to “priority funding area” considerations.

In summary, the DPH believes all DWSRF projects would be considered “non-growth related” projects that are not subject to “priority funding area” considerations. The DPH requests that the OPM recognize this fact in the new State C&D Plan. DPH will share with OPM on an annual basis the draft Intended Use Plan for DWSRF Projects to ensure there is an opportunity for review. Additionally, DPH will identify with loan applicants whether the project is consistent with the local plan of C&D. If inconsistent, OPM consideration will be sought.

2. **Growth Management Principle #1: Redevelop and Revitalize Regional Centers and Areas with Existing or Currently Planned Physical Infrastructure** - The DPH recommends the following change to the proposed life-cycle cost analysis:

[UNDERTAKE] RECOMMEND a life-cycle cost analysis for any proposed action involving the expansion of infrastructure beyond the current limits of the existing or planned service area for the particular form(s) of infrastructure, except when necessary to address **[immediate]** public health and safety concerns;

A priority of the state is the protection and preservation of public drinking water sources and drainage areas. It is critical that these sources are recognized pursuant to the DPH’s list prepared under CGS Section 25-33q and protected under the state’s conservation policies. It is the responsibility of the DPH to assure purity and adequacy of the state’s public drinking water; however DPH cannot accomplish this task alone since all drainage areas that supply public

drinking water are outside of the DPH statutory controls. Therefore the State C& D Plan through its policies should recognize and protect these areas to assist in assuring adequate and pure public drinking water for Connecticut's citizens.

3. **Growth Management Principal #4: Conserve and Restore the Natural Environment, Cultural and Historic Resources, and Traditional Rural Lands** - The first paragraph cites the functional value of rural land, and several examples (i.e., flood control, storm water management) of such values are listed. Decentralized wastewater systems are heavily dependent on the capacity of the land for their operation. It is recommended that decentralized wastewater systems be specifically cited as infrastructure that is dependent upon the natural landscape to function. The first paragraph appropriately cites the need to strategically invest in and maintain a system of "green infrastructure" that rural areas rely on, and although not specifically noted, it would be expected that this statement applies to decentralized wastewater infrastructure and confirmation of this would be desirable. The EPA Decentralized Wastewater Memorandum of Understanding (MOU) Partnership has just published four position papers on decentralized wastewater systems, and the papers discuss the need for decentralized wastewater system management to ensure long term viability, the green aspects of decentralized systems, and decentralized system funding. The MOU Partnership papers are available at the below web link:

<http://water.epa.gov/infrastructure/septic/Decentralized-MOU-Partnership-Products.cfm>

One of the bulleted policy statements references the introduction or expansion of public water and sewer services into rural areas to address demonstrated concerns (public health or safety, general welfare, etc...), and it notes that the services shall be at a scale that responds to the existing need without serving as an attraction to more intense development. It is recommended that additional language be added to note that the extension of the water or sewer services in these instances shall also not cause the character of the existing development to change contrary to the local conservation and development plan.

4. **Growth Management Principal #5: Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety** - The DWS requests that the term used to describe geographic area 4) "Suitable Drinking Water Quality Area" be changed to "Public Drinking Water Integrated Watershed Management Area."
5. **Growth Management Principal #6: Promote Integrated Planning across all levels of Government to Address Issues on a Statewide, Regional and Local Basis** – DPH recommends that the policies support integrated planning that understands the relationship between wastewater infrastructure and community growth, and that encourages use of wastewater infrastructure practices that meet development goals.

Mr. Daniel D. Morley

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Should you have any questions or would like to discuss our comments, please contact me. I can be reached at 860-509-8171.

Sincerely,

A handwritten signature in black ink that reads "Ellen J. Blaschinski". The signature is written in a cursive style with a clear first and last name.

Ellen Blaschinski, MBA, RS
Branch Chief, Regulatory Services

c: Suzanne Blancaflor, MS, MPH, Chief, Environmental Health Section, DPH
Lori Mathieu, Chief, Drinking Water Section, DPH