



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

Division of Transportation, Conservation, and Development Policy and Planning

July 6, 2017

Eric McPhee
DPH Drinking Water Section
410 Capitol Avenue, MS #12DWS
PO Box 340308
Hartford, CT 06134-0308

Re: Notice of Scoping for the Watertown Water Main and Sewer Extension

Dear Eric:

The Office of Policy and Management (OPM) has reviewed the combined Notice of Scoping for the Bunker Hill Water Main and Sewer Extension and appreciates DPH's and DEEP's collaboration in this effort.

In response to DEEP's and DPH's original, separate scoping notices, OPM submitted the attached comments on March 10, 2017 and May 5, 2017, respectively. For the sake of completeness, OPM submits them again. The goal is to ensure that a single post-scoping notice or EIE accounts for all of those comments, recognizing that there is some redundancy between the two sets of comments and that some of the original comments no longer are relevant, now that scoping has been combined.

Thank you for the opportunity to respond to this Notice of Scoping and please feel free to contact me if you have any questions.

Sincerely:

A handwritten signature in blue ink, appearing to read "Bruce Wittchen".

Bruce Wittchen
Office of Policy & Management
450 Capitol Ave, MS# 54ORG
Hartford, CT 06106
(860) 418-6323
bruce.wittchen@ct.gov



STATE OF CONNECTICUT

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Division of Transportation, Conservation, and Development Policy and Planning

March 10, 2017

Maxwell Fan
Department of Energy & Environmental Protection
Bureau of Water Protection & Land Reuse
79 Elm Street
Hartford, CT 06106-5127

Re: Notice of Scoping: Watertown Sewer Extension

Dear Mr. Fan:

The Office of Policy and Management (OPM) has reviewed the Notice of Scoping for the Watertown Sewer Extension and submits the following comments:

- What is the expected cost of this project and what portion will the town and its residents be responsible for paying? Watertown Water and Sewer Authority meeting minutes available at http://www.watertownct.org/filestorage/10290/10294/PublicInfoMtgMin_5-18-16.pdf indicate the septic problems had not risen to a level that would trigger DEEP funding at that point. What changed since that time – an increased availability of state funding or new information about problems in this neighborhood? During that meeting, there was some discussion of a link between the work in this neighborhood and a possible Heritage Woods condo development sewer interceptor. How are those related?

Those minutes and the scoping notice mention potential water main expansions that could accompany sewer extensions, although they are not included in this narrowly defined project. This raises concerns about possible segmentation between environmental reviews of related projects and, furthermore, about extending the timeframe of local construction-related impacts. Has DEEP consulted with the Department of Public Health (DPH) about being a participating agency in this CEPA review process?

- The scoping notice mentions future phases of sewer expansion and provides a map showing those phases to be much more extensive than the project actually being scoped. The scoping notice, furthermore, says the current project would be sized with reserve capacity to serve the much larger area. The scoping notice says:

Water mains and sewers will address identified water pollution and potable water quality and quantity problems due to relatively shallow bedrock, poor soils and failing septic systems.

The scoping notice should provide more information about the identified problems, such as how many properties have been identified as having failing septic systems that cannot be repaired or replaced and which phase of the broader proposal would address them. It is uncertain when and if state or federal funding will be available for future phases, so it is important that funding committed at this time focus on cost-effective approaches for solving priority problems. State-funded projects, furthermore, must be consistent with the State Plan of Conservation & Development (POCD), which includes the following policy:

Rely upon the capacity of the land, to the extent possible, to provide drinking water and wastewater disposal needs beyond the limits of the existing service area. Support the introduction or expansion of public water and/or sewer services or advanced on-site wastewater treatment systems only when there is a demonstrated environmental, public health, public safety, economic, social, or general welfare concern, and then introduce such services only at a scale which responds to the existing need without serving as an attraction to more extensive development;

OPM recognizes that some of the houses to be reached by the current project are on lots as small as ~1/2 acre, which can limit the options if those houses' septic systems require repair or replacement. Nevertheless, properly managed alternative on-site systems can function where site constraints limit conventional systems. If failed systems can be repaired, how does the public's cost to extend and maintain sewer service compare with the private cost to repair or replace failing systems? Are funding mechanisms in place to handle the long term operation and maintenance obligations of the proposed utility extensions?

- As noted above, the State POCD says sewer service should only be introduced into such an area “*at a scale which responds to the existing need without serving as an attraction to more extensive development.*” The scoping notice, however, seems to contradict this policy by saying:

Sewer and water mains for the Concord Drive area extension will be sized to accommodate the existing homes in the Concord Drive area, but with reserved capacity for future water main and sanitary sewer extensions to other properties in future potential extension areas which have similar identified water pollution and potable water quality and quantity problems. The timing and funding sources for future phases are unknown. These future phases will be initiated if and when water quality issues require remedial action and may not occur in numeric order.

A map of future phases at <http://www.ct.gov/ceq/lib/ceq/WatertownSewerPhases.pdf> shows that sewers could be extended across a large area, including a considerable amount of agricultural lands. It is important to note that even the smaller project currently being scoped will extend a sewer past several undeveloped or lightly developed properties, including a large nursery operation. While the nursery appears to already have access to a sewer on the far (north) side of the large property, other relatively large properties that would gain sewer access appear to include agricultural soils, water bodies or other features that could be impacted by future development induced by a sewer main. What does DEEP consider to be the potential indirect impacts of the proposed project?

- While not discounting other potential impacts, OPM also notes this project's potential impact on agriculture, given this policy stated in the state POCD:

Promote agricultural businesses and supportive industries that are vital to the local and regional economy, while simultaneously preserving prime farmland through the acquisition of development rights and, to the extent practical, the avoidance,

minimization, and/or mitigation of the loss or conversion of agricultural lands associated with state-sponsored development actions

Without rigorous controls, this project could potentially exacerbate the type of extensive development and loss or conversion of agricultural lands that the state is trying to avoid. Such controls should be in place before the state commits funds to such a project.

- Watertown's own POCD, which is due to be updated later this year, is generally silent on expanding utilities to residential neighborhoods, but it does include this statement in Section 7.6(B):

The Water and Sewer Authority should update its sewer infrastructure improvement plans. Construction of sewers should be avoided in rural areas (R-70 and R-90 zones.

While the specific neighborhood targeted for sewers in this project and much of the nearby area are in the town's R-30 zone, large areas of the R-30 zone are rural, include agricultural soils or have been developed on lots large enough to provide options other than sewers to solve wastewater problems. The State POCD does not support the extension of sewers to such areas and exclusion of sewers from the R-70 and R-90 zones, by itself, does not appear adequate to satisfy the state's desire to avoid unnecessary infrastructure expansion and to limit agricultural land conversion that could be induced by the proposed project and the excess sewer capacity it would provide for the surrounding area.

Thank you for the opportunity to respond to this Notice of Scoping and please feel free to contact me if you have any questions.

Sincerely:



Bruce Wittchen
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May 5, 2017

Eric McPhee
DPH Drinking Water Section
410 Capitol Avenue, MS #12DWS
PO Box 340308
Hartford, CT 06134-0308

Re: Notice of Scoping: Bunker Hill Water Main Extension, Watertown

Dear Eric:

The Office of Policy and Management (OPM) has reviewed the Notice of Scoping for the Bunker Hill Water Main Extension and submits the following comments:

- DPH's scoping notice mentions [DEEP's recent scoping notice for a sewer extension](#) to serve much of the same area where DPH proposes to extend water mains. DPH's scoping notice describes deteriorating water quality in the neighborhood's private wells and says:

This water quality deterioration has been attributed to substandard septic systems installed on small lots with shallow bedrock, poor quality soils and seasonal high ground water as documented by TAHD. The recommended action in the PER is to extend a water main to the project area to provide a safe and adequate drinking water supply and allow the homeowners to properly abandon the on-site private wells.

OPM notes that one agency's project would replace private wells affected by septic systems while the other agency's project would replace septic systems contaminating private wells. DPH's scoping notice mentions the possibility of coordinating the projects, but how have DPH and DEEP analyzed specific impacts and needs to ensure that the projects are not unnecessarily redundant? There are increasing levels of uncertainty regarding future state and federal funding for such projects, so it is important that funding committed at this time focus on the highest priority problems. Beyond ensuring that state funds are focused on solving the greatest needs, it is important to ensure that state-supported new infrastructure does not unnecessarily create a long-term operation and maintenance burden for the town.

- As OPM acknowledged in comments submitted regarding DEEP's project, some of the houses proposed to be served by the new utilities are on lots as small as ~1/2 acre, limiting the options for providing water and wastewater disposal service. DEEP and DPH have noted other site constraints as well. Nevertheless, other properties in the area to be served by this or future phases of the two projects do not appear to be so limited.

State-funded projects must be consistent with the State Plan of Conservation & Development (POCD), which includes the following policy:

Rely upon the capacity of the land, to the extent possible, to provide drinking water and wastewater disposal needs beyond the limits of the existing service area. Support the introduction or expansion of public water and/or sewer services or advanced on-site wastewater treatment systems only when there is a demonstrated environmental, public health, public safety, economic, social, or general welfare concern, and then introduce such services only at a scale which responds to the existing need without serving as an attraction to more extensive development;

In the Post-scoping Notice or EIE that will follow this Scoping Notice, DPH should provide a detailed description of how it determined the appropriate scale of public water service to respond to the existing need without serving as an attraction to more extensive development.

- This project appears to have a relatively low score compared to other potential projects identified in DPH's current Intended Use Plan (IUP):

http://www.ct.gov/dph/lib/dph/drinking_water/pdf/Final_2017_IUP.pdf

If this project is to be funded ahead of other, higher-scoring projects, it would be helpful if a scoping notice such as this could explain how the decision was made to move forward with a project that would appear to be a lower priority according to the current IUP, especially when, like this project, the chosen project appears to serve a small population relative to its cost and is indicated as not being eligible to receive a federal subsidy.

DPH's IUP also includes a lower-scoring Watertown water main replacement project $\frac{3}{4}$ mile from the beginning of the new main. Do the increased water demands resulting from the current or later phases of the project require that the other project also be completed?

Thank you for the opportunity to respond to this Notice of Scoping and please feel free to contact me if you have any questions.

Sincerely:



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