



State of Connecticut

Department of Environmental Protection



Guidance to Municipalities Regarding Interim Measures to Protect Aquifer Protection Areas

INTRODUCTION

Connecticut's Aquifer Protection Program protects the water quality of Connecticut's highest yielding public water supply wells by establishing Aquifer Protection Areas around those wells. The location of these Aquifer Protection Areas is determined through preliminary mapping (Level B) and later final mapping (Level A). The mapping is done by the water companies who own the wells and is approved by DEP. Land Use Regulations to be implemented in these areas have been adopted at the state level. However, the Land Use Regulations that will protect these areas cannot go into effect at the local level until the final mapping is completed and approved by DEP and the municipal program is implemented. Although preliminary mapping has been done for all areas, for most areas the final mapping will not be completed for several years. During this time these Aquifer Protection Areas will be without special protection.

Towns may take interim actions to protect future Aquifer Protection Areas before final aquifer mapping is completed and land use regulations are implemented. DEP encourages towns to examine the preliminary mapped areas and take reasonable interim actions to improve their protection. Please note that the final regulatory boundary will be somewhat different, and in most cases smaller. Some interim measures are discussed below for your consideration.

INTERIM ACTIONS FOR CONSIDERATION

Inventory of Existing Land Use

- Towns may update the land use inventory provided by DEP, using the "Land Use Inventory Guidelines for Aquifer Protection Areas".
- When updating the inventory, consider methods or procedures to identify, register, and inspect existing land uses, as well as track any changes in uses.
- While doing the inventory, a town may want to note any potential problems or particular pollution threats at facilities.

Education

- Begin informing and educating the regulated community (business, public, other local officials) about the program and how they may be affected. An information fact sheet

about the program is available from DEP or may be downloaded from the web site to use and distribute. Or, a town or water company may use it to make their own. Other training and education materials will be made available to towns in the near future.

- Encourage businesses in the area to voluntarily take measures or implement best management practices (BMPs) to protect quality.

Plan of Conservation and Development, Municipal Improvement Projects

- Preliminary aquifer protection areas should be taken into consideration if presently updating your local Plan of Conservation and Development. The areas should be discussed in the appropriate element of the plan and considered for conservation or for low risk types of development on the proposed land use plan. Of particular concern would be existing Plans of Conservation and Development which have identified major proposed industrial parks or commercial centers in these areas.
- These areas should also be considered in making any major municipal improvement decisions such as sanitary sewer extensions, highway construction, municipal facilities construction, and acquisition of open space or other land.

Compare with Existing Local Aquifer Protection Regulations

- Compare the approved preliminary mapped areas with any existing special town Aquifer Protection Zone boundaries to see if those regulations are providing interim protection. Think about coordinating the State Aquifer Protection Area Program with possible town needs to protect other aquifer areas.

Coordinate Development Review with the Water Company

- Coordinate land use development review in these areas with the water company. Refer development site plans to them for review and comment when land use applications are made in the area, taking advantage of their technical expertise.

Zoning and Other Regulatory Measures

- Portions of the existing zoning regulations may be able to be used or amended, such as special permit standards or site plan review standards, to allow you to implement general groundwater protection standards or best management practices (BMPs) to protect the aquifer.
- Consideration may be given to rezoning the Aquifer Protection Area if the town is considering overall zoning revisions in town. Low-risk uses should be encouraged.
- Guidance for both regulatory and non-regulatory protection measures is available in the following DEP document: “Protecting CT’s Groundwater – A Guide for Local Officials”.

- It is not recommended that the town initiate any interim ordinances to regulate existing uses. Such an ordinance may be in conflict with the DEP regulations in which case it would have to be rewritten and be approved by the DEP. Please note that all local Aquifer Protection Area Program Regulations will have to be in conformance with DEP regulations and approved by DEP. Until the State Model Municipal Regulations are published, it will be difficult to support interim control measures for existing uses.

Inspection and Monitoring

- A voluntary inspection and monitoring program could be carried out in cooperation with the water company. Priority areas and facilities for inspection can be determined from the land use inventory and list of high-risk activities. Care must be taken in pursuing inspections because a town or water company would be relying on the cooperation of the business unless some other authority existed locally to allow such inspections (zoning, local health, etc.). If problems are found, encourage voluntary BMPs to be taken (see guidance).
- If the municipality suspects that state waste or water pollution control regulations are potentially being violated, the following units of DEP may be contacted:

Water Management Bureau: Water Permitting and Enforcement (860) 424-3018

Waste Management Bureau: Waste Engineering and Enforcement (860) 424-3023

Oil and Chemical Spill Response (860) 424-3024

Underground Storage Tank Program (860) 424-3374

Technical Assistance for Project Review

- The DEP can provide technical assistance in the interim for review of large projects. This may include industrial parks, large commercial malls, major sewer extensions, major highways or other potentially high-risk facilities. Other projects should be dealt with locally according to the above recommendations.

Any further questions regarding general guidance should be directed to the Water Management Bureau, Planning and Standards Division (860) 424-3020.

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