

Meeting Minutes
Eastern WUCC Meeting #13
Southeastern Connecticut Council of Governments – 5 Connecticut Avenue, Norwich, CT
June 14th, 2017 1:00 p.m.

The Eastern Water Utility Coordinating Committee (WUCC) met on June 14th, at 1:00 p.m. The meeting was held at the Southeastern Connecticut Council of Governments offices at 5 Connecticut Avenue, Norwich, CT. Prior notice of the meeting was posted on the DPH website, Eastern WUCC webpage: <http://www.ct.gov/dph/wucc/>

The following WUCC member representatives were in attendance (listed in alphabetical order of affiliation):

WUCC Member Representative	Affiliation
Kenneth Skov	Aquarion Water Company
Craig Patla	Connecticut Water Company
Ray Valentini	Groton Utilities
Jonathan Avery	Jewett City Water Company
Valerie Hornat	Laurel Loch Campground
Ed Lynch	Ledyard WPCA
Chris Clark	Mohegan Tribal Utility Authority
Brian Lynch	Montville WPCA
Joseph Lanzafame	New London WPCA
Eric Sanderson	Northeastern Connecticut Council of Governments
Mark Decker	Norwich Public Utilities
Samuel Alexander	Southeastern Connecticut Council of Governments
Josh Cansler	Southeastern Connecticut Water Authority
Bob Congdon	Town of Preston
Jim Hooper	Windham Water Works

The following non-WUCC member representatives were in attendance (listed in alphabetical order of affiliation):

Non-WUCC Member Representative	Affiliation
Melissa Czarnowski	CT DEEP
Lori Mathieu	CT DPH
Justin Milardo	CT DPH
Scott Bighinatti	Milone and MacBroom, Inc.
Tony Mitchell	Rivers Alliance of Connecticut

A copy of the meeting agenda is attached. A copy of the presentation given at the meeting will be available for download from the Eastern WUCC webpage.

The following actions took place:

1. Welcome & Roll Call

The meeting was called to order at 1:04PM by Tri-chairs Mark Decker (Norwich Public Utilities), Bob Congdon (Town of Preston), and Jonathan Avery (Jewett City Water Company). All present stated their names and affiliations.

2. Approval of May Minutes

Mr. Decker asked for comments and changes to the May Meeting minutes. There were none. Ken Skov of (Aquarion Water Company) made a motion to accept the May Meeting minutes as presented. Josh Cansler (Southeastern Connecticut Water Authority) seconded the motion. The motion carried unanimously.

3. Formal Correspondence

Samuel Alexander of the Southeastern Connecticut Council of Governments (SCCOG) described the formal correspondence sent and received by the Eastern WUCC.

- Mr. Alexander stated that a link to the Final Draft ESA Document was distributed to all Eastern WUCC members on May 19th for review.
- Mr. Alexander stated a letter was received on June 6th from Montville WPCA regarding Exclusive Service Area (ESA) designations in the Town of Montville. Specifically, stating intention to modify ESA boundaries to include the entire Town of Montville within the ESA of the Montville WPCA.

4. Public Comment

Mr. Decker asked if there were comments from the public.

- Tony Mitchell (Rivers Alliance of Connecticut) stated that correspondence was sent from Rivers Alliance to the three WUCCs requesting information about the statutory obligation of an ESA holder to “own and operate” a new Public Water System within their ESA.
 - Scott Bighinatti (Milone & MacBroom) stated that the letter was discussed at the May Meeting and, due to the regulatory nature of the majority of the questions, was forwarded to the Connecticut Department of Public Health (CT DPH) for a response.
 - Lori Mathieu (CT DPH) explained that new Community Water Systems (CWSs) that cannot connect to an existing system of the ESA holder will be owned and operated by the ESA holder as satellite systems. Ms. Mathieu also explained that ESA holders are not bound to own and operate non-community water systems in the same way.
 - Mr. Mitchell used an example of a Cumberland Farms, asking if that would be a CWS or not.
 - Ms. Mathieu explained that it would likely be non-community Public Water System (PWS) but not a CWS. She further briefly explained the Certificate of Public Convenience and Necessity process which governs the creation of new water systems, and the use of a Screening Form as the first step in that process which allows DPH to determine if a public water system is being created, and if so, if it is a CWS or not.

- Val Hornat (Laurel Loch Campground) asked about drilling an additional well at her campground, and whether that would need approval under the certificate process.
- Ms. Mathieu explained that as long as the campground was not expanding more than 5% of its existing services, a new well would be approved under the Well Site Application process and not require a certificate. A more significant expansion of the service area could trigger a certificate.
- Mr. Bighinatti noted that the process is detailed in Section 3 of the ESA Document.
- Justin Milardo (CT DPH) also stated that an ESA Frequently Asked Questions guide was produced and is available on the DPH WUCC website, which may be a good resource for small systems.

5. Consider and Approve Final Recommended ESA Boundaries for 16 Municipalities

Mr. Bighinatti began a PowerPoint presentation describing the WUCC's progress to-date in completing the Coordinated Water System Plan (CWSP). Mr. Bighinatti explained that the June Meeting would involve consideration and approval of ESA boundaries for the northern 16 towns, and consideration and approval of the ESA Document, to be sent to CT DPH by June 17th (12 months from the original meeting). Mr. Bighinatti also explained that no additional comments were received on ESA boundaries for the 16 northern towns on the May 18th final draft.

Mr. Congdon made a motion to approve the Preliminary ESA Delineations and ESA holders for the 16 northern municipalities in the Eastern PWSMA as Final Recommended ESA Delineations and ESA holders. Craig Patla (Connecticut Water Company) seconded the motion. There was discussion.

- Mr. Avery asked for clarification about the letter received from the Montville WPCA.
 - Mr. Bighinatti explained that the ESAs for the Town of Montville were adopted by the former Southeastern WUCC in 2001 after a recommendation for the Connecticut Department of Public Utility Control, now Public Utility Regulatory Authority (PURA). Mr. Bighinatti also explained that the WUCC chose to table any modifications to existing ESAs until after the ESAs for the 16 northern towns were established.
- Mr. Decker asked if Mr. Bighinatti could clarify that the current motion would not affect future modifications to ESAs
 - Mr. Bighinatti confirmed that existing approved ESAs, as well as the final recommended ESAs for the 16 northern towns, may be modified by the WUCC as necessary in the future through the process in the Eastern WUCC Work Plan addressing ESA modifications.
- The motion was brought to a vote and carried unanimously.

Mr. Bighinatti presented a map showing the current ESA boundaries in the State of Connecticut. Mr. Bighinatti explained that CT DPH will provide a public GIS shapefile, once it is finalized, of all existing ESA boundaries including those assigned to small CWS, but not for non-community systems as parcel level detail is not available for those systems at this time.

- Ms. Mathieu explained that CT DPH is also working on providing the data in an online map viewer.

- Mr. Avery commented on the clarity of the map. Mr. Bighinatti reminded the group that although it was possible to “zoom in” with the shapefile, it is designed to be used at a scale of 1:50,000 per the regulations.

6. Consider and Approve Final Recommended ESA Document to be Submitted to DPH

Mr. Bighinatti continued the presentation and described the comments received on the ESA Document. Mr. Bighinatti explained that two final changes were made the ESA document: Minor mapping edits in the Town of Ledyard, and the addition of a report narrative in Section 2.2.2, which describes the designation of ESA boundaries for existing PWSs and disclaims data limitations of the mapping of Transient Non-Community Systems (TNCs) and Non-Transient Non-Community Systems (NTNCs).

- Ed Lynch (Ledyard WPCA) commented on mapping limitations, stating that it is often difficult for developers to discern which ESA a property belongs to if multiple ESA boundaries divide the parcel.
 - Mr. Bighinatti explained that the WUCC is able to facilitate disagreements and that ESA holders may provide more detailed maps than what are used for planning purposes by the WUCC to be accepted as modifications.
- Mr. Bighinatti explained that future ESA modifications would become addendums to the ESA Document, then asked if there were further questions on the ESA document. There were no further questions.

Mr. Congdon made a motion to approve the Final Recommended ESA Document, with amendments as presented today, for formal submittal to DPH by June 17, 2017. Mr. Patla seconded the motion. The motion carried with one abstention (Ms. Hornat).

7. Discuss Potential Upcoming ESA Modifications

Mr. Bighinatti continued the PowerPoint presentation and reviewed the four types of potential ESA modifications that may occur, moving forward, which are: Modifications between two ESA holders; Modification due to creation of new public water system that will not be owned by ESA holder; Modification due to appeal; and modification due to other reasons. He noted that modifications require a public notification and comment period except in relation to new public water systems approved by DPH, and that for appeals, the appealing party is required to demonstrate that a significant change occurred since the time of the previous ESA assignment that would warrant a ESA boundary adjustment. Mr. Bighinatti then asked if there were any questions.

- Brian Lynch (Montville WPCA) explained that Montville WPCA will plan to work with Southeastern Connecticut Water Authority (SCWA), moving forward.
 - Mr. Bighinatti explained that he and the chairs had previously expressed that they would provide assistance in mediating solutions to ESA boundary concerns.
 - Mr. Decker asked Mr. Bighinatti when the best time would be to work on ESA modifications, given the process schedule of the CWSP.
 - Mr. Bighinatti suggested that all parties interested in ESA modifications should seek to have an initial discussion in July, but that there is no rigid timeframe given for ESA modifications. An agenda item could be provided each month to keep the WUCC up to date.

- Mr. Congdon stated that the former Southeastern WUCC encouraged parties to reach resolutions on their own, or otherwise meet with the chairs of the WUCC, before bringing the issue to the full WUCC.
- Mr. Bighinatti encouraged a similar process to take place.
- Mr. Lynch clarified that Montville WPCA is only wishing to modify ESA boundaries, not take over existing systems of SCWA and NPU.
- Mr. Bighinatti reminded the WUCC that ESA boundaries in currently unserved areas are under their purview, but that existing service areas are not. Mr. Bighinatti also suggested that any ESA holder(s) wishing to make an ESA boundary modification provide written correspondence to the Tri-chairs of the WUCC explaining the need for the modification and the proposed modification.
- Mr. Decker asked if Montville and SCWA came to a common agreement about ESA boundaries, would that be the first type of ESA boundary modification (modification between two ESA holders).
- Mr. Congdon asked if such a boundary modification could include more than two ESA holders.
- Mr. Bighinatti confirmed both questions.

8. Draft State Water Plan Overview

Mr. Bighinatti continued the PowerPoint presentation, covering the highlights of the Connecticut State Water Plan, currently being drafted by the Water Planning Council (*slides available*). Mr. Bighinatti explained the five most important points of the draft, water-utility themes contained in the draft, the pertinent data, analysis, and policies, possible legislation, and top-ten policy recommendations.

- Ms. Hornat stressed that the Connecticut state Water Plan should education about lawn chemicals and potential impacts to private and public wells.

9. Integrated Report Topics

Mr. Bighinatti continued the PowerPoint presentation, and turned members' attention to the Integrated Report handout, overviewing the draft schedule of Integrated Report topics, running from July to December. Mr. Bighinatti explained that the WUCC should hope for robust discussions at each meeting in order to prepare a draft Integrated Report by December so that there is adequate time to make changes and complete the document by May.

Mr. Bighinatti explained that the Coordinated Water System Plan would be developed with five-year (2023), 20-year (2030), and 50-year (2060) planning periods (20-year and 50-year horizons based on the 2010 Decennial Census).

Mr. Bighinatti asked the WUCC to send comments on the presented Integrated Report topics and schedule, and that Milone & MacBroom is requesting data (page 3) and answers to questions contained in the Integrated Report handout by November, with discussions to occur according to the schedule.

- Mr. Avery stated that Jewett City Water Company and other water utilities may require consultants to help in collecting data, and that it would help to have a formal request and deadline in a letter.

- Mr. Bighinatti explained that ideally, all data would be in by November, but if data did not come in by the draft Integrated Report, it could still be able to be included in the final Integrated Report.
 - Mr. Avery suggested that the letter be sent as early as possible.
 - It was agreed that the WUCC would send a formal letter to its members requesting data for the Integrated Report.
- Mr. Decker asked about standardization of methodology and stated that, in the case of population projections of service areas and future service areas, all utilities may use different methods and sources.
- Mr. Bighinatti explained that decisions should be left to individual utilities as to the exact methodologies used provide that they were consistent with the water supply planning regulations. Mr. Bighinatti also stated that the Connecticut State Data Center would be releasing town-level population projections through the year 2030 in July 2017 and that this data may be best as a base for population projections of service areas.

Mr. Bighinatti began a discussion on Maintenance and Replacement of Existing Supply Sources/Asset Management, the first Integrated Report topic. Mr. Bighinatti explained that there are five discussion prompts contained in the Integrated Report handout, and that the WUCC members are requested to give written answers to those questions by July to facilitate a full discussion. Mr. Bighinatti then explained that two members of the Western WUCC are reviewing the Integrated Report handout in detail to determine which questions are reasonably answerable and which are not. Mr. Bighinatti also stated that subject-matter experts from CT DPH may be available to speak on certain topics.

- Mr. Avery stated that the discussion prompts for each topic request a lot of information and that it may be difficult for utilities to develop complete answers to all questions each month.
- Mr. Bighinatti explained that month-to-month it is important just to have complete enough answers to facilitate a good discussion.
 - Mr. Avery asked when the Western WUCC expects to complete a review of the questions in the Integrated Report handout.
 - Mr. Bighinatti explained that the Western WUCC would have a review of Modules #1, 2, and 3 by July. Mr. Bighinatti reiterated that answering discussion prompts and data requests is more easily done by large utilities, but that the goal should be to have good discussions each month.
 - Mr. Avery suggested that the information-request letter stress the importance of involvement from all utilities when answering discussion prompts and providing data.
 - Mr. Bighinatti concurred that the information-request letter could reflect that.

Ms. Mathieu brought to the WUCC's attention the five most important points of the State Water Plan, previously discussed, which were: Function of the Plan (as a platform for decision making), Maintenance of Highest Quality Drinking Water, Balance (of ecological and consumer needs), Conservation, and Maintenance of Scientific Data. Ms. Mathieu stressed that it is very important for the WUCC to consider these five themes in the Integrated Report so that it reflects the needs and goals of the Eastern WUCC. Ms. Mathieu asked for members' thoughts.

- Mr. Patla stated the importance of balance of in-stream and out-of-stream uses in light of new Streamflow Regulations. Other members agreed that out-of-stream uses and the effect on safe yield need to be considered to a greater extent in the regulations.
 - Mr. Avery stated the need for economic development in Connecticut outside of central and southwestern Connecticut, claiming that this requires certain trade-offs. Mr. Avery stated that economic development in eastern Connecticut should be a theme of the integrated report.
 - Ms. Mathieu stated that she believes the Connecticut State Water Plan is lacking business-side input because of lack of business involvement.
 - Mr. Avery used an example of a NASCAR track once proposed to be located in Plainfield, stating that if the track were built it would be a water-supply challenge but that economic development opportunities like it are vital to the region.
 - Mr. Patla stated that the I-395 corridor is identified as an important growth area in Connecticut but that it will become more of a challenge to supply water to the people and businesses located in the corridor.
 - Ms. Hornat reiterated her concern about education for homeowners about lawn chemicals.
 - Ms. Mathieu reiterated that the WUCC consider the five points of the State Water Plan in the Integrated Report and also consider giving written comments on the plan. Ms. Mathieu thanked the WUCC members of their consideration of these issues.
 - Mr. Mitchell asked Ms. Mathieu about public comment period for the State Water Plan.
 - Ms. Mathieu stated that dates for the public comment period are not set but they would be soon.
 - Ms. Hornat stated that there is a general distrust of public water in comparison to bottled water, and that more education is needed to inform the public of the quality of water available from public water systems.
- Mr. Bighinatti asked for additional thoughts from the WUCC on asset management and how utilities would describe asset management.
- Mr. Decker described asset management as the process of planning for a utility's infrastructure and infrastructure needs, and that the age of systems and system maintenance are both important challenges. Mr. Decker stated that it is important for a utility to know what its assets are and the proper way to budget and plan.
 - Mr. Patla explained that asset management also concerns how a utility is managing risks and that utilities have the benefit of the Water Infrastructure & Conservation Adjustment (WICA) mechanism to fund improvements.
 - Mr. Avery stated that the Public Utility Regulatory Authority (PURA) makes it politically easier for private companies to raise rates in order to offset improvement costs. Mr. Avery also stated that disadvantages of private utilities include possible taxation by the state and burden of making ancillary capital improvements for towns, such as road improvements when replacing or expanding water infrastructure.

- Mr. Bighinatti stated that the points raised were good considerations for policy recommendations and that, based on Mr. Avery's suggestion related to existing and upcoming legislation, it would be good to have the Connecticut Water Works Association (CWWA) involved as well.
- Mr. Bighinatti presented United States Environmental Protection Agency (EPA) guidance on asset management. Mr. Bighinatti reminded members to bring responses to discussion prompts to the next meeting and reviewed four resources that are helpful especially for small systems without asset management plans (*slides available*).

10. Other Business

Mr. Bighinatti reviewed the draft agenda for the July meeting.

- Mr. Decker asked Ms. Mathieu if she or a representative from the Water Planning Council would still be willing to attend the meeting to discuss the Connecticut State Water Plan.
 - Ms. Mathieu stated that she had a number of points left to discuss, which would only take about 20 minutes, and would like to be added to the agenda.

Mr. Congdon made a motion to adjourn the meeting. Mr. Decker seconded the motion. The meeting was adjourned at 3:01PM.

Respectfully submitted,

Samuel Alexander (Southeastern Connecticut Council of Governments)
Recording Secretary