

**Meeting Minutes**  
**Eastern WUCC Meeting #10**  
**Northeastern Connecticut Council of Governments – 125 Putnam Pike, Killingly, CT**  
**March 8<sup>th</sup>, 2017 1:00 p.m.**

The Eastern Water Utility Coordinating Committee (WUCC) met on March 8<sup>th</sup>, at 1:00 p.m. The meeting was held at the Northeastern Connecticut Council of Governments offices at 125 Putnam Pike, Killingly, 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):

<b>WUCC Member Representative</b>	<b>Affiliation</b>
Kenneth Skov	Aquarion Water Company
Craig Patla	Connecticut Water Company
Mary Hiney	Jewett City Water Company
Robert Sherwood	Jewett City Water Company
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
James	Town of Colchester Sewer and Water
Mike Cherry	Town of Ledyard WPCA
Bob Congdon	Town of Preston
Jerry Beausoleil	Town of Putnam
Delia Fey	Town of Woodstock
Jim Hooper	Windham Water Works

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

<b>Non-WUCC Member Representative</b>	<b>Affiliation</b>
Eric McPhee	CT DPH
Steven Wallett	CT DPH
Dean Applefield	CT DEEP
Corinne Fitting	CT DEEP
Scott Bighinatti	Milone and MacBroom, Inc.
Christine Kirchoff	UCONN/CIRCA

A copy of the meeting agenda is attached. A copy of the presentations 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 1:02PM by Tri-chairs Bob Congdon (Town of Preston), and Mark Decker (Norwich Public Utilities).

All in attendance stated their names and affiliations.

**2. Approval of January Minutes**

Mr. Decker asked for comments and changes to the February Meeting minutes. There were none.

Mr. Congdon made a motion to accept the February Meeting minutes as presented. Josh Cansler of Southeastern Connecticut Water Authority (SCWA) seconded the motion. The motion carried unanimously.

**3. Formal Correspondence**

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

- Mr. Alexander stated that a letter was received on February 7<sup>th</sup> from Connecticut Department of Health (CT DPH) Commissioner Dr. Raul Pino regarding the Connecticut Department of Energy and Environmental Protection's (CT DEEP's) February 1<sup>st</sup> letter that addressed CT DEEP's position relative to establishing Exclusive Service Areas (ESAs) and the sovereign nature of the state in regard to ESAs, and noted that while there is nothing in the statutes that precludes a WUCC from including DEEP property within a public water system's ESA, "the WUCCs should acknowledge that DEEP has certain rights and protections available by law which DEEP may assert in an appropriate circumstance."

**4. Public Comment**

Mr. Decker asked if there were comments from the public. There were none.

**5. CIRCA Presentation of DPH Drinking Water Vulnerability Assessment and Resilience Plan**

Christine Kirchhoff, Ph.D., of the University of Connecticut School of Engineering and Connecticut Institute for Resilience and Climate Adaptation (CIRCA) began a presentation (***included with meeting presentation on Eastern WUCC webpage***) describing the Drinking Water Vulnerability Assessment and Resilience Plan (DWVARP) being conducted in partnership with CT DPH and with services from Milone and MacBroom.

Professor Kirchhoff explained that the DWVARP will include a community water system (CWS) vulnerability assessment, a review and assessment of CT DPH emergency response, a private well assessment with recommendation, and an implementation plan. Professor Kirchhoff explained the process for completing the DWVARP.

- Mike Cherry of the Town of Ledyard WPCA asked if the DWVARP would contain information on the number of at-risk private wells in the state.
  - Professor Kirchhoff stated that the DWVARP will only be able to more broadly assess the risks faced by private wells and provide recommendations to assist CT DPH, communities, and local health districts.

- Mr. Cherry stated that while land use commissions are heavily involved in enforcing groundwater aquifer protection area regulations in Connecticut, they do little in the way of enforcing watershed protection and stated that the DWVARP should examine local enforcement of watershed protection.
  - Professor Kirchhoff stated that watershed protection recommendations would likely come out of interviews with CWSs.
- Mr. Decker asked if the timing of completion of the DWVARP would allow for its incorporation into the State Water Plan.
  - Professor Kirchhoff stated that it is hoped the DWVARP will be incorporated into the State Water Plan but it is unsure if the timing will work out due to a delay in the kickoff of the project. Professor Kirchhoff explained that some data from the State Water Plan and utilities' water supply plans have been incorporated into the DWVARP. Professor Kirchhoff also stated that preliminary data would certainly be shared where appropriate.

**6. Consider and Approve Preliminary Exclusive Service Areas for Aquarion Water Company in Pomfret and Woodstock**

Scott Bighinatti of Milone and MacBroom began a PowerPoint presentation detailing the process to-date for establishing ESAs in the northern portion of the region. Mr. Bighinatti continued, stating that the WUCC will consider approving the Preliminary ESA Document to be released for public comment later in the meeting. Mr. Bighinatti also stated that final approval of the ESA Document will be due in June and that the WUCC is starting to discuss the Integrated Report in the interim.

Mr. Bighinatti described the declared ESAs in Pomfret and Woodstock. Mr. Bighinatti explained that Aquarion Water Company has claimed all unclaimed land in those towns, except for lands owned by CT DEEP, and reminded the WUCC that Connecticut Water Company has restricted its claims to the southeast corner of Pomfret and currently served parcels in Woodstock.

- Mr. Cherry asked about the procedure for establishing new Transient Non-Community (TNC) water systems on CT DEEP land, like the two show in Pomfret.
  - Mr. Bighinatti explained that there are statutory procedures for establishing new Public Water Systems (PWSs) in unassigned areas and that CT DEEP would still be required to go through the certificate process to build the system.

Mr. Congdon made a motion to approve the Preliminary ESA Delineations for Aquarion Water Company in Pomfret and Woodstock as shown on the prepared mapping, to be submitted for public comment with the Preliminary ESA Document. Ken Skov of Aquarion Water Company seconded the motion. The motion carried unanimously.

**7. Review Draft Statement of Confirmation for ESA Holders**

Mr. Bighinatti continued the PowerPoint presentation and reviewed the draft statement of confirmation contained in the Preliminary ESA Document. Mr. Bighinatti explained that a similar statement of confirmation was sought from all CWSs claiming ESAs in unserved areas in the former Southeastern WUCC.

Mr. Bighinatti explained that the statement of confirmation included a description of ESA boundaries and signified that an ESA holder agrees to comply with applicable statutes and regulations. Mr. Bighinatti continued, stating that the statement of confirmation references the Eastern WUCC work plan in the case of boundary adjustment and that, in the case of a boundary adjustment, a new statement of confirmation will need to be made.

- Mr. Cherry asked if current ESA holders from the old Southeast WUCC would need to sign updated statements.
  - Mr. Bighinatti explained yes, the intention is that all ESA holders for unserved areas will need to sign or re-sign statements of confirmation and that the statements would be mailed after the April meeting. This is because the maps have been updated from the former Southeastern WUCC so the Statements will no longer be directly applicable.
- Mr. Cherry asked if CWSs that do not hold ESAs in unserved areas would be signing statements of confirmation.
  - Mr. Bighinatti stated the statements of confirmation were only required for CWSs that hold ESAs in unserved areas and that the responsibilities of other CWSs are ensured through oversight by DPH.
  - There was additional discussion about the possibility of all CWSs in the WUCC signing statements of confirmation. Mr. Bighinatti explained that this would be a departure from the four previous WUCCs which only asked for signature from ESA holders for unserved areas. It was generally agreed that, while a good idea, given the number of CWSs that do not hold ESAs beyond their existing service area it may not be possible within the timeframe for completing the ESA Document. Mr. Decker suggested that WUCC members consider Mr. Cherry's question for additional discussion at the April meeting, before statements of confirmation are requested.

#### **8. Consider and Approve Preliminary ESA Document to Go Out for Public Review**

Mr. Bighinatti continued the PowerPoint presentation. Mr. Bighinatti reviewed edits that were made to the Preliminary ESA Document between the last meeting and the final draft distributed on March 1<sup>st</sup>. Mr. Bighinatti then asked for additional comments that may be included in the Preliminary ESA Document before it is approved for a public comment period. There were none.

Mr. Congdon made a motion to approve the Preliminary ESA Document, as amended, to be submitted for a 30-day public comment period ending at the April 12, 2017 Eastern WUCC meeting. Craig Patla of Connecticut Water Company seconded the motion. There was discussion.

- James Paggioli of Colchester Water and Sewer asked when the Preliminary ESA Document will be posted and distributed.
  - Mr. Bighinatti stated that it will hopefully be posted and distributed tomorrow and that both Councils of Governments will be hosting hard copies for public viewing.
- Mr. Cherry asked how the public would be notified.
  - Mr. Bighinatti explained that a letter would be sent from the Tri-Chairs along with the draft.
  - Mr. Decker stated that the letter is inclusive and would be sent to all WUCC members, interested parties, chief municipal officials, planning commissions, local health officials,

Councils of Governments, the Commissioners of CT DEEP and CT DPH, the Chairman of the Public Utility Regulatory Authority (PURA), and the Secretary of the Office of Policy and Management (OPM).

- Mr. Congdon asked if legal notices are required.
  - Mr. Bighinatti stated that they are not for the Preliminary ESA Document, only for the final Coordinated Water System Plan.
- Mr. Decker asked for clarification that the WUCC is seeking comments by the April 12 meeting for the final ESA Document to be completed by June.
  - Mr. Bighinatti explained that the Preliminary ESA Document is essentially the “draft” document on which public comment is requested before the Final Recommended ESA Document is sent to CT DPH in June.
  - Mr. Decker asked if there will be additional opportunities to incorporate comments.
  - Mr. Bighinatti confirmed that there would be opportunity for additional comments to be incorporated and that, similar to the Final Water Supply Assessment, multiple drafts would be produced for WUCC review prior to final approval.
- Mr. Decker asked Mr. Paggioli if he was concerned about the timing of the posting of the Preliminary ESA Document.
  - Mr. Paggioli explained that he would like to get the draft to his commission for their review, particularly in light of the need to sign Statements of Confirmation.
- Mr. Decker noted that non-municipal CWs have done a good job to-date of working with the general public and the communities in which they are claiming ESAs.
- Dean Applefield, attorney for CT DEEP, stated that the current motion included a reference to the 30-day public comment period, and also the date of April 12<sup>th</sup>. Mr. Applefield suggested modifying the motion so that, if the Preliminary ESA Document is not posted in time, the 30-day public comment period would extend past the April 12<sup>th</sup> meeting.
  - There was discussion. It was also determined that modifying the motion may reduce confusion, since it is likely that the document will be posted greater than 30 days before April 12<sup>th</sup>.
  - Mr. Congdon modified his original motion to be: a motion to “approve the Preliminary ESA Document, as amended, to be submitted for a 30-day public comment period.” Mr. Patla seconded the motion. The motion carried unanimously.

#### **9. Review of Potential Future Sources for Integrated Report**

Mr. Bighinatti continued the PowerPoint presentation. Mr. Bighinatti explained that the WUCC started introducing Integrated Report topics at the last meeting and will continue to do so.

Mr. Bighinatti reviewed the information collected to date regarding the need for new water sources and noted that this is generally done in Water Supply Plans if utilities anticipate the need. Mr. Bighinatti also explained that the Water Supply Assessment broadly addressed the need for sources but that the Integrated Report would provide a general assessment of the feasibility of certain new groundwater and surface water sources identified by utilities or that could be used on a regional level.

Mr. Bighinatti also explained that while Water Supply Plans discuss service to existing ESAs in the southern part of the region, the Preliminary ESA Document addresses ways in which ESA holders in unserved areas currently plan to serve certain towns. Mr. Bighinatti described how utilities plan to generally serve future needs in the region's northern towns. Many ESA holders intend to serve via satellite systems which would likely be served by bedrock wells, but some ESA holders have the ability to extend service from existing systems.

- Jerry Beausoleil of the Town of Putnam made a correction to the data show, explaining that, similar to Windham Water Works, Putnam plans to serve new needs only by system expansion and would consider satellite systems only as a last resort.

Mr. Bighinatti explained that utilities in the northern portion of the region have relatively high margins of safety so it is unlikely that new sources will be needed immediately.

Mr. Bighinatti requested that those systems using surface-water sources to provide any analyses performed to date on how the State of Connecticut Streamflow Standards and Regulations would affect margins of safety, as full implementation of those standards may become a primary driver for the need to develop new sources.

- Mr. Decker asked if Mr. Bighinatti would be formally requesting that information from utilities using surface-water sources.
  - Mr. Bighinatti answered that he would request that information directly, but stated that he wanted to get system operators thinking, for now. Mr. Bighinatti explained that the information would allow the WUCC to consider and prioritize different projects to be included in the Integrated Report.
- Mr. Decker stated that understanding the potential issues that utilities will face due to coming streamflow regulations is critical, as many utilities in the region may need to be in compliance in eight years. Mr. Decker then asked about the timeframe for collecting data and assessing the impact of streamflow regulations.
  - Mr. Bighinatti stated that the level of detail included in the Integrated Report will vary from utility to utility, and that it would be difficult to provide detailed data for a utility that has not yet done an analysis.
  - Mr. Decker suggested that it would be beneficial for utilities to examine the impact of streamflow regulations and their respective drought triggers

#### **10. Other Business**

Mr. Bighinatti reviewed the next meeting's potential agenda.

- Mr. Beausoleil asked if the April meeting would be pushed later if there is an issue releasing the Preliminary ESA Document.
  - Mr. Bighinatti stated that the scenario would not impact meeting scheduling, as any final comments could be considered in May.

There was no additional discussion or business. Mr. Congdon made a motion to adjourn the meeting, which was seconded by Mr. Skov. The meeting was adjourned at 2:16PM.

**Eastern WUCC Meeting #10 Minutes**  
**March 8<sup>th</sup>, 2017**

Respectfully submitted,

Samuel Alexander (Southeastern Connecticut Council of Governments)  
Recording Secretary