

Meeting Minutes
Eastern WUCC Meeting #23
Southeastern Connecticut Council of Governments – 5 Connecticut Avenue, Norwich, CT
April 25th, 2018 1:00 p.m.

The Eastern Water Utility Coordinating Committee (WUCC) met on April 25th, 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
Ken Skov	Aquarion Water Company
Keith Nadeau	Connecticut Water Company
Ray Valentini	Groton Utilities
Brendan Avery	Jewett City Water Company
Jonathan Avery	Jewett City Water Company
Mark Decker	Norwich Public Utilities
Samuel Alexander	Southeastern Connecticut Council of Governments
Jim Butler	Southeastern Connecticut Council of Governments
Josh Cansler	Southeastern Connecticut Water Authority
Brad Kargl	Town of East Lyme Water and Sewer
Ed Lynch	Town of Ledyard WPCA
Bob Congdon	Town of Preston
Paul Deveny	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
Eric McPhee	CT DPH
Scott Bighinatti	Milone and MacBroom, Inc.

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 1:05 PM by Tri-chairs Mark Decker (Norwich Public Utilities (NPU)), Bob Congdon (Town of Preston), and Jonathan Avery (Jewett City Water Company). All in attendance stated their names and affiliations.

2. Approval of February and March Meeting Minutes

There were no comments on the February or March meeting minutes. Jim Butler (Southeastern Connecticut Council of Governments (SCCOG)) made a motion to approve the February and March meeting minutes as presented, Mr. Congdon seconded the motion, the motion carried unanimously with one abstention from Mr. Congdon.

3. Formal Correspondence

Samuel Alexander (SCCOG) described the formal correspondence sent by the Eastern WUCC.

- Mr. Alexander stated that an email was sent to active Eastern WUCC members on March 14th, soliciting final comments on draft components of the Coordinated Water System Plan (CWSP), the Preliminary Integrated Report and Preliminary Executive Summary, prior to release for public comment.
- Mr. Alexander stated that official notification was sent from the Connecticut Department of Public Health (CT DPH) to all WUCC members and interested parties on March 21st, announcing the public comment period for the Preliminary Integrated Report and Preliminary Executive Summary.
- Mr. Alexander stated that an email was sent to active Eastern WUCC members on March 26th, regarding a Connecticut Institute for Resilience and Climate Adaptation (CIRCA) workshop: Implementing a Drinking Water Resilience Plan for Connecticut.
- Mr. Alexander stated that an email was sent from CT DPH to all WUCC members on April 10th, containing Drinking Water Section Circular Letter #2018-09 announcing the State Water Plan public hearing on April 17th.
- Mr. Alexander stated that an email was sent to active Eastern WUCC members and interested parties on April 10th, as a reminder off the change in regular meeting date from April 11th to April 25th.

4. Public Comment Period

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

5. ESA Modifications Discussion/Update

Mr. Bighinatti (Milone & MacBroom, Inc. (MMI)) reviewed recent developments related to Exclusive Service Area (ESA) modification. Mr. Bighinatti stated that revised maps, which show approved modifications to the NPU and Southeastern Connecticut Water Authority (SCWA) ESAs in the Town of Montville, were submitted to SCWA and NPU with Statements of Confirmation. Once signed and returned to the Eastern WUCC, the Statements of Confirmation will be submitted to CT DPH. Mr. Bighinatti stated that minor map edits were made to the Montville map to correct inaccuracies in the existing service areas of NPU, Montville WPCA, and the Mohegan Tribe. Mr. Bighinatti explained that this was not an ESA modification.

Mr. Congdon asked if there were any other outstanding ESA modifications desired by WUCC members. No members reported any needed ESA modifications.

6. Coordinated Water System Plan Discussion

Mr. Bighinatti began a PowerPoint presentation and reviewed the progress of the Eastern WUCC to-date, as well as the items that would be addressed at the meeting. Mr. Bighinatti explained that in addition to completing the CWSP, a two-page highlight document would be completed, as well as a statewide document that ties the CWSPs of the three WUCCs together.

Mr. Bighinatti reviewed the schedule for completing the CWSP and explained that one regularly scheduled meeting remained, which is currently scheduled for May 9th. Mr. Bighinatti explained that the Central and Western WUCCs have moved their meetings later in May to allow for additional internal comment by members on the revisions based on the comments received during the public comment period on the CWSP, and the Eastern WUCC could consider moving the May meeting to a later date.

- The WUCC discussed moving the May meeting from May 9th to later in the month. It was ultimately decided by consensus that the May meeting would be moved to Thursday, May 31st at 1 pm, as that date and time was available for the members present. It was recognized that May 31st would be a departure from the typical Wednesday meeting day; however, the WUCC believed May 31st was beneficial because it did not conflict with the Western or Central WUCC meetings and allowed the Eastern WUCC to build off of information that would come out of the May meetings of the other two WUCCs.
- It was also recognized that the Western WUCC extended their public comment period on the CWSP per request of two interested parties. The WUCC discussed the appropriateness of extending the public comment period in the Eastern region. It was generally felt that because no request was made to the Eastern WUCC, the Eastern WUCC should not extend the public comment period. Mr. Bighinatti explained that if substantive comments were received by the Western WUCC they could still be incorporated into the Eastern WUCC's CWSP.

Mr. Bighinatti reviewed statewide comments to the Preliminary Integrated Report and Executive Summary, which were consolidated by MMI.

- Mr. Bighinatti stated that the Town of Marlborough submitted current water usage and demand projections for the Town's Non-Transient Non-Community (NTNC) water systems on March 13th, which was too late to make it into the Central WUCC's Preliminary CWSP.
- Mr. Bighinatti stated that Connecticut Water Company and the Town of Tolland submitted updated available water calculations for the Connecticut Water Company- Riversedge system on March 13th, which was too late to make it into the Central WUCC's Preliminary CWSP.
- Mr. Bighinatti stated that SCCOG submitted comments at the March 14th meeting regarding recommendations and priorities pertaining to Regional Councils of Governments.
- Mr. Bighinatti stated that CT DPH submitted internal comments on March 16th, regarding a new Sanitary Survey webpage with compliance survey (metering, demand, technical,

managerial, financial capacity) for small community water systems, which would potentially be expanded to non-community water systems.

- Mr. McPhee explained that the goal of potentially expanding the sanitary survey to non-community systems is to offer plain-language capacity questions, aligned with the WUCCs' desire to collect information on small system capacity.
- Mr. Bighinatti stated that Woodlake Tax District in the Western region submitted questions and comments on March 21st, April 1st, and April 3rd, regarding source of water demand data and available water for Woodlake Tax District, and eventually updated available water calculations.
- Mr. Bighinatti stated that a member of the public, Mr. Mark Widomski, submitted comments on March 26th, encouraging protection of watersheds, reducing impervious surfaces to slow runoff, and water conservation, and suggesting new rules for irrigation meters and drought management of irrigation.
- Mr. Bighinatti stated that the Connecticut Department of Energy and Environmental Protection (CT DEEP) submitted comments on April 18th, containing sixteen suggested clarifications, and expressing support for five recommendations.
- Mr. Bighinatti stated that the Town of Marlborough submitted comments on April 20th, suggesting inclusion of updated Capacity Assessment Tool (CAT) score map (the original included in the Water Supply Assessment in December 2016), suggesting sorting Table D-1 by Town, recommending pursuit of interconnection strategies, and recommending consolidation of Non-Community systems.
 - Mr. McPhee explained that updated CAT scores are an unfinished product and that an updated map would not be included in the CWSP.
 - Mr. Bighinatti explained that there is a recommendation that CT DPH provide feedback to the WUCC regarding small system capacity in the region, so the WUCCs will receive regular feedback on this issue.
- Mr. Bighinatti stated a member of the public, Ms. Judy Allen, submitted comments on April 20th, encouraging further discussion of the impacts of climate change on water supplies and the associated environmental stressors, and expressing concern regarding using historic data to predict future drought and water quality impacts given changing climate. Mr. Bighinatti added that the CWSP would like continue to broadly identify climate change-related impacts but leave data-driven analysis to other plans, such as the Connecticut Institute for Resilience and Climate Adaptation (CIRCA) Drinking Water Vulnerability and Resilience Plan (DWVARP).
 - Brad Kargl (Town of East Lyme Water and Sewer) asked when the DWVARP was likely to be completed.
 - Mr. Bighinatti responded that the plan will be completed in late 2018.
- Mr. Bighinatti stated that CT DPH submitted comments on April 20th, regarding the agency's support and encouragement of eight recommendations and pathways forward contained in the Integrated Report.

Ed Lynch (Town of Ledyard WPCA) raised an issue concerning potential impacts to property owners within future public water supply watersheds. Mr. Lynch explained that property owners

within newly created public water supply watersheds would be subject to certain laws to which they were not previously subject. Mr. Lynch used the example of annual testing of septic systems from the local health department. Mr. Lynch also stated that use of a watershed containing older homes with inadequate septic systems may necessitate towns to extend sewer lines, which is extremely costly and may conflict with local land use planning. Mr. Lynch used an example of the Haley Brook watershed, which covers a large portion of southern Ledyard, and was identified as a future source of supply for Groton Utilities in the Preliminary Integrated Report and other regional plans. Mr. Lynch suggested that this potentially negative impact be discussed in the Integrated Report.

- The WUCC discussed the issue identified by Mr. Lynch. The WUCC generally agreed that the Integrated Report should acknowledge these issues at a planning level.

Mr. Bighinatti discussed prioritization of strategies contained in Chapter 12 of the Preliminary Integrated Report, reminding the WUCC that Table 12-1, which contains a summary of recommended strategies related to responsible planning, source protection, drought management, water conservation, climate change, and funding, was discussed at the March meeting. Mr. Bighinatti also explained that capital improvement projects and deferred for further consideration, with the CWSP providing a basis for future evaluation.

The WUCC discussed goals and recommendations. Mr. Bighinatti presented suggested changes to wording, based on the discussions of the March meetings of the three WUCCs.

- The WUCC chose to accept minor wording changes to goals and recommendations. The WUCC chose to strike recommendation #34, in favor of adding language discussing need to reduce seasonal peaks to recommendation #35. The WUCC also chose to strike recommendation #54, recognizing that local mechanisms are in place for municipal utilities to recover revenue.

7. Discussion of Potential Amendments to the Eastern WUCC Bylaws / Work Plan

Mr. Bighinatti explained that he investigated the potential need to amend the Eastern WUCC Bylaws and Work Plan to allow for the Chairs to conduct certain business related to the WUCC outside of regular WUCC meetings.

- Mr. Bighinatti reviewed the pertinent sections of the Bylaws authorizing the Chairs to provide a WUCC recommendation related to development of new public water systems, and noted that the Chairs are authorized to provide such recommendation with subsequent notification to the WUCC. No changes were necessary.
- The WUCC discussed the current requirements for ESA modifications. It was identified that the Bylaws and Work Plan currently require a 30-day public comment period for all ESA modifications, even voluntary modifications between two parties, and that ESA modifications must be listed on a meeting agenda. Therefore, the Chairs may begin the public comment period for an ESA modification, but must hold at least one meeting with a quorum present to process the ESA modification.

8. Other Business

Mr. Butler explained that SCCOG received correspondence regarding testimony for an April 17th legislative hearing on the Connecticut State Water Plan. Mr. Butler stated that the testimony

forwarded to SCCOG centered on inclusion of the term 'public trust' and invocation of the 'public trust doctrine' by the plan, in its most recent draft. Mr. Butler asked generally if the WUCC should involve itself with this ongoing discussion.

- The WUCC generally felt that multiple parties were concerned over the inclusion of the term 'public trust' because of the timing of the inclusion in response to public comments without adequate discussion and consideration during plan development, and because of the potential for down-the-road changes to the regulatory framework that may impact utilities, agricultural producers, businesses, and others. The WUCC also generally felt that the State Water Plan should seek to balance all water uses and maintain a neutral tone as per its legislative charge. It was acknowledged that the Connecticut Water Works Association (CWWA) submitted testimony regarding the State Water Plan and its recent changes. The WUCC generally agreed that it would not be productive to weigh in on the issue as a body but encouraged individual members to do so.

Mr. Bighinatti reminded the WUCC that a vote of final approval of the CWSP for submission to CT DPH is scheduled for the May Meeting. Mr. Bighinatti also explained that the May Meeting would require officer elections for two Tri-chair positions and the Secretary.

Mr. Bighinatti discussed a community water system vulnerability study which is being conducted by CIRCA and the University of Connecticut. Mr. Bighinatti directed operators of community water systems to a survey link. The survey closes May 11th.

Mr. Bighinatti presented a sample agenda for the May 31st meeting and asked for potential additions. There were none.

Mr. Butler made a motion to adjourn the meeting. Mr. Lynch seconded the motion. The meeting was adjourned at 2:26 PM

Respectfully submitted,

Samuel Alexander (Southeastern Connecticut Council of Governments)
Recording Secretary