

STATE OF CONNECTICUT

DEPARTMENT OF PUBLIC HEALTH

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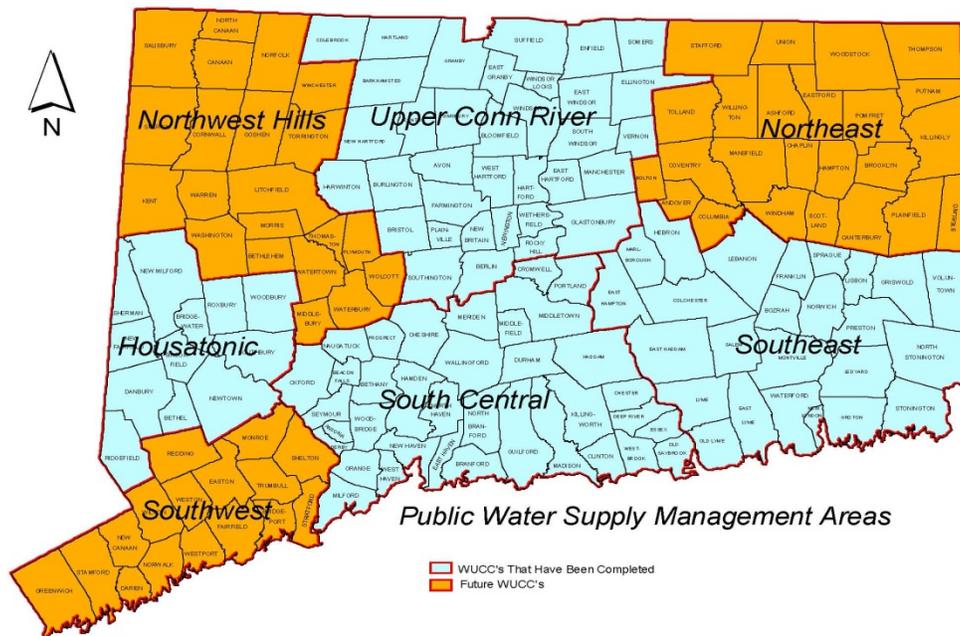


Dannel Malloy
Governor

ANNUAL REPORT ON THE WATER UTILITY COORDINATING COMMITTEE (WUCC) PLANNING PROCESS FOR PUBLIC WATER SYSTEMS *(PURSUANT TO CONNECTICUT GENERAL STATUTE 25-33n)*

Report Period: July 1, 2009 through June 30, 2012

February 14, 2013



EXECUTIVE SUMMARY: Connecticut General Statute (CGS) Section 25-33c is a General Assembly legislative finding that “an adequate supply of potable water for domestic, commercial and industrial use is vital to the health and well-being of the people of the state”. The legislative finding passed as Public Act 85-535: An Act Concerning a Connecticut Plan for Public Water Supply Coordination when the legislature determined “to maximize efficient and effective development of the state's public water supply systems and to promote public health, safety and welfare, the Department of Public Health shall administer a procedure to coordinate the planning of public water supply systems.” The planning approach taken was designated the Water Utility Coordinating Committee (WUCC) process as detailed in CGS Sections 25-33e through 25-33j. CGS Section 25-33n requires that the DPH Commissioner submit a status report regarding the WUCC planning process to the joint standing committees of the General Assembly having cognizance over matters related to the environment and public utilities. The report herein details specific regional WUCC management area activities that occurred from July 1, 2009 through June 30, 2012 and associated efforts by the DPH to complete the WUCC process. The DPH strives to ensure large community public systems maintain safe, sustainable supplies throughout a 50 year period within the planning process. Proper planning, accurate water supply plans, and publicly held WUCC meetings help identify cost-effective solutions and maintain sustainable public supplies and water resources. Sustainable supplies are critical to ensure the purity and adequacy of public water systems which is another Department mandate per CGS Section 25-32(a). The WUCC planning process often helps resolve difficult situations where public supply infrastructure needs and/or recognized water issues were not adequately addressed historically.

STATEWIDE WUCC STATUS: The state’s WUCC public water system planning process uses a coordinated approach to address water quality and quantity from a regional perspective. Public water systems that serve more than 1,000 persons are required to submit individual water supply plans every six to nine years based on the system’s compliance status. Following the DPH review process, approved individual water supply plans are used to compile regional coordinated plans that address recognized water issues in seven WUCC management areas delineated statewide. Companion statute CGS Section 16-262m, the “Certificate of Public Convenience” process; sets minimum design standards for newly created small public systems to help eliminate the proliferation of small failing systems and promote the statewide orderly development of public water supply. Four years later in 1989, Public Act 89-327 incorporated critical related CGS Section 22a-380 state water resource policy into individual and regional coordinated water supply plans; thus, recognizing the importance of these state water policies for successful long term water supply planning. Public Act 01-177, modified by Public Act 02-76, established the Water Planning Council (WPC) to address state water resources and identify regulatory agency overlap. The WPC recognized a need to review existing WUCC legislation; thus, the DPH instituted a WUCC advisory committee to provide and review recommendations.

Initial WUCC areas convened by the DPH in the mid-late 1980’s were the Housatonic, the Upper Connecticut River, and the South Central Connecticut; respectively. Coordinated regional plans for these three WUCC’s were prepared by consulting firms selected through the state contracting process and paid for with state appropriated funds. The coordinated plans as drafted generally complied with requirements; however, none achieved DPH formal approval status. The most recent WUCC convened by DPH was in Southeast Connecticut in 1998. A decade after the initial WUCC’s had convened, municipal interest for direct involvement in the planning process had changed considerably. Chief elected officials requested status as eligible voting members and, as with most change; initial contentions resulted. Municipalities were deemed eligible by virtue of ownership of public systems, schools and town offices. At least specific to the SEWUCC, adding considerable municipal involvement enhanced the planning process and assisted the SEWUCC in attaining Connecticut’s first DPH approved coordinated regional plan management area status.

RECENT DEVELOPMENTS: DPH instituted supply adequacy technical reviews for large systems to ensure safe yield, available water, and margin of safety (MOS) technical data was evaluated consistently and accurate data was readily available for critical decision making purposes. The technical reviews indicate some large systems do not have adequate MOS now and/or for future operations to provide adequate protection for drought, consumption increases, system redundancy failure, or emergencies. Supply deficient systems now face additional long term sustainability challenges with new state requirements for minimum stream flow releases.

The DPH Commissioner recently published the state's first high quality source water (HQS) list required pursuant to CGS Section 25-33q. This new list designates current and potential future sources of water that require protection to ensure high quality source waters are available for human consumption. Well protected high quality public supply sources are essential; the severe weather events experienced in 2011 and most recently with Hurricane Sandy provide excellent reminders of the importance of protecting drinking water sources. Connecticut's public drinking water supplies are located upstream of sewage treatment plants; thus, in the event of plant failure public supplies remains well protected for human consumption. Connecticut and Rhode Island are the only states that prohibit use of surface waters that receive treated wastewater or industrial discharges as public water supply. The prohibition is ever critical now emerging contaminants, pharmaceuticals and hexavalent chromium; have been detected where wastewater or industrial discharges are allowed to public water sources. Preserving the state's pristine source waters for human consumption helps assure maximum public health protection of public water supplies.

INDIVIDUAL WUCC MANAGEMENT AREAS:

1) Housatonic WUCC (HWUCC): Elected Representatives - Russell Posthauer, Co-Chair, Candlewood Springs Property Owners; Erik Bernard, Co-Chair, Aquarion Water Company
Municipalities Served: Bethel, Bridgewater, Brookfield, Danbury, New Fairfield, New Milford, Newtown, Ridgefield, Roxbury, Sherman, Southbury, Woodbury
Regional Planning: Central Naugatuck Valley Council of Governments (COG), Housatonic Valley Council of Elected Officials, Northwest Connecticut COG

The Housatonic management area was the initial WUCC convened due to historic supply needs and multiple contamination sites. Regrettably, conflicting system priorities, insufficient participation, poor communication, and the failure to engage local leaders in longstanding water issues resulted. New DPH planning initiatives instituted in 2008 increased participation rates of local health officials, elected officials, and business leaders which helped make the Housatonic WUCC more effective; officer elections were held in 2012 for the first time since the 1980's.

Membership meetings were held July 15th and November 4th, 2009; June 4th, 2010, July 13th and September 12th, 2011; and June 15th, 2012. Subcommittees formed to identify a cost-effective regional water supply solution and revisit/codify membership operating rules and procedures met on November 4th, 2009 and June 4th, 2010. Local municipal leaders and health directors now have considerable awareness of the controversy that can occur from local and regional water supply issues without valuable local perspective, input, and coordination in the WUCC process to promote effective solutions. Issues from 2009-10 WUCC meetings resulted in the DPH providing significant technical assistance in 2010-11 to Brookfield, Newtown, and New Fairfield. Leadership in these towns was critical in ensuring responsible, accountable ESA providers now exist to provide sustainable public supply to residents and business communities. Aquarion Water Company continues to aggressively acquire public systems in the management area. Primary management area needs remain a large regional water supply and additional supply and/or margin of safety for Danbury Water Department and Aquarion-New Milford.

2) Southeast Connecticut WUCC (SEWUCC): Elected Representatives - John Bilda, Co-Chair, Norwich Public Utilities; Bob Congdon, Co-Chair, Town of Preston
Municipalities: Bozrah, Colchester, East Haddam, East Hampton, East Lyme, Franklin, Griswold, Groton, Hebron, Lebanon, Ledyard, Lisbon, Lyme, Marlborough, Montville, New London, North Stonington, Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown, Waterford
Regional Planning: Capitol Region COG, Connecticut River Estuary Regional Planning, Midstate Regional Planning Agency, Southeastern Connecticut COG, Windham COG

The Southeast WUCC changed the state's water supply planning landscape through strong municipal involvement, implementation of significant water infrastructure through regional cost sharing and local coordination, and the first ever DPH approved coordinated regional plan and approved ESA providers. The Southeastern Connecticut Council of Governments (SECOG) has now taken a major role by creating a water committee with regular participants from major municipalities in the region and open invitations to small towns as resources allow. SECOG conducts WUCC-like functions routinely through monthly meetings that actively promote cost-effective solutions, inter-municipal cooperation, and cost sharing. Norwich has taken a recent lead role to identify and develop the next large regional supply and New London and East Lyme are partnering together to construct a major interconnection to assist East Lyme in meeting peak seasonal demands. The importance of a well-balanced regional system with supply adequacy and redundancy has now been borne out twice by significant impacts to major suppliers. Norwich, New London, and the Aquarion-Mystic Division were taking steps to implement significant emergency measures with DPH approval if the state drought advisories proclaimed during September 2007 thru January 2008 and July thru October 2010 persisted. Challenges remain for additional supply and/or infrastructure in East Haddam, East Hampton, East Lyme, Franklin, Marlborough, New London, Norwich, Old Lyme, and Sprague. The SEWUCC shows successes do occur and long term relationships do result when regional partners work to find technical solutions that account for water quantity, water quality, ecological needs, and land-use planning.

3) South Central Connecticut WUCC (SCCWUCC): Elected Representatives – Jack Keefe, Chair, formerly CT Water Co.; Steve Rupar, Recording Secretary, Regional Water Authority
Municipalities: Ansonia, Beacon Falls, Bethany, Branford, Cheshire, Chester, Clinton, Cromwell, Deep River, Derby, Durham, East Haddam, East Haven, Essex, Guilford, Haddam, Hamden, Killingworth, Madison, Meriden, Middlefield, Middletown, Milford, Naugatuck, New Haven, North Branford, North Haven, Old Saybrook, Orange, Oxford, Portland, Prospect, Seymour, Wallingford, Westbrook, West Haven, Woodbridge
Regional Planning: Connecticut River Estuary Regional Planning, Central Naugatuck Valley COG, Midstate Regional Planning Agency, South Central Regional COG, Valley COG

The South Central Connecticut and Upper Connecticut River areas held joint membership meetings to discuss a potential merger on May 12th, September 22nd, and October 21st, 2010. Discussion among the membership, regional and local planners, and the public in attendance on October 21st prior to the WUCC vote included adding bordering municipalities not represented by either WUCC, a private water company concern that neither WUCC's regional coordinated plans had achieved DPH approval status, and approved regional coordinated plans are necessary for final DPH approved ESA providers. A motion passed by the membership requested the DPH to convene the DPH WUCC Advisory Committee to explore statewide WUCC consolidation to three or four management areas determined on accurate current and future high quality source water availability, PWS MOS, PWS interconnections, state demographics, water basins, and similar public supplies within regional planning agencies. Challenges remain for infrastructure in Durham and East Haddam; however, Durham's EPA Superfund site has neared consensus agreement for a long term water supply solution through a main extension from Middletown and a long term solution to the East Haddam Tylerville Center contamination is nearing final review.

4) Upper Connecticut River WUCC (UCRWUCC): Elected Representatives – Gil Bligh, Chairman, New Britain Water Dept.; David Radka, Recording Secretary, CT Water Company
Municipalities: Avon, Barkhamsted, Berlin, Bloomfield, Bristol, Burlington, Canton, Colebrook, East Granby, East Hartford, East Windsor, Ellington, Enfield, Farmington, Glastonbury, Granby, Hartford, Hartland, Harwinton, Manchester, New Britain, Newington, New Hartford, Plainville, Rocky Hill, Simsbury, Somers, South Windsor, Southington, Suffield, Vernon, West Hartford, Wethersfield, Windsor, Windsor Locks
Regional Planning: Capitol Region COG, Central CT Regional, Litchfield Hills Elected Officials

In addition to the joint membership meeting previously noted, the Upper Connecticut River WUCC chairman Gil Bligh also serves on the WUCC Advisory Committee. Mr. Bligh has offered assistance to the DPH to update the UCR coordinated plan with accurate technical data such as safe yield, available water, margin of safety (MOS), and current and future potential available high quality source water. The UCR revised coordinated plan would be submitted for consideration of DPH approval which is the final step for approved ESA providers. Remaining needs are added supply and/or MOS for Bristol WD, Berlin WCC, Manchester WD, and Connecticut Water Company-Western Region which serves customers in East Windsor, South Windsor, Ellington, Enfield, Somers, Suffield, Vernon, and Windsor Locks. This WUCC could benefit greatly by considering regional cost sharing to implement strategic interconnections that would eliminate current and/or potential future supply and MOS deficiencies at public systems.

5) Northeast WUCC (NEWUCC): Elected Representatives – Not Applicable
Municipalities: Andover, Ashford, Bolton, Brooklyn, Canterbury, Chaplin, Columbia, Coventry, Eastford, Hampton, Killingly, Mansfield, Plainfield, Pomfret, Putnam, Scotland, Stafford, Sterling, Thompson, Tolland, Union, Willington, Windham
Regional Planning: Capitol Region COG, Northeast Connecticut COG, Windham COG

The Northeast WUCC never convened; thus, ESA providers do not exist for systems. A forum for town officials, planners, health directors, and public systems was held to discuss the orderly expansion of public supply. Southeast WUCC leaders provided experience based presentations and relevant guidance learned from actual success which has led to on-going regional dialogues.

6) Northwest WUCC (NWWUCC): Elected Representatives – Not Applicable
Municipalities: Bethlehem, Canaan, Cornwall, Goshen, Kent, Litchfield, Middlebury, Morris, Norfolk, North Canaan, Plymouth, Salisbury, Sharon, Thomaston, Torrington, Warren, Washington, Waterbury, Watertown, Winchester, Wolcott
Reg. Planning: Cent. CT Regional, Cent. Naugatuck, Litchfield Hills Officials, NW CT COG

The Northwest WUCC never convened; however, ESA provider approval would be simplified due to sparsely populated areas with few existing water service providers. Towns currently without considerable infrastructure possibly may request ESA designation. Heritage Village, CWC-Naugatuck, and Waterbury Water Bureau are now interconnected to provide supplemental supply, system redundancy, and improved emergency response ability to most of the region.

7) Southwest WUCC (SWWUCC): Elected Representatives – Not Applicable
Municipalities: Bridgeport, Darien, Easton, Fairfield, Greenwich, Monroe, New Canaan, Norwalk, Redding, Shelton, Stamford, Stratford, Trumbull, Weston, Westport, Wilton
Reg. Planning: Bridgeport Reg. Planning, Housatonic Valley Officials, SW Reg. Planning, Valley COG

The Southwest WUCC never convened. ESA provider approval would be simplified as large systems now provide service in most municipalities and Aquarion Water Company continues to acquire more public systems offering new opportunity to improve existing service, provide new service, and target significant regional infrastructure to ensure sustainable public water supplies.