

Annual Report on Water Resources Planning in Connecticut

In Accordance With Section 3 of Public Act 07-4 of the June Special Session

Prepared by the Office of Policy and Management

Public Act 07-4, Section 3 directs the Office of Policy and Management to conduct a study relative to water resource planning in the state and measures to further promote water resource planning and water conservation goals. In an effort to fully address all items outlined within the Public Act, as well as the ongoing, statutorily mandated annual reporting requirement, OPM has been working diligently to hire senior level, full time staff with experience in water resources policy and planning. If OPM is not able to hire such staff within a reasonable time period, we will enlist the services of a qualified consultant to conduct this study.

OPM has taken initial steps to evaluate the items outlined within the Public Act in an effort to develop a focus for the study. In doing so, OPM has been able to define a scope for the study and an outline from which to proceed. The following outlines the tasks associated with the Public Act accompanied by OPM's initial analysis of the subject and a framework from which to study the issue:

(1) Review and prioritize the recommendations and the goals of the Water Planning Council developed prior to October 1, 2007

During the initial meetings of the Water Planning Council, 26 Action Items were identified that it continues to address. In addition, the Water Resource Allocation subcommittee developed the Water Allocation Policy Planning Model that continues to be the basis for the Water Planning Council's future Work Plans. The status of each of these items and the Work Plan appears in the Water Planning Council's 2007 Annual Report to the General Assembly dated January 1, 2008.

The Water Planning Council has made progress in a number of areas since its inception. OPM plans to consult with both the Water Planning Council, agency staff, and the Water Planning Council Advisory Group, in order to better understand the priorities and goals of these groups and develop a consensus as to prioritizing the needs of the stakeholders.

(2) Compile information from other reports or studies regarding water resources planning in the state;

OPM is in the early stages of inventorying a number of reports and studies related to water resource planning that have been developed over the years, including those prepared by the Office of Legislative Research (OLR) and the Water Planning Council's advisory and work groups.

(3) Establish a mechanism to perform an in-depth analysis of existing statutes and regulations of the Department of Environmental Protection, the Department of Public Health and the Department of Public Utility Control for areas of overlapping and conflicting or inefficient procedures;

There are numerous statutes and regulations pertaining to the various agencies with oversight of water resources that can be very complex. Many of the responsibilities are a result of federal requirements such as the Clean Water Act and Safe Drinking Water Act, wherein the federal government provides funding directly to a specific agency for the purposes of enforcing various requirements. Generally speaking, oversight and regulation of water resources in the state is administered as follows:

- DEP administers most water resources and water quality laws relative to mitigating the impacts to the state's water resources.
- DPH oversees the purity and adequacy of the state's drinking water supplies.
- DPUC regulates private water companies supplying water to 50 or more consumers.

Given the numerous statutes and regulations, both state and federal, that these agencies are required to enforce, OPM will depend heavily on the input of the various regulatory agencies to gain a comprehensive understanding of the regulatory framework. OPM intends to utilize the new staff to perform this analysis.

(4) Review and summarize other states' regulatory programs and structures, relating to water resource planning, including, but not limited to, their approaches to water allocation;

In 2006, the Office of Legislative Research completed a report on Watershed Planning (OLR Report 2006-R-0070) which discusses numerous state approaches engaging in statewide water resource planning. The report describes programs in Florida, Maine, Massachusetts, New Hampshire, Ohio, Pennsylvania, Rhode Island, Utah, and Vermont. Moving forward, this report will serve as a foundation for OPM's analysis of the regulatory structures in these states, with a focus on the New England states. The OLR report indicates that the State of Rhode Island has established The Rhode Island Water Resources Board which is authorized to allocate water resources amongst the numerous users. OPM will evaluate this and any other similar models that may exist in other states for water allocation.

(5) Identify processes and funding needs for the evaluation of existing water diversion data and approaches to basin planning projects and coordinate water data collection from, and analysis among, the Department of Environmental Protection, the Department of Public Health, the Department of Public Utility Control, the Office of Policy and Management and the United States Geological Survey, and recommend supplemental data collection, as appropriate;

In 2005, the CT Institute of Water Resources (CTIWR) was allocated funds for a proposal to develop a statewide basin screening process through its competitive grant process. In 2006, Special Act 06-9, AAC Water Basins, was enacted. The Special Act directs the CTIWR to undertake certain studies intended to advance water allocation policy and planning modeling efforts in the state. CTIWR has utilized this funding to contract with the University of Connecticut's Center for Land Use Education and Research to develop a geospatial database to support water planning at the basin level. The initial tasks are to acquire, organize and assess the numerous datasets to generate summary statistics for watersheds. The results of this project should provide useful insight moving forward relative to the quality and quantity of data available such that OPM may gain an understanding of any gaps that may exist, as well as whether this database will be suitable as a possible centralized repository for state agencies.

(6) Evaluate existing water conservation programs and make recommendations to enhance water conservation programs to promote a water conservation ethic and to provide for appropriate drought response and enforcement capabilities;

The Interagency Drought Workgroup convened in early August of 2007 to monitor the excessively dry conditions the state had been experiencing. In October 2007, Governor Rell issued a Drought Advisory, which is the first stage in the Drought Preparedness and Response Plan. The workgroup met regularly to keep the Governor updated. In response to increased precipitation and lower demand, Governor Rell lifted the Drought Advisory in January 2008. The workgroup also established a new website; www.ct.gov/waterstatus dedicated to tracking the water conditions in the state, promoting water conservation, and providing timely information to the public.

In 2007, the DPH concluded its efforts to develop a model municipal water use restriction ordinance. This draft ordinance was crafted with stakeholder input to address a statewide need to have uniform and enforceable water use restrictions in place to respond to either drought or other water emergency events. It is likely that the model ordinance will be adopted by the Water Planning Council and available to municipalities in the near future.

OPM will evaluate these efforts as well as other water conservation programs underway at DPH, DEP, water utilities, and the various industries that use water for non-consumptive purposes.

(7) Identify funding requirements and mechanisms for ongoing efforts in water resources planning in the state.

In order to facilitate planning in 2007, the members of the Water Planning Council developed a Memorandum of Understanding (MOU) among the member agencies for the purpose of specifying the fiscal and administrative responsibilities of each Department to support the Water Planning Council. This MOU also provides for the retention of an Administrative Manager for the Water Planning Council. To date, the Water Planning Council has retained two staff to support its operations and to work to coordinate issues of an interagency nature. OPM will incorporate this analysis as part of its evaluation of Items 3 and 4 above.