



STATE OF CONNECTICUT

DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

A HEALTHCARE SERVICE AGENCY

M. JODI RELL
GOVERNOR

THOMAS A. KIRK, JR., Ph.D.
COMMISSIONER

Memorandum:

TO: Government Administration and Elections Committee

FROM: Thomas A. Kirk, Jr., Ph.D.
Commissioner

DATE: March 23, 2009

SUBJECT: Written Testimony on H.B. 6695, An Act Concerning the Conveyance of Certain Parcels of State Land

Sen. Slossberg, Rep. Spallone and distinguished members of the Government Administration and Elections Committee. Thank you for the opportunity to submit written testimony on **H.B. 6695, An Act Concerning the Conveyance of Certain Parcels of State Land.**

Several important questions have been raised regarding Section 5 of H.B. 6695, which would transfer authority over the watershed area located on the grounds of Connecticut Valley Hospital to the Department of Environmental Protection. Among the issues which must be resolved are the following:

1. Does the objective of H.B. 6695 further enhance the protection of the watershed? DMHAS uses this reservoir for its facilities; thus, we believe that we are the agency that can best protect this important resource.
2. How will DEP monitor this land to protect the watershed and coordinate with DMHAS to ensure its safety?
3. Will the land transfer require the City of Middletown Planning and Zoning Department to recognize the DMHAS watershed overlay map, which the City of Middletown currently does not?
4. Will the land transfer involve and/or allow any activities or use that may be detrimental to the protection of the watershed (for example, the establishment of hiking trails used by horses, dogs, all terrain vehicles, and cross country motorcycles— with the potential for littering, erosion, dumping, fuel spillage— or any other changes of use, etc.)?

5. Will the land transfer include the causeway (formerly the original dam) which connects the two sections of Reservoir Road so that the causeway could be closed in order to prohibit vehicular access across the reservoirs, thereby protecting them from dumping, fuel spills and vehicles driven into the reservoir?
6. Will DMHAS have any enforcement authority if our staff observe activities that are determined to be detrimental to the watershed? If not, which department will possess such enforcement authorization?
7. Which department will be legally and financially responsible for the cleanup of fuel spills, and the penalties and fines associated with illegal activities on these parcels?
8. Which department will be responsible for submitting the land transfer permit request to the Department of Public Health?
9. Upon transfer of these parcels, will DEP assume responsibility for the Water Treatment Plant?
10. Will DEP be responsible for all required compliance processes— including the water supply plan, safe yield analysis, annual water quality reports, dam maintenance, and multiple other associated requirements?

Accordingly, in view of the serious nature of these questions, we ask that you eliminate Sec. 5 of H.B. 6695 in order to allow us and the other state agencies involved to spend time this summer and fall to determine the best arrangement for managing this precious resource. Thank you.