



**Testimony  
Elizabeth Gara  
Connecticut Water Works Association (CWWA)  
Before the  
Environment Committee  
March 8, 2010**

**SB-123 - AN ACT CONCERNING PRESERVING NATURAL VEGETATION NEAR WETLANDS AND WATERCOURSES.**

As stewards of the state's water resources, CWWA supports the intent of SB-123 which seeks to protect the adequacy and purity of the state's rivers. In past years, however, as the bill was negotiated, certain as of right exceptions afforded water companies to protect the public water supplies were inadvertently eliminated. We therefore wanted to make you aware of these exceptions and urge you to maintain them as the bill is negotiated.

CWWA opposes the deletion of "harvesting of crops" under Section 2 which will prohibit timber harvesting in wetlands by any entity, including public water utilities. Water companies, by their inherent nature, conduct numerous activities in wetland and watercourse areas on a daily basis, including timber harvesting. These activities are essential to our members' ability to provide a pure and adequate water supply. Maintaining a healthy and diverse forest on a sustainable basis is beneficial to water quality and water production, according to the Northeast Association of Forest Watershed Managers. Cutting certain trees is actually a means of ensuring the health and diversity of a forest because some trees may be diseased or, as a forest becomes older, trees need to be harvested to promote regeneration. In addition, utilities may have to remove trees that pose risks to water quality and water production as well as utility operations.

CWWA believes the current as-of-right exception is important to water utilities and we are therefore concerned that by prohibiting timber harvesting, the bill prevents water companies from taking action to protect water quality and maintain operations. For these reasons, we urge lawmakers to oppose the deletion of this wording.

Under current law, water companies have certain as of right exceptions to the prohibited activities which are necessary to ensure that certain activities may be undertaken to protect the state's public water supplies. These activities, which include installing and maintaining dams, wells, treatment and pumping facilities, and water transmission and distribution mains, are essential to a water company's ability to provide a pure and adequate water supply to its customers.

These as-of-right exceptions strike a reasonable balance between environmental protection, public needs, and property rights. We therefore urge you to ensure that such exceptions remain in the law.

*The Connecticut Water Works Association, Inc. (CWWA) is an association of private, municipal and regional public water supply utilities serving more than 500,000 customers, or population of about 2½ million people, located throughout Connecticut.*