



**Testimony**  
**Thomas R. West, Superintendent**  
**Southington Water Department**  
**Before the**  
**Public Health Committee**  
**March 12, 2010**

**HB-5477, An Act Concerning Clean Water and Stream Flow Regulations**

The Southington Water Department is a municipal entity that supplies water to 85% of the Town of Southington (12,500 customers, nearly 40,000 people) and over 200 people in the Town of Cheshire. The Southington Water Department strongly *supports the intent of HB-5477*, which is aimed at addressing fundamental concerns with the state Department of Environmental Protection's proposed stream flow regulations.

HB-5477 requires DEP to conduct basin screening and classify the watershed basins to determine whether there are streams and rivers with low flow concerns and establish priorities for addressing those concerns. It also ensures that the state Department of Public Health, which has cognizance over public water supplies, retains its authority to ensure that water companies maintain adequate public water supplies to meet the public health, safety, economic development and agricultural needs of the state.

Based on our analysis of the impact of the proposed streamflow regulations to the Southington Water Department, it is apparent that the proposed regulations do not come close to achieving that balance. Based on our analysis, we will not be able to supply even our existing customers, let alone supply new service connections in a town struggling to pull out of very trying economic times. Our very survival as a water supplier hangs in the balance.

We will go from having an excess of supply to a deficit the very day these regulations go into effect. We have done our analysis in a very conservative manner - we assumed a class 3 basin. If the Quinnipiac River or reaches of the river or its tributaries are class 2, the consequences are more dire than what we have currently predicted. The fact that we have no idea what class the Quinnipiac basin will be makes it very difficult for us to even comment on this regulation.

The Town of Southington has been through very difficult times in the past with regards to its water supply. We weathered a time in the late 70s where we lost over half of our water supply

due to two superfund sites and a dry cleaning establishment contaminating 4 of our 6 wells. We were able to install treatment on one of those supplies, but the other 3 are still not in service today. We worked diligently to replace these supplies, leasing one well from a neighboring utility, and installing two new wells in the early 80s, and then finally installing our largest well, well #9 in the north end of town. We made a conscious decision at the time to locate these sources in areas of limited development. Because of this, they are in areas that will be most effected by this regulation (the upper reaches of streams that feed into the Quinnipiac River). We believe that groundwater was never intended to be included in the regulations when you look at the statute and the legislative history.

As a water supplier, we have a responsibility to be stewards of the environment. It is in the best interest of water companies and their consumers for there to be an ample supply of clean water. We take this responsibility very seriously. The Southington Water Department is one of the largest land owners in Wolcott, where the majority of our watershed lies for our reservoir system. We own over 85% of our watershed. We monitor its health and manage its resources because this means that we have a cleaner, safer source of drinking water from the start.

In the late 90's, the Water Department in conjunction with the Town of Southington purchased Crescent Lake from the Valley Water Company. The intent of this purchase was to provide a clean source of water for both stream flow supplementation during periods of low flow, and a recreation area for citizens of the area. One of the conditions of the Quinnipiac River Flow Management Plan, which we entered in to due to our Diversion Permit for Well #9 (located on Dunham Place), is that during periods of low flow at the Wallingford stream gage, we can take additional water from our wells located near the Quinnipiac River (Well #1A, Well #2, Well #3). Under this regulation, the day we start flowing water to the Quinnipiac River, we are gong to have to comply with the release rules (at Crescent Lake) and the available water will quickly dwindle. Also, under this regulation, the flow management plan we entered into in order to secure the diversion permit for Well #9 would not qualify as a stream flow management compact.

HB-5477 addresses these issues by: 1) Requiring DEP to analyze and classify the watershed basins; 2) Protecting water supplies needed for public health, safety, agriculture and economic development; and 3) Thoroughly analyzing compliance costs before moving forward with regulations.

By addressing these core issues, this bill will give stakeholders the opportunity to craft stream flow regulations in the balanced manner intended under Public Act 05-142.