



**TESTIMONY
ELIZABETH GARA, EXECUTIVE DIRECTOR
CONNECTICUT WATER WORKS ASSOCIATION
BEFORE THE
ENVIRONMENT COMMITTEE
MARCH 12, 2010**

RE: SB-383, An Act Concerning a Statewide Water Use Plan

CWWA has long supported the creation of a statewide water use plan to help guide decisions about water allocation and management. We therefore urge adoption of this bill with the inclusion of the attached language which was developed in 2008 with the input of various environmental stakeholders and the water industry.

Connecticut must develop and implement a statewide water use plan to guide the state in making decisions about managing and allocating the state's water resources. Currently, responsibility for making decisions about the state's water resources is vested in four different state agencies, resulting in disjointed policies that fail to address the need for a comprehensive plan for water allocation and management.

In 2006, the legislature directed the Institute of Water Resources at the University of Connecticut to conduct a study of watershed basins to provide us with a better understanding of the science and data needed to make responsible water allocation decisions. Although the scope of the study was limited due to funding constraints, it was a good first step in moving toward a comprehensive water allocation and management plan.

In addition, in 2008, the legislature adopted legislation directing the Office of Policy and Management to undertake a study of several areas, including 1) compiling information from other reports or studies on water resources planning in the state; 2) performing an analysis of existing DEP, DPH, and DPUC statutes and regulations in areas of overlapping and conflicting or inefficient procedures; 3) reviewing other states' regulatory programs and structure relating to water resource planning, including their approaches to water allocation; 4) identifying funding requirements and mechanisms for ongoing efforts in water resources planning in the state. These efforts continue to be helpful in moving Connecticut forward with a statewide water use plan that properly balances competing demands on water resources.

But now, as the state struggles with decisions affecting water allocation because of pending stream flow regulations and climate change issues, it is critical that we make the

development of a statewide water use plan a top priority. A statewide water use plan will ensure that critical water management decisions are based on objective data, science and knowledge. This will help us develop and implement water allocation policies that are balanced and do not undermine the public health, safety and economic development needs of the state. Without a comprehensive state-wide water policy, we will continue to struggle to move forward with balanced regulations affecting water use.

In the last three decades, there have been several studies which have concluded that Connecticut must move forward with a long range water resources plan and adopt a functional means of allocating resources. Most recently, in 2003, the legislature's Program Review & Investigations Committee recommended that the Water Planning Council be required to move forward with long-range water resource planning and that the plan be approved by a **unanimous** vote of the Council. The Water Planning Council is comprised of representatives of DEP, the state Department of Public Health, the state Department of Public Utility Control and the Office of Policy and Management, all of which have cognizance of water resource issues. This recommendation recognized that no one agency should be in a position to exert undue influence over the outcome of a long-range plan. (*Legislative Program Review & Investigations, Streamflow Study, December 2003*)

Moreover, Program Review also recommended that GCS Section 25-33o be amended to require the Water Planning Council to develop and implement a structured approach for water resource planning and allocation, and that the Council collectively identify goals and apportion water among users. Again, Program Review clearly recognized that decisions made regarding the use of the state's water resources must be balanced among competing regulatory priorities and viewpoints.

Connecticut has taken many good steps toward the addressing the need for a water allocation and management plan. **We therefore urge adoption of SB-383 which will help us build on these steps to develop a statewide water use plan.**

PROPOSED SUBSTITUTE LANGUAGE

AN ACT CONCERNING A STATEWIDE WATER USE PLAN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 22a-352 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2010*):

(a) The [Department of Environmental Protection, the Department of Public Health and the Office of Policy and Management, shall establish a continuing planning process and shall prepare and periodically update jointly] Water Planning Council, established pursuant to section 25-33o, shall develop, within available appropriations, a process and implementation schedule that shall be utilized by said council for the development, implementation and periodic update of a state-wide long-range plan for the management of the water resources of the state. Such plan shall establish a method to: Effectively allocate water resources so as to meet the needs and requirements of industry, agriculture and public utilities, and provide sufficient water to sustain aquatic ecosystems, maintain economic development; protect the quality of the ground and surface-water supply; enhance public health, public safety and develop water conservation measures to ensure water demand and supply result in equitable availability through drought and non-drought conditions alike; and properly manage flood control. In [carrying out such preparation the aforesaid agencies] developing such long-range plan, the Water Planning Council shall: (1) Design a unified planning program and budget; (2) coordinate regional water and sewer facilities plans; [and provide technical or financial assistance to regional planning agencies in the preparation of regional water and sewer facilities plans which are necessary as guidelines for the planning and designing of local and interlocal facilities and which are required by the federal government as a prerequisite for grants to municipalities for the construction of certain water and sewer facilities]; (3) seek involvement of interested parties; (4) solicit input from the advisory group established pursuant to section 25-33o of the general statutes; (5) coordinate with the Office of Responsible Growth, established by Executive Order No. 15 of Governor M. Jodi Rell; and (6) integrate individual water utility coordinating committee plans, the state plan of conservation and development, as described in section 16a-30, and any other planning documents deemed necessary by said council.

(b)The [state-wide water resources] plan developed pursuant to subsection (a) of this section shall: (1) Identify the quantities and qualities of water that could be available to specific areas under feasible distribution; (2) identify present and projected demands for water for specific areas; (3) recommend the utilization of the state's water resources, including surface and subsurface water, for their greatest benefits; (4) make recommendations for such major engineering works or special districts which may be necessary, including the need, timing and general cost thereof; (5) recommend land use and other measures where appropriate to insure the desired quality and abundance of water; (6) take into account desired recreational, agricultural, industrial and commercial use of water bodies; (7) inform the people of Connecticut about the importance of water-resource stewardship; (8) foster intergovernmental communication for water conservation and planning; (9) meet data collection and analysis needs so as to continue informed and effective water supply planning; (10) take into account the ecological, environmental and economic impact that implementation of the plan will have on the state; (11) include short and long-range objectives and strategies to effectuate the purposes of this section; and [(7)](12) seek to incorporate regional and local plans and programs for water use and management and plans for water and sewerage facilities in the state-wide plan. Not later than January 1, 2011, the Water Planning Council shall submit such plan and implementation schedule, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to public health, planning and development, the environment, and public utilities for consideration and review by said committees.

[(c)Upon completion of each planning document and when adopted by the Commissioner of Environmental Protection, the Commissioner of Public Health and the Secretary of the Office of Policy and Management, said final plan shall be submitted to the General Assembly.]