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UCAC urges your *support* for SB-1020, An Act Concerning Water Resources and Economic Development, which addresses the following fundamental concerns and puts legislative parameters on the Department of Environmental Protection's proposed stream flow regulations, which have twice been rejected by the Regulations Review Committee:

1. Water Shortages in Some Communities (The Need to Protect Safe Yield) – By imposing strict requirements on public water suppliers and other dam owners to make significant water releases from reservoirs into rivers and streams, DEP's revised stream flow regulations continue to call into question whether some communities will have sufficient water supplies to meet the state's public health, safety and economic development needs. **SB-1020 helps address this concern by providing that the regulations may not jeopardize a public water supplier's safe yield/margin, which will ensure that communities will retain sufficient water supplies to support economic development and meet the public health and safety needs of its citizens.**

2. Uncertainty Regarding the Impact of Proposed Stream Flow Regulations – SB-1020 helps minimize the uncertainty of the potential impact of the proposed regulations on public water suppliers and economic development by requiring DEP to consider the potential impact of compliance on brownfields remediation projects, economic development projects, water rates, adequacy of public water supplies to meet public health and safety needs of the communities served, the water company's ability to maintain an adequate margin of safety, and the anticipated environmental benefits from providing the releases.

3. Negative Impact on Economic Development –The DEP's proposed stream flow regulations give the Department broad authority to dictate land use and economic development decisions in Connecticut, which will have a negative impact on economic growth. Unfortunately, the only recourse that systems with insufficient water supplies have under the revised regulations is to request an extension of time or an alternate release from DEP. To request an extension, a system will have to submit a plan to "manage service growth", which is, in effect, a moratorium on new water service - meaning no new construction or economic development in those service areas. And, an extension of time is only helpful if it is feasible and prudent to develop new sources of supply. **By requiring regulations to be developed in concurrence with other state agencies, SB-1020 ensures that the potential impact of the regulations on economic development will be fully considered. In addition, requiring that diversions in areas of economic significance will be classified in a way that allows for their continued use and exempting compliance where it is not technically feasible or fiscally prudent to develop new sources of supply will minimize the impact of the regulations on economic development.**

4. Uncertainty Regarding the Amount of Water Required to be Released - The regulations require DEP to classify every river and stream in Connecticut based on natural flows and the degree of human alteration. Based on these classifications, public water

suppliers and other dam owners will be required to make certain levels of releases from reservoirs into streams. Because these classifications have not been done, there is no certainty regarding how rivers and streams that are currently used as public water supply sources or which have been identified as future sources of supply will be classified. If a future source of supply or groundwater withdrawal is classified as a Class 1 or Class 2, it is very likely that the amount of water available for public health, safety and economic development needs would be severely diminished. ***SB-1020 addresses this concern by stipulating that streams required for public water supply sources and areas of significance for economic development be classified in a way that allows their continued use to meet those needs.***

5. **Increased State & Municipal Costs -** Recognizing that the state is facing a projected $3.6 billion deficit and the loss of more than 100,000 jobs since 2008, concerns have been raised regarding whether this is the appropriate time to implement a massive new regulatory program that gives DEP broad authority to dictate water policy in a way that is likely to hamper economic growth and, despite DEP's fiscal note, require significant state and municipal funds and resources to implement. ***This bill helps address these concerns by ensuring a more measured, manageable approach to regulating stream flow and by exempting compliance where it is not technically feasible or fiscally prudent.***

The Utility Contractors Association of CT, which is the state chapter of the National Utility Contractors of America. UCAC represents and advocates on behalf of the underground utility and site work construction industry in Connecticut. UCAC is the only trade association in Connecticut that focuses primarily on water and sewer-line work, and other underground utility and site work.

Sincerely,

Faith Gavin Kuhn
UCAC Executive Director