



# Rivers Alliance

of Connecticut

Dear Sen. Gerratana, Rep. Ritter, and Members of the Committee:

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*Rivers Alliance is the statewide, non-profit coalition of river organizations, individuals, and businesses formed to protect and enhance Connecticut's waters by promoting sound water policies, uniting and strengthening the state's many river groups, and educating the public about the importance of water stewardship.*

Thank you for the opportunity to comment on Bill 1203. Rivers Alliance very much supports incorporating more thoroughly and consistently into state, regional, and local planning documents consideration of water resource planning by the Department of Public Health (DPH) and the Department of Environmental Protection (still DEP as of this writing). We also support, with one reservation, the directive to the Commissioner of Public Health in Sec. 2 (line 63) to prepare a list of water sources or potential sources that require protection. Virtually all stakeholders involved with the Water Planning Council have recognized the importance of such a list for water planning. Unfortunately, under current law, advocated by water utilities, this list will not be available to the public. This secrecy significantly reduces the value of the list. Therefore, we ask the Committee to specify that the list will be available to the public. Otherwise, the time and effort needed to prepare the list will be largely wasted, and we would not support mandating the DPH to assign scarce resources to this task.

(Background: The Department of Public Health in December 2010 prepared a list of future water sources in connection with the Water Planning Council's annual report to the legislature. Rivers Alliance requested a copy of this list for planning purposes. The position of the Department of Public Works has been that each water company can make the determination as to whether the public should be able to see what future water sources the utility plans to develop. A number declined to share their plans with the public. Rivers Alliance has challenged this secrecy in an FOI hearing that concluded yesterday. Most likely the secrecy provisions will be upheld.)

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With respect to assuring the quality of bottled water, we are aware that DPH is short of resources to take a lead role. We would like to see consumer protection enhanced by better labeling. We also believe that testing in this and many other areas should include at appropriate intervals, independent, unannounced testing by a qualified technician.

We support the requirement (lines 251-252) that applications for new or expanded sources for public water supply should include evaluation of existing and potential threats of pollution. Again, we urge the Committee to make clear that this evaluation should be available to the public, especially, of course, customers. Similarly, findings by the DPH referenced in lines 263-268 should be made available to the public. Under current law, the state is arguing that information that might harm water utilities can be kept secret (FOI hearing, Rivers Alliance v. Department of Public Works, March 22, 2010).

We strongly support early inclusion of DPH in submission of reports of findings of tests of private wells. Too often the state position has been that private well owners are on their own. Private well owners bear the entire cost of their supply infrastructure and deserve the benefit of any water-safety findings relevant to the water they are using. However, we object to the language in lines 342-349, which restricts collection of water samples to certified or trained technicians. Water laboratories provide test kits to the public. It would be more expensive for each householder to have to pay for a technician to collect samples. Perhaps if results become problematic, there could be second-tier process for verifying the results.

The testing of private wells for pesticides, herbicides, or organic chemical addressed in lines 358-366 is a step forward in public health protection.

We support the concept of streamlining the process for deciding applications for the abandonment of substandard groundwater sources (lines 400-410). However, we would like to see the language protecting the Class I or II lands associated with such wells. The time may come when a community wants or needs to restore use of the abandoned aquifer.

We support the addition of small water systems in lines 459-484, as well as the fees outlined in 498-515. We do not have a view as to whether the dollar figures are set at the most beneficial level.

Thank you for your attention.

Margaret Miner,

Executive Director