

Testimony of Rep. Mary Mushinsky (85th) in Support of SB 807, AAC Water Infrastructure and Conservation, The Department of Public Health, Municipal Reporting Requirements and Unpaid Utility Accounts at Multi-Family Dwellings.

**Before the Energy and Technology Committee
Thursday, February 7, 2013 12:30 p.m. in Room 2D**

The water conservation sections of this bill are long overdue, and I thank the Committee for raising this critical bill. A similar measure recently passed the House but was not taken up in the Senate. The bill is the logical next step in what has been a lengthy process of creating sustainable water resources here in Connecticut. As Program Review & Investigations Committee has reported, the state has sufficient annual rainfall but faces potential water shortages because of insufficient planning and management.

In 1997, Connecticut towns sued each other in competing demands over the waters of the Shepaug River, which sometimes vanished completely, leaving dry stones on the river bottom. The court decided that the state could only regulate stocked rivers, but the legislature was free to address the regulation of other rivers in the future. In 1982, the legislature created the Water Resources Task Force to coordinate inter-agency planning for the state's water. The legislature also established a system of diversion permits in 1982, but grandfathered existing diversions before the introduction of accurate scientific measurement made clear the waters of the state were in some cases over-allocated. This is certainly true in my densely populated district of south central Connecticut's Quinnipiac River basin. It also appears that UConn's water resources are strained, and the shortage is driving that fast-growing institution to seek water from the Farmington River basin on the other side of the state.

In 1996, the Water Allocation Task Force at DEEP looked at the need for accurate data. The legislature in 1998 had the CT DEEP catalogue existing water diversions. In 2001 we created the multi-agency, multi-stakeholder Water Planning Council to craft a more sustainable system. The Program Review and Investigations Committee reported on the historic failure of the state's long range planning for water in their 2003 Streamflow report, and triggered a 5-year effort to pass a Connecticut Streamflow law and adopt final regulations for sharing water in all streams, whether stocked or not, to ensure the survival of rivers and streams that were over allocated. All these actions sought to create a sustainable system to protect the state's water resources for generations to come.

The water conservation sections of this bill, supported by the Department of Energy and Environmental Protection and included in their legislative package this year, will help us invest in water management which will be necessary under the new streamflow regulations to achieve conservation of the state's water resources. The concepts in the bill were reflected in the recent report "*Water Rates and Incentives to Promote Water Conservation*" approved by the State's Water Planning Council.

Under current law, water utilities are punished if they promote efficiency and conservation. But under this proposed legislation, we provide for regulatory policies and ratemaking tools

to encourage water conservation. It encourages adoption of rate structures that would send price signals and offer programs for consumers to promote water conservation while, at the same time, provide financial protection to the water utility by ensuring the rates charged when conservation is achieved meet the established revenue requirements to recover the utility's operating costs.

Contrast this proposed reform with the current system, which encourages continuous water consumption in the hottest, driest part of the year, at the very moment when the recreational public and aquatic life most need water in the state's rivers. Consider that water reserves, skilled water utility staff and equipment must be supported year round even if a temporary rainy period means that customers are not purchasing water for their lawns. Basing rates on water sales alone is inefficient to the operation of a modern utility and destructive to the water resources of the state. It is more proactive to have our utilities invest in the most efficient technology, resource planning and water storage to get us through tough times and provide water for all users: municipalities, businesses, farming, fish & wildlife, and families seeking relief in water recreation on a hot day in August.

Scientists say that climate change, already underway, will continue to increase summer temperatures and cause more erratic precipitation for our Northeast region of the country. Building resilience into our water system now by incorporating efficiency, storage and conservation into the rate structure will benefit all competing users of the system and help us adapt to these significant challenges. Thank you for your leadership on this issue.

- *Water is a finite resource worth preserving and is essential to public health, welfare, and safety.*
- *A goal of water management is to equitably balance competing and conflicting demands on water resources.*
- *Preservation and protection of watercourses is emphasized for the health and benefit of the state's citizens, fish, wildlife, and other aquatic organisms.*
- *An adequate supply of water for domestic, industrial, and recreational use, and for fish and wildlife, is essential.*

--PRI Committee 2003