

Comments on S.B.840

To the Joint Committee on Finance, Revenue and Bonding and the Higher Education Committee:

I appreciate the opportunity to provide written comments on S.B. 840.

In their published comments, Senators Beth Bye and Alan Maynard have raised serious problems relating to the high cost of the proposal and its neglect of other state institutions of higher education. I would like to address another serious problem: the environmental impact of the bill's funding to increase water sources for UCONN.

The UCONN Next Generation bill includes funding to increase water sources for UCONN. Although details of the water project are still ostensibly subject to an Environmental Impact Evaluation process, one finalist among the proposals involves the Metropolitan District Commission building a 17 mile pipeline at taxpayer expense from its water mains in East Hartford to UCONN and Mansfield. The initial proposal is to provide 1.93 million gallons a day (mgd) from the MDC's Barkhamsted Reservoir on the Farmington River and Nepaug Reservoir on its tributary. The 1.93 mgd would further diminish river flows which the DEEP has noted already are so low as to impair riverine habitat.

Worse yet, because the pipeline would run through sparsely developed areas not now served by a public water supply, the risk is that establishing a water main would promote sprawl. The MDC charter requires the MDC to provide water to entities along such a pipeline should they request it. The Council on Environmental Quality has warned that such pipeline-driven development would fly in the face of the State Plan of Conservation and Development. There are no data on how much demand might result and therefore no indication of how much additional pressure would be put on the beleaguered Farmington River.

From the point of view of the Lower Farmington River/Salmon Brook Wild and Scenic Study Committee, which I chair, the issue of development along the pipeline is mainly its potential impact on the mainstem of the Farmington River which we will hope will receive its Wild and Scenic designation this year. In the comments it submitted to the UCONN EIE process, the Study Committee highlighted deep concerns about harm to the river if the MDC/UCONN diversion were pursued.

Eleven Farmington Valley towns expressed their opposition to the MDC diversion proposal because of the potential negative economic, environmental and social impacts of further diminution of already inadequate flows. I have attached their comments so that you can appreciate the extent of community unhappiness. At a public hearing in January, scores of organizations and individuals spoke in opposition to the proposal including Senator Kevin Witkos and Representative John Hampton. No one spoke in favor.

From my personal point of view, and not speaking on behalf of the Study Committee, I would like to see the state legislature require UCONN, which sells water but is not regulated as a water utility, to submit to the regulations of the Department of Public Health like other water utilities. Also, the people of Connecticut need the state legislature to pass funding and enabling legislation for statewide water planning, not merely regional water planning. (Note that although the state legislature called for regional planning in a 1985 law, the Northeast Water Management Region in which UCONN is located still hasn't met to develop a plan.)

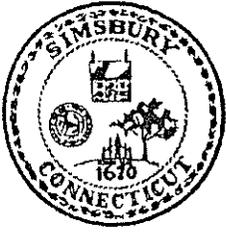
Also, in considering S.B 840, legislators should ask why the technology park that UCONN wants needs to be in Storrs. How about locating it in a town with an adequate water supply and a need for development? UCONN could meet its technology park goal in a way that was environmentally sustainable rather than exacerbating its Storrs water supply problem.

The Farmington Valley towns, in conjunction with the Farmington River Watershed Association and Rivers Alliance have worked very hard to protect the Farmington River. The MDC/UCONN water supply proposal reflects both UCONN's and the MDC's ongoing desire for growth beyond what is sustainable. The MDC says it has "excess" water in its reservoirs. It is encouraged by its charter, granted by the state, to release the excess to sustain the river, but it does not do so. Giving the "excess" water back to the river, rather than exporting it halfway across the state, would address DEEP environmental concerns about lack of flow. Also, as climate change continues to diminish the river's capacity, the MDC could reduce releases to the river to meet its present obligations. If the water were committed to UCONN and untold numbers of customers along the new pipeline, supply to its current customers could be jeopardized. The MDC might say this would never happen, but as Caleb Saville, the MDC's legendary engineer, wrote, "In water works... *never* is a comparatively short time".

Most of the Farmington Valley towns receive no benefit at all from the MDC system which provides water to much of the greater Hartford area. Nor are the Valley towns represented on its Board of Commissioners. We rely on our river too, for recreation and the associated income as well as quality of life, for wildlife, for waste water assimilation and for irrigating farm fields. As you consider S.B. 840, please keep in mind that UCONN's growth should not occur at the expense of the health of the Farmington River or of the economic and environmental well-being of the Farmington Valley towns.

Sincerely,

Sally Rieger
9 Stodmor Rd.
Simsbury, CT 06070



Town of Simsbury

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SIMSBURY, CONNECTICUT 06070

Mary A. Glassman - First Selectman

January 22, 2013

Mr. Jason M. Coite
University of Connecticut
Office of Environmental Policy
31 LeDoyt Road, U-3055
Storrs, CT 06269-3055

Dear Mr. Coite,

As the municipal leaders of the Farmington Valley towns, we would like to express our appreciation to the University of Connecticut for agreeing to extend the comment period and for holding this hearing tonight on the Metropolitan District Commission plan to divert water from the Farmington River watershed to supply the growing needs of the Storrs campus. We appreciate the openness of the process.

We also write to express our serious concerns regarding the MDC proposal to take water from the Nepaug and Barkhamsted reservoirs and, as stated in the MC strategic plan, to tap the west branch of the Farmington River if needed. We believe this plan will have an adverse impact on the residents of the Farmington Valley. While we support the water resource needs of the Storrs-Mansfield region, we believe that better and cheaper alternatives to the MDC proposal exist. We also believe that a long term plan should be in place prior to the installation of a 20-mile pipe.

As you may know, the towns in the Farmington Valley and the Capitol Region work very hard to plan and to act on a regional basis. In contrast, the UConn-MDC proposal seeks a massive transfer of resources from one part of the state to another without any thought-through and agreed-to plan.

In its comments to UCONN, the state Council on Environmental Quality asked, "What is the plan that the proposed project supports?" The Council found that it was "not clear as to what, if any, regional water plan this project advances" and observed that it "has long been established in state policy that major expansions of service areas should not be conducted project by project, for economic and environmental reasons, but should be conducted to further well-conceived regional plans."

We respectfully submit that the water needs of UConn-Storrs and Mansfield should be done in the context of a state plan to address regional water needs and not as a reactive quick-fix. The MDC plan should not be implemented before a regional analysis and impact study have been completed.

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Second, we are concerned that the UConn-MDC proposal would have severe environmental effects on the Farmington River based on the proposal to install a 20-mile pipeline.

The law provides that MDC must "supply water to any inhabitants of the towns through which the line of main pipes ...shall pass". Thus, the MDC proposal would expand its public water service to each of the towns between East Hartford and Mansfield. That would bring development pressures of the very sort that the draft State Conservation and Development Policies Plan for 2013-2018 sought to avoid. And this to an area much of which is classified by the present State Plan of Conservation and Development as no-build or low development.

Third, we are concerned that the UConn-MDC proposal is inconsistent with the State Plan of Conservation and Development. The official Council on Environmental Quality emphasized that the Plan of Conservation and Development is not merely a technicality, noting: "The Council is not aware of any provisions in statute that would allow an agency to implement an infrastructure project that is not in conformance with the State Plan."

Fourth, we suggest that UConn's Environmental Impact Evaluation, the "EIE", is not a sufficient basis for decision making.

We know that seven towns could be added to the MDC service area, but the EIE does not begin to try to calculate how much water demand would result.

Even so, the EIE assures us that there is plenty of extra water in the Farmington River, but it does so in reliance on a study of water flows in the West Branch of the Farmington based on flows from 1970 to 1990. Recent experience has shown this data to be obsolete. DEEP staff commented in Simsbury Patch in September 2012 that the water in the Farmington was both low and abnormally warm this past summer, negatively impacting fishing and fish habitat. Businesses such as tubing also suffered declines according to the report.

The National Park Service looked at the EIE, because its review would be required before any federal government permits or other involvement such as funding. The National Park Service comments to UConn basically said that there was not enough clearly stated pertinent information in the EIE to permit them to properly evaluate it.

Finally, the Farmington River is already under stress and the MDC proposal would only exacerbate the situation. The Farmington River is an important resource for fisheries, canoeing, kayaking and tubing as well as an important process for municipal sewage treatment plants. The upper River is currently designated "Wild and Scenic" with the designation currently pending for the lower River.

The UCONN-MDC assertion that there is excess water in the Farmington does not ring true with those of us who know the river. Trout fishing was suspended last year as low water levels and high water temperatures threatened fish survival, even though weather conditions were not unusual enough to be classified as a drought. We have read that the MDC has to make cash payments to the operator of Rainbow Dam because it cannot meet its contractual commitment to deliver water for hydroelectric generation.

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Climate change has already taken a toll on the river, and this is not a time to take away more water and thus make it more vulnerable to the additional climate change challenges that we know are coming our way.

The bottom line for the residents of the Farmington Valley is that the MDC proposal is not supported by proper planning, proper scientific and economic analysis and violates state environmental policy. We urge you to pursue preferred alternatives to address the needs of the University of Connecticut. We also request that if further analysis of the MCD option is pursued, the public should be given additional opportunity to comment on any new information.

We look forward to working with you on this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary A. Glassman", with a long horizontal flourish extending to the right.

Mary A. Glassman

On behalf of:

Brandon Robertson, Avon Town Manager
Kathleen Egan, Farmington Town Manager
Jeffrey Hogan, Chairman, Farmington Town Council
Richard Barlow, Canton First Selectman
Donald Stein, Barkhamsted First Selectman
William Smith, Granby Town Manager
James Hayden, East Granby First Selectman
Thomas McKeon, Colebrook First Selectman
Theodore Shafer, Burlington First Selectman
Dan Jerram, New Hartford First Selectman

RESOLUTION – Regarding the Farmington River Watershed and MDC Proposal to Supply Water to The University of Connecticut

WHEREAS, the scenic, recreational, commercial, and natural resources of the Farmington River are of major significance to the Town of Bloomfield and its citizens and should not be put in potential jeopardy; and

WHEREAS, the Farmington River is already under stress from low water flow and higher temperatures; and

WHEREAS, the Metropolitan District (MDC) has proposed to construct 17 miles of pipeline and pumping stations to deliver water from the Farmington River Watershed (Connecticut River Basin) to Storrs/Mansfield (Thames River Basin) to service The University of Connecticut and Town of Mansfield; and

WHEREAS, the proposed MDC expansion, by advancing an interbasin water transfer, is contrary to the Regional Plan of Conservation and Development of the Capital Region Council of Governments; and

WHEREAS, it is unclear whether the MDC, as a regional non-profit company tasked to supply clean water to its eight member towns (including Bloomfield), should be involved in a massive infrastructural development in the eastern part of the state, outside its service area and outside the Connecticut River Basin; and

WHEREAS, officials with the towns of Farmington, Simsbury, Canton, and Valley towns have all voiced serious objections to the MDC plan; and

WHEREAS, Bloomfield's Conservation, Energy, and Environment Committee (CEEC) unanimously opposes the MDC plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Bloomfield hereby declares that the Farmington River is a natural resource to value and respect and joins with our sister communities in the Watershed to call for re-evaluation of the proposed MDC expansion, restraint on the transfer of Farmington River Watershed water outside the Watershed and Connecticut River Basin, and the need for comprehensive state-wide water planning and regulation.