



CONNECTICUT RIVER WATERSHED COUNCIL

The River Connects Us

deKoven House; 27 Washington Street; Middletown, CT 06457

March 7, 2014

Written Testimony of the Connecticut River Watershed Council on HB 5424

To: Co-chairs of the Environment Committee, Sen. Ed Meyer and Rep. Linda Gentile
& Committee members

I am submitting comments in support of the intention of HB 5424 on behalf of the Connecticut River Watershed Council (CRWC). CRWC is a nonprofit organization established in 1952 to advocate for the sustainable use of the Connecticut River throughout the entire four-state watershed that is home to more than 2.5 million people. We work to conserve, protect and restore water quality and quantity, habitat and recreational access. Our work informs our vision of both ecological and economic abundance, and we enjoy stewarding resources that enhance the quality of life of watershed residents.

As the Lower River Steward, I regularly comment on planned development, permitted activities and standards affecting the health of the watershed. In this case we appreciate the work of the Committee on a bill that attempts to move state water planning forward. As threats of drought necessitate conservation strategies in the Midwest, New England's abundant water resources call us to the special responsibility of conscious stewarding of their quality and use. Getting ahead of this is unequivocally a matter of public, environmental and economic health, and this effort should be adequately funded. We are eager to see this process reinvigorated with specificity, resources and an equitable, efficacious structure.

Here are our suggestions:

- 1. This bill should be amended to reflect the Department of Energy and Environmental Protection (DEEP) as have equal standing with other agencies. The protection of the integrity of surface, ground and treated wastewaters needs to be placed at a higher value with amended language in this bill.**
 - Section 8 allocates \$500,000 to OPM and \$1,000,000 to DPH for staffing and consultant services, respectively. DPH is further given authority over bonds and grants, etc. Although line 204 adds "and environmental protection" to DPH's overseeing of water system plans, the placement of this and the disproportionate authority given to respective agencies is not substantive enough to ensure that environmental protection is actively valued equally with public health and other considerations. Needed financial support and authority must be administered equitably so that all concerns are given official merit. There is a role to play for DPH, OPM, DEEP and diverse stakeholders, and we support River's Alliance statement: "At this time, it is more important to integrate decision-making than to elevate one WPC agency above the others."
 - Section (b) should be amended to include the following as a required component of a state water plan: "uphold CT's Water Quality Standards and the protection of the physical, chemical and biological integrity of our waters."

2. **The development of the state water plan and an associated action plan for resource stewardship should be managed by cooperating WPC agencies, but increasingly collaborative in nature.**
 - Please amend bill language to direct the WPC to actively consult with diverse stakeholders across the state such as USGS, NGOs, universities, wastewater operators, natural resource or low impact development specialists, justice and neighborhood groups when developing the state water plan. Early communication will lead to a richer plan that is more readily embraced, and such individuals/ groups will bring valuable on the ground knowledge of water resources and capacity when it comes to connecting with the public. This consultation should be active, direct and done prior to the public hearing process.

3. **This bill should be amended so as not to presuppose that the WUCC structure will be the structure with which the WPC continues, but it should be an evaluated option.**

Though the Water Planning process to date has not seen all WUCCs able to meet and plan, this has been partially due to the process being under resourced, and the output of the WUCC plans that have been produced should be evaluated and integrated into the state plan by the WPC. These plans can provide important info, such as identifying future water supply needs and should be integrated in a balanced way with other considerations. With a focus on sustainability and efficacy the WPC should thoroughly evaluate the strengths and weakness of the existing WUCC structure before deciding to abandon, retain or modify it.

4. **We need a state water supply plan with teeth.** We agree with Rivers Alliance about the need to guarantee that the to-be-developed state water supply plan be of greater meaningful use than water supply plans which are currently “required to be written but not required to be implemented.” If this plan has no greater bearing, then it is just an exercise.

5. **We agree with Rivers Alliance on two points made in prepared testimony: both “education is always good but not good enough,” and there is a need for a state action plan to implement water-resource stewardship.**
 - To the former point, just as energy efficiency is sharing the stage with a conversation on renewables, so *water efficiency* should become a formalized consideration when designing or repairing our buildings. In this way the conservation effort is not always dependent on the consumer, whose behavior is less predictable. Please include a reference to water efficiency in section b (9).
 - To the latter, we encourage a water planning structure that extends voting rights to the environmental community. I was recently one of four environmental nonprofit representatives at a WUCC coordinating meeting in January 2014. We work directly with communities and want to be a part of the conversation.

6. **Droughts should be planned for *before* a drought takes place.** A few years ago I participated as an advocate in the Pomperaug River Watershed Council’s Drought simulation exercise that elucidated a comprehensive lack of community preparedness. Please amend the bill language to direct the WPC to facilitate *pre-emergency* regional/ municipal preparedness.

7. **Inter-basin transfers should be the exception, but requests should be anticipated.**
 - Please include the following language in this bill: water suppliers can only provide for interbasin transfers if such customers demonstrate a commitment to maximizing water conservation at a threshold to be determined by the WPC. During UCONN’s search for

additional water supply, two of three preferred alternatives were proposed diversions from important subwatersheds of the larger Connecticut River system. As such, we are well aware of the concerns, questions and confusion that a lack of water planning can incite in the face of tough decisions. This was one example of many reasons why state water planning is essential to move forward actively. We expounded upon this in our letter on UCONN's EIE, but ideally inter-basin transfers are the exception and the layers of implications comprehensively considered via a structure capable of this level of analysis.

8. Line 195 should read his "or her" approval.

There is broad-based momentum in support of moving forward with statewide water planning. We are willing to take an active part in collaboratively developing a substantive and sustainable path to waters that are able to support vibrant human, aquatic, terrestrial and community life.

Thank you for your time and consideration of our testimony.

Sincerely,

A handwritten signature in cursive script that reads "Jacqueline Talbot".

Jacqueline Talbot
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