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Support for Substitute SB 422

Dear Planning and Development Committee,

I hereby would like to give you my written testimony in support of SB 422.

We have a problem in our town with Niagara, trying to open a water bottling company. Bloomfield currently is a beautiful town full of wetlands and amazing wildlife, we have coyotes, deer, bear, wild turkey etc. This would also affect our neighboring MDC towns. How can Bloomfield Mayor and town council make this decision without consulting with them?

Niagara has some very questionable business practices one of them being that they never really fully reveal themselves until the 11th hour when everything is ready to be signed. That is what happened in our case except we found out our mayor knew who she was dealing with as far back as 2014.

One of our main concerns is that Niagara's contract contains a clause that would not allow the township to lower Niagara's water usage in times of drought.

What happens when they try is that the township gets sued by Niagara. This has happened in other towns all over the country already, so it is not like we are entering this contract unknowingly. And here is a list of some of our other concerns, we never got them answered since our town council and mayor rushed this through and have been rather unresponsive to our concerns in general. Here are some example of Niagara suing:

http://www.thursdayreview.com/BattlesBottledWater.html

http://articles.orlandosentinel.com/2009-04-05/news/lritchie05_1_minkoff-lake-county-niagara

The MDC is currently representing that it has no ability to deny any request for water- if the capacity is available, it can be had. This MDC decision is purely administrative, with no vote or board decision required and no state oversight. ? True. Would the Niagara plant be allowed to

expand even further simply by requesting more water? Why are they giving discounts to a super user and raising residents' rates? They should encourage conservation instead of award high volume usage.

Obviously, the Niagara plan represents a large transfer of water not simply to a different watershed (a la the recent UCONN pipeline proposal), but out of the CT watershed completely (a la Boston). Are there hydro-logic models which accurately predict what that does to a water system over a period of years? Unlike irrigating with water, using it for bathing,or cooking- where it returns to the watershed after use- this model completely EXTRACTS the water. For example, if I take 4% of my savings out of my IRA each year and then there is a stock market crash (i.e. drought)- will the account still be sufficient? And Niagara's contract does not allow us to limit their use, even times of drought. Why is our town council protecting Niagara's interest and not concerning themselves with the best interest of their resident, as their position dictates them to do. If they are so proud of this deal and stand behind it and support and believe in it, why was it done in such a deceptive way. Canceling town hall meetings and not disclosing that they had signed the contract are just some of the tactics they use. You just have request Mayor Gambles emails,there's plenty of evidence in their context to proof the planned deception. In my opinion this contract loses its validity, since neither Mayor Gamble nor the town council acted in the best interest of their residents and willfully hid this business transaction from US, the residents they are supposed to represent. Instead they sided with Niagara and took instructions to build an alliance against us. So in my eyes, the contract was signed in their capacity as mayor, councilmen etc. but since they did not act in that manner, this makes the contract invalid. And I hope there will be repercussions for this sort of deceptive behavior on their behalf.

Here is a town looking out for its' residents best interest:

http://therivardreport.com/city-says-no-thanks-to-niagara-water-bottling-deal/

Niagara would be the single largest industrial user in the MDC watershed (1.8M gallons for Niagara; 2M gallons for ALL the rest of the industrial capacity), representing 8% of its current excess capacity. Is there oversight in place as to how this effects development in other MDC areas? This is why we need a committee overlooking the MDC and regulating it better, their job is NOT to sell water.

The MDC has appropriated an $8M bond for the design and construction of a transmission main extension to Woodland Ave in Bloomfield- site of the Niagara plant. Is this bond financed with state or federal dollars (i.e. Drinking Water Obligations). Will MDC rate payers be financing any part? Has it already been approved for this purpose? My understanding is that the MDC can supply ~ half of the 1.8M capacity with current

infrastructure, but needs additional infrastructure to fully support the plant's proposed 4 bottling lines.

The MDC changed its ordinances to provide discounts to the water and sewer rates for this large industrial super-user. As the Clean Water Project was established via a federal consent decree and a CT DEEP consent, and has been funded with state and federal monies, is discounting the special sewer charge for a private industry allowable? Please rescind these, we the residents paid for this infrastructure and they don't get to just come in and use and abuse our infrastructure and squander our water away.

I understand the state water plan, due out in Jan 2017, is in its design phase. Are the hydro-logic studies upon which the MDC bases its projections still dated back to 1998? Has there been any updating to consider climate change and more recent hydro-logic change?

Does the most recent MDC Water Supply Plan contain any provision for such a large industrial user? If not, does the DPH require further studies before such a project is underway?

The MDC is currently representing that it has no ability to prioritize any type of user during a drought and that the DPH would not intervene to mandate industrial users cut back until reservoirs are at 10% of capacity. ?True. Many citizens are concerned that 1.8M gallon/day could be used to export water out-of-state while residents are under significant restrictions.

I believe that HB 5424 and Public Act 14-163 from 2014 section (b) includes consideration of climate resiliency as well as the environmental and recreational needs of the state. Will the state water plan include research and recommendations specifically aimed at water bottling companies and transfer of state water resources out of state?

I would urge you to **Impose a moratorium on any new large capacity agreements** until the State Water Plan is completed and addresses the issue of water bottling companies diverting water out of our watersheds.

Sincerely,

Ayse Ozkaya

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