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Public Hearing Friday March 11, 2016

Support for S.B. 422- with revisions!
An Act Concerning Residential Water Rates, Public Drinking Water Supply Emergencies and Sellers of Bottles Water

Dear Senator Cathy Osten, Representative Philip Miller, and Planning and Development Committee Members:

I'm deeply concerned about protecting Connecticut's water resources. I've read alarming stories about what has happened when large water bottling companies have come into states and essentially plundered their waters for profit. The CEO of Nestle, Tim Brown, stated in May 2015 that the company would "absolutely not" stop bottling in California and would actually like to "increase" the amount of ground water it uses, despite California's crippling (and unanticipated) drought. The city of Groveland, FL sued to try to limit Niagara's water extraction from its municipal supplies while it was facing drought restrictions, and lost an expensive suit. Please look at what's gone on in Fryeburg, ME or in Mecosta, MI, where long-running legal battles have ensued over drained aquifers and environmental damage caused by these companies.

Water bottling companies are not the kind of economic development we need in CT. They extract large amounts of a limited, valuable resource, bottle it in millions upon millions of environmentally damaging plastic bottles (most of which are never recycled and wind up in our landfills and water bodies), and send most virtually unchanged out of state for significant profit. Don't be fooled by the description of Niagara as a "family business". It has 19 plants, is expanding internationally, and has plans to supersede Nestle as the world's largest water bottler. Niagara's representative in their Dec 14th Bloomfield presentation, stated that they were targeting markets in Boston with their Bloomfield plant. You'll notice that in the "fact" sheet they sent each legislator, they carefully evade answering the question of where their Bloomfield water will go, simply stating it "won't be sold across the country" (economically the transport of water makes sense over 300-400 miles). In addition to accessing large quantities of our MDC water, they plan to "harvest" large amounts of water from CT springs. Nearby agricultural land or community or residential wells could easily be impacted.

Water Bottlers are capitalizing on a loophole that currently exists in Connecticut's as yet fractured state water policy. Other significant water diversions from one watershed to another via pipes require diversion permits. As water bottlers are putting the water on trucks and sending it to another watershed, they escape scrutiny. Our State Water Plan is in development currently, and due out next year. Please put a moratorium on all large water capacity agreements until we have a comprehensive plan. Let's do whatever we can to stop this unwise use of a resource CT residents are CONSERVING!

The MDC continues to guarantee that we have enough water and always will. But their “safe yields” were developed from data in the 1990’s and have not been updated, nor have they taken into consideration climate change. Their own engineer stated at the recent MDC public hearing on February 24th, that they really didn’t know what climate change would do to CT’s water supply. It is striking to me that after a dry spring, summer, and fall in 2015, some of our state reservoirs were down below 80% and even the MDC- with all its surplus water- had levels at only 85% of capacity. That’s just 3 seasons of drought, not a multi-year event. If, as they say, our water consumption has fallen by 25% from 62M gallons/day to 49M gallon/day since 1988, why are our reservoirs *ever* less than 100% full?

Another confusing MDC fact is that they represent that they need to “sell water” in order to pay off infrastructure debt. However, the MDC will be *expanding* its infrastructure to serve Niagara, with \$13M in bonding (\$8M this year and \$5M next year) to extend a water transmission main from Burr Rd to Woodland Ave. in Bloomfield, the site of the Niagara plant. This will be paid for by MDC ratepayers and NOT by Niagara. There is no need to establish this large water main except for this huge expansion in demand. The Great Pond Development in Windsor, for which this project was initially designed never materialized.

The MDC states that it has no control over who gets water in its area. Yet it discreetly- and without public scrutiny- negotiated unprecedented water and special sewer charge discounts which will *only* benefit Niagara, slated to be the largest water consumer in the entire MDC service territory. This will essentially advertise open season on CT's water, which no one may be able to stop. Residents have paid for years and conserved for years to build MDC infrastructure, maintain clean water, and protect water reserves. Giving all this away to an out-of-state corporation is *poor* public policy and represents an economic injustice.

Finally, it’s completely unreasonable to allow any water bottling company to continue to extract large quantities of water and send it out of state while we are in *any* level of drought. Residents will be asked to cut down on water use right away. Meanwhile, Niagara will have license to continue to consume large quantities of water until our reservoirs are at 10% capacity! UNWISE!

- With the declaration of any level of Drought Advisory, Watch, Warning, or Emergency, water export out of state by water bottling companies should be prohibited.
- Water rates for water bottling companies should NOT be discounted over consumer rates
- Special Sewer Charge rate (Clean Water Project rates) for water bottlers should NOT be discounted over resident rates.
- There should be a moratorium on all water capacity letters of over 250,000 gallons/day until the State Water Plan is completed.
- Water diversion permits should be required for transport of over 50,000 gallons/day of water out of a watershed by truck.

I strongly support a revised SB 422. The bill as raised requires revision:

1. Section 1 should be directed at water bottling companies exporting water out of state: “...**the sale of water to residential consumers be prioritized over the sale of water to commercial water bottling entities exporting water out of state for the duration of the drinking water supply emergency.**”
2. The language of Section 2 does not currently represent the intent of the bill- it should state that: **Notwithstanding any provisions of the general statutes or any charter or special act, no municipality or entity shall charge the holder of a license for the business of bottling water issued pursuant to section 21a-136 of the general statutes a water rate less than any other consumer for the sale of water.**
3. The language of Section 3 needs to deal with the discounted Special Sewer Charges (now known as the Clean Water Project Charges), not simply “sewer rates”:...”**pursuant to section 21a-136 of the general statutes a Clean water Project Charge (formerly known as a Special Sewer Service Charge) rate less than the residential consumer Clean Water Project Charge rate charged by such municipality or entity.**
4. Re-establish a citizen watchdog committee for the MDC
5. Place a moratorium on any new water capacity agreements over 250,000 gallons/day until the State Water Plan is completed and enacted. Require a water diversion permit for water transfers over 50,000 gallons/day out of watersheds by truck.

Thank you for considering my view on this crucial environmental issue.