

South Central Connecticut Regional Water Authority
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Testimony to the Public Health Committee

February 24, 2016

HB 5263- AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS ON DISCLOSURE OF WATER PLAN INFORMATION

The South Central Connecticut Regional Water Authority (RWA) is a non-profit, public corporation and political subdivision of the state. Our mission is to provide our customers with high quality water at a reasonable cost while promoting the preservation of watershed land and aquifers. We provide approximately 45 million gallons of water per day to almost 430,000 consumers in our region. The source of this water is a system of watershed and aquifer areas that cover about 120 square miles within 24 municipalities. Much of our 27,000 acres of land is managed for watershed protection, timber resource conservation, wildlife habitat, open space, education, and research.

The South Central Connecticut Regional Water Authority appreciates the opportunity to provide comments to the Public Health in support of **Raised Bill 5263 - AN ACT CONCERNING THE DEPARTMENT OF PUBLIC HEALTH'S RECOMMENDATIONS ON DISCLOSURE OF WATER PLAN INFORMATION.**

HB 5263 provides needed clarification of Connecticut FOIA exemptions for water utility data and information. Following the events of September 11, 2001, Connecticut water utilities and government agencies focused their efforts on enhancing the security of the state's public drinking water systems. Legislation enacted in response included Public Act 03-6, which defined types of water company information exempt from disclosure under FOIA.

Since the passage of PA 03-6, tools have been developed to better outline potential threats. In 2008, the US Environmental Protection Agency (EPA) and the American Water Works Research Association (AWWARF, now known as the Water Research Foundation), published *Identifying and Managing Potentially Sensitive Water Utility Information: A Decision Guide*, and its companion document *Critical Information Policies for Water Utilities*. These documents serve as valuable tools that water utilities and state agencies can use as guidance when deciding whether to release, withhold, or restrict requested information. We recommend that the use of the Decision Guide be incorporated into HB 5263 to help expedite the decision-making process on whether to release certain information and while enhancing the security level of sensitive information.

HB 5263 proposes to lessen what has become a burdensome process for state agencies, the public, and water utilities regarding the review and redaction of certain water company records requested under FOIA.

Specifically, it makes clear that water quality reports, information concerning a water company's margin of safety, the amount of available water, and safe yield are *not* exempt from disclosure. We believe this is a realistic and practical approach.

Additionally, available resources should focus on the present threats to water systems, such as cyberterrorism, climate change, drought, nonpoint source pollution, and aging infrastructure, rather than to divert attention toward debating, reviewing, and redacting information where the actual security risk is likely to be negligible. Time and dollars would be more wisely invested in increased funding opportunities for water utilities to use for security upgrades, and expansion of the Drinking Water State Revolving Fund.

Further, sharing the aforementioned information will have a clear public benefit, including source water protection, and overall management of Connecticut's water resources, including the current effort to develop a State Water Plan under PA-163.

The RWA welcomes the opportunity to be involved with future discussions on this topic. If you have additional questions please contact, Lori Vitagliano, RWA Government Relations Specialist at 203-401-2720 or lvitagliano@rwater.com