



TO: Sen. Terry B. Gerratana and Rep. Matthew Ritter, Chairmen,
And Honorary Members of the Public Health Committee

Testimony from Rivers Alliance of Connecticut
Public Hearing, March 7, 2016, on
RB 300 AAC New Britain Water Company Land

Rivers Alliance of Connecticut is a statewide non-profit organization, founded in 1992, as a coalition of river organizations, other conservation non-profits, individuals, and businesses working to protect and enhance Connecticut's rivers, streams, aquifers, lakes, and estuaries. We promote sound water policies and water stewardship through education and assistance at the local, regional, and state levels.

We strongly oppose this bill because it would allow rock mining for some 40 years in highly protected public drinking-water land. This project was first proposed to legislators in 2007-08; a bill passed and was eventually repealed. This year, to the credit of Tilcon and New Britain, the proposal has been made in a timely manner so that there can be full public discussion. It is also slightly improved in some details, but the basic problem remains the same.

New Britain wishes to lease to Tilcon about 131 acres that it owns in Plainville. Of this property, about 100 acres are Class I and Class II land (with Class II accounting for about 90 percent of what's protected). Class I and II are defined as land owned by a water company and that recharges a public drinking water source. In state law and policy, this land holds the highest priority for protection (CGS § 25-37c), closely followed by similar but privately owned source-water land. (I have occasion to observe how seriously this protection is regarded through service on the state's review board for its open-space acquisition program and also service on the Water Planning Council's workgroup on watershed lands.)

Almost any sort of activity on Class I or II requires approval from the Department of Public Health (DPH) for a change of use. Such approval is hard to come by. New Britain and Tilcon are here today because DPH advised them that it could not grant such approval but that the legislature could.

Rock mining essentially strips away the soil and natural vegetation in the quarry area. But the best protection for water quality is naturally vegetated open space. So how can it be argued that this project will benefit the public trust in source water? The response of the bill's proponents is that Tilcon will, under a binding agreement, transform the quarried out area into a storage reservoir for drinking water. They maintain that a new surface-water source is very likely to be needed in the future in the New Britain

water company service region and beyond. This is an extremely complex issue. Is demand actually increasing? Is a surface-water source the best response? What about well fields and interconnections? What infrastructure changes are needed to implement this idea? This water is in trust for *all* the public -- will that be reflected in the benefits offered?

Fortunately, in PA 14-163, the General Assembly directed the Water Planning Council to create a comprehensive plan for all the state's waters. This is exactly the kind of issue that should be addressed in the context of the state's water plan. There is no water emergency at this time that would justify the dramatic abandonment of precedent and extensive destruction of vegetation and soil that this bill would permit.

Thank you for your attention.

Margaret Miner, Executive Director

Rivers Alliance of Connecticut, Litchfield CT