

I support HB 7221:

Testimony in SUPPORT of HB 7221

An act concerning access to water planning information.

ALERT!!! TESTIMONY NEEDED FOR WATER-COMPANY TRANSPARENCY

ROLL BACK WATER COMPANY SECRECY

BILL 7221 AAC ACCESS TO WATER PLANNING INFORMATION restores the public's right to know how much water is controlled by water companies, the location and quality of particular water sources, and how much water can be safely moved from one source to another place (such as a community in need of clean water).

The public hearing is Monday, March 13, at 10:30 a.m., before the Public Health Committee, at Room 1D in the Legislative Office Building. Submit testimony electronically to phtestimony@cga.ct.gov before Sunday or bring 10 copies to the Committee at the Legislative Office Building before 9 a.m., which is when sign up begins if those who want to speak at the hearing.

The chairmen of the committee are Rep. Jonathan Steinberg, Sen. Terry Gerratana, and Sen. Heather Bond Somers. A simple message is adequate:

Please pass Bill 7221 so that the public can have access to the data needed for water planning.

Call or email Rivers Alliance if you have questions.

rivers@riversalliance.org 860-361-9349

Included below is 1) An explanation of how water secrecy developed; 2) An explanation of what their bill does; and 3) followed by an example of redaction of water information.

1. Since 2003, water utilities (and only water utilities) have held unique legal rights and privilege to withhold vital information from the public. A request for water company information may take many months to be honored, and then the document delivered can be dramatically redacted, rendering it nearly useless. See below for an example of redaction. The stated purpose of three water-secrecy laws that passed in 2002-2003 (the last one in a budget implementer) was to guard against terrorist attacks. Maps were supposed to be blurred to hide the location of reservoirs; data on which well in a wellfield

was pulling water out of a stream had to be redacted. As the years passed, many knowledgeable people came to feel that putting public resources into an effort to hide reservoirs was not a good use of public money. Redactions have shrunk somewhat, but as one Department of Public Health staffer acknowledged: "We're showing you [Rivers Alliance and others] a lot except what you really need." What we need to do statewide water planning is data on how much water is where. It's pretty simple. We do not need to know anything about a utility's security technology or procedures.

Last year, in negotiations led by the governor's office, progress was made toward an agreement balancing planning and security. The negotiations broke down as utilities continued to worry that there might be some item that they ought to keep secret that they were overlooking (after more than ten years of studying security precautions). More serious, the negotiations prompted one of the state's leading water utilities, the Metropolitan District Commission, to turn to federal Homeland Security Officials in Washington D.C. to obtain blanket permission to keep secret everything in its water supply plan. The supply plan is the compendium of utility documents covering all aspects of its authorities, resources, and intentions.

2. What Bill 7221 does is to remove references to water companies from the section of the FOIA that allows exemptions for security reasons, and to move water company exemptions into a separate section. This provides better clarity and opportunity for water company security measures. Here is a link to the bill.

<https://www.cga.ct.gov/2017/TOB/h/2017HB-07221-R00-HB.htm>

3. Here's an example of the kind of redaction that's being done under current law. The document, which we requested was a 2007 study by Lenard Engineering for the City of New Britain titled: Impact of Proposed Tilcon Quarry Reservoir on System Safe Yield. It was heavily and often inexplicably redacted. Such redactions are still legal today. We need a to pass Bill 7221