



**For the Environment Committee
Testimony of Alicea Charamut, River Steward
March 14, 2018**

Since 1952, the Connecticut River Conservancy (formerly the Connecticut River Watershed Council) has worked to protect your rivers from source to sea so everyone can enjoy them. Our rivers belong to all of us. We are their voice. This means we find environmental problems and fix them, across all four river states. We run community river cleanups. We remove deadbeat dams. We plant trees. We protect and restore wildlife. We speak up on behalf of your rivers.

Support RB 109 – An Act Concerning the Protection of Connecticut Water, Air and Natural Resources

CRC supports an increase for fines for water, air and natural resources pollution, including, but not limited to, littering in order to protect the state's natural resources provided that these fines and fees are invested in DEEP programs protect our natural resources and prevent pollution.

Oppose RB 342 – An Act Concerning the Threshold for the Department of Energy and Environmental Protection's Review of Alternative Treatment Septic Systems

First and foremost, DEEP has established a threshold of 5,000 gallons because it has determined that effluent levels below this threshold would not be harmful to our water resources. Unless peer-reviewed scientific data has been presented to this committee that every member has thoroughly studied and understands, it is best to leave the determination of thresholds and criteria to the professionals at DEEP.

Furthermore, in his testimony on HB6332 which was a similar bill proposed during the 2017 session, DPH Commissioner Raul Pino stated that, "Public Act 07-231 transferred jurisdiction over alternative sewage treatment systems with a capacity of 5,000 GPD or less from DEEP to DPH once the DPH commissioner establishes and defines discharge categories for these systems. However, no resources were allocated to DPH to develop regulations and to implement oversight of the alternative systems. As a result jurisdiction over alternative sewage treatment systems remains with DEEP." DPH has yet to develop these regulations and, therefore, not prepared to implement oversight. Raising the threshold for jurisdiction at this juncture does not make sense.

Strongly Opposes RB 427 – An Act Concerning Public Trust Components of the State Water Plan

This change in the foundational doctrine meant to ensure that we manage our resources in a responsible and sustainable manner for the good of all Connecticut residents would be a step toward Western style water law.

In the state of Texas, a landowner owns all the water under their land. This is a typical in Western states. The vast land of the Panhandle and Llano Estacado are primarily used for agriculture and ranchlands. The water used to irrigate these lands comes primarily from the Ogallala Aquifer which is being depleted at a rate faster than it can be replenished. So much depends on this aquifer. In addition to providing drinking water to 83% of inhabitants who live in the portion of the eight states of which the Ogallala Aquifer spans, it is responsible for \$20 billion dollars a year in food and fiber production. Depletion of this once seemingly endless water resource could result in famine and economic collapse. Yet solutions are slow and difficult to implement due to laws that favor the individual's rights over sustaining a limited resource for the good of the public and, as in this instance, local, state and national economies. In 2012, a local Groundwater Conservation District in the Llano Estacado region required metering on new wells and limited the amount of water that could be pumped from individual wells in order to better manage the rate of aquifer depletion within their jurisdiction. The measure was eventually implemented but not without the threat of lawsuits from local farmers – which they very well could have won based on a February 2012 Texas Supreme Court ruling that landowners own the water beneath their land and may seek compensation if government regulations limit their access to it.

While the land and aquifers here in Connecticut are a fraction of the scale of Texas, this very situation could occur in our “water rich” state in a year, a decade or four decades from now if we make this move toward this style of water rights. Do we really want to limit the ability of DPH to protect the quality and availability of drinking water of our citizens and DEEP to ensure we have adequate amounts of groundwater to provide for both public health and feed our rivers and streams?

Furthermore, by exempting private drinking wells (which is not adequately defined) from regulatory control, this may exempt private wells from Connecticut's Diversion Act regardless of its withdrawal rate. Connecticut could lose complete control of regulating and managing the withdrawal of groundwater on which Connecticut relies for 30% of its drinking water.

Strongly Supports RB 5455 – An Act Concerning the State Water Plan

This legislation is essential in ensuring that the hard work to bring about a more consistent decision making process for Connecticut's water resources continues beyond the approval of the State Water Plan. While the final report of the Connecticut State Water Plan does specify that the plan should be updated every five years, legislative mandate is necessary to ensure that the WPC meets this goal.