

Public Health Committee JOINT FAVORABLE REPORT

Bill No.: HB-5154

AN ACT CONCERNING WATER USAGE AND CONSERVATION DURING

Title: DROUGHT CONDITIONS.

Vote Date: 3/26/2018

Vote Action: Joint Favorable Substitute

PH Date: 3/20/2018

File No.:

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SPONSORS OF BILL:

Public Health Committee

REASONS FOR BILL:

HB-5154 requires the Water Planning Council (WPC) to review local and state authorizations concerning droughts in Connecticut and adopt a comprehensive statewide drought plan based on the findings of the review. The WPC is required to report its plan, and any legislative recommendations, to the Environment and Public Health Committees by February 1, 2019.

The plan will include a synthesis of local and state authorities, processes and water use restrictions, recommendations for standardizing the initiation of drought advisories, watches, warnings and emergencies in the state, as well as recommendations for voluntary and mandatory water use restrictions during these situations. It will also include the viability and effectiveness of enforcement mechanisms designed to assure compliance, and an effective public notification system.

RESPONSE FROM ADMINISTRATION/AGENCY:

Raul Pino, Commissioner, Connecticut Department of Public Health:

The Department of Public Health (DPH) supports the intent of HB-5154, with recommendations. DPH is currently part of the Interagency Drought Work Group which is working to update and revise the 2003 Drought Preparedness and Response Plan. The recommendations include that WPC provide in their report specific legislative recommendations on items that a drought plan must incorporate such as public notifications, water conservation, enforcement mechanisms, and how often should the plan be updated.

For specific language, please see testimony provided by DPH. After the 2016-2017 drought, DPH requested water companies, subject to requirements under section 25-32d of the Connecticut General Statutes, review trigger levels and ensure they can adequately implement an efficient response. DPH supports water conservation to ensure an adequate supply of water now and in the future and encourages water companies to implement conservations measures.

John Betkoski, Chair, Connecticut State Water Planning Council:

The Connecticut State Water Planning Council supports the codification of a state drought plan. WPC is currently in the process of updating the 2003 State Drought Plan and intends to develop legislative recommendations for its improvement. In that respect, they request that HB-5154 be amended to require WPC to provide a report with specific legislative recommendations during the 2019 legislative session. *For specific language, please see testimony provided by WPC.* Language provided is same as that provided by DPH.

NATURE AND SOURCES OF SUPPORT:

Connecticut Fund for the Environment:

The Connecticut Fund for the Environment (CFE) supports the bill. It is important that residents are informed of actions they need to take during a drought condition, and also of the timing and specific actions performed by authorities. A drought conditions comprehensive plan will improve our response during an advisory, watch, warning or emergency situation. CFE urges the Public Health Committee to move forward with this legislation.

Connecticut Water Works Association:

The Connecticut Water Works Association (CWWA) supports the strengthening of drought management but has a number of recommendations on how to proceed with HB-5154. These recommendations were developed by the Connecticut American Water Works Association (CTAWWA) Water Resources Committee and CWWA. They will be presented to WPC in April, 2018. In addition to WPC hearing their recommendations, they also directed the Connecticut Interagency Drought Work Group to update the 2003 Drought Preparedness and Response Plan. The interagency group consists of the Department of Public Health, Department of Energy and Environmental Protection, Department of Agriculture, Office of Policy and Management, and the Department of Emergency Services and Public Protection.

CWWA believes it is counterproductive to direct WPC with another drought study and should instead move forward with the recommended legislation given by these groups. The recommendations include a statute codification of the Interagency Drought Work Group to ensure that its role in developing a drought management plan is understood, and also require the plan to be updated on a regular basis. Another requirement of water companies that enter drought stages should be to provide notification to the public, and ensure that water use restrictions are enforced on a local level by authorizing municipalities to charge violators with fees to be included in their water bill. *For specific language, please see testimony provided by CWWA.*

David Radka, Connecticut Water Company:

The Connecticut Water Company (CWC) supports the overall intent of HB-5154, with reservations. CWC provides water services to 56 towns in Connecticut. It would be impractical to standardize a response plan as each water company has its own plans which are based on their unique supplies, water systems, and consumer profiles. CWC supports the language which has been provided to the committee by CWWA: *“Post the notice of any voluntary or mandatory water use restrictions required by such plan on its internet website; and provide notice of the status of the water system, any water use restrictions required by such plan, and a link to the water company’s website with information on such restrictions, to the chief elected official and the local health director of each municipality served by the water system”*. CWC also supports language that would authorize water companies to terminate services to consumers who do not comply with conservation efforts when it is detrimental to the system.

Margaret Miner, Executive Director, Rivers Alliance of Connecticut:

The Rivers Alliance of Connecticut supports the bill, with recommendations. As HB-5154 only requires a review of current policy and a report in three years, the Alliance believes that instead, legislative action needs to accelerate beyond a study. Drought management and policy has been studied for over 15 years and the Interagency Drought Work Group has been the group that informally advises state agencies or the governor about drought policy. The recommendations suggest that the legislature codify its statutes to add the Interagency Group as the official advisor on drought conditions and responses. State law should enable state authorities to declare stages of drought for a region rather than the whole state. The interagency group and the WPC should, within a year, propose uniform rules for defining and declaring a drought or high risk area and include a means of public notification and enforcement of water conservation measures.

NATURE AND SOURCES OF OPPOSITION:

The Metropolitan District:

The Metropolitan District (MDC) expresses concerns with the standardization of a state drought plan. As was seen in Connecticut’s recent drought, there were regions which did not approach any drought triggers while others experienced drought-like conditions. A state uniform plan will confuse the public and will not be efficient: Water companies differ from each other with some having surface water reservoirs and others underground resources. Currently, water companies are required to provide a report to DPH of their drought emergency plans and this collaboration serves the public’s interests well.

Reported by: Valentina Mehmeti

Date: 4/2/2018