



# Monthly Meeting #6

## Coordinated Water System Plan Central Region

MDC Training Center; 125 Maxim Road; Hartford, Connecticut | November 16, 2016

# Agenda



1. Welcome & Roll Call (5 minutes)
2. Review and Approval of October Meeting Minutes (5 minutes)
3. Review Formal Correspondence (5 minutes)
4. Final Water Supply Assessment – Discussion of Draft Document, Edits, and Response to Public Comments (30 minutes)
5. Discussion of Draft ESA Declaration Forms, ESA Procedures, ESA Holder Responsibilities, Next Steps, and Schedule (60 minutes)
6. Public Comment (10 minutes)
7. Other Business (5 minutes)

## ■ ***What Have We Accomplished?***

- ✓ The Water Supply Assessment report is nearly complete
- ✓ We have assembled materials to help the Exclusive Service Area (ESA) process

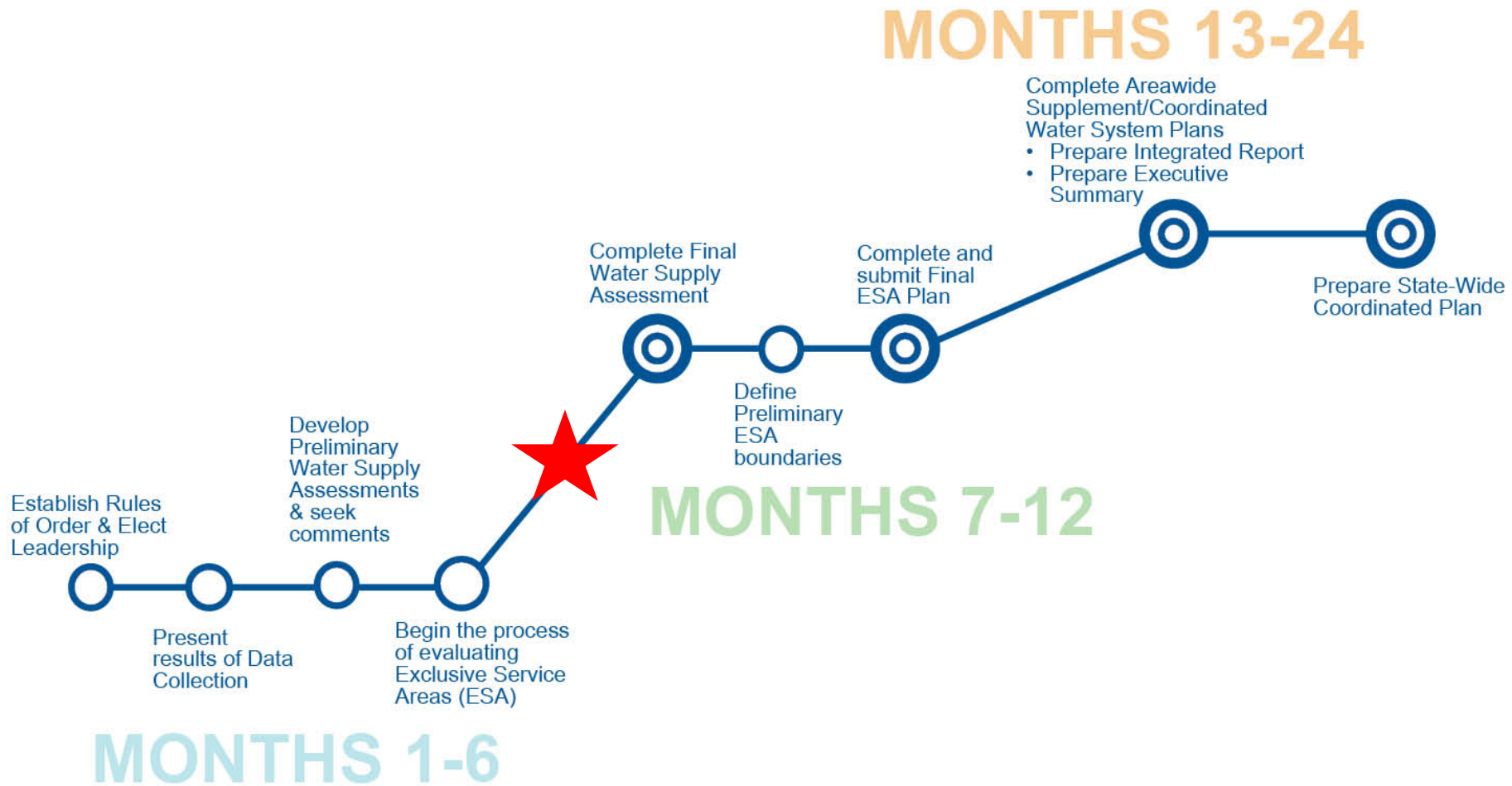
## ■ ***What Are We Doing Today?***

- ✓ Advancing the Water Supply Assessment report
- ✓ Approving the ESA declaration form
- ✓ Getting comfortable with the ESA process

## ■ ***What's Next?***

- ✓ File the Water Supply Assessment report with DPH
- ✓ Administer the ESA process
- ✓ Begin thinking about the Integrated Report

# WUCC Time Frame



# 1. Welcome and Roll Call

## 2. Review & Approval of Meeting Minutes

## 3. Formal Correspondence

# Formal Correspondence



Date	From	To	Main Topic(s)
10/27/16 and subsequent	Various	Officers	Letters received subsequent to the public comment period that express a need for a coordinated water planning process
11/16/16	DPH	Public	Announcement of webinar to discuss the ESA process on November 29, 2016



# 4. Final Water Supply Assessment Discussion of Draft Document, Edits, and Response to Public Comments

# Comments Received

Date	Commenter	Main Points
09/16/16	MDC	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
09/21/16	Aquarion Water Co.	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
09/23/16	DPH	<ul style="list-style-type: none"><li>• Expand heat maps to include location and capacity of large systems in relation to density of small systems.</li><li>• Discuss regional source protection more broadly</li></ul>
09/29/16	SCCRWA	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
10/04/16	Rivers Alliance	<ul style="list-style-type: none"><li>• Identify “donor towns”</li><li>• Present data and information by town</li><li>• Add town names on mapping</li><li>• Present information on existing and planned interconnections in one place</li><li>• Indicate direction of interconnection water flow</li><li>• Provide additional information on identified future sources</li></ul>

# Comments Received (Cont.)



Date	Commenter	Main Points
10/11/16	SCCRWA	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
10/18/16	Town of Tolland	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
10/18/16	Rivers Alliance	<ul style="list-style-type: none"><li>• Request for additional information on interconnections</li><li>• What is the accuracy of reported water need?</li><li>• Sources should be disclosed</li><li>• Assess reliability/viability of individual existing utility sources</li></ul>
10/19/16	Tolland Water Commission	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
10/20/16	Town of East Hampton	<ul style="list-style-type: none"><li>• Reliance on high density of small systems is not good</li><li>• Lack of a centralized water system is hindering economic development of the Town</li><li>• Water quality and quantity issues are increasing</li><li>• A municipal water system is desired, subject to funding and referendum</li></ul>

# Comments Received (Cont.)



Date	Commenter	Main Points
10/20/16	DEEP	<ul style="list-style-type: none"><li>• Aggradation of data makes assessment of specifics difficult</li><li>• Define certain terms</li><li>• Clarify the differences/assumptions for population data</li><li>• Obtain input from additional municipalities</li><li>• Discuss Aquifer Protection Area Program</li><li>• Ensure the State C&amp;D policies are addressed throughout the planning process</li><li>• Areas to consider during the ESA process and Integrated Report</li></ul>
10/20/16	Town of Mansfield	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>
10/24/16	CRCOG	<ul style="list-style-type: none"><li>• Factual corrections to narrative and/or tables</li></ul>

# Comments Received (Cont.)

Date	Commenter	Main Points
Undated	Save Our Water CT	<ul style="list-style-type: none"> <li>• PWSA lacks discussion of environmental issues</li> <li>• PWSA lacks discussion on impacts of climate change</li> <li>• Support for re-evaluation of diversions</li> <li>• WSPs from 8-10 years ago are inadequate to predict future water needs</li> <li>• Additional attention should focus on the development of industries using large volumes of water</li> </ul>
Various/ Undated	Individual Residents & Members of the Public	<ul style="list-style-type: none"> <li>• Prioritize environmental protection</li> <li>• Prioritize need for clean drinking water over corporate interests</li> <li>• Ensure quality and quantity of water is not compromised</li> <li>• Keep the State's water in the public trust</li> <li>• Require water conservation</li> <li>• Develop a regional planning strategy</li> <li>• Provide opportunities for public comment</li> <li>• Potential demands on the Farmington River</li> </ul>

# Water Supply Assessment Schedule



Action	Timeline
Additional Member Comments	November 16, 2016 Meeting
Final Draft of Final WSA to WUCC Members	December 1, 2016
Adoption of Final WSA	December 12, 2016 Meeting (special meeting date)
Submission of Final WSA to DPH	December 15, 2016

## Next Steps

- Emergency Interconnections to be added to table
- Ensure review by active WUCC members
  - ✓ Direct distribution of link to document
- Ensure availability to all WUCC members
  - ✓ Post to DPH web page
  - ✓ Email notification from DPH

## 5. Discussion of Draft ESA Declaration Forms, ESA Procedures, ESA Holder Responsibilities, Next Steps, and Schedule

# ESA Process Draft Schedule



Action	Timeline
Notification Letter and Affirmation Request Letter	September 26 & October 19, 2016
Discuss Declaration Forms and Distribution to WUCC Members and Municipalities (October Meeting)	October 25, 2016
Affirmation Response Due Date	November 16, 2016
Distribute Declaration Forms to WUCC Members and Municipalities	November 17, 2016
Declaration Forms Due Date (December Meeting)	December 12, 2016
Summary of Declaration Forms, Schedule Presentations for Conflicted Declarants, and Approve Scoring Rubric (December Meeting)	December 12, 2016
30-Day Public Comment Period on Initial Declarations	January 1 – February 1, 2017
Presentations by Conflicted Declarants, Conflict Resolution, PURA Recommendations	January 18 & February 15, 2017 Meetings
Approve Preliminary ESA Document for Public Review	March 2017 Meeting
30-Day Public Comment Period, final PURA Recommendations, Approval of ESA Document	April, May, and June 2017 Meetings



# Affirmations



Affirmations Received To Date	
Aquarion Water Company	Avon Water Company
Connecticut Water Company	Town of East Haddam
Town of East Hampton	Hazardville Water Company
Town of Lyme	Manchester Water Department
MDC	Meriden Water Department
SCCRWA	Town of Marlborough
Berlin Water Control Commission	Town of Durham
Valley Water Systems, Inc.	Southington Water Department
Kensington Fire District	Middletown Water Department
Portland Water Department	Wallingford Water Department

Pending Affirmations	
New Britain Water Department	Cromwell Fire District
Worthington Fire District	

# Currently Unassigned Areas

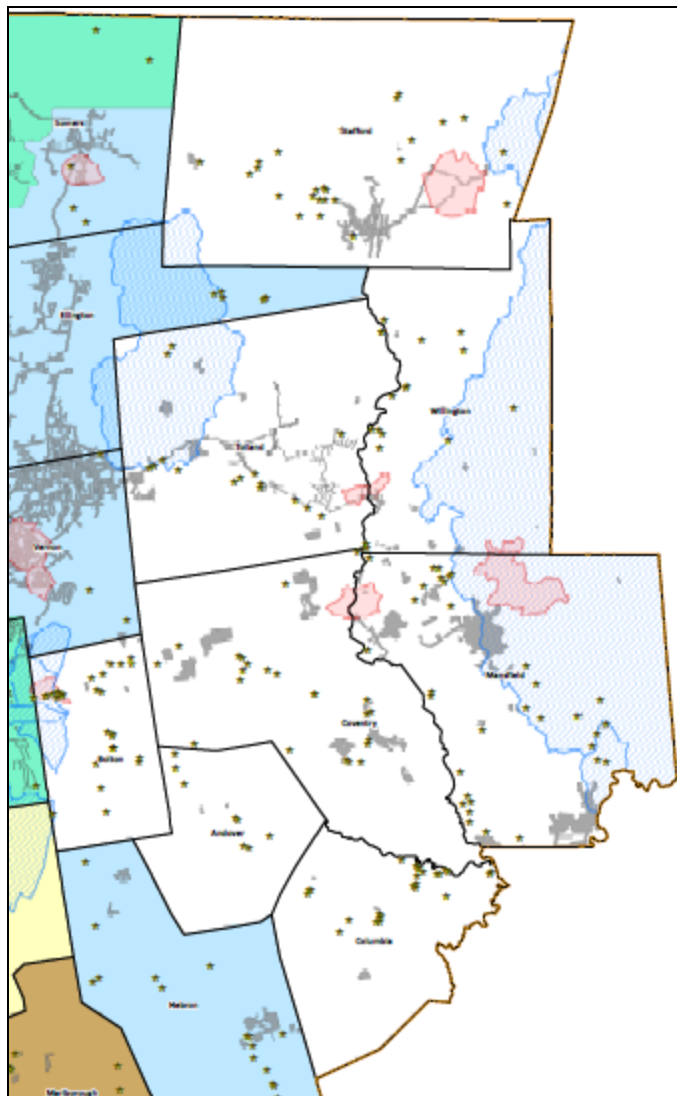
- Stafford
- Tolland
- Willington
- Bolton
- Andover
- Coventry
- Mansfield
- Columbia

- Western Portion of Berlin
- Small Portion of Farmington
- Western Portion of Southington
- Portion of East Hampton

8 to 12  
municipalities,  
compared to:

- East: 17!
- West: 44!!

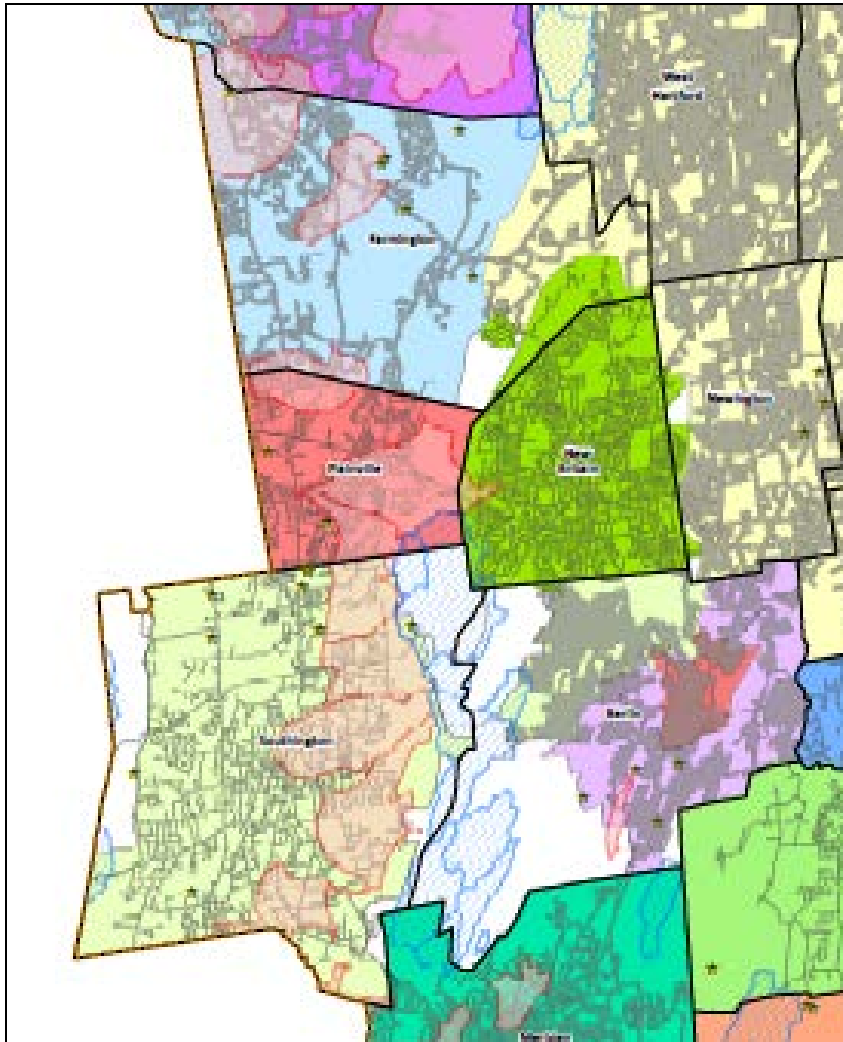
# Currently Unassigned Areas



## Key Questions:

- Why would an area be claimed?
- What are the water supply needs?
- Have municipal planners been contacted?
- Have COG staff been consulted?
- Can some areas be claimed with an intent for satellite system management if needed?
- Remember the criteria for claiming ESAs:
  1. Existing service areas
  2. Land use plans and zoning
  3. Physical limitations to water service
  4. Municipal boundaries
  5. Water utility rights to serve per statute, charter, etc.
  6. Hydraulics
  7. Ability to provide pure and adequate supply

# Currently Unassigned Areas



- Remember the criteria for claiming ESAs:
  1. Existing service areas
  2. Land use plans and zoning
  3. Physical limitations to water service
  4. Municipal boundaries
  5. Water utility rights to serve per statute, charter, etc.
  6. Hydraulics
  7. Ability to provide pure and adequate supply

***A water utility or municipality does not need to fill out the declaration forms if there is no proposed change or expansion of an ESA***

Remember:

***The WUCC can always facilitate changes in ESAs in the future***

# ESA Declaration Forms



1. Declarant Information
2. Description of Area Claimed
  - A. Supporting Information Related to Existing Service Area
  - B. Supporting Information Related to Land Use Plans, Zoning, Growth Trends
  - C. Physical Limitations to Water Service
  - D. Political Boundaries
  - E. Water Utility Rights Established by Statute, Special Act, etc.
  - F. System Hydraulics Including Elevations and Pressure Zones
  - G. Ability to Provide Pure and Adequate Supply
  - H. Other Considerations

# Review, Discuss, and Vote on Forms



# ESA Procedures (Process Document)



- Section I - Introduction
- Section II – Public Notification Requirements / Meetings
- Section III – Assignment of Initial ESA Boundaries
- Section IV – Modification of Established ESA Boundaries
- Section V – Reporting



# Section II



- ESA boundaries may only be established or modified at a properly noticed WUCC meeting (agenda and maps published 14 days in advance)
- Quorum must be present per Bylaws
- Provisions for conflicts of interest for WUCC Officers

# Section III – Assignment of Initial ESAs

- Utilities maintain existing service areas
- No new service areas or extensions which create duplication or overlap of services
- Discusses Declaration Forms, Meetings, Public Comment
- Assignment requires a majority vote
- Encourages declarants to come to solution
- Conflict resolution procedures
  - Presentations / Scoring Rubric
  - Alternatives
  - Vote on a proposal or send to mediation
  - PURA recommendation
  - DPH assignment
  - Appeals

**EXCLUSIVE SERVICE AREA EVALUATION FORM  
EASTERN CONNECTICUT WUCC**

ESA Conflict Area: \_\_\_\_\_

List of Declarants: \_\_\_\_\_

Presenting Municipality or Utility: \_\_\_\_\_

**Note:** Presentations by each declarant will address the seven specific exclusive service area boundary considerations as outlined in Section 25-33h-1(d)(B)(ii) of the Regulations of Connecticut State Agencies. See declaration form for more detail on the issues considered under each item. **THIS FORM IS FOR USE BY WUCC MEMBERS AS GUIDANCE TO HELP INFORM THAT MEMBER'S EVENTUAL VOTE ON A CONFLICTED AREA. IT WILL NOT BE HANDED INTO THE WUCC OR DISTRIBUTED PUBLICALLY.**

**Ratings are scored as follows:**

1 = Unsited; 2 = Poorly Suited; 3 = Moderately Suited; 4 = Well Suited; and 5 = Very Well Suited

Item	Description	Rating for	Rating for	Rating for	Rating for
		(Declarant #1)	(Declarant #2)	(Declarant #3)	(Declarant #4)
A.	"Existing Service Area" Rating				
B.	"Land Use Plans, Zoning Regulations, and Growth Trends" Rating				
C.	"Physical Limitations to Water Service" Rating				
D.	"Political Boundaries" Rating				
E.	"Water Company Rights as Established by Statute, Special Act, or Administrative Decision" Rating				
F.	"System Hydraulics, Including Potential Elevations and Pressure Zones" Rating				
G.	"Ability of a Water System to Provide a Pure and Adequate Supply of Water Now and Into the Future" Rating				
H.	Miscellaneous Rating Based Upon All Available Information and Presentation				
	<b>Total</b>				

# Additional Sections of Procedures



- Section IV – Modification of ESAs
  - Type A – Modification Between Two ESA Holders
  - Type B – Modification Due to Creation of New Public Water System
  - Type C – Modification Due to Appeal
  - Type D – Modification Due to Other Reasons
  
- Section V – Reporting and Filing with DPH

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## STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH



Raul Pino, M.D., M.P.H.  
Commissioner

Dannel P. Malloy  
Governor  
Nancy Wyman  
Lt. Governor

Drinking Water Section

DWS Circular Letter #2016-29

To: Related State Agencies  
Chief Elected Officials  
Town Planners  
Town Clerks  
Planning and Zoning Officers

Executive Directors of Councils of Governments  
Local Health Departments and Districts  
Public Water Systems  
Other Interested Persons

From: Lori J. Mathieu, Public Health Section Chief, Drinking Water Section



Date: November 16, 2016

Subject: Webinar Explaining the Exclusive Service Area Declaration Process

The Connecticut Department of Public Health Drinking Water Section (DWS) will be conducting a webinar on November 29, 2016 at 10:00 a.m. to discuss the regulatory process of declaring Exclusive Service Areas (ESA). An ESA is a geographic area where a single entity has the responsibility for public water. This is an important process that all municipalities and Water Utility Coordinating Committee (WUCC) members should understand. Municipalities, in particular, should be aware that the ESA designation process has begun and water utilities will be making claims in all three public water supply management areas.

We would encourage those involved or interested in the WUCC process to register for this informational webinar at <https://attendeegotowebinar.com/register/2477998321480561412>. For more information on ESAs, and Water Utility Coordinating Committees, please visit our website at [www.ct.gov/dph/WUCC](http://www.ct.gov/dph/WUCC).

cc: Deputy Commissioner Yvonne Addo, DPH

## 6. Public Comment

## 7. Other Business



Adjourn