

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

**INSTRUCTIONS:**

Please answer all questions in Sections 1 and 2 and Sections A through H. Please feel free to attach additional sheets if necessary, or expand the size of answer boxes if necessary.

For additional information regarding the exclusive service area declaration process, or if you have questions, please contact any of the Eastern WUCC Officers, or contact Mr. Scott Bighinatti of Milone & MacBroom, Inc. at 203-271-1773 x204 or sbighinatti@mminc.com.

Kindly return this form completed and signed, and with any pertinent attachments, to Mr. Scott Bighinatti of Milone & MacBroom, Inc., 99 Realty Drive, Cheshire, Connecticut, 06410 via mail, fax (203-272-9733), or email (listed above).

**SECTION 1. DECLARANT INFORMATION**

Water Utility or Municipality Name: Department of Energy and Environmental Protection

Mailing or Street Address: 163 Great Hill Road

Town, State, Zip Code: Portland, CT 06480

Primary Contact Person & Title: Eric Ott, Director, Engineering & Field Support Services

Secondary Contact Person & Title: David Cooley, Supervising Civil Engineer, Engineering Unit

Contact Telephone: 860-342-2215

Contact Fax: 860-344-2560

Contact Email: eric.ott@ct.gov

**SECTION 2. DESCRIPTION OF AREA CLAIMED BY DECLARANT AS EXCLUSIVE SERVICE AREA**

All area within the municipal boundaries of Ashford, Brooklyn, Canterbury, Chaplin, Eastford, Hampton, Killingly, Plainfield, Pomfret, Putnam, Scotland, Sterling, Thompson, Union, Windham, and Woodstock, with the exception of those parcels of land currently served by public water systems, are open to declarants as proposed exclusive service area boundaries.

1. Please provide a written description in the box below of your proposed exclusive service area boundary. If you are claiming only a portion of land within any of the above municipalities, please provide a general description of the limits of your proposed exclusive service area. For example, "all of town A" or "the portion of town B as generally bounded by street C, street D, street E, and the municipal boundary with town F". Attach additional pages if necessary.

DEEP is proposing to claim all agency owned and maintained state conservation lands, statewide, as our exclusive service areas. DEEP's lands include State Parks, State Forests, Wildlife Management Areas, Water Access Areas, and Natural Area Preserves. In all cases this will not include entire municipalities and in many instances these areas are not bordered by streets and municipal boundaries. Therefore, we will rely on the GIS data and mapping submitted as part of this form to specifically identify the exact areas we are claiming.

It should be noted that we have excluded the DEEP owned and maintained land areas which are provided with existing water service from another public water system/utility.

2. If you are only claiming a portion of a municipality, please attach a clear delineation of your proposed exclusive service area boundary on a map for each portion of a municipality you are claiming.

**SECTION A. SUPPORTING INFORMATION RELATED TO EXISTING WATER SERVICE AREA**

Please answer the following questions. Attach additional sheets, if necessary.

1. Do you currently own and operate a public water system within each municipality in your proposed exclusive service area? If no, indicate the municipalities in which you do not currently own and operate a system.

Generally, yes. However, DEEP maintains large tracts of state conservation lands. There are instances of DEEP owned public water systems located in a town and within a state park/forest that also extends to neighboring towns. For example, DEEP owns and operates the Pachaug SF/Mount Misery Campground TNC PWS in Voluntown, however, the Pachaug SF extends into portions of North Stonington, Griswold, Plainfield and Sterling.

2. If you answered yes in Question 1, are you planning on expanding your existing service area in the future? If yes, describe your general expansion plans for the five-year, 20-year, and 50-year planning periods. Does your proposed ESA encompass areas outside of your proposed 50-year expansion area as noted in your most recent Water Supply Plan?

Yes, to a limited extent based on outdoor recreation planning processes. If a new toilet building is planned and an existing well is not available or in proximity, then a new well and water system would be developed. It should be noted that if there were ever the opportunity to connect to a traditional public water system/utility outside of our lands, we would pursue that that option as technically and financially feasible.

3. If you answered yes in Question 2, are you planning on servicing your entire proposed exclusive service area via an extension of your existing system, or will some or all of the areas need to be served through satellite systems? Please describe your intentions.

DEEP will never plan to serve our entire proposed exclusive service area because it primarily consists of outdoor recreational and conservation lands, however, we will not rely on any other public water system to provide such service unless technically and financially feasible.

**SECTION B. SUPPORTING INFORMATION RELATED TO EXISTING LAND USE PLANS, ZONING REGULATIONS, AND GROWTH TRENDS**

Please answer the following questions. Attach additional sheets, if necessary.

1. Describe your familiarity with the local, regional, and state land use plans, local zoning regulations, and recent local growth trends within each municipality in your proposed exclusive service areas.

DEEP maintained lands are intended for conservation and outdoor recreation. DEEP is required by section 23-8 of the General Statutes to acquire and hold ten percent of the State's land area as open space. This equates to 320,576 acres. The use of the lands held by DEEP is generally determined by the category of land, such as State Park, State Forest, or Wildlife Management Area. There are State regulations that control State Park use and management and operational plans that control the use of certain Parks, Forests, and Wildlife areas. Essentially, DEEP manages its lands for conservation purposes, based on State goals and existing natural resources on a facility-by-facility basis, while working to maximize public opportunities for outdoor recreation. The use of State Parks and State Forest Recreation Areas, as well as Water Access Areas, tend to have more active outdoor recreational opportunities. While, other lands will be open for passive recreational uses, such as hiking. In addition, the use of certain properties is controlled by deed restrictions created by the previous owners of certain lands.

2. Identify the person or group at your utility or municipality responsible for reviewing and/or enforcing such plans and regulations, and what other groups serve to advise your utility or municipality on changes in land use and new developments at the local level.

The day-to-day management of DEEP lands rests with the land manager. State Parks and State Forest Recreation Areas are managed by the State Parks Division staff. State Forests are managed by the Forestry Division staff. Wildlife Management Areas are managed by the Wildlife Division staff. DEEP Flood Control properties are managed by the Water Planning and Management Division staff. Whereas, property management decisions are coordinated through DEEP's Bureau of Central Services and the Land Acquisition and Management Office. All DEEP decisions on land management will be based upon State Statutes, regulations, and plans, such as the Wildlife Action Plan, the Forest Resource Assessment and Strategy, the Comprehensive Open Space Acquisition Strategy, the Statewide Comprehensive Outdoor Recreation Plan, and the Climate Change Action Plan.

3. Do the current zoning, land use plans, and growth trends in the municipalities in your proposed exclusive service area currently suggest that new public water systems, or an extension of public water systems, will be needed?

N/A

4. Do the current zoning and land use plans in the municipalities in your proposed exclusive service area identify areas where public water and/or public sewer service avoidance policies are being sought, and are therefore unlikely to require public water service in the immediate future?

N/A

5. Are you familiar with the current water supply planning regulations (Regulations of Connecticut State Agencies Section 25-32d) and how they relate to existing land use within each municipality that is served?

Yes, DEEP is familiar with the current water supply planning regulations, however these do not affect the proposed exclusive service area and DEEP owned and operated public water systems.

**SECTION C. PHYSICAL LIMITATIONS TO WATER SERVICE**

Please answer the following questions. Attach additional sheets, if necessary.

1. If you will serve any or all of your proposed exclusive service area via an extension of your existing service area, will you need to develop new sources of supply to do so? In other words, do you have sufficient excess available water supply to reasonably serve the proposed exclusive service area?

Due to the undeveloped nature of DEEP maintained state conservation lands, if the need for water service was identified within our proposed exclusive service area, a new satellite public water system would more than likely be pursued. Extension of existing water systems or the connection to a traditional public water system/utility outside of our lands of our lands, would be pursued providing that option is technically and financially feasible.

2. If you will serve any or all of your proposed exclusive service area via satellite systems, please identify any known areas in your proposed exclusive service area where bedrock yields are poor and/or groundwater contamination has affected groundwater quality.

Due to the relative small size and scope of our water systems, working with low yielding bedrock wells is not ideal but sufficient. In areas of low yielding bedrock, water conservation measures and additional storage infrastructure are implemented.

**SECTION D. POLITICAL BOUNDARIES**

Please answer the following questions. Attach additional sheets, if necessary.

1. Does your proposed exclusive service area cross political boundaries, such as municipal or borough boundaries?

Yes, DEEP maintains large tracts of state conservation lands. Many tracts include land within multiple municipalities, especially state forests.

2. If you will serve any or all of your proposed exclusive service area via an extension of your existing service area, will water come from sources across municipal or other jurisdictional boundaries?

Possibly but only from within DEEP maintained state conservation lands.

**SECTION E. WATER COMPANY RIGHTS AS ESTABLISHED BY STATUTE, SPECIAL ACT, OR ADMINISTRATIVE DECISIONS**

Please answer the following questions. Attach additional sheets, if necessary.

1. Do you have any right to provide water service within your proposed exclusive service area by virtue of State Statute? If yes, please cite the statute below. Note that if you are a municipality, please be reminded that you are authorized by Connecticut General Statute 7-234 of 1967 to provide water service to your municipality. You may cite that section below.

Yes, Section 23-8 of the General Statutes mandates that DEEP provide and maintain open space statewide for conservation and outdoor recreational purposes. While not specific to providing water service it does allow for the improvement and maintenance of facilities to enhance the public's outdoor recreational experience.

2. Do you have any right to provide water service within your proposed exclusive service area by virtue of a Special Act of the Connecticut General Assembly? If yes, please provide a copy of the Special Act.

No

3. Do you have any right to provide water service within your proposed exclusive service area by virtue of an Administrative Decision made by a State Agency? For example, the result of a DPH consent order or a PURA Docket? If yes, please provide a copy of the Administrative Decision.

No

4. Do you have any right to provide water service within your proposed exclusive service area by virtue of a municipal law or ordinance, such as per a section in the Town Charter that establishes a Water Pollution Control Authority? If yes, please provide a copy.

No

**SECTION F. SYSTEM HYDRAULICS, INCLUDING POTENTIAL ELEVATIONS OR PRESSURE ZONES**

Please answer the following questions. Attach additional sheets, if necessary.

1. If you will serve any or all of your proposed exclusive service area via an extension of your existing service area, will you need to install additional storage tanks or pumping stations to do so? If yes, please provide a general description of needs.

No, due to the undeveloped nature of DEEP maintained state conservation lands, in most cases, satellite systems are the most feasible means of providing new water service within our proposed exclusive service areas.

2. Describe your utility's or municipality's experience with system hydraulics, including managing elevation changes and pressure zones.

DEEP employs our own certified operator, licensed plumbers and maintains a staff of civil engineers and projects managers that are all capable of addressing operational issues and challenges associated with the size and scope of DEEP owned water systems.



**SECTION G. ABILITY OF A WATER SYSTEM TO PROVIDE A PURE AND ADEQUATE SUPPLY OF WATER NOW AND INTO THE FUTURE**

Please answer the following questions. Attach additional sheets, if necessary.

1. Please describe your current source water protection program for protecting current and future sources of supply.

DEEP's source water protection program consists of the inherent use of our lands for natural resource conservation and the utilization of our agency's statewide aquifer protection program for consultation and technical support.

2. If you will serve any or all of your proposed exclusive service area via satellite systems, do you have experience owning and operating such systems? Please describe.

DEEP owns, maintains and operates over 50 small groundwater systems statewide. These systems range from handpump wells to systems serving office and support complexes. We have worked to standardize our approach in maintaining these systems using like manufacturers, establishing a reliable inventory and compliance tracking database, increasing the number of water samplers statewide and assigning corrective action plans to experienced and capable personnel.

3. Please describe your technical capacity to operate a public water system. Will you own and operate new systems, or do you expect to own new systems and retain a contract operator to perform the day to day tasks?

DEEP's technical capacity to own and operate a public water system is maintained almost entirely with in-house resources. The agency employs a certified operator, licensed plumbers, civil engineers and project managers. All operations, maintenance, repair and compliance tracking is completed with these resources. When in-house resources are not sufficient, DEEP is able to utilize state contracts and public advertisement to bring in additional resources.

4. Please describe your managerial capacity to operate a public water system. What hierarchy is in place to make decisions? How quickly can/will decisions be able to be made during an emergency? Describe your experience with long term planning of infrastructure assets.

DEEP owned and operated public water systems are managed through the Engineering and Field Support Services Division. The Engineering Unit takes the lead in all compliance tracking and formal communications with DPH. The Division Director is a licensed Professional Engineer in the State of CT and the supervisor of the Engineer Unit is also a licensed Professional Engineer with 16 years of experience in the regulatory oversight of public water systems.

5. Please describe your financial capacity to operate a public water system. Is capital funding for emergency repairs available? Is there a capital improvement budget available for long term asset replacement? What types of financial resources can be utilized to maintain a system? Is there financing available to retain consultants and contractors to design and implement repairs?

DEEP maintains a line of funding in our operational budget specifically for water system maintenance and repairs. Line items for individual projects are identified and funded based on compliance and condition assessments completed by agency staff. More significant projects may use bond funding as a long-term financing option. When emergencies occur, responding staff are provided with the financial means to acquire necessary equipment for repairs or the ability to retain consultants and/or contractors directly off of state contracts to assist.

6. If you currently provide public water service, please describe the number and types of complaints received by your utility for the past three years.

There have been no complaints specifically directed towards water service. There have been complaints related to the decrease in water available at certain locations due to overall budget cuts and facility closures and the decrease in the level of service.

7. If you will serve any or all of your proposed exclusive service area via an extension of your existing service area, please describe any water quality or reporting violations incurred over the past two years.

DEEP has incurred 8 chloride MCL violations at the DEEP Marine HQs in Old Lyme due to brackish source water. Marine HQs was also issued a Lead Exceedance in 2015; follow up actions are on schedule for a return to compliance by the end of 2016. DEEP also incurred 5 TCR MCL violations in 2015/2016; two of which were at handpump wells that have since been inactivated.

DEEP was issued one monitoring and reporting violation for the Salmon River SF artesian well in 2015 when the well stopped flowing in August and September (the system is not pumped, all gravity).

8. If you will serve any or all of your proposed exclusive service area via an extension of your existing service area, please describe any potential concerns related to disinfection byproducts that may need to be evaluated with any main extension.

N/A

9. Please describe the type of rate structure envisioned within your proposed exclusive service area, and provide the estimated annual cost of water service for a family of four using 109,500 gallons<sup>1</sup> per year.

N/A

<sup>1</sup> Calculated at 75 gallons per person per day x 4 people x 365 days in a year.

**SECTION H. OTHER CONSIDERATIONS**

Please answer the following questions. Attach additional sheets, if necessary.

- 1. Are you aware of any other municipalities or water utilities who may declare for the same proposed exclusive service area, thereby creating a conflict? If yes, please describe.

No, other public water systems/utilities or municipalities may declare for the area around DEEP lands, but this should not create a conflict.

- 2. If yes, have you corresponded with said municipality or utility concerning this potential conflict? In an effort to avoid conflicts, public water systems and municipalities are encouraged to coordinate their efforts in declaring exclusive service areas. Contact the Eastern WUCC Officers for contact information.

N/A

**CERTIFICATION**

In accordance with the Regulations of Connecticut State Agencies Section 25-33h-1(k)(2), I understand that water utilities are responsible for providing adequate service as requested by consumers and under terms otherwise provided by statute, regulation and ordinance within their exclusive service area boundaries within a reasonable time frame. This may include but not be limited to development of supply sources, main extensions, or satellite management.

Furthermore, I, undersigned below, am presently aware of no reason why the utility represented on this form and any associated attachments would not be capable of providing pure and adequate supply of water to service the proposed exclusive service area in accordance with all applicable regulatory requirements, within a reasonable timeframe of requests by customers, should the proposed exclusive service area boundaries be accepted by the Eastern Water Utility Coordinating Committee and the Connecticut Department of Public Health pursuant to Public Act 85-535, as amended.

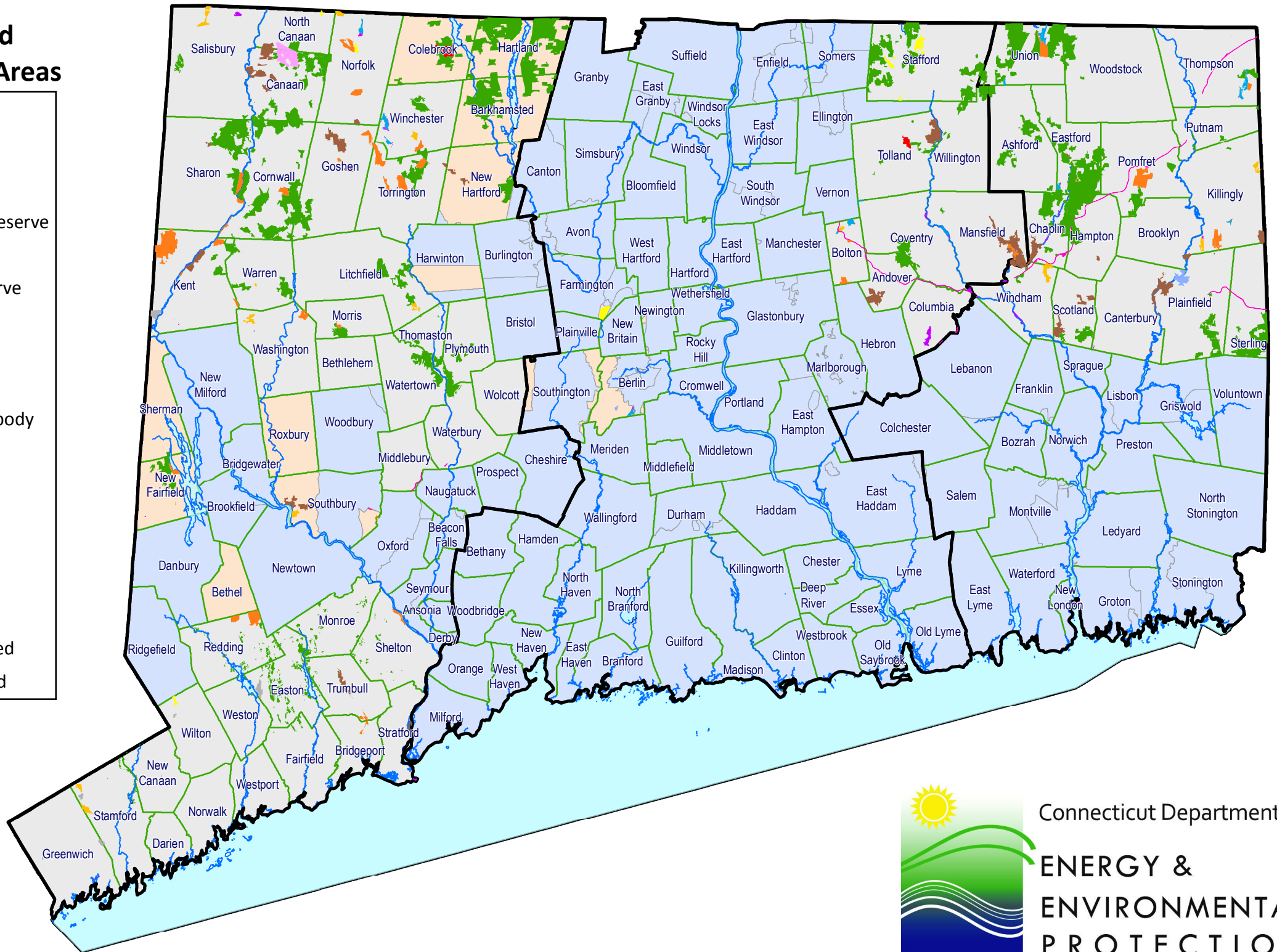
Signature of  
Duly Authorized Representative: Eric D. Ott Date: 12/9/16

Print or Type Name and Title: ERIC D. OTT, DIRECTOR

# DEEP Proposed Exclusive Service Areas

**Legend**

-  State Forest
-  State Park
-  State Park Scenic Reserve
-  State Park Trail
-  Natural Area Preserve
-  Historic Preserve
-  Wildlife Area
-  Wildlife Sanctuary
-  DEP Owned Waterbody
-  Water Access
-  Flood Control
-  Fish Hatchery
-  Other
-  WUCC Boundary
-  Exclusive Assigned
-  Exclusive Unassigned
-  Exclusive Undefined



Connecticut Department of  
**ENERGY &  
 ENVIRONMENTAL  
 PROTECTION**