

Meeting Minutes
Eastern WUCC Meeting #19
Southeastern Connecticut Council of Governments – 5 Connecticut Avenue, Norwich, CT
December 13th, 2017 1:00 p.m.

The Eastern Water Utility Coordinating Committee (WUCC) met on December 13th, at 1:00 p.m. The meeting was held at the Southeastern Connecticut Council of Governments offices at 5 Connecticut Avenue, Norwich, CT. Prior notice of the meeting was posted on the DPH website, Eastern WUCC webpage: <http://www.ct.gov/dph/wucc/>

The following WUCC member representatives were in attendance (listed in alphabetical order of affiliation):

WUCC Member Representative	Affiliation
Cindy Gaudino	Connecticut Water Company
Rick Stevens	Groton Utilities
Jonathan Avery	Jewett City Water Company
Brian Lynch	Montville WPCA
Russell Fowler	Noank Fire District
Samuel Alexander	Southeastern Connecticut Council of Governments
Jim Butler	Southeastern Connecticut Council of Governments
Josh Cansler	Southeastern Connecticut Water Authority
Phil Chester	Town of Lebanon
Brandon Handfield	Town of Lebanon/Yantic River Consultants
Bob Congdon	Town of Preston

The following non-WUCC member representatives were in attendance (listed in alphabetical order of affiliation):

Non-WUCC Member Representative	Affiliation
Dawn Whitcher	894 LLC
Eric McPhee	CT DPH
Melissa Czarnowski	CT DEEP
Scott Bighinatti	Milone and MacBroom, Inc.
Mia McDonald	RCAP Solutions

A copy of the meeting agenda is attached. A copy of the presentations (including Connecticut State Water Plan presentation) given at the meeting will be available for download from the Eastern WUCC webpage.

The following actions took place:

1. Welcome & Roll Call

The meeting was called to order at 1:01 PM by Tri-chairs Bob Congdon (Town of Preston) and Jonathan Avery (Jewett City Water Company). All in attendance stated their names and affiliations.

2. Approval of November Meeting Minutes

Scott Bighinatti (Milone & MacBroom) began a PowerPoint presentation and reviewed the progress of the WUCC to-date, as well as the items that would be addressed at the meeting.

Mr. Avery asked for comments and changes to the November Meeting minutes. There were none. Mr. Congdon made a motion to accept the November Meeting minutes as presented. Jim Butler (Southeastern Connecticut Council of Governments (SCCOG)) seconded the motion. The motion carried unanimously.

3. Formal Correspondence

Samuel Alexander (SCCOG) described the formal correspondence sent and received by the Eastern WUCC.

- Mr. Alexander stated that responses to Integrated Report discussion prompts were received from three additional utilities.
- Mr. Alexander stated that a letter was sent to the Town of Lebanon regarding a potential Exclusive Service Area (ESA) modification to accommodate a proposed Transient Non-Community (TNC) System. Mr. Alexander stated that the letter indicated the WUCC's intention to discuss long-term planning and potential small-system supply options in the vicinity of a proposed TNC to serve a planned restaurant (894 LLC), at the December Meeting, prior to providing a recommendation to the Connecticut Department of Public Health (CT DPH), and requests the town's attendance or comment.
- Mr. Alexander stated that a letter was sent to 894 LLC (applicant for a new TNC in the Town of Lebanon) and existing small systems at a nearby gas station, Lebanon Middle School, and Lyman Memorial High School, requesting attendance or comment at the December WUCC meeting for the purposes of discussing long-term planning and supply options for those existing and proposed small systems.
- Mr. Bighinatti stated that a request was sent from Norwich Public Utilities (NPU), along with an affirmative response from the Town of Franklin, to modify the ESA boundary between the Town of Franklin and NPU. The change would add parcels currently served by NPU to the NPU ESA. Mr. Bighinatti added that this would be addressed under agenda item #5.

4. Public Comment Period

Mr. Avery asked if there were any comments from the public. There were none.

5. ESA Modifications Discussion/Update

Town of Lebanon: WUCC Recommendations for Creation of New Transient Non-community System (894 LLC)

Mr. Bighinatti explained that 894 LLC is a proposed restaurant in the Town of Lebanon, currently in application to create a new TNC. Mr. Bighinatti continued, explaining that 894 LLC is adjacent to three other small non-community public water systems located at Lebanon Middle School, Lyman Memorial High School, and a gas station. Mr. Bighinatti explained that the WUCC's role in the review of 894 LLC's application for a TNC is to provide a recommendation to CT DPH on its creation, and that the recommendation should be at a planning level, taking into consideration the surrounding uses and determining if there are feasible possible solutions, such as consolidation of systems, to maximize technical, managerial, and financial capacity for public water service as well as system resiliency for the public water systems.

- Mr. Avery stated that the WUCC's role in this conversation is as a facilitator. Mr. Avery explained that the parties involved, as well as other utilities and ESA holders should consider what is good for the region and provide reliable information to regulators.

The Chairmen invited representatives from 894 LLC and the Town of Lebanon to speak. Dawn Whitcher (Owner) represented 894 LLC, and Phil Chester (Town Planner) and Dan Handfield (Consulting Town Engineer) represented the Town of Lebanon.

- Mr. Chester thanked the WUCC for their attention to planning and explained that he was attending on behalf of the Lebanon First Selectwoman, Betsy Petrie, and Superintendent of Schools, Robert Angeli. Mr. Chester stated that the property of the planned restaurant (894 LLC) and the adjacent gas station are the only commercially zoned (Village Business District) parcels in the immediate area and that expansion of the zone to allow for more commercial development would likely not occur there. Mr. Chester added that the Town and the public school system would not be well-equipped to consolidate water supplies with those properties.
- Mr. Congdon asked about the water systems at the middle school and high school.
 - Mr. Handfield explained that he did not have hard numbers, but that the two water systems at the middle school and high school were sufficient to serve each school. Mr. Handfield added that the Town had considered combining the two systems; however, this was not acted on because of associated costs and timing. He noted that the school has noted concerns regarding having sufficient supply to irrigate the athletic fields.
- Mr. Congdon stated that any future wells owned by 894 LLC would be drawing water from the same aquifer as the schools and gas station, which may impact their water-availability.
 - Mr. Bighinatti explained that CT DPH would make such a determination as part of their application review and well siting.
- Mr. Avery asked if anything would prohibit the sale of water from the schools to the restaurant, legally. Mr. Avery related an anecdote of a Massachusetts town that prohibited new public water systems because of fears increased residential density.
 - Mr. Chester stated he did not know of any town policy that would prohibit such service, and explained that the future development potential of the area is extremely low because of the limited amount of buildable land—most adjacent, large lots are in agricultural use and many have conservation easements.

- Mr. Congdon explained that the Town of Preston provides water to a commercial properties from an adjacent school because the town is better-prepared to provide water service.
 - Mr. Chester explained that, while this may be prudent in an area where a town would like to concentrate development, the restaurant and gas station likely represent the extent of commercial development in this area. Mr. Chester added that the gas station existed prior to zoning and the proposed restaurant received a zone change because the existing residence in which it is to be housed had been vacant for a number of years and the restaurant represented an opportunity for redevelopment consistent with the surrounding area.
- Mr. Bighinatti stated that it appeared a significant effort has gone into zoning approvals for the restaurant. Mr. Bighinatti asked if, considering the time and money spent by the applicant and the town noting this as desirable redevelopment, if the town would reconsider an extension from the schools if CT DPH did not favorably review the proposed well.
 - Mr. Chester stated that the town may need to reconsider if that were the case.
 - Eric McPhee (CT DPH) explained that the adjacent gas station had needed to replace their well in the past due to water-quality issues, and that there have been past water-quality issues at both schools. Mr. McPhee added that based on presence of surrounding agricultural use and water-quality issues in adjacent wells, water-quality issues may exist on 894 LLC's property as well, which could create an impetus for combining systems.
 - Mr. Congdon asked if the existing residential well on the property has been tested.
 - Ms. Witcher stated that it has not been tested and the house has been vacant.
 - Mr. Chester asked why the well was tested at the gas station.
 - Mr. McPhee explained that there may have been a change in the gas station's secondary services, such as serving food, which would have changed the classification of the system from private to TNC and prompted the well testing.
 - Mr. Congdon reiterated that the WUCC is charged with making a recommendation to CT DPH.
 - Mr. Bighinatti provided a form to be filled out by the WUCC Chairmen.
 - Mr. Chester added that a number of wells in town have had issues with arsenic.
 - Mia McDonald (RCAP Solutions) offered the suggestion that applications of 'regionalization' and system consolidation can vary, stating that it could include, for example, sharing of water-quality testing results or maintenance responsibilities, and that the Town of Lebanon and the adjacent small systems could consider such an arrangement.
 - Mr. Congdon agreed, stating the Town of Preston contracts to the Southeastern Connecticut Water Authority (SCWA) for a number of things.
 - Mr. Avery asked for additional comments and stated that it is beneficial to discuss all the potential solutions for system resiliency, and that the WUCC is following the proper process.
 - Mr. Congdon made a motion to provide positive support and recommendation of the Town of Lebanon's request to change its ESA to allow for the creation of a new public water system, to be owned and operated by 894 LLC. Mr. Butler seconded the motion. The motion carried unanimously. The required WUCC recommendation form was signed by the Chairs for submission to CT DPH.

Norwich Public Utilities and Town of Franklin: Request to Open Public Comment Period for ESA Boundary Modification

Mr. Bighinatti explained that NPU and the Town of Franklin are requesting that a public comment period be opened on a proposed modification to their ESA boundary. Mr. Bighinatti presented a map of the proposed ESA boundaries, which enlarge NPU's ESA to include currently served parcels within the industrial park along New Park Avenue. Mr. Bighinatti added that no action would necessarily be needed by the WUCC to approve the modification; however, a public comment period and notification to the municipalities involved would be needed.

- Mr. Congdon made a motion to begin the 30-day public comment period on the proposed ESA modification, as shown. Mr. Butler seconded the motion. There was discussion.
 - Brian Lynch (Montville WPCA) stated that the Town of Montville is expecting similar changes to its ESA, to allow for NPU's ESA to be adjusted for areas NPU currently serves.
 - Mr. Congdon asked about the timing of maps for the proposed ESA modification.
 - Mr. Lynch stated that ESA modifications in the Town of Montville involved more than just NPU and that the town would like to get boundaries finalized as soon as possible. Mr. Lynch will continue to work with NPU and Mohegan Tribe on this.
 - The motion was brought to a vote. The motion carried unanimously.

6. Integrated Report Discussion

Mr. Bighinatti began a PowerPoint presentation discussing the Integrated Report. Mr. Bighinatti discussed the schedule for finishing draft versions of the Coordinated Water System Plan (CWSP), of which the Integrated Report is a component, explaining that a draft Preliminary CWSP would be issued by January 2nd. Mr. Bighinatti explained that the Final CWSP is scheduled to be approved and submitted to CT DPH by May, after which Milone & MacBroom would no longer be retained as consultants to the WUCCs. Mr. Bighinatti added that the WUCCs would meet at a schedule appropriate to conduct their future business after May, and not necessarily every month, and that the WUCC may delegate responsibilities such as system recommendations to the Tri-chairs.

- Mr. Congdon asked if existing ESA issues should be resolved by May to be included in the CWSP.
 - Mr. Bighinatti confirmed that completing any modifications would be easiest before the WUCC resumes a non-monthly meeting schedule.

Mr. Bighinatti reviewed the layout of the Integrated Report and summarized the purpose of each chapter.

Mr. Bighinatti discussed projected water demands in the region. Mr. Bighinatti stated that 2015 or 2016 demand data is available for most systems, providing a comparison point for projections. Mr. Bighinatti explained that the Integrated Report would assess residential, non-residential, and unaccounted-for demand, and measure surplus or deficit by 'available water', which accounts for the most limiting factor to providing water from sources of supply and any commitments that the utility or system has made to another system.

Mr. Bighinatti spatially reviewed changes to public water system demand, projected through 2060. Mr. Bighinatti explained that methods are being considered for projecting growth of new

public water systems. Mr. Bighinatti also reviewed changes to residential and non-residential demand, by town, adding that total overall demand is not projected to change significantly in the region.

- Mr. Avery asked, in regards to total water demands by utility, why Groton Utilities is expected to experience a 1.37 million-gallon-per-day reduction by 2060, while most utilities will see an appreciable increase in demand.
 - Mr. Bighinatti stated that he will look again at the calculation.

Mr. Bighinatti discussed surplus available water in the region for existing public water systems and explained how that surplus would change, based on projected demand, if no new sources are developed. Mr. Bighinatti reviewed projections by each utility, explaining that Colchester, East Lyme, and Norwich Public Utilities, are currently projected to need to identify new sources of water.

Mr. Bighinatti explained that demand data will be broken out in tabular form for Community Systems, TNCs, and Non-Transient Non-Community (NTNC) systems. Mr. Bighinatti discussed how water-demand data was developed for those systems that did not respond to the data request.

Mr. Bighinatti explained that projected water demands would include potential declines in available water from reservoirs and discussed the unresolved issues related to Streamflow Regulations. Mr. Bighinatti explained that most utilities have not performed updated safe-yield analyses to account for required Class 3 releases and drought triggers specified in the Streamflow Standards and Regulations, and that the Integrated Report may use initial estimates based on a common percentage of safe-yield reduction.

- Mr. McPhee stated that certain utilities are further along in evaluating the impact of Streamflow Regulations than others because the Connecticut Department of Energy and Environmental Protection (CT DEEP) is assigning classifications by regional basin, generally moving east to west across the state. Mr. McPhee added that it may be appropriate to use safe-yield reduction ranges of Connecticut Water Company (CWC) and Aquarion Water Company (AWC) systems, since CWC and AWC have multiple system across the state. Mr. McPhee also stated that CT DEEP is hopeful that the impact of Streamflow Regulations would be partially offset by conservation.
- Mr. Bighinatti asked if, given that some utilities in the Eastern region will need to begin making releases in 2024, using an estimated percentage safe-yield reduction for utilities that have not done analyses would be appropriate should a caveat is included in the report.
 - Rick Stevens (Groton Utilities) expressed concern, stating that hard facts should be incorporated as they come in. Mr. Stevens also stated that the potential offset of impact due to conservation measures should also be included in the Integrated Report.
 - Mr. Congdon suggested that the Integrated Report should at least acknowledge that there will be an impact to safe yield, whether or not hard data exists.
 - Mr. Bighinatti suggested that it a calculation could potentially be performed to report the level of safe-yield reduction that each utility could absorb, and this could be used as well.
 - Mr. Stevens stated that a utility that has been closely complying with the letter of the law in regards to Streamflow Regulation would experience a much lower impact in safe-yield

reduction, and that demonstrating a higher impact could create an adversarial relationship between utilities and CT DEEP.

- Mr. Avery stated that, in the interest of the timing of the report, the WUCC may need to proceed without hard data for each utility.
- Mr. Bighinatti provided an example using Jewett City Water Company, who has not yet performed an analysis, where the Integrated Report could report a potential safe-yield reduction from the reservoir of 10%. However, the preliminary analyses could be used for those utilities where the analysis has been performed.
- Russell Fowler (Noank Fire District) expressed support for all utilities quickly performing an analysis, but barring that evaluating a range of percentages and suggesting that the WUCC conduct further study.
- Mr. McPhee clarified that the Integrated Report should not be advocating for changes to Streamflow Regulations, but should take a regional look at how eastern Connecticut can continue to provide water efficiently. Mr. McPhee added that the Integrated Report should identify ways to use conservation to increase excess capacity.
- Mr. Stevens expressed support of Mr. McPhee's suggestion to address conservation measures, adding that the WUCC discuss the prudent and achievable conservation measures that will have positive results on safe yield.
- Mr. McPhee added that private utilities have ability to tweak the rate structure, while municipal utilities do not have this benefit.
- Mr. Stevens added that conservation can come from source-water management as well.
- Mr. Avery added that "decoupling" has been a beneficial tool for private utilities and that municipal utilities with sewer systems gain a conservation benefit because of the sewer costs to customers.

Mr. Bighinatti reviewed prioritization of actions to improve water supply and how each action may be weighted. Mr. Bighinatti reviewed a number of presently proposed and conceptual projects, such as interconnections for Windham Water Works and the regionally interconnected water supply system in southeastern Connecticut.

- Mr. Stevens asked if skimming would be considered as an alternative method of water diversion.
 - Mr. Bighinatti stated that he would be happy to review any information Groton Utilities has on skimming at Haley Brook to supplement water for its multi-reservoir storage system.
 - Mr. Stevens stated that he would share a schematic.

Mr. Bighinatti discussed additional recommendations addressing source challenges. Mr. Bighinatti explained that the WUCC could continue to encourage efforts to improve resiliency, as it has done in the past, through regionalization, and may also support interconnections between large systems with only one source per system.

Mr. Bighinatti discussed how recommendations would be developed for small systems that have limited financial, technical, and/or managerial capacity. Mr. Bighinatti stated an analysis was being performed to categorize such small systems based on options that would improve reliability and capacity over the long-term, such as acquisition or interconnections.

Mr. Bighinatti discussed new systems and suggested, as a long-term solution for sound planning, the monitoring of development trends should be performed to be prepared for when and where new systems are needed or expected to form.

- Mr. Avery expressed concerns over the cost associated with continually monitoring activity in the region.
 - Mr. Butler stated that the two Councils of Governments have some capacity and the SCCOG Regional Water Committee already does this to some extent; however, neither Council of Governments would commit any great resources without the their boards' expressed approval.
 - Mr. Bighinatti explained that monitoring activity of new systems may be as simple as addressing it at regular WUCC meetings if someone sees or hears something.
 - Mr. Avery suggested that the ESA holders could bring the issue to the WUCC, as they update their Water Supply Plans, which address the local Plans of Conservation and Development.
 - Mr. Bighinatti explained that there is likely going to be a lot of activity in the interim, between Water Supply Plans.
 - Mr. McPhee agreed with the need to monitor local development activity and system creation. Mr. McPhee explained that the Councils of Governments are likely involved, specifically, in the WUCC process because of their close connection to local governments and land use commissions.

Mr. Bighinatti reviewed recommendations related to the State Water Plan and policies and regulations. Mr. Bighinatti explained that WUCCs could help implement aspects of the State Water Plan if asked by the Water Planning Council and the Water Planning Council Advisory Group. Mr. Bighinatti also added that the Integrated Report may recommend that the WUCC look at opportunities for addressing mismatches between the various planning process (e.g.: utilities plan at the system level, while the CWSP largely address the municipal and regional level, and the State Water Plan is interested in water usage on a basin level).

7. Other Business

Mr. Bighinatti presented a sample agenda for the January 10, 2018 meeting and asked for potential additions. There were no other additions to the agenda at this time.

Mr. Butler asked if there is concern over attendance and suggested getting the word out to WUCC members that there is still work to do in the CWSP.

- Mr. Bighinatti stated that the Northeastern Connecticut Council of Governments (NECCOG) is open to having more meetings at their offices and stated that a new staff member has been assigned to the WUCC.
 - Mr. Butler suggested that the WUCC distribute a synopsis of the work left to be done in the CWSP.
 - Mr. McPhee suggested that a letter go out with the draft Preliminary Integrated Report.
 - Mr. Butler also stated that both Councils of Governments have a number of new members, which may be interested in getting involved in the WUCC process.

- Mr. Alexander stated that most towns in the NECCOG region are WUCC members by way of owning small systems, and newly elected Chief Elected Officials may be interested in being involved in the WUCC.

The WUCC discussed meeting dates and locations, it was decided that the January Meeting should be held at SCCOG offices but the WUCC should consider holding the February Meeting at NECCOG offices if they are available. The WUCC decided that the January Meeting snow date be the Wednesday following the scheduled date (January 17, 2018).

Mr. Fowler made a motion to adjourn the meeting. Mr. Butler seconded the motion. The meeting was adjourned at 2:52 PM.

Respectfully submitted,

Samuel Alexander (Southeastern Connecticut Council of Governments)
Recording Secretary