



Monthly Meeting #9

Coordinated Water System Plan Western Region



Brookfield Town Hall, Brookfield, Connecticut | February 14, 2017

Agenda

1. Welcome & Roll Call (5 minutes)
2. Approval of Meeting Minutes (5 minutes)
3. Review of Formal Correspondence (5 minutes)
4. Public Comment Period (5 minutes)
5. Approval of ESA Process Document and Schedule (5 minutes)
6. Update on DEEP ESA Claim and ESA Potential Conflict Presentations (45 minutes)
7. Consideration and Approval of Preliminary ESAs for Public Comment in March (50 minutes)
8. Other Business (as time allows)

Agenda

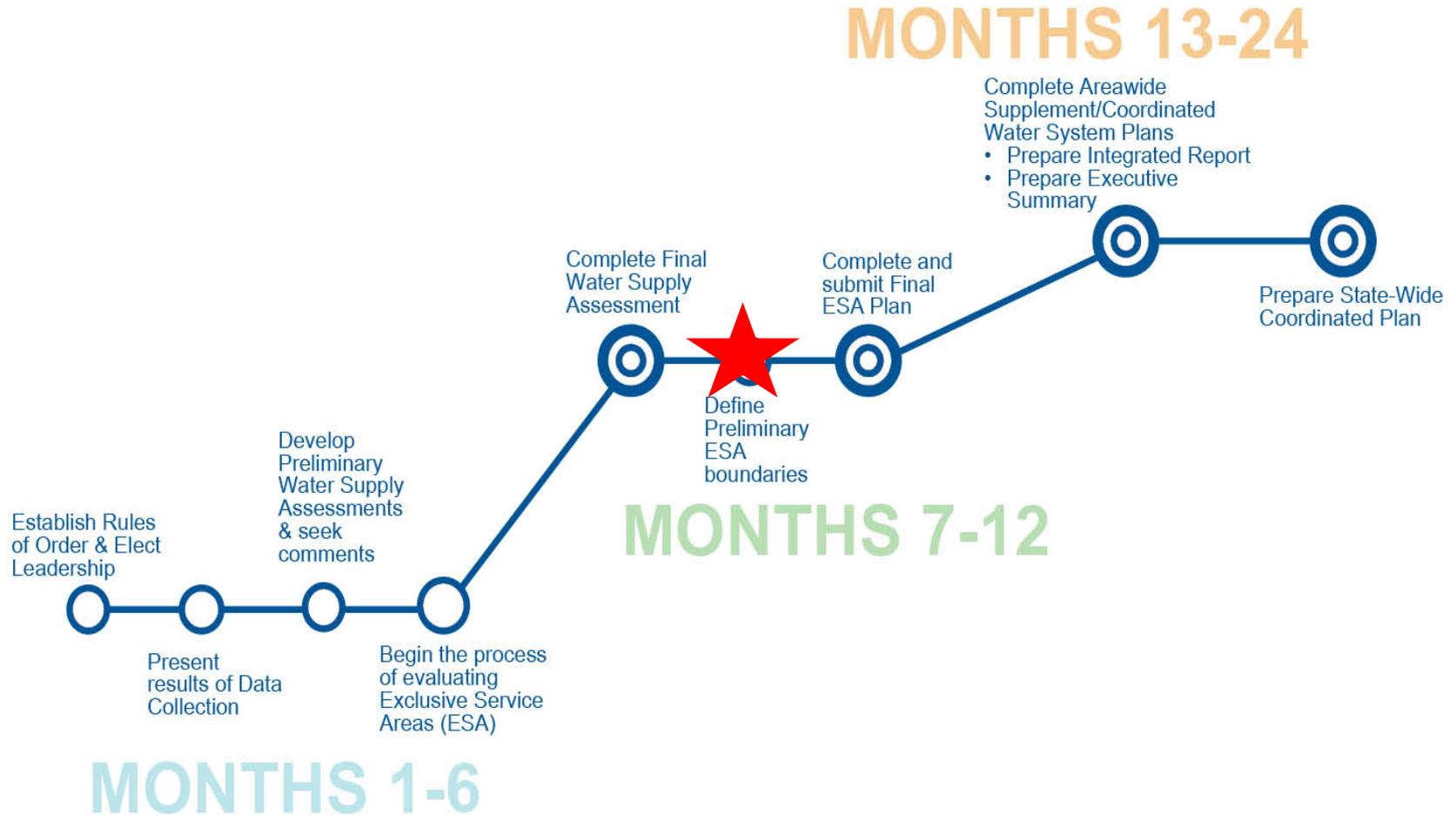
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- ***What Have We Accomplished?***
 - ✓ Exclusive Service Area (ESA) declarations have been received
 - ✓ Most of the ESA conflicts have been resolved

- ***What Are We Doing Today?***
 - ✓ Adopting the ESA Process Documentation
 - ✓ Approving Preliminary ESA boundaries for 42 municipalities

- ***What's Next?***
 - ✓ Address remaining conflicts
 - ✓ Complete the ESA Document approve it for public review
 - ✓ Start work on the Integrated Report

WUCC Time Frame



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Formal Correspondence

Date	From	To	Main Topic(s)
1/12/2017	Western, Central, & Eastern WUCC	Members of the Public (electronically with hardcopy to Citizens Campaign for the Environment)	Response to numerous letter concerns, regarding the following: CT needs a regional water planning strategy that prioritizes the public's need for clean drinking water over corporate interests, prioritizes environmental protection while allowing for sustainable economic development, provides opportunities for public comment, requires water conservation, and seeks to have the vision to protect water resources in perpetuity
2/1/2017	CT DPH	Everyone – WUCCs and the Public	ESA Frequently Asked Questions (FAQ)

Formal Correspondence



Date	From	To	Main Topic(s)
2/1/2017	CT DEEP	Western, Central, & Eastern WUCC Chairs	Letter indicating that CT DEEP intends to withdraw ESA claims, and requesting that DEEP lands (1) remain unassigned or (2) be assigned with the understanding that the ESA would be unenforceable on state owned land
2/7/2017	CT DPH	Western, Central, & Eastern WUCC Chairs	Letter clarifying that nothing in statutes precludes DEEP property within an ESA, and acknowledgement that DEEP has certain rights and protections.

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Remaining ESA Process Schedule



Action	Timeline
<ul style="list-style-type: none"> • Presentations by Conflicted Declarants • WUCC to begin preliminarily approving ESAs • Begin requesting PURA recommendations if needed 	January 10 and February 14, 2017 Meetings
<ul style="list-style-type: none"> • Issue Draft Preliminary ESA Document for WUCC member review 	March 1, 2017
<ul style="list-style-type: none"> • Approve Preliminary ESA Document for Public Review • Refer conflicts to PURA if necessary • Process Boundary Changes if time allows 	March 14, 2017 Meeting
<ul style="list-style-type: none"> • 30-Day Public Comment Period 	March 15, 2017 through April 14, 2017
<ul style="list-style-type: none"> • Review public comments received to date • Statements of Confirmation issued for review and signature • Process Boundary Changes if time allows 	April 11, 2017 Meeting
<ul style="list-style-type: none"> • Review public comments • Review draft final ESA Document • PURA Recommendations due; discussion • Refer remaining conflicts to DPH • Process Boundary Changes if time allows 	May 9, 2017 Meeting
<ul style="list-style-type: none"> • Approval of ESA Document 	June 13, 2017 Meeting

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

- Public water systems 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 resolution
- Conflict resolution procedures
 - Presentations / Scoring Rubric
 - Alternatives
 - Vote on a proposal or send to mediation
 - PURA recommendation
 - DPH assignment
 - Appeals

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

Scoring



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				
	Total				

12/16 meeting
 – suggestion
 to remove total

ESA Procedures (Process Document)

- Motion to approve?



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Updates Regarding DEEP

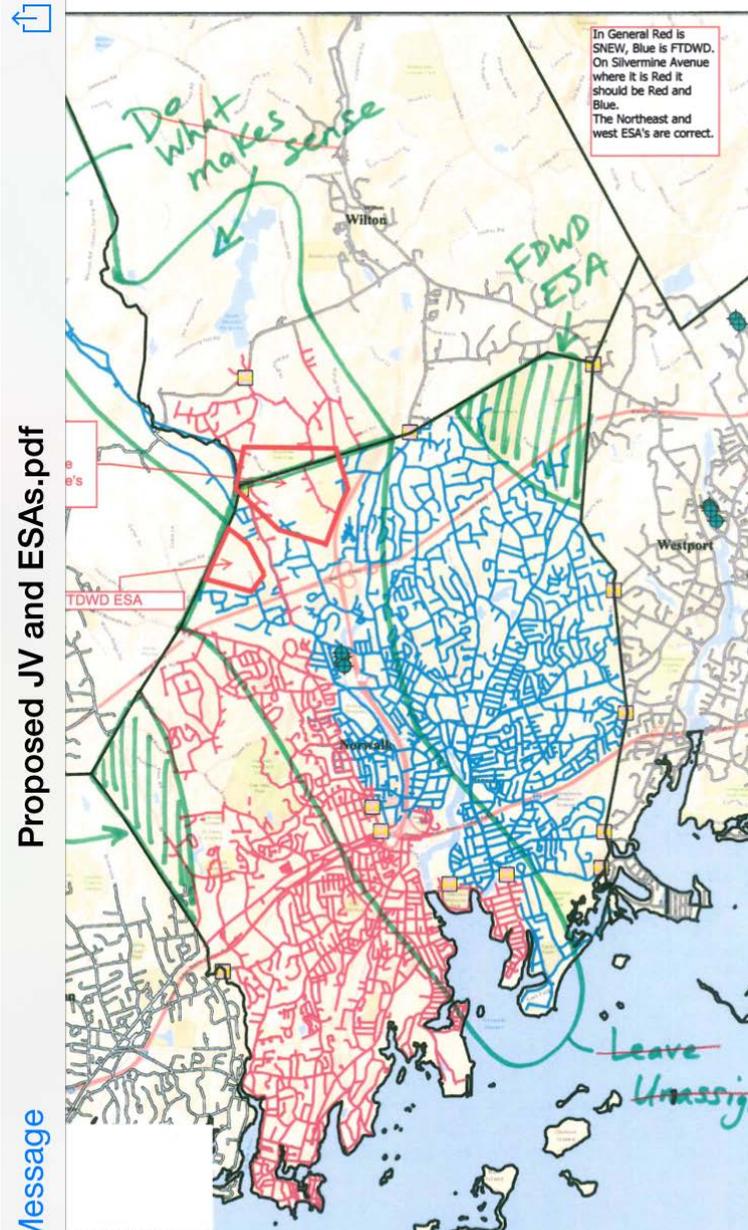


- Since our last meeting, several towns and water utilities provided notification that they were not in conflict with DEEP’s ESA claims within their declared ESAs or unassigned areas
- Subsequently, DEEP withdrew its ESA claim
 - Requested that DEEP lands remain unassigned; or
 - Requested that ESAs over DEEP lands be noted that they may not be enforceable due to “sovereign immunity” of the State

Remaining ESA Conflicts

- Conflicts Remain in Two Municipalities:
 - Norwalk – SNEW, FDWD, and Aquarion
 - Litchfield – Aquarion, Torrington Water Company, and Town-requested unassigned
- Parties to these conflicts have requested more time rather than undergo presentations in front of the WUCC
- WUCC should request resolutions by February 28, 2017
- Preliminary ESAs in Norwalk and Litchfield will be recommended by the WUCC at the March 14, 2017 meeting
- If declarants in Norwalk and Litchfield do not agree with the preliminary ESAs sent to public comment, they will also be referred to PURA

Remaining ESA Conflicts



Proposed JV and ESAs.pdf

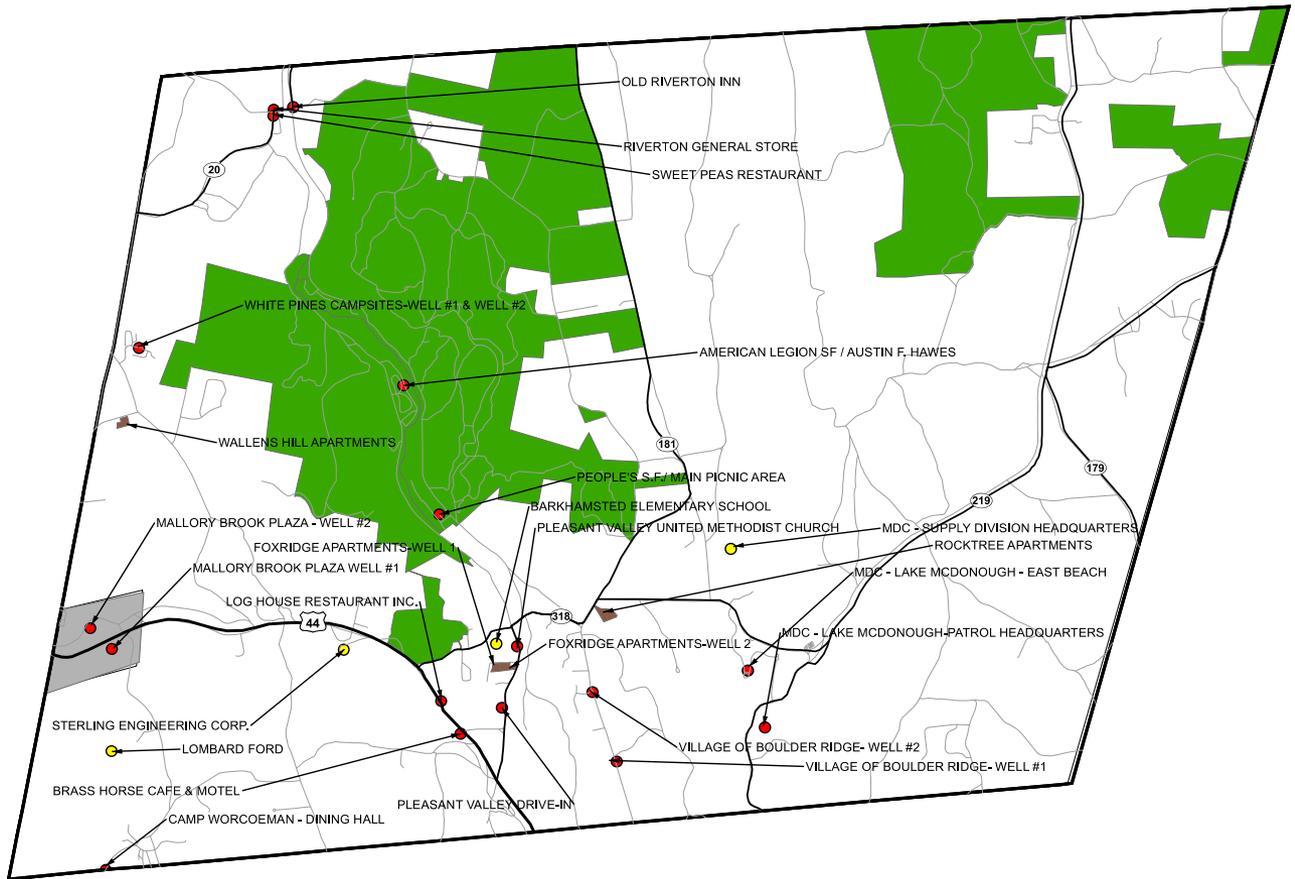
Message

Agenda



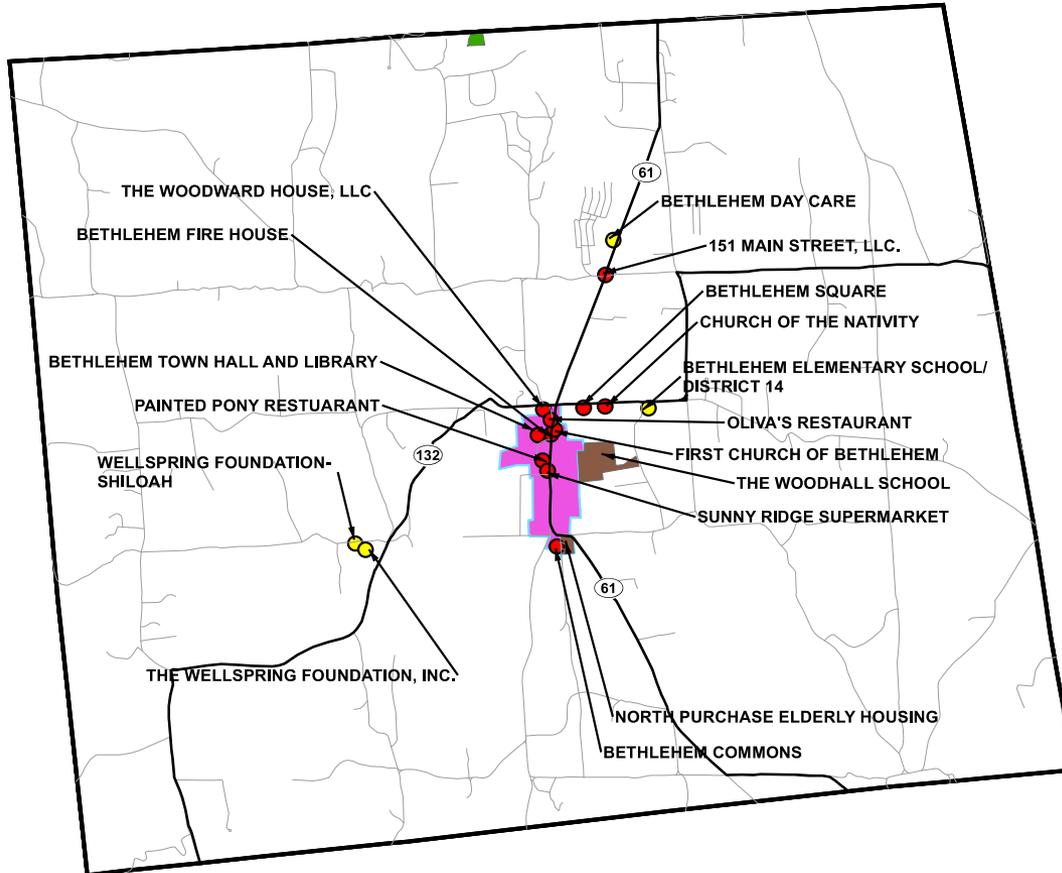
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Preliminary ESA Delineation for Barkhamsted



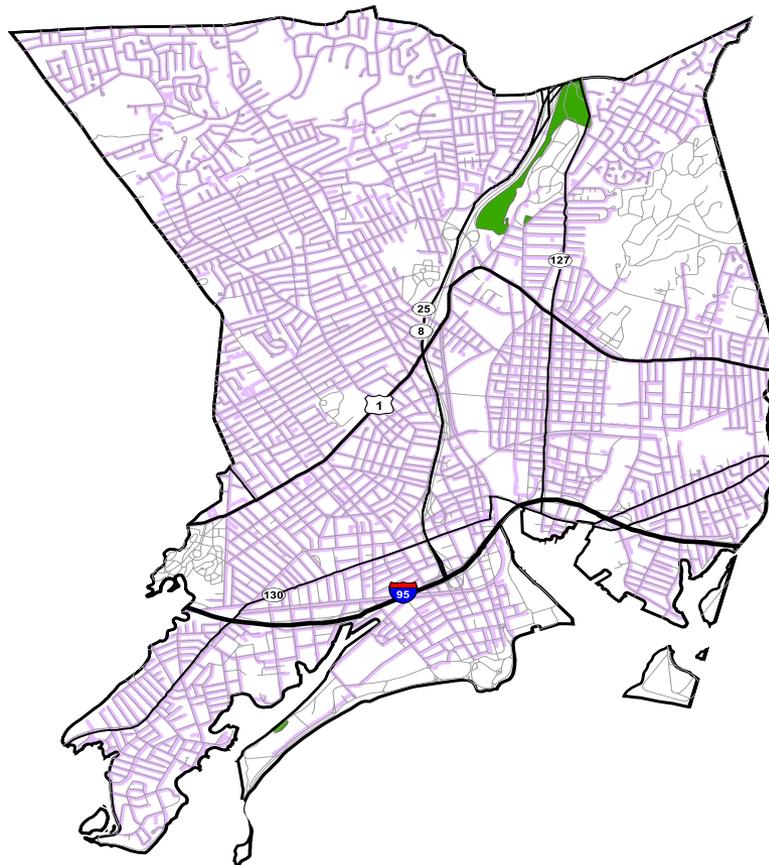
D EXCLUSIVE SERVICE AREAS

Preliminary ESA Delineation for Bethlehem



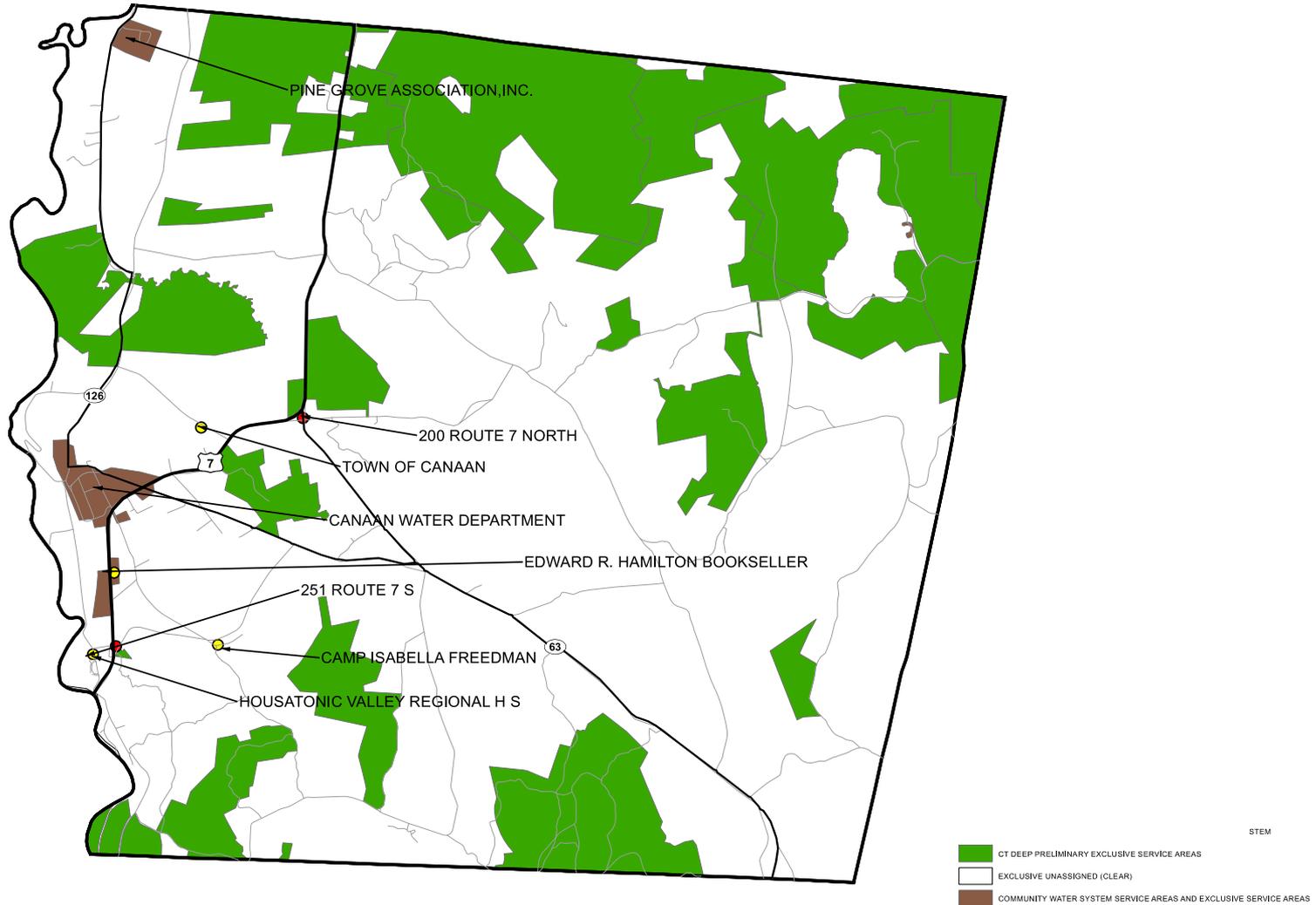
S AND EXCLUSIVE SERVICE AREAS

Preliminary ESA Delineation for Bridgeport

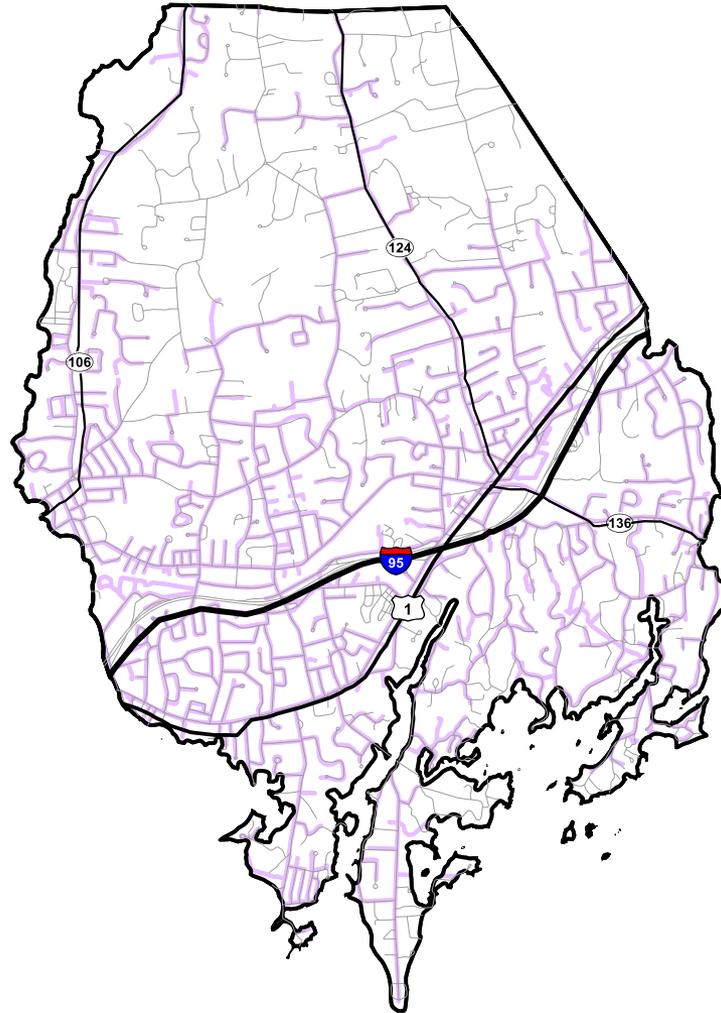


SERVICE AREA

Preliminary ESA Delineation for Canaan

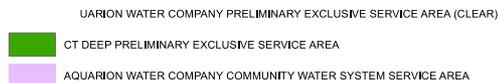
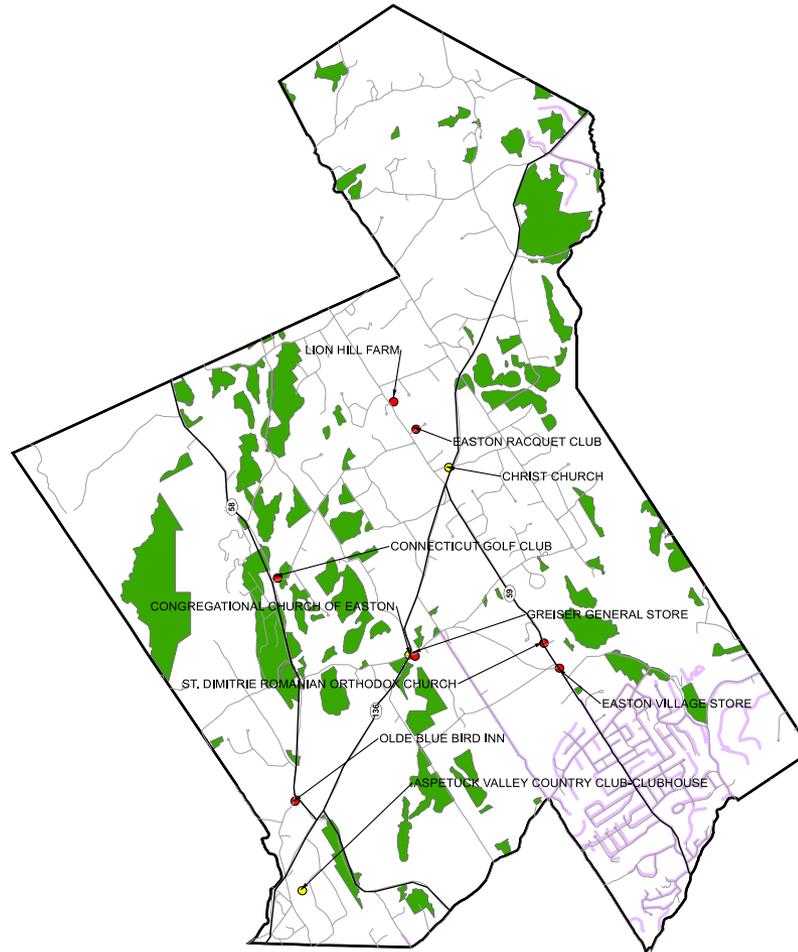


Preliminary ESA Delineation for Darien

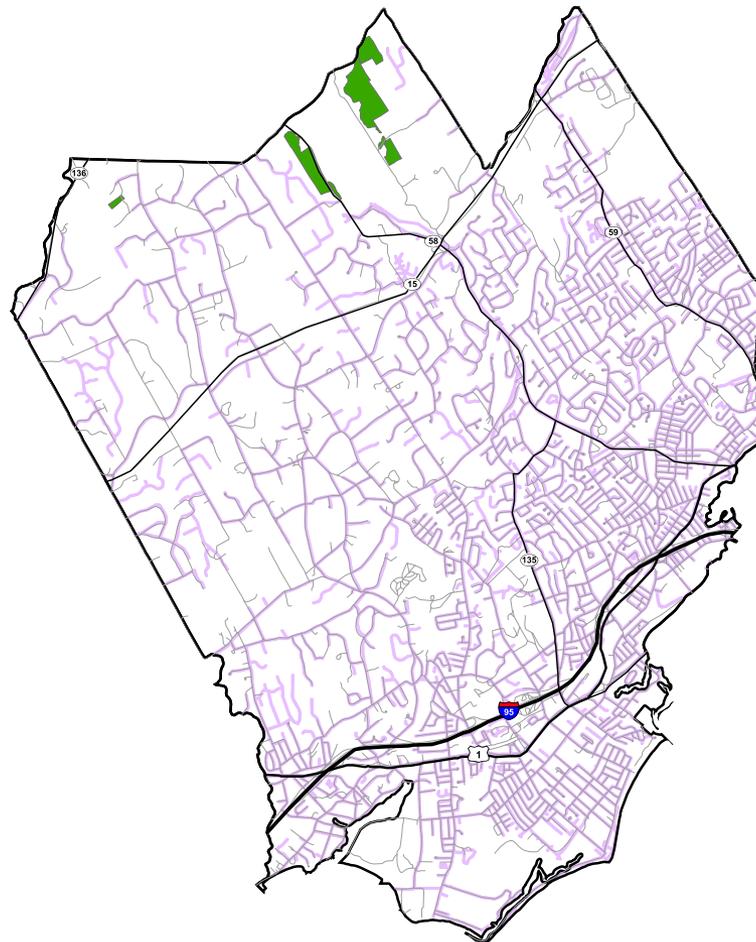


ATER SYSTEM SERVICE AREA

Preliminary ESA Delineation for Easton



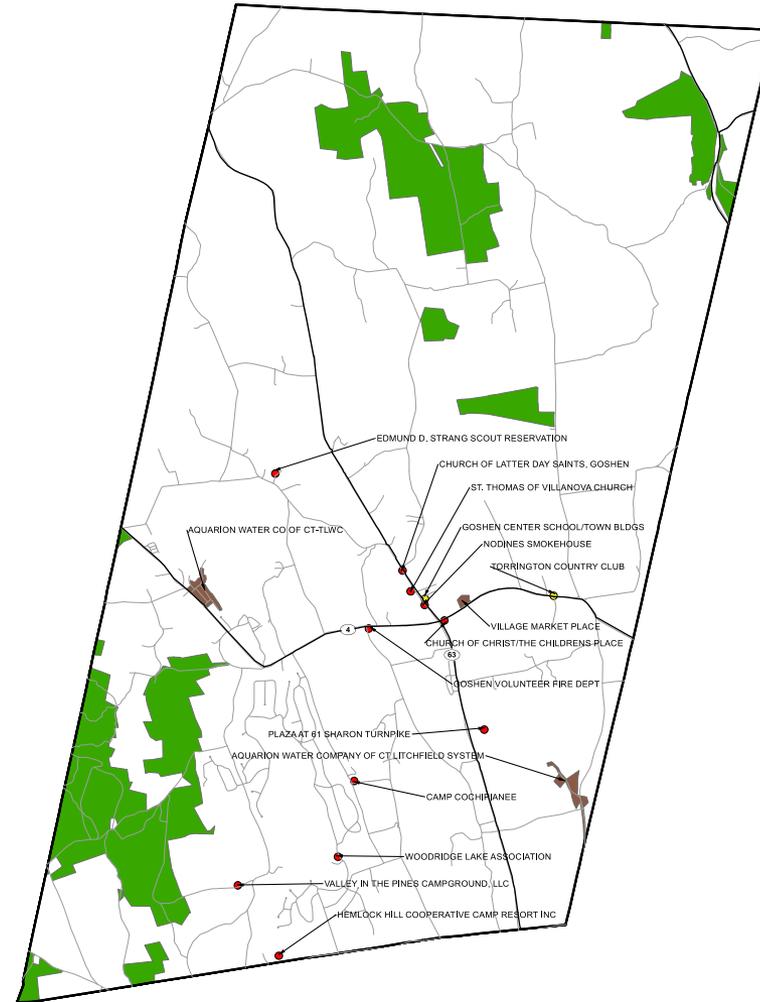
Preliminary ESA Delineation for Fairfield



REA (CLEAR)

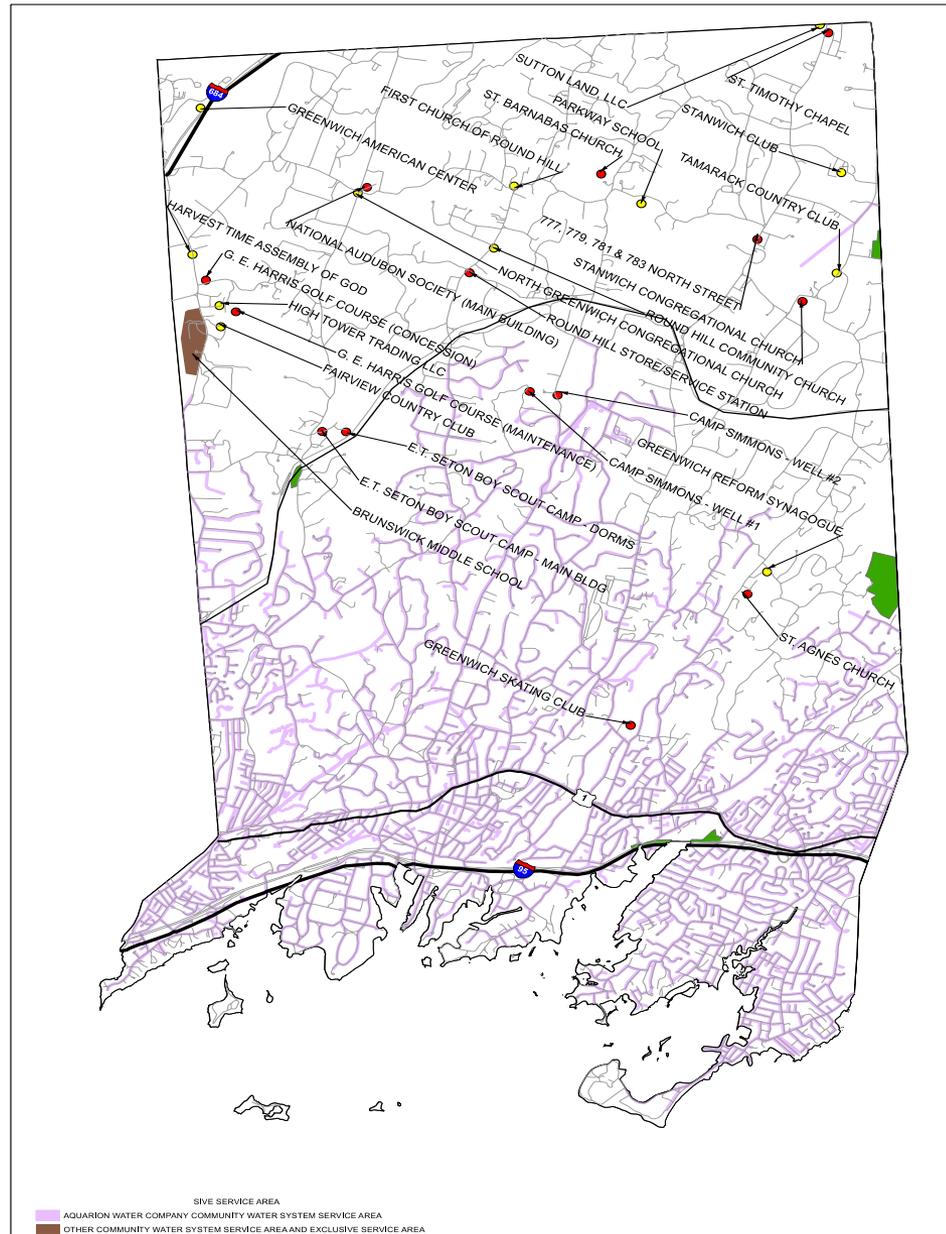
-  CT DEEP PRELIMINARY EXCLUSIVE SERVICE AREA
-  AQUARION WATER COMPANY COMMUNITY WATER SYSTEM SERVICE AREA

Preliminary ESA Delineation for Goshen

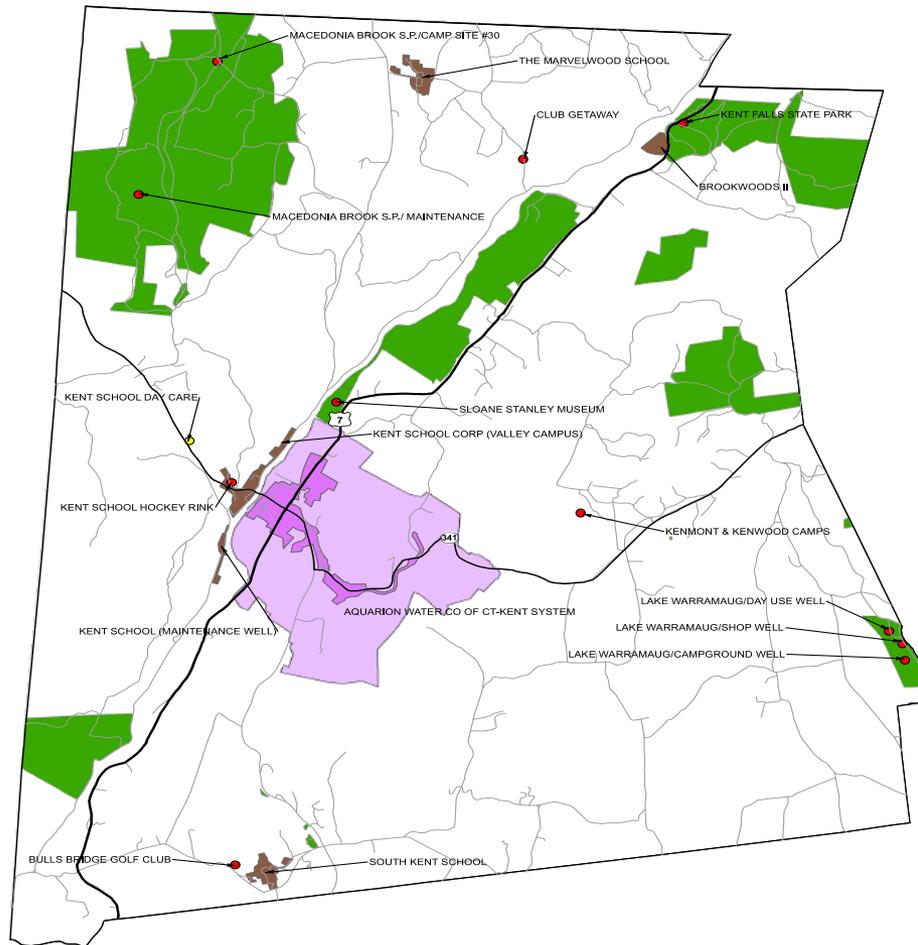


GREEN PRELIMINARY EXCLUSIVE SERVICE AREA (CLEAR)
BROWN COMMUNITY WATER SYSTEM SERVICE AREAS AND EXCLUSIVE SERVICE AREAS

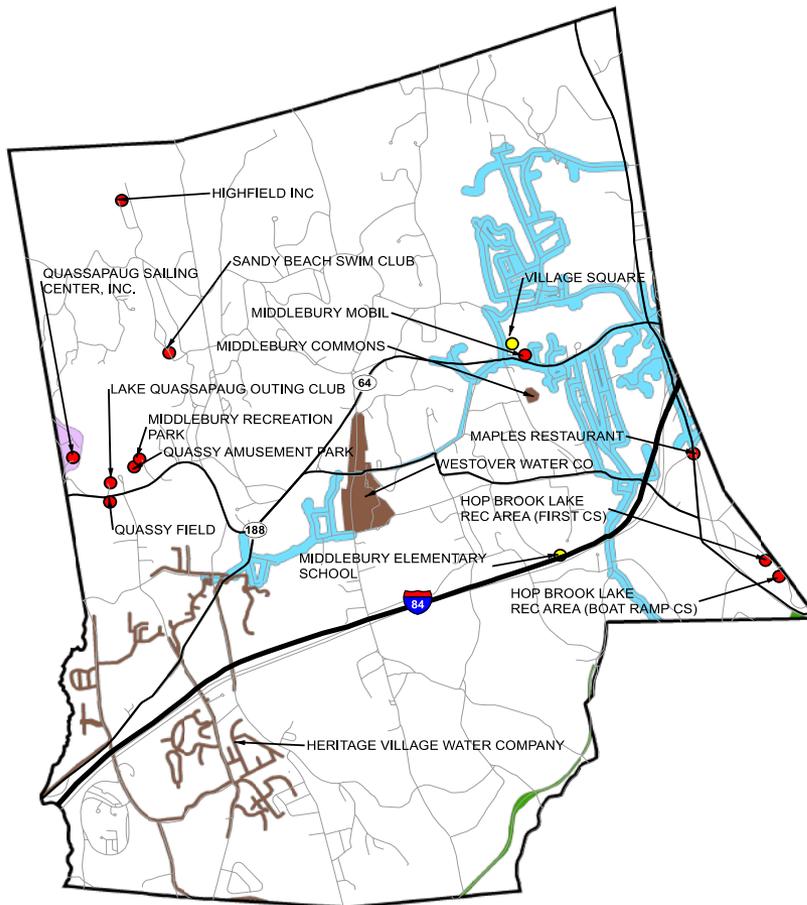
Preliminary ESA Delineation for Greenwich



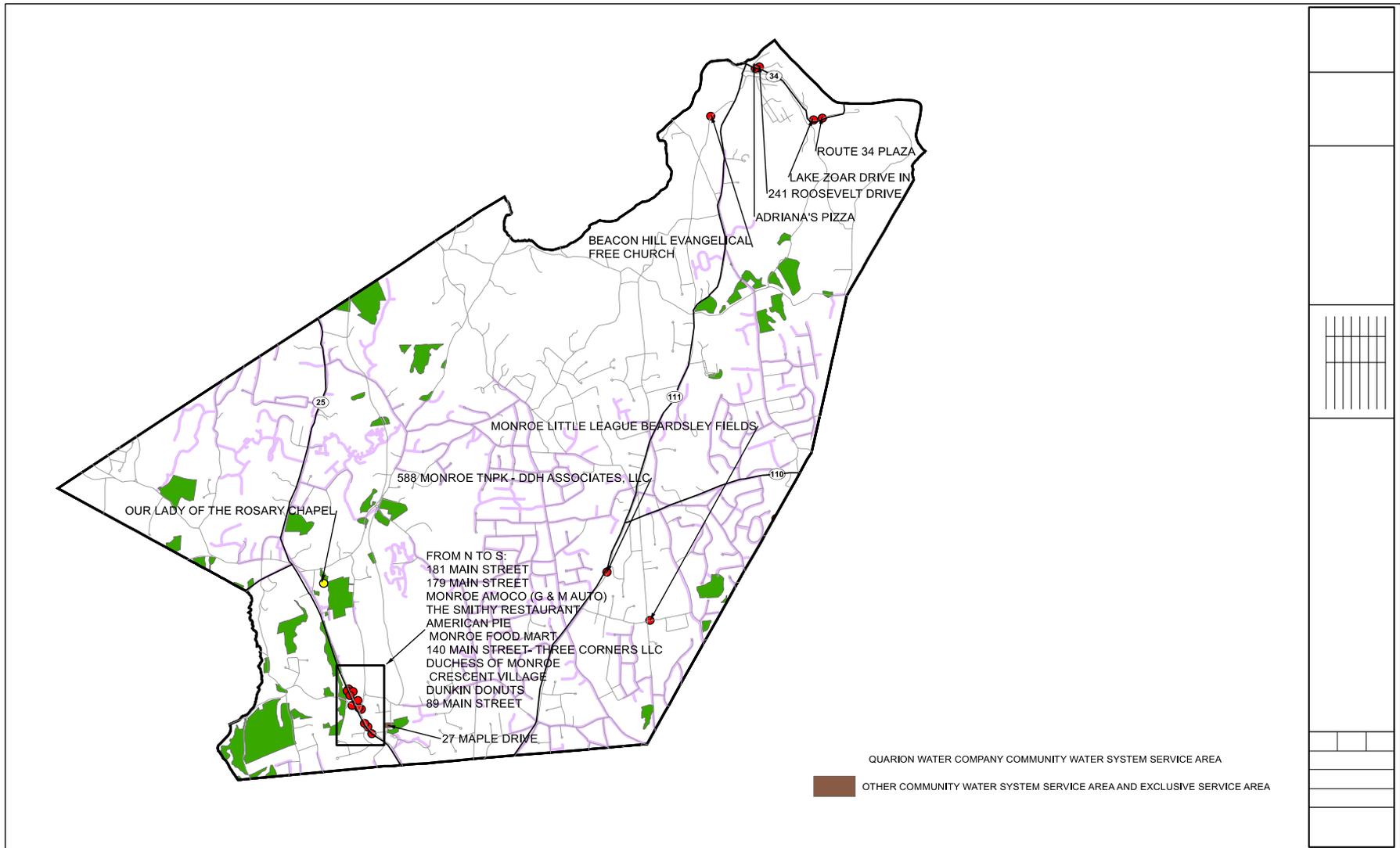
Preliminary ESA Delineation for Kent



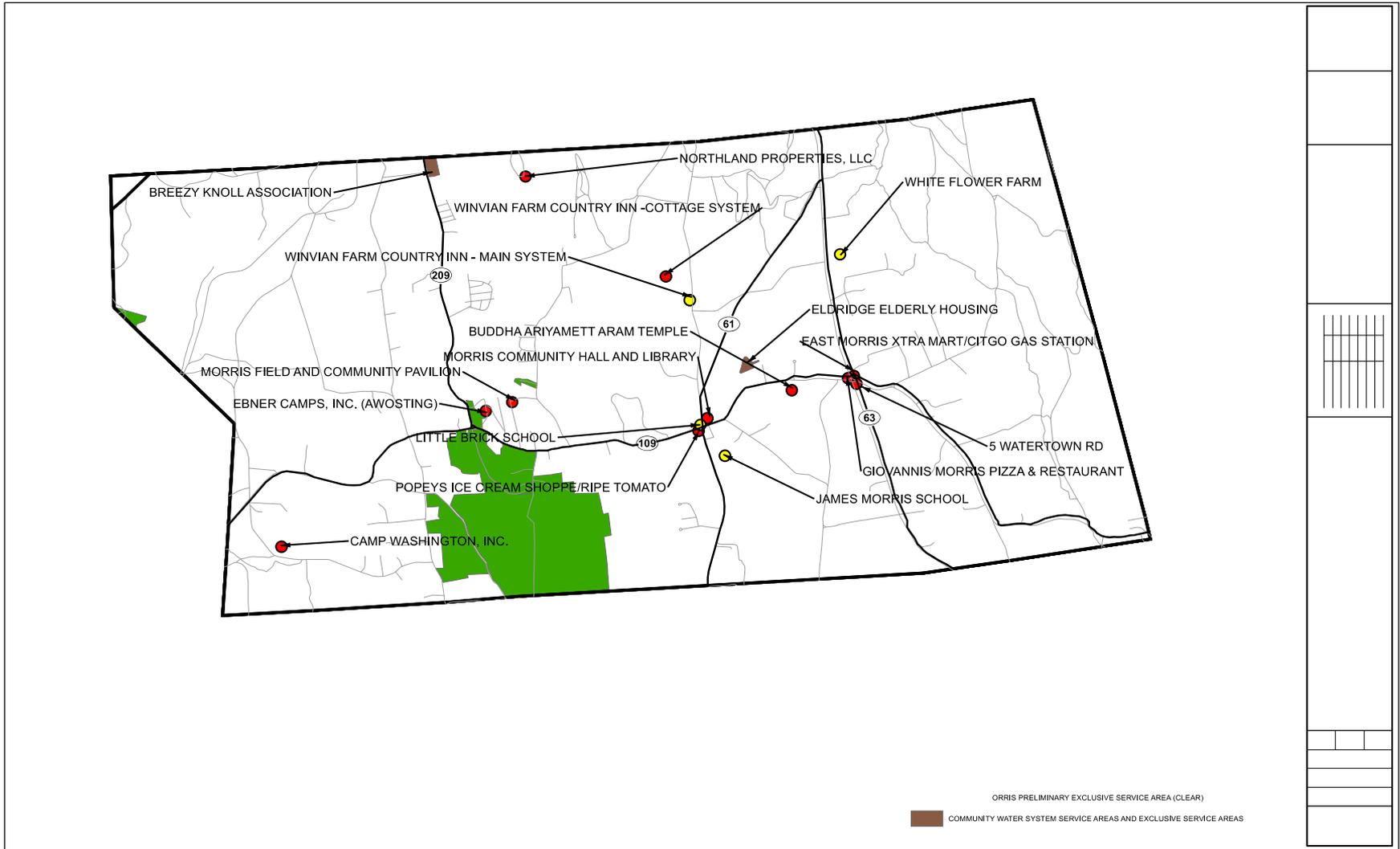
Preliminary ESA Delineation for Middlebury



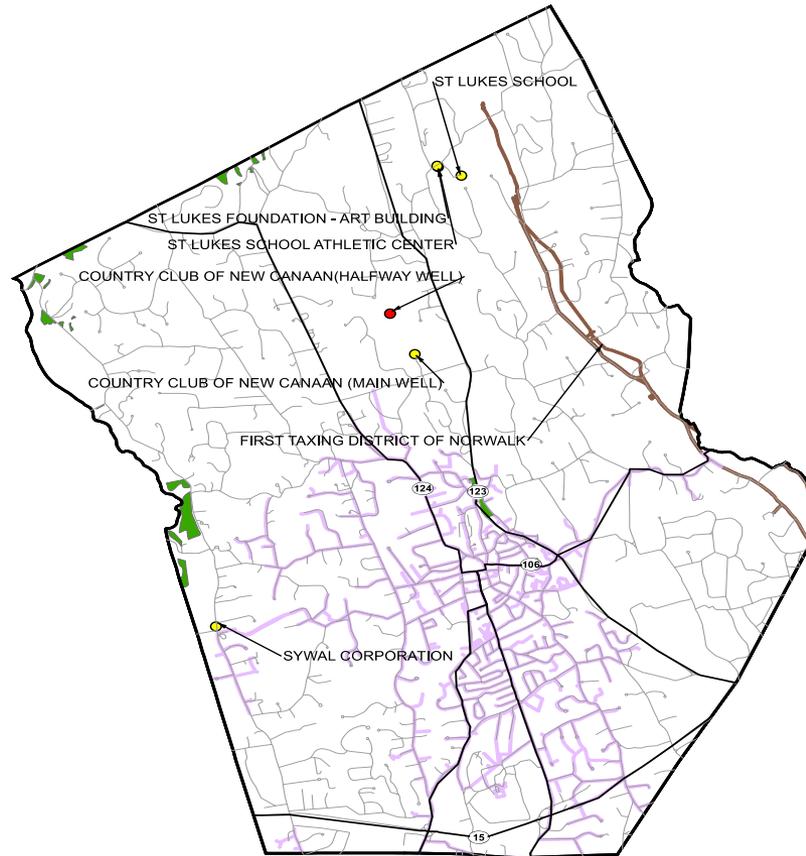
Preliminary ESA Delineation for Monroe



Preliminary ESA Delineation for Morris



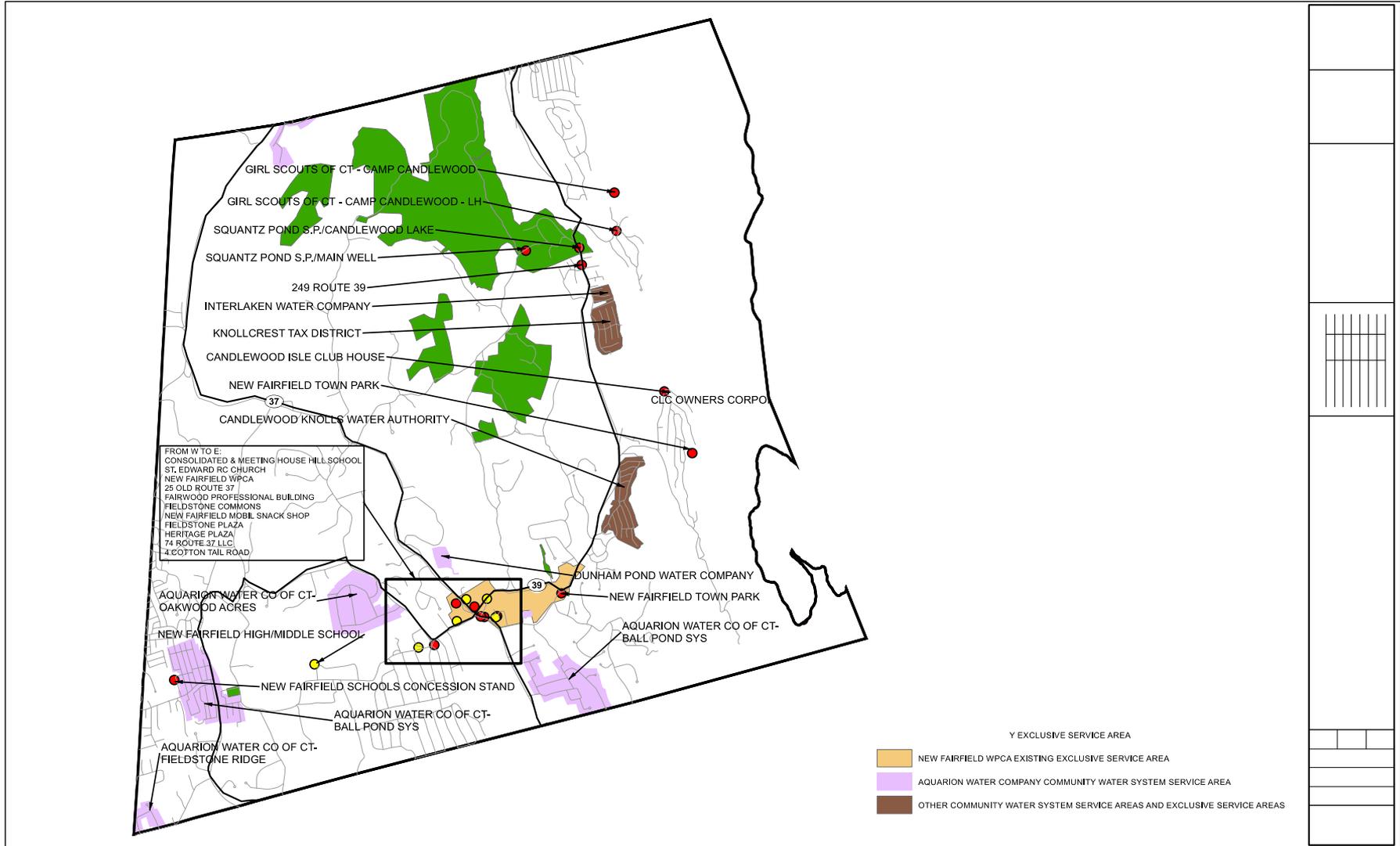
Preliminary ESA Delineation for New Canaan



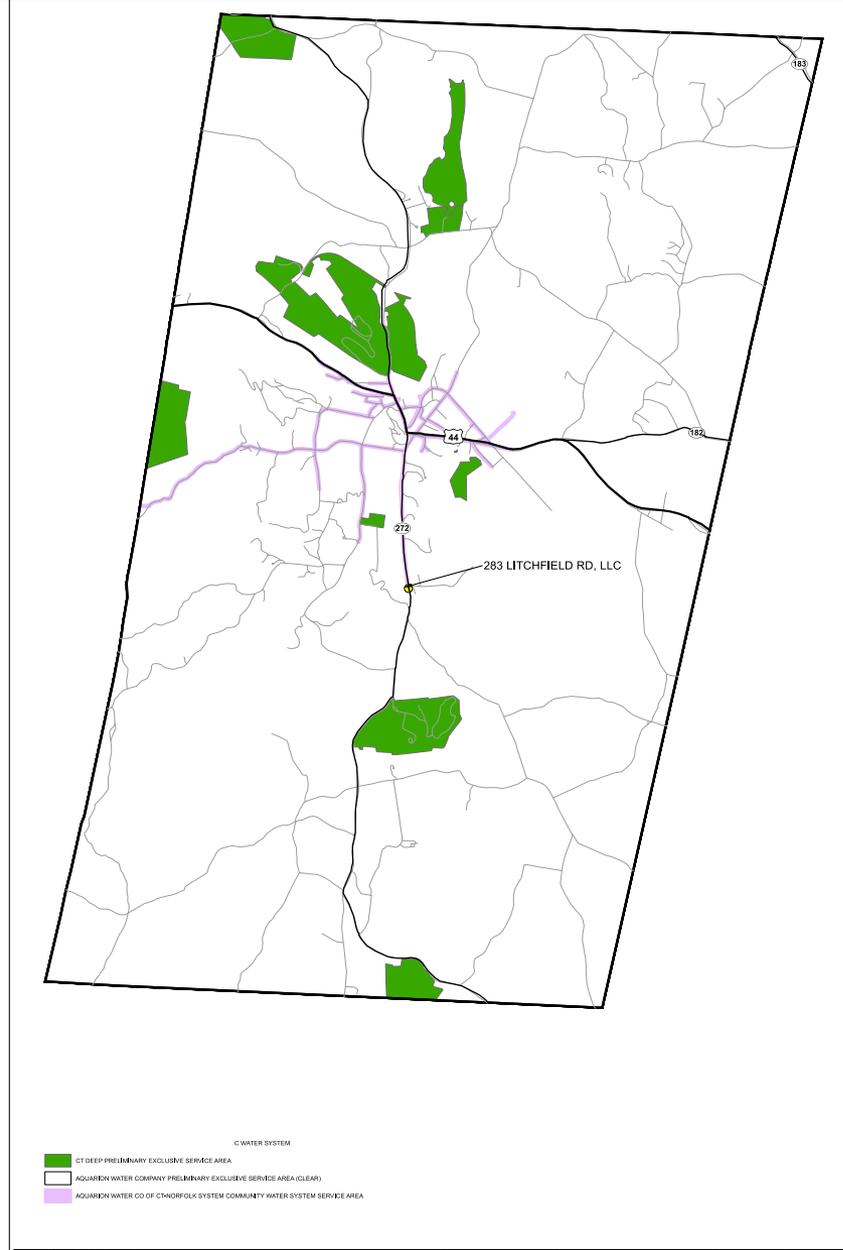
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-  AQUARION WATER COMPANY COMMUNITY WATER SYSTEM SERVICE AREA
-  OTHER COMMUNITY WATER SYSTEM SERVICE AREA AND EXCLUSIVE SERVICE AREA

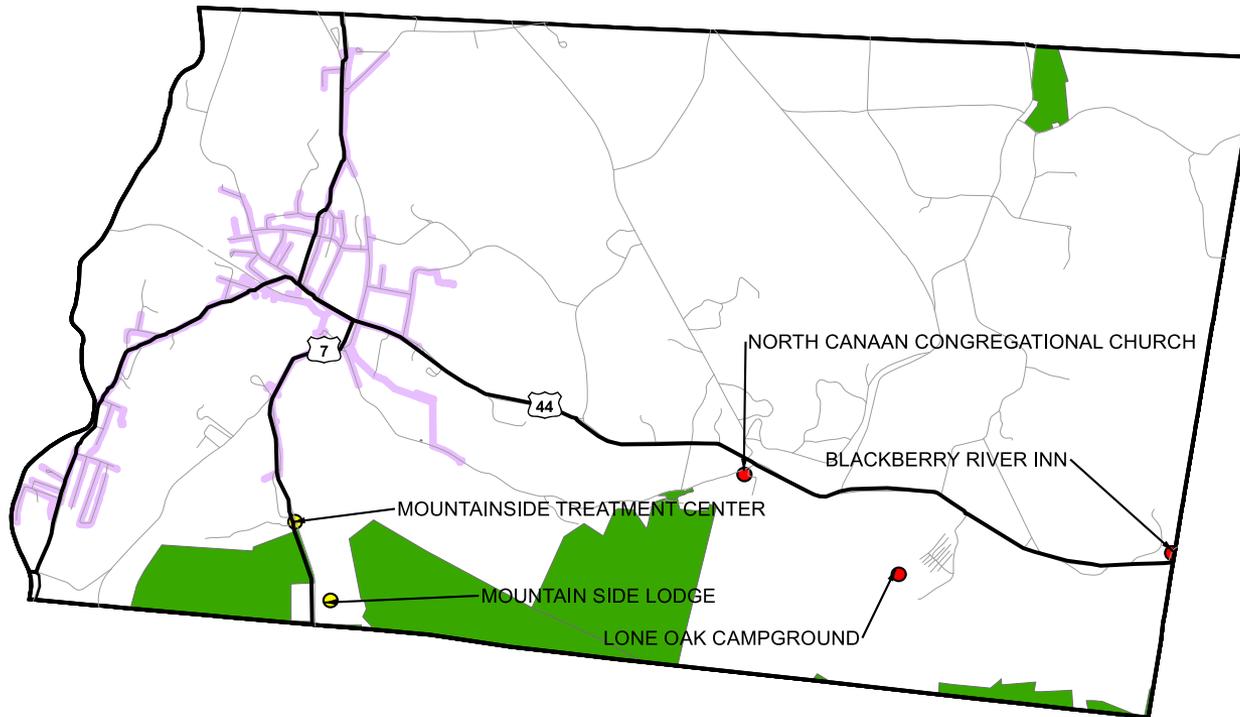
Preliminary ESA Delineation for New Fairfield



Preliminary ESA Delineation for Norfolk



Preliminary ESA Delineation for North Canaan

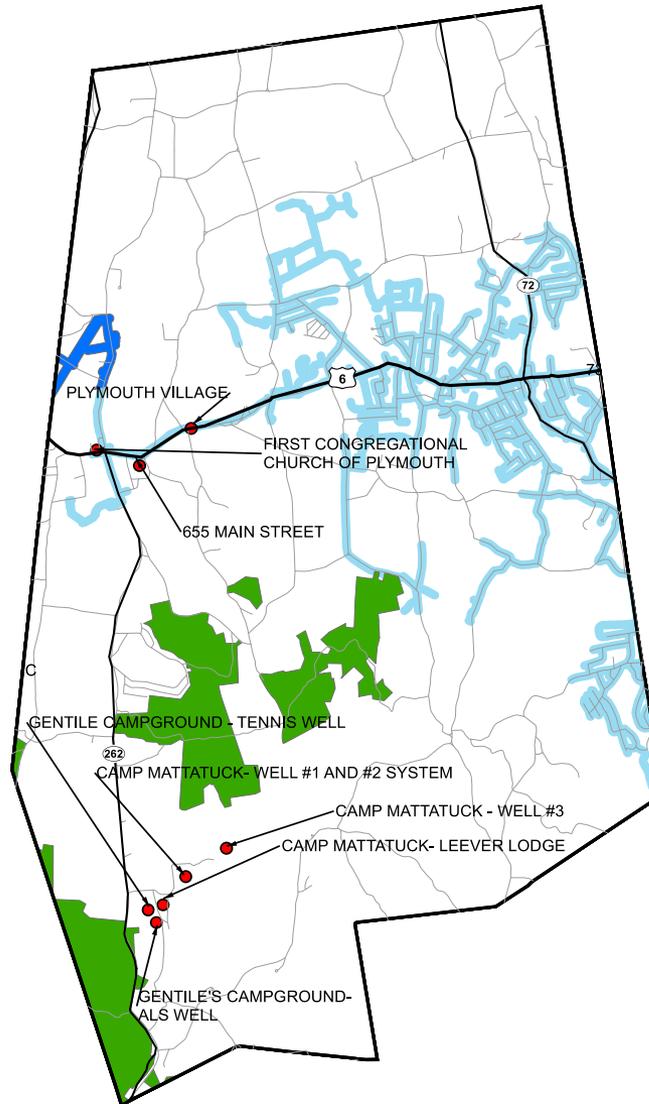


COMPANY PRELIMINARY EXCLUSIVE SERVICE AREA (CLEAR)

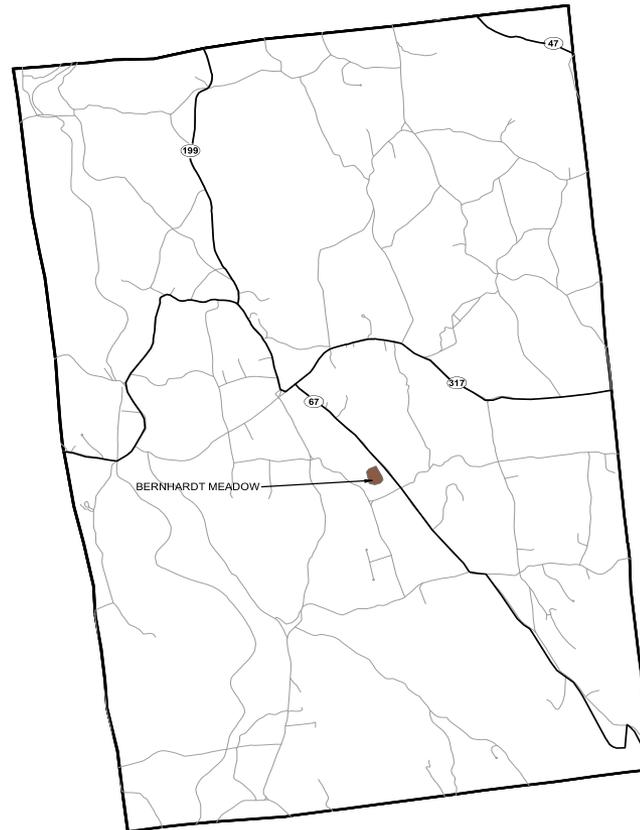
 CT DEEP PRELIMINARY EXCLUSIVE SERVICE AREA

 AQUARION WATER CO OF CT-NORTH CANAAN SYSTEM COMMUNITY WATER SYSTEM SERVICE AREA

Preliminary ESA Delineation for Plymouth

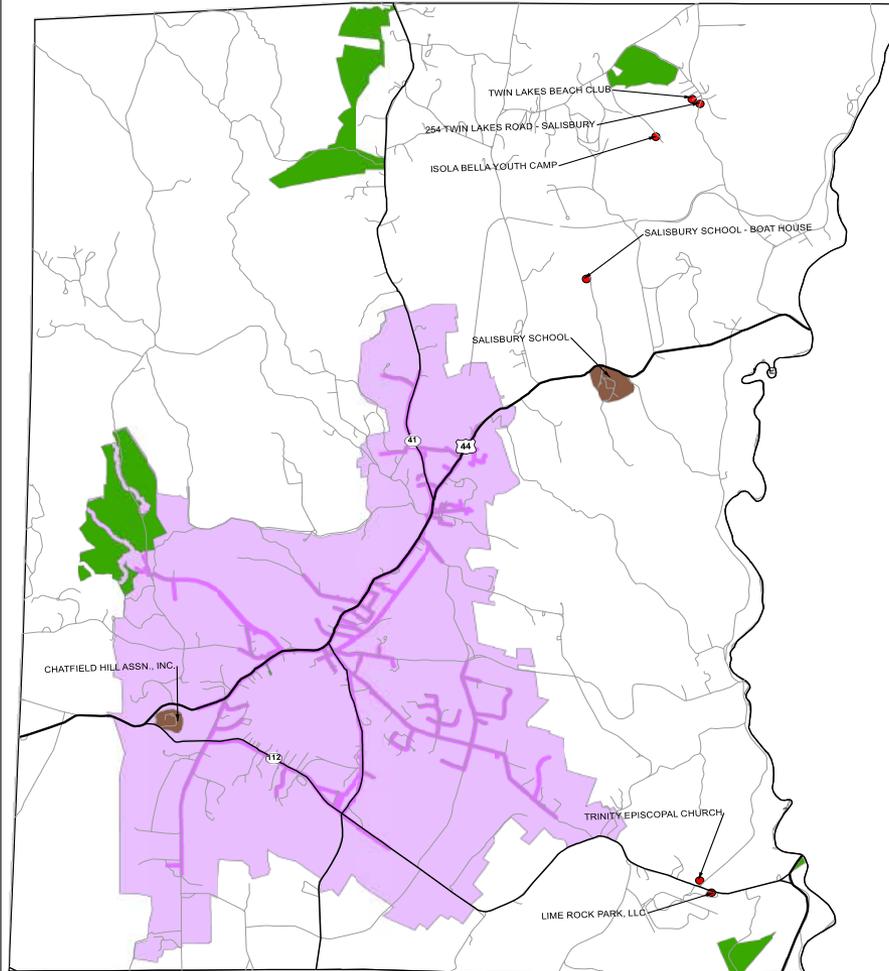


Preliminary ESA Delineation for Roxbury

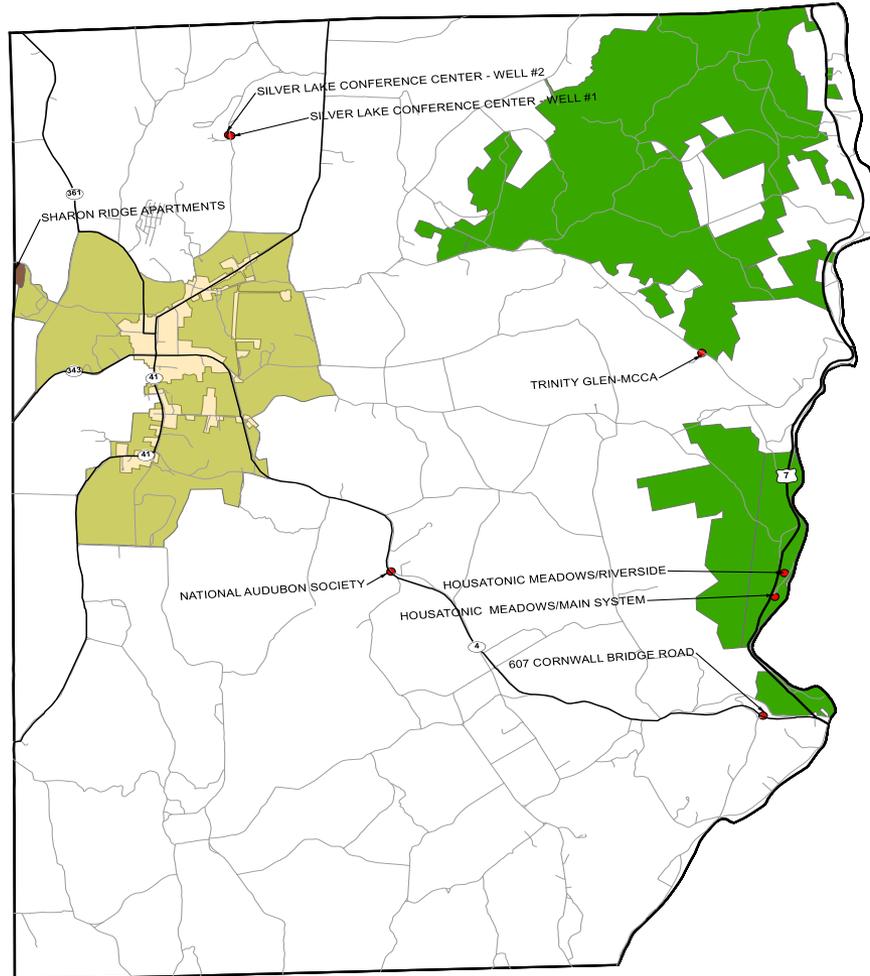


COMMUNITY WATER SYSTEM SERVICE AREA AND EXCLUSIVE SERVICE AREA

Preliminary ESA Delineation for Salisbury



Preliminary ESA Delineation for Sharon



UNITY WATER SYSTEM SERVICE AREA
OTHER COMMUNITY WATER SYSTEM SERVICE AREA AND EXCLUSIVE SERVICE AREA

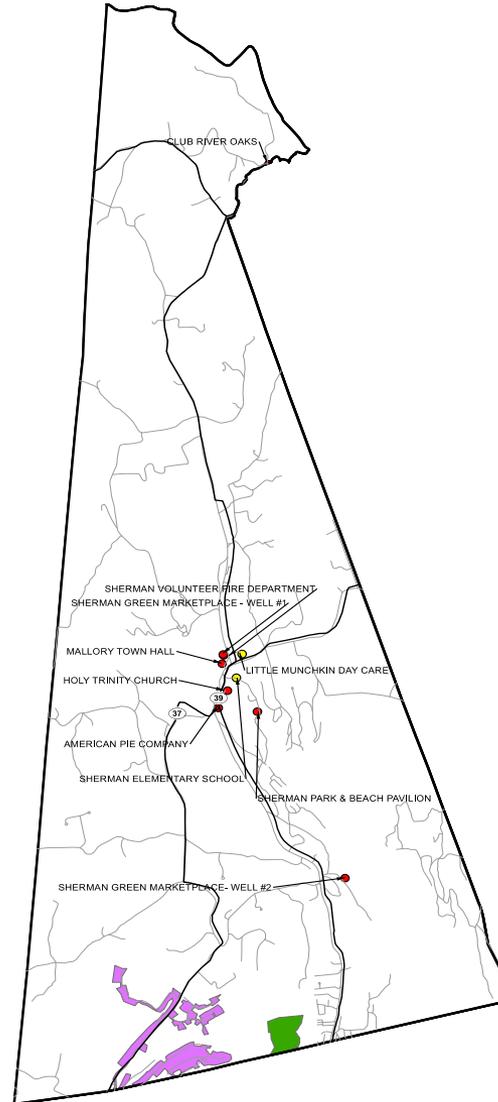
Preliminary ESA Delineation for Shelton



ICE AREA (CLEAR)

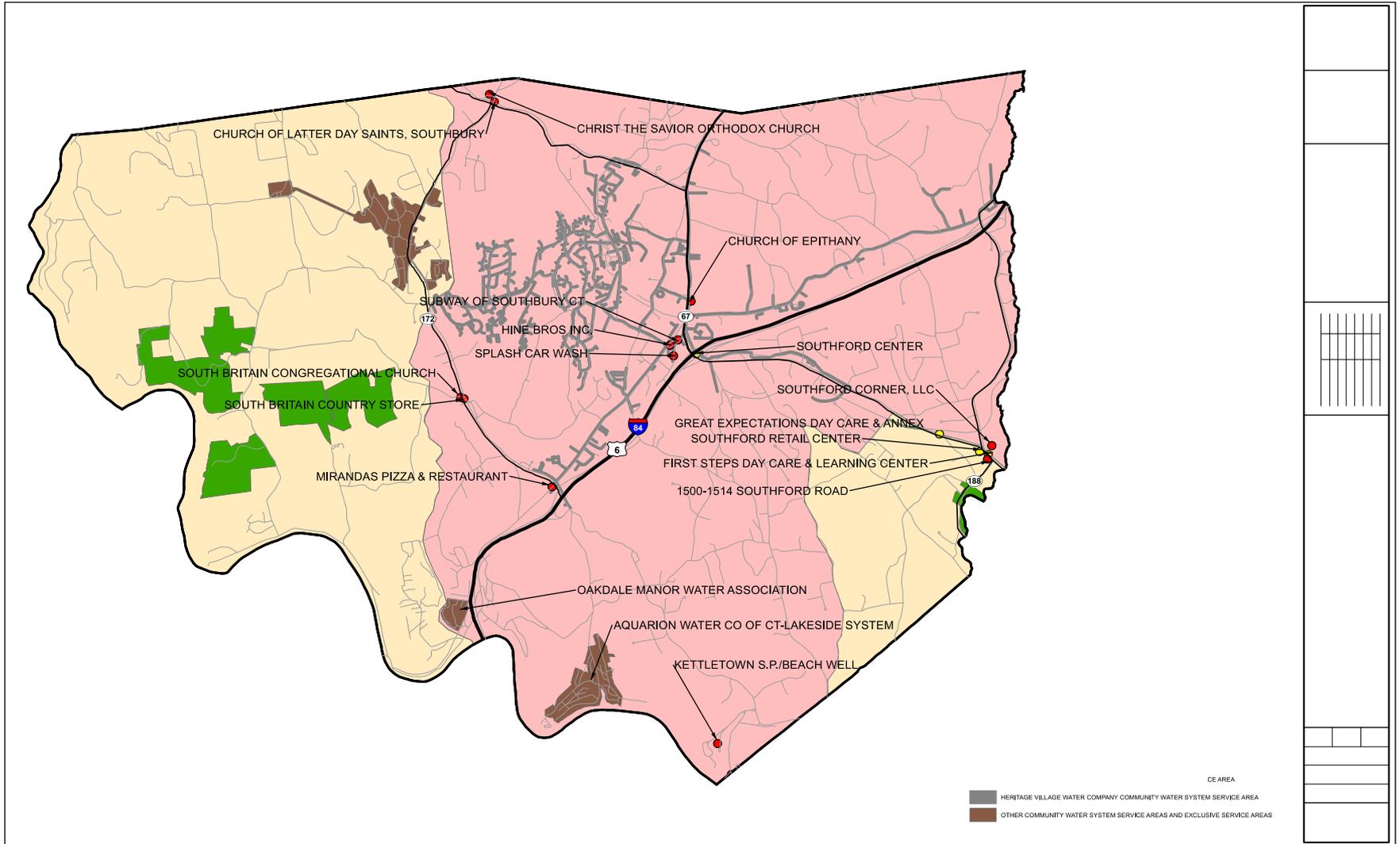
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Preliminary ESA Delineation for Sherman

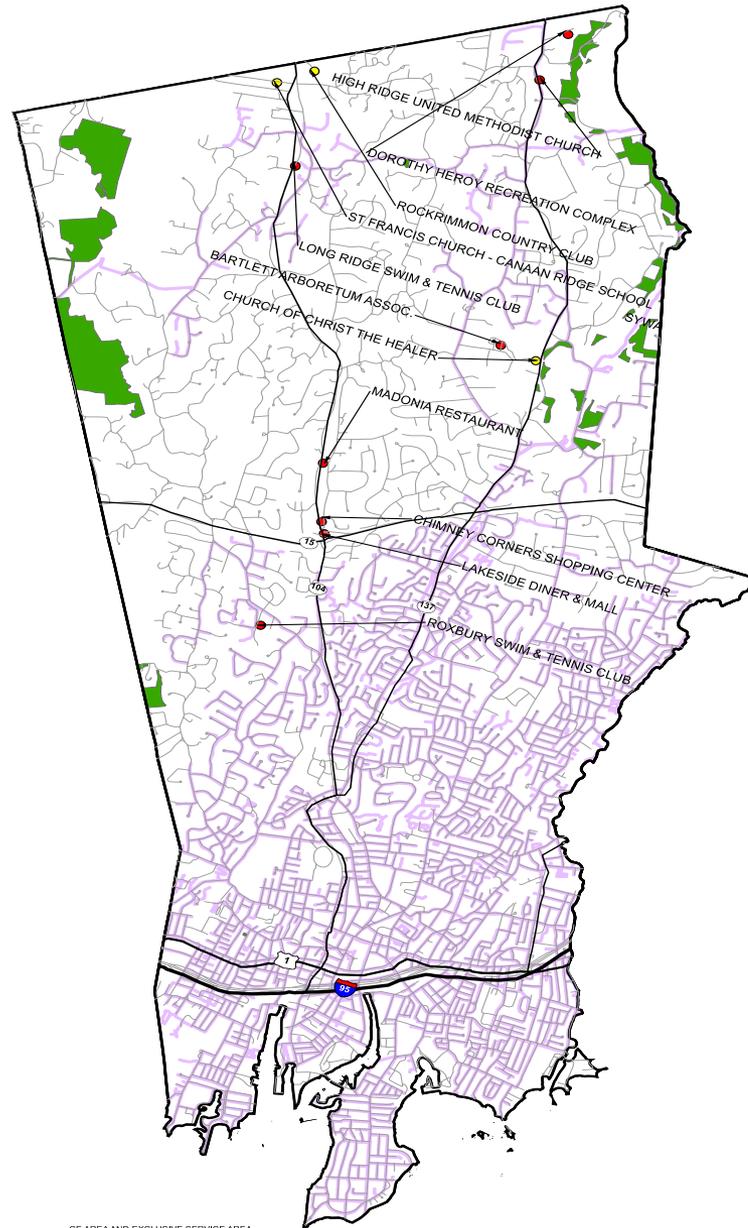


VE SERVICE AREA (CLEAR)
CT DEEP PRELIMINARY EXCLUSIVE SERVICE AREA
AQUARIUM WATER COMPANY OF CT - TIMBER TRAILS SERVICE AREA

Preliminary ESA Delineation for Southbury



Preliminary ESA Delineation for Stamford

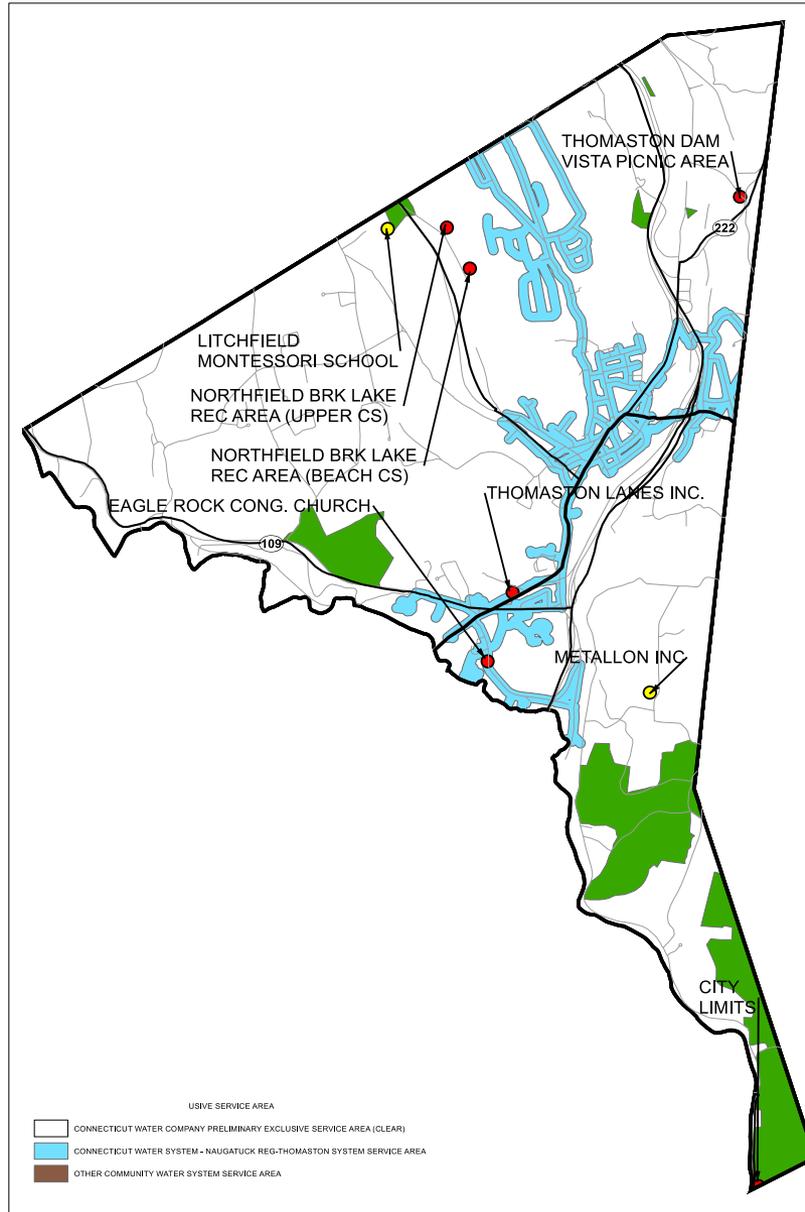


Preliminary ESA Delineation for Stratford

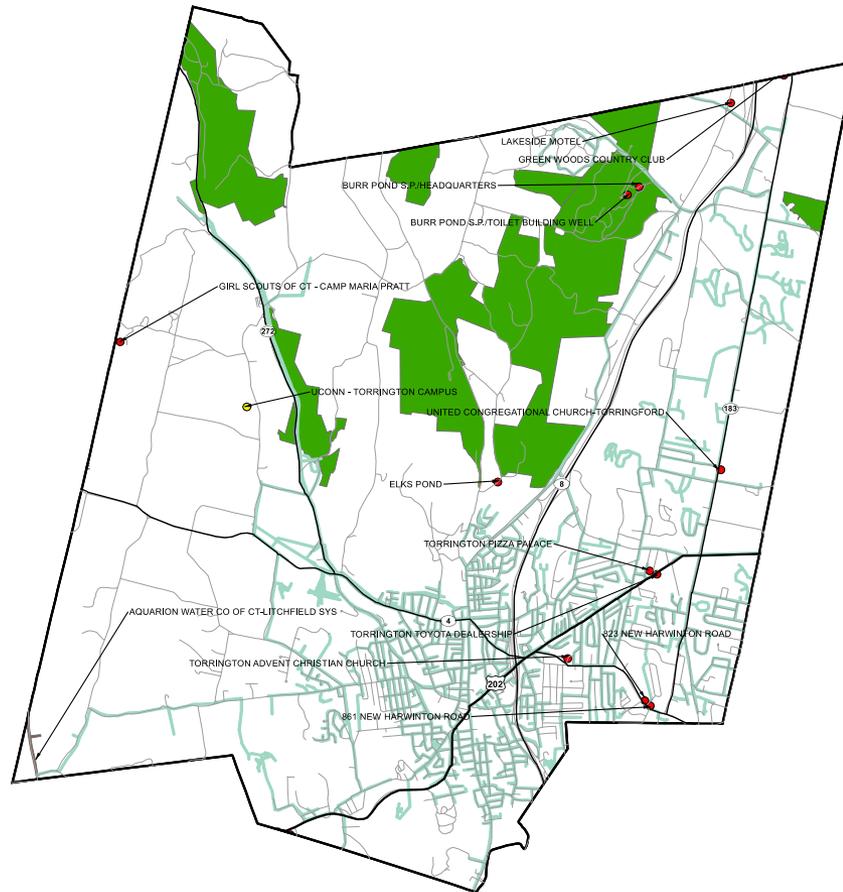


- own Road
-  AQUARION WATER COMPANY PRELIMINARY EXCLUSIVE SERVICE AREA (CLEAR)
-  CT DEEP PRELIMINARY EXCLUSIVE SERVICE AREA
-  AQUARION WATER COMPANY COMMUNITY WATER SYSTEM SERVICE AREA

Preliminary ESA Delineation for Thomaston

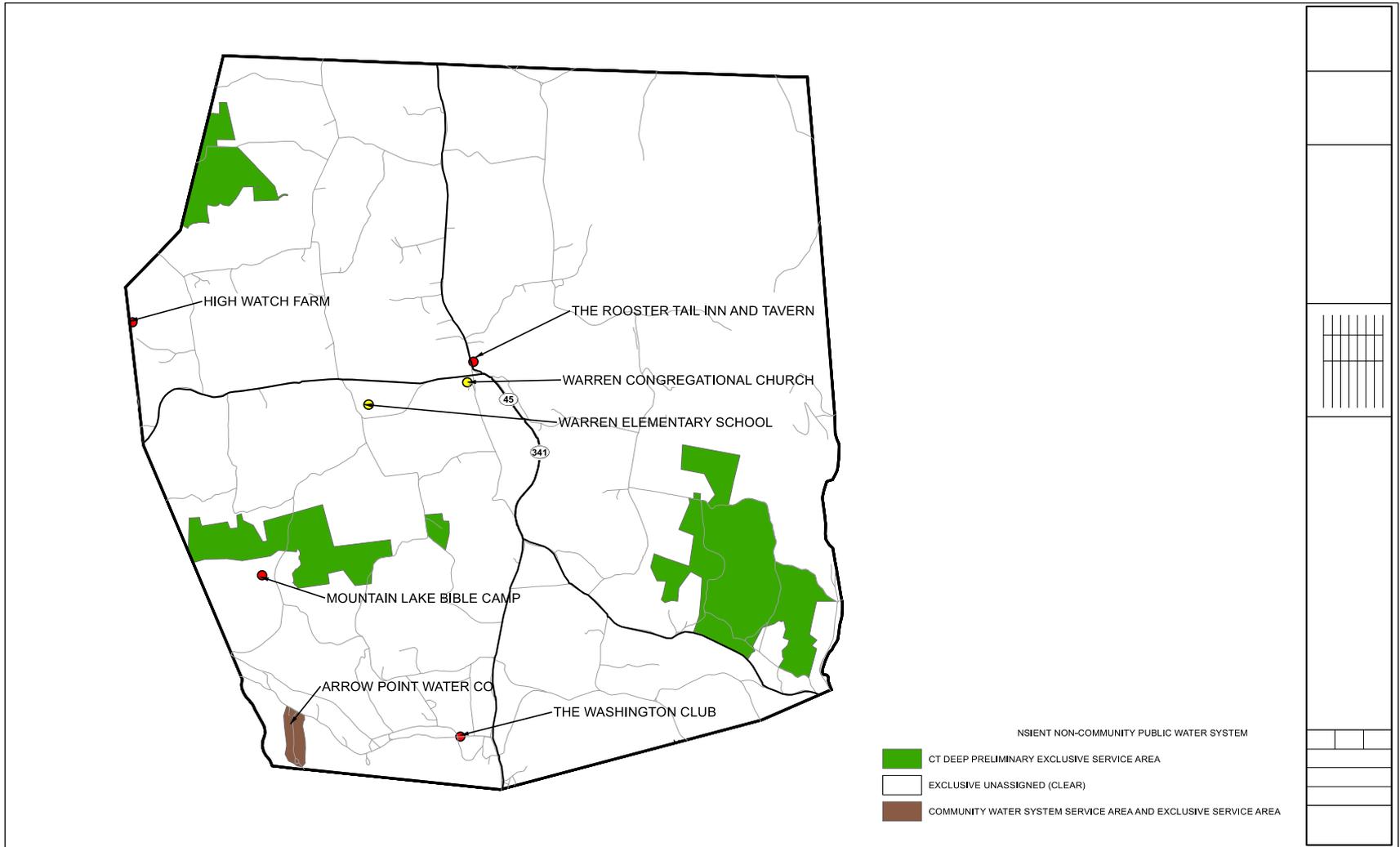


Preliminary ESA Delineation for Torrington

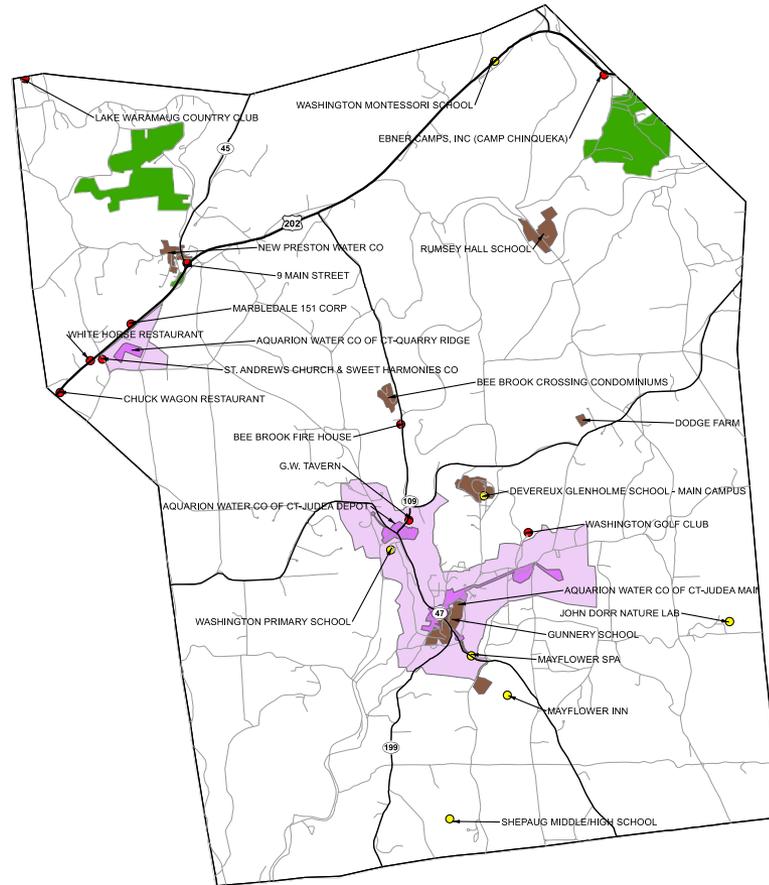


IR COMPANY SERVICE AREA
OTHER COMMUNITY WATER SYSTEM SERVICE AREA

Preliminary ESA Delineation for Warren



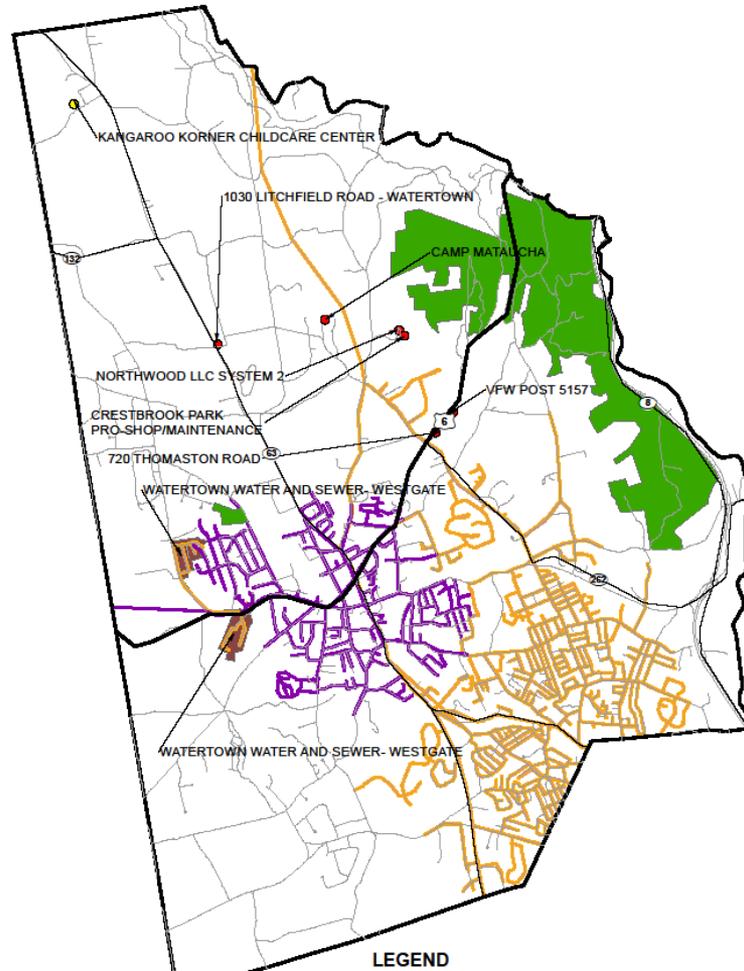
Preliminary ESA Delineation for Washington



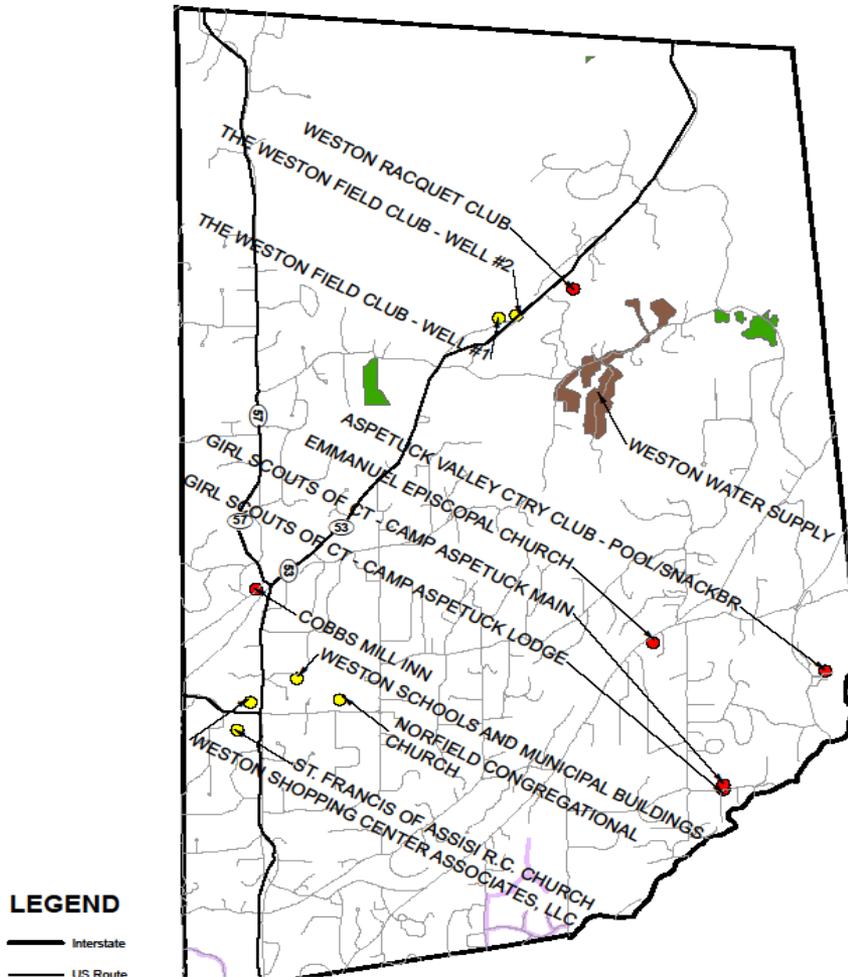
SIGNED (CLEAR)

- AQUARION WATER COMPANY COMMUNITY WATER SYSTEM SERVICE AREA
- OTHER COMMUNITY WATER SYSTEM SERVICE AREAS AND EXCLUSIVE SERVICE AREAS

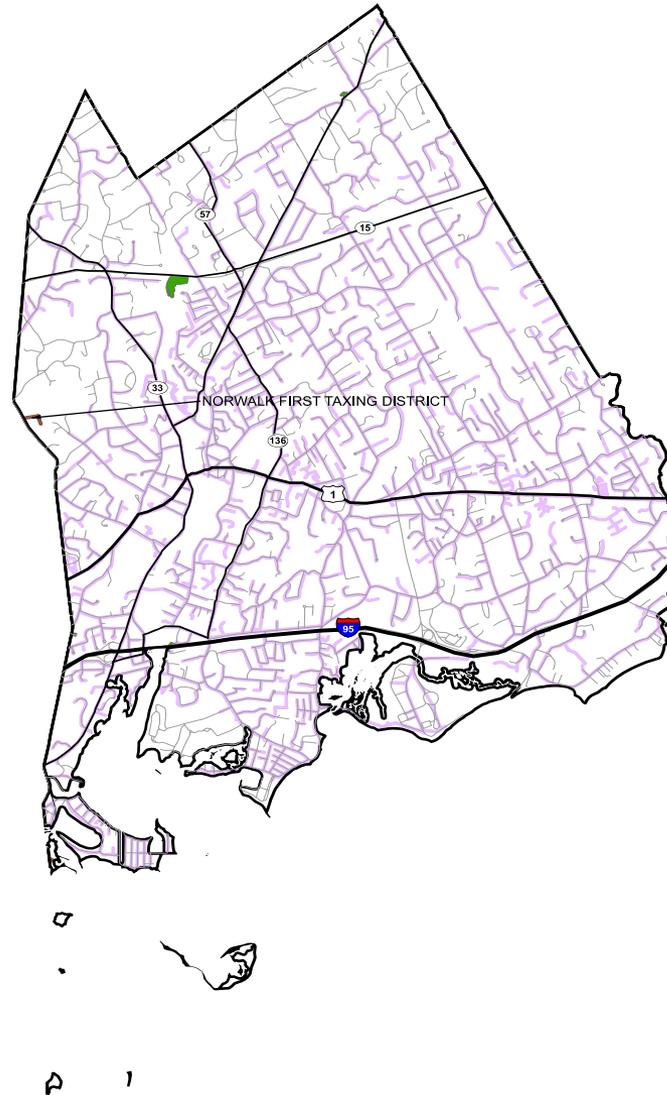
Preliminary ESA Delineation for Watertown



Preliminary ESA Delineation for Weston

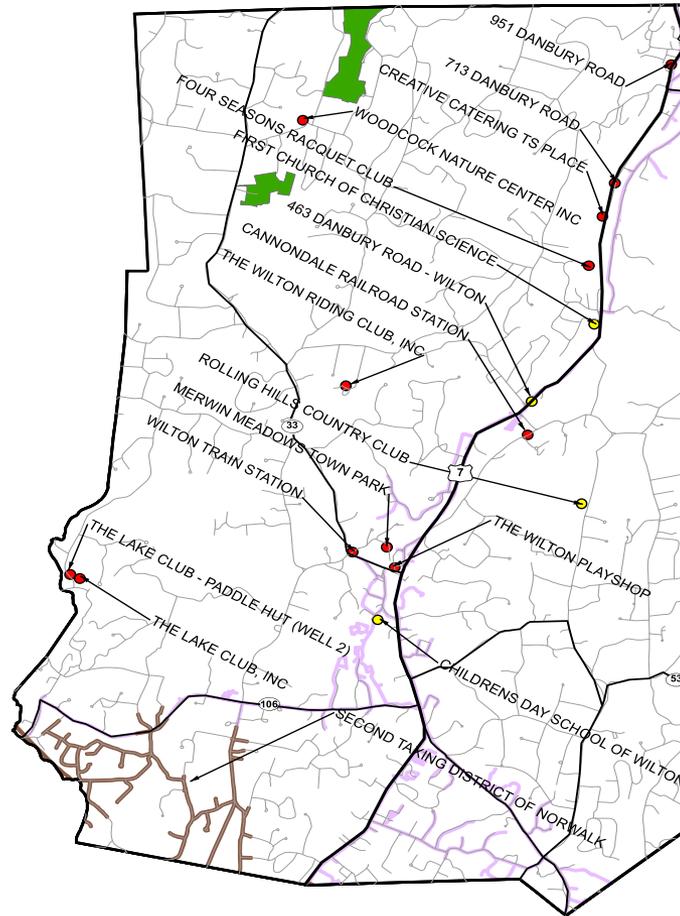


Preliminary ESA Delineation for Westport

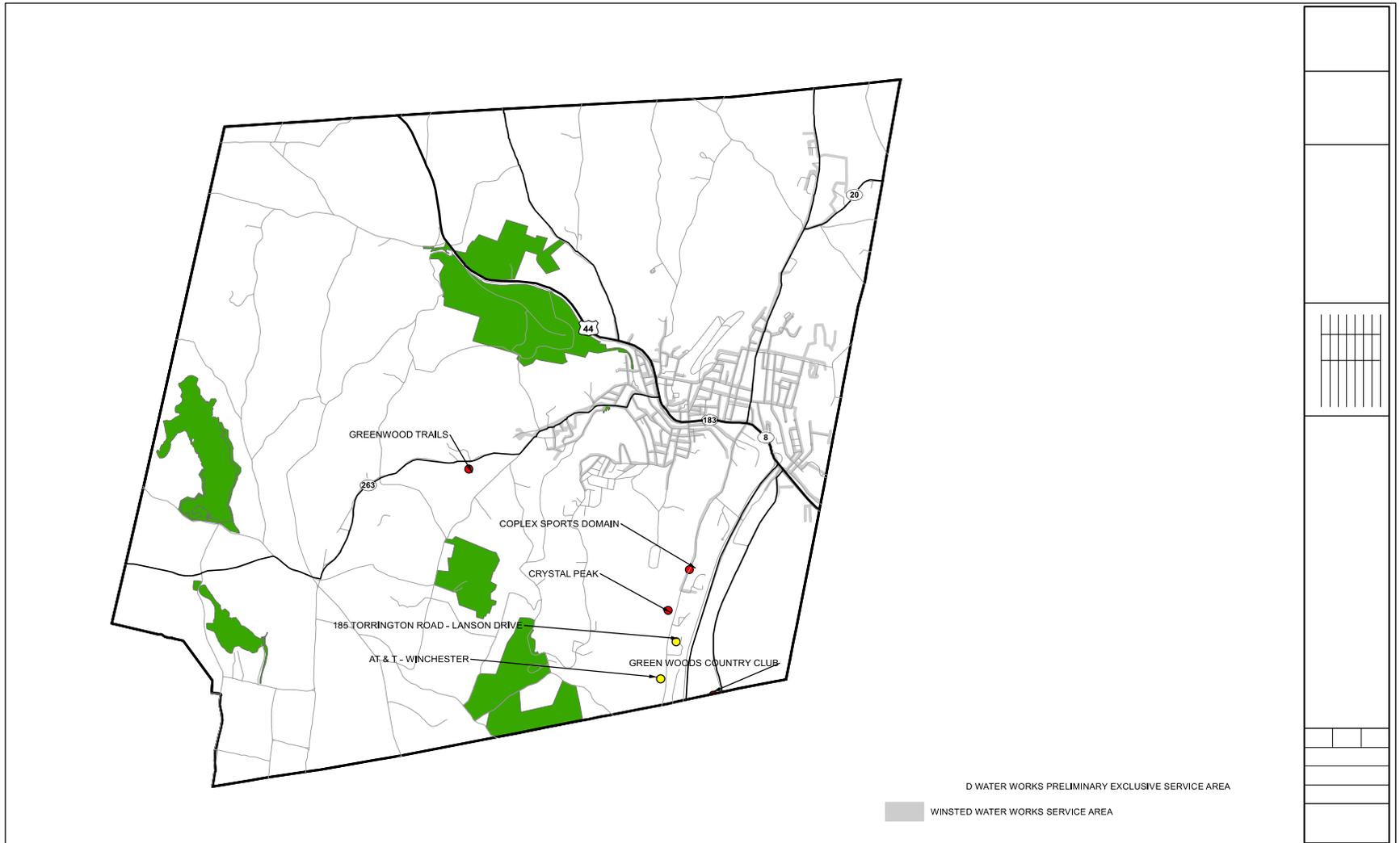


SERVICE AREAS

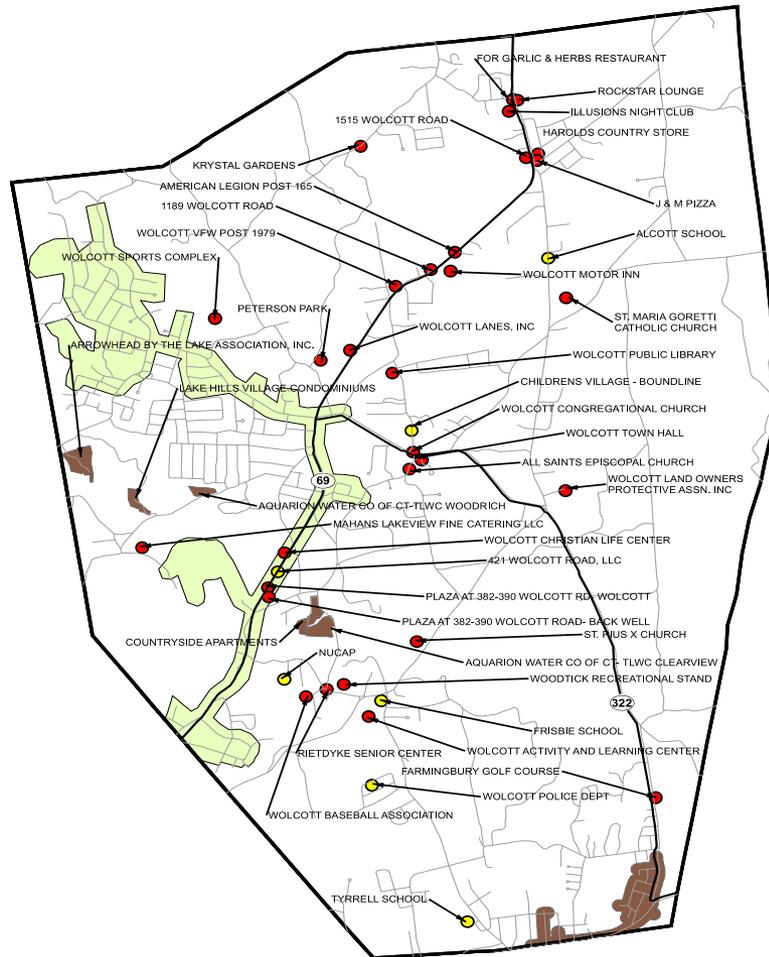
Preliminary ESA Delineation for Wilton



Preliminary ESA Delineation for Winchester



Preliminary ESA Delineation for Wolcott



SYSTEM SERVICE AREAS AND EXCLUSIVE SERVICE AREAS

Two Potential Motions

- Motion to *“Approve the Preliminary ESA Delineations for utilities and municipalities in the 42 municipalities as depicted on the draft maps, to be submitted for public comment with the Preliminary ESA Document”*
- Motion to *“Reclassify the Connecticut DEEP claims (as depicted on the drafts maps) to be ‘Unassigned’ where surrounded by unassigned lands; and to be assigned to new ESAs where surrounded by new ESAs assignments, but to note on any ESA mapping that ESA boundaries may be unenforceable on DEEP lands”*

Overview of Next Steps

- Achieve resolutions in Norwalk and Litchfield by February 28, 2017
- Complete Draft ESA Document by March 1, 2017 for WUCC member review
- Revise maps for distribution with ESA Document

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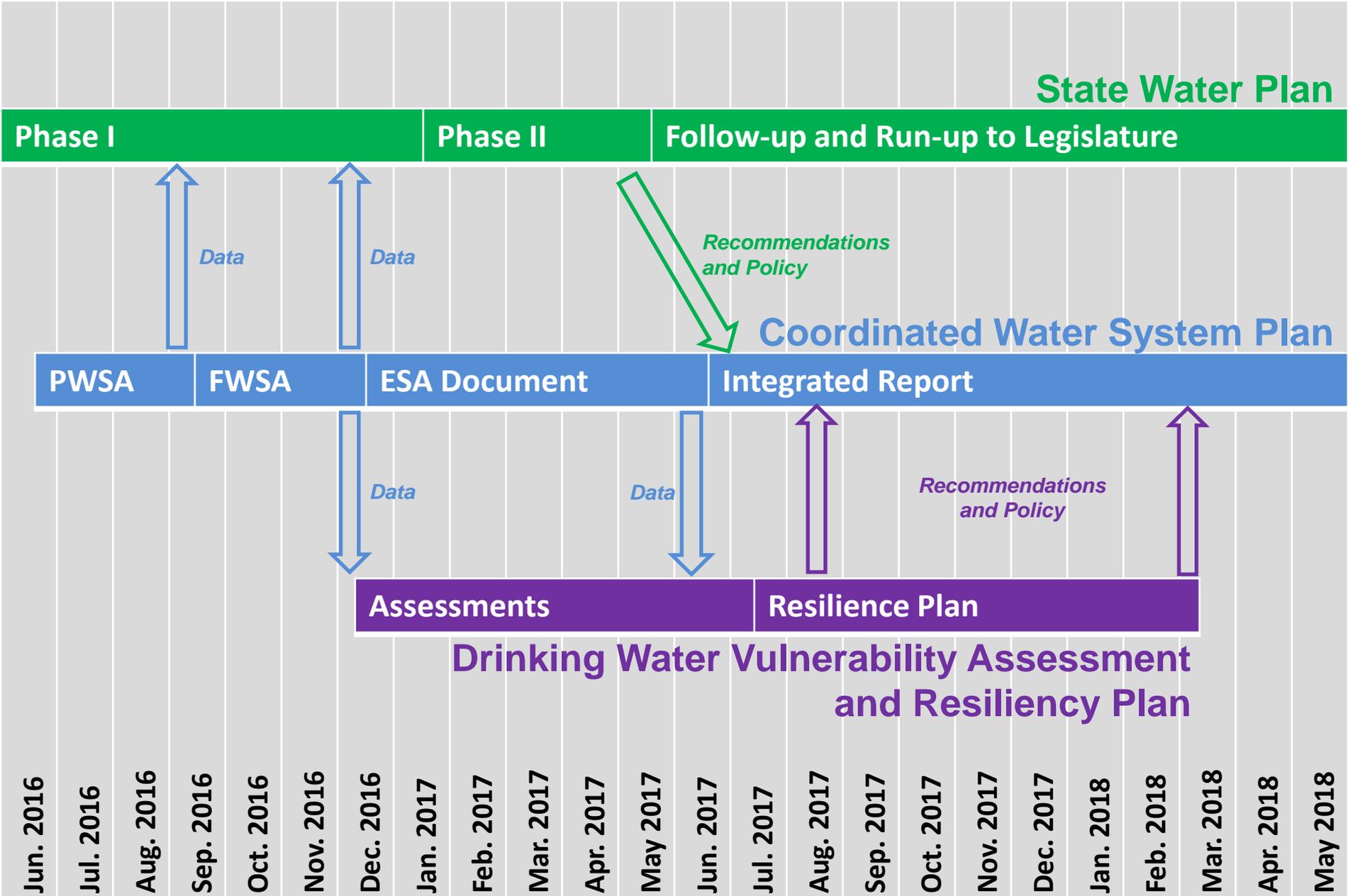
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Other Business



- The Connecticut Institute for Resilience and Climate Adaptation (CIRCA) will present the scope of work for the *Drinking Water System Vulnerability Assessment* contract from DPH at the March 14, 2017 meeting
- Dr. Christine Kirchhoff and her staff from UConn will begin contacting water utilities to conduct interviews

Relationship between Coordinated Water System Planning (WUCC), State Water Plan, and Drinking Water Vulnerability Assessment/Resiliency Plan



Tomorrow

