

Meeting Minutes
Eastern WUCC Meeting #4
Southeastern Connecticut Council of Governments – 5 Connecticut Avenue, Norwich, CT
September 14, 2016 1:00 p.m.

The Eastern Water Utility Coordinating Committee (WUCC) met on September 14, 2016 at 1:00 p.m. The meeting was held at the Southeastern Connecticut Council of Governments offices at 5 Connecticut Avenue, Norwich, Connecticut. Prior notice of the meeting was posted on the DPH website, Eastern WUCC webpage: <http://www.ct.gov/dph/cwp/view.asp?a=3139&q=576502%20>

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

WUCC Member Representative	Affiliation
Kenneth Skov	Aquarion Water Company
Jim Waters	Connecticut Rivers Council of the Boy Scouts of America
Craig Patla	Connecticut Water Company
Brad Kargl	East Lyme Water & Sewer
Rick Stevens	Groton Utilities
Brendan Avery	Jewett City Water Company
Chris Clark	Mohegan Tribal Utility Authority
Joe Lanzafame	New London Department of Utilities
Samuel Alexander	Northeastern Connecticut Council of Governments
Eric Sanderson	Northeastern Connecticut Council of Governments
Mark Decker	Norwich Public Utilities
Jim Butler	Southeastern Connecticut Council of Governments
Josh Cansler	Southeastern Connecticut Water Authority
Jim Paggioli	Town of Colchester Sewer & Water Commission
Richard Matters	Town of Franklin
Michael Murphy	Town of Lisbon/SCCOG
Patrick Bernardo	Town of Putnam/SUEZ
Lincoln Cooper	Town of Sterling WPCA
Russell Gray	Town of Sterling
Paul Deveny	Windham Water Works
Jim Hooper	Windham Water Works

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

Non-WUCC Member Representative	Affiliation
Melissa Czarnowski	CT DEEP
Denise Ruzicka	CT DEEP
Justin Milardo	CT DPH
Gail Lucchina	CT PURA
Nick Neeley	CT PURA
Margaret Miner	Rivers Alliance of Connecticut
Scott Bighinatti	Milone and MacBroom, Inc.

A copy of the meeting agenda is attached. A copy of the 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 1:07 PM by Tri-chairs Mark Decker (Norwich Public Utilities) and Pat Bernardo (Town of Putnam/SUEZ).

Members of the WUCC and those in attendance stated their names and affiliations.

2. Approval of July Minutes

Mr. Decker asked for comments and changes to the August Meeting minutes. There were none.

Jim Butler of Southeastern Connecticut Council of Governments made a motion to accept the August Meeting minutes as presented. Brad Kargl of East Lyme Water & Sewer seconded the motion. The motion carried unanimously.

3. Formal Correspondence

Samuel Alexander of the Northeastern Connecticut Council of Governments described the formal correspondence sent and received by the Eastern WUCC.

- Mr. Alexander stated that a letter was sent from the WUCC on August 11 to staff at the Connecticut Department of Public Health (CT DPH), Connecticut Department of Energy and Environmental Protection (CT DEEP), Connecticut Public Utility Regulatory Authority (PURA), and Connecticut Office of Policy and Management (OPM), requesting consultation regarding the rough draft of the Preliminary Water Supply Assessment (PWSA).
- Mr. Alexander stated that an email was sent to the Connecticut Rivers Alliance, directing the organization to the draft August Meeting minutes to answer questions received prior to the August Meeting.

- Mr. Alexander stated that a letter was sent on August 12 to all WUCC members and interested parties giving notice of the Exclusive Service Area Process Subcommittee, which met on August 31st at the Southeastern Connecticut Water Authority headquarters.
- Mr. Alexander stated that a letter was sent to WUCC members and consulting state agencies on August 30 requesting review of the second internal draft of the PWSA.
- Mr. Alexander stated that comments were received from CT DPH dated September 8 relative to the Draft Preliminary Water Supply Assessment. Mr. Alexander explained that among other comments, CT DPH “acknowledges that all components outlined in the Regulations of Connecticut State Agencies Section 25-33h-1(d)(A) have been included.”
- Mr. Alexander noted that an email was sent on September 8 to active WUCC members, large systems, and consulting state agencies announcing that a final draft of the PWSA was available for review.
- Mr. Alexander stated that correspondence was received dated September 12 from Rivers Alliance of Connecticut, in coordination with a number of additional organizations, expressing concern over the process for establishing Exclusive Service Areas (ESAs) and the considerations given to environmental issues during the ESA process.
 - Mr. Decker stated that the WUCC has responsibility to conduct a process that is in-line with applicable regulations and statutes and that, in lieu of additional direction, the WUCC will follow the statutes and regulations in the process as outlined by the CT DPH.
 - Scott Bighinatti of Milone and MacBroom, Inc. stated that the current process undertaken by the WUCC is a two-year process, as per regulations and statutes, and that the WUCC is currently on schedule to complete its assigned work.

There was no other formal correspondence.

4. Public Comment

Mr. Decker asked for public comment.

- Margaret Miner of the Rivers Alliance of Connecticut stated that the e-mail sent by her organization expressed two major points: the need for environmental impact analyses and timing of those; and the fact that the statutes governing the ESA revision process are unclear. Ms. Miner also noted that while the WUCC is not required to consider environmental impacts at this point, it is difficult to see how they will be addressed later. Ms. Miner read a list of organizations that have signed onto the Connecticut Rivers Alliance’s letter to the WUCC. Ms. Miner noted that these organizations recognize the importance of the planning process being conducted by the WUCC and reminded the group that none of these organizations have WUCC membership and therefore must reach out to the WUCC “from a distance”.

There was no other public comment.

5. Preliminary Water Supply Assessment Feedback/Vote to Release Preliminary Water Supply Assessment for Public Comment

Mr. Bighinatti explained that the WUCC has released three internal drafts of the PWSA and that the WUCC has sought consultation from CT DEEP, CT DPH, PURA, and OPM as required by statute. Mr. Bighinatti then began a presentation reminding the group that the PWSA becomes the Final Water Supply Assessment following the collection of public comment and agency consultation. Mr. Bighinatti also stated that the goal for the WUCC today is to approve, through a motion and vote at the meeting, the release of the PWSA for public review and comment.

- Mr. Bighinatti reminded the group that the PWSA is meant to be factual and concise and that the PWSA is meant to guide the establishment of ESAs, with analysis and assessment being conducted in the Integrated Report. For example, the Integrated Report will contain considerations of the potential impact of public water service on other uses of water.
- Mr. Bighinatti stated that comments on the Draft PWSA have been received from a number of WUCC members and thanked those members. Mr. Bighinatti also stated that comments were received from CT DPH and two municipalities (Franklin and the Borough of Stonington).
- Mr. Bighinatti described items that will be added to the PWSA after it is approved for release to the public. Mr. Bighinatti stated that page numbers and updates to the table of contents, table formatting, additional discussion regarding regional source protection, and final comments received at the meeting will be added to the publicly available version of the PWSA.
- Mr. Bighinatti described items that will be considered for the Final Water Supply Assessment (WSA) but will remain absent in the PWSA, which include: additional municipal survey results; more specific examples of issues, needs, and deficiencies of public water supply in the Eastern region; discussion of public water supply issues unrelated to existing systems (such as problems creating new systems); and additional conclusions based on the information in Section 5, Section 6, and Section 7 including those regarding service population projections. Mr. Bighinatti noted that these items are interrelated and requested that WUCC members and interested parties provide examples to provide more detail to the text.
- Mr. Bighinatti described additional items that will be considered for the Final WSA, including the excess capacity, water quality, and water quantity assessment of larger systems that could be extended to serve clusters of small water systems; DPH Capacity Assessment Tool (CAT) scores provided by technical, managerial, and financial capacity; expiration dates of interconnections in Table 2-9; and service population data for community systems (to be depicted on Appended Figure 2). Mr. Bighinatti stated that the extension of systems was a comment from DPH, and that DPH had not yet given approval to present the components of the CAT scores as they are waiting for responses from small systems on the draft scoring.
- Mr. Bighinatti stated that CT DPH is still waiting for responses from Community Systems regarding service population. This will be added to Appended Figure 2.

- Mr. Bighinatti described items that cannot be addressed because of the Connecticut Water Works Association recommendations for data sharing, including maps of existing and planned interconnections and details regarding small system vulnerabilities identified during the Capacity Assessment. Mr. Bighinatti also stated that a list of small systems owned by larger utilities will remain in the appendix because the decision was made to separate the document between systems serving over 1,000 people and under 1,000 people to keep the document manageable.
- Mr. Bighinatti presented the schedule to be used for reviewing and approving the WSA. Mr. Bighinatti stated that following approval of the PWSA to be released for public comment there is a minimum 30-day public comment period. The Eastern WUCC is providing approximately 40 days for public comment, with public comments due by the end of the day on October 27. Mr. Bighinatti explained that the additional time is necessary for municipalities to review and provide comment and to respond to the municipal survey. Mr. Bighinatti stated that an Initial Draft Final WSA will be produced by November 1st, and a Final Draft Final WSA is produced by December 1st. Final consultation from state agencies will be due on November 23 before Thanksgiving. The WUCC should adopt the Final WSA at the December Meeting (December 14th) and submit the Final WSA to CT DPH by December 16th. The schedule slide is attached to the meeting minutes. Mr. Bighinatti reminded the WUCC members that they will be able to provide information on the WSA within and beyond the public comment period.

Mr. Bighinatti asked for comments to the presentation and process presented.

- Jim Paggioli of the Town of Colchester asked to whom comments on the PWSA should be sent.
 - Mr. Bighinatti stated that comments should be sent to him or to the WUCC Secretary.
 - Mr. Paggioli stated that the format of the document was good and that there were issues with some technical information for Colchester and that he would provide additional comments.
- Rick Stevens of Groton Utilities stated that information in Table 2-5 regarding available water can be calculated in a number of ways and that it may be unclear what is meant by the Margin of Safety figures.
 - Mr. Bighinatti stated that the margin of safety figures were derived by dividing a system's reported available water by its three demand categories (average day, maximum month average day, and peak day).
 - Mr. Stevens suggested that perhaps there should be a footnote or formula explaining the calculations for "Margin of Safety".
 - Mr. Decker responded that the WUCC might be able to gain guidance from CT DPH or other WUCCs on how to present this to ensure consistency.
 - Mr. Bighinatti explained that the data was mined from self-reported data and that no new analysis was done.
 - Mr. Stevens reiterated that the approach used to obtain the value should be described. Mr. Bighinatti agreed to add a footnote.

- Mr. Butler asked how many towns in the Eastern WUCC area have responded to surveys given through the Northeastern Connecticut Council of Governments and Southeastern Connecticut Council of Governments.
 - Mr. Decker stated that two towns have responded.
 - Mr. Butler stated that surveys could be resent and emphasized at both COG meetings. He volunteered to do so for SECCOG. Mr. Alexander agreed to do so for NECCOG.

- Mr. Butler asked if the Draft PWSA was sent to municipal governments.
 - Mr. Bighinatti stated that it was not because the Draft PWSA is an internal draft, but that municipalities would be able to see the publically available version.
 - Mr. Butler asked how many towns in the WUCC are non-WUCC members.
 - Mr. Bighinatti stated that he believed most towns overall were not members, but did not have the figures immediately available.

- Mr. Decker asked how changes would be tracked, moving forward, in the PWSA.
 - Mr. Bighinatti stated that changes will be tracked by different-colored text for ease of review.
 - There was general consensus that the WUCC was comfortable with that approach.

- Ms. Miner stated that there is variability in safe yield calculations from utility to utility and expressed concern that the underlying data is not available. Ms. Miner also asked how utilities deal with stream flow constraints and other surface-water issues. Ms. Miner asked the WUCC to keep all data so that it can be reviewed later.
 - Mr. Bighinatti stated that CT DPH has released new forms for calculating Margin of Safety and that not all utilities have had the opportunity to use those new forms when updating their plans, which creates a discrepancy in data.

- Mr. Decker asked if there were additional comments on the Draft PWSA.
 - There were no additional comments.

- Mr. Bighinatti stated that a vote will be needed to release the Draft PWSA to the public as the PWSA, and that the date of the PWSA will be the date of the meeting.
 - Mr. Stevens asked if the document will still be in draft form.
 - Mr. Bighinatti stated that the document will be the “Preliminary Water Supply Assessment”, which is, in essence, a draft of the Final WSA. However, the “Draft” watermark will be removed.

- Mr. Decker asked if Mr. Bighinatti could draft a motion for consideration by the group. Mr. Bighinatti recommended a motion to approve the Final Draft PWSA, with changes discussed, for posting to the CT DPH website with a letter from the Eastern WUCC Tri-chairs requesting comments from the public.
 - Mr. Kargl made a motion to approve the Draft PWSA in the manner stated by Mr. Bighinatti. Josh Cansler of the Southeastern Connecticut Water Authority seconded the motion. The motion carried unanimously.

- Mr. Bighinatti stated that the COG members in the Western WUCC volunteered to host a hardcopy at their offices for public review.

- Mr. Butler stated that if a copy is sent to the Southeastern Connecticut Council of Governments, it can also be placed on their website.
- There was general agreement that they could.

6. Report from ESA Process Subcommittee

Mr. Decker stated that the ESA Process Subcommittee met and hosted a workshop on August 31st at the Southeastern Connecticut Water Authority headquarters. Mr. Decker stated that the Subcommittee had a report from the workshop.

Mr. Bighinatti began a presentation which embodied the ESA Process Subcommittee's report.

- Mr. Bighinatti stated that the workshop took place on August 31st and resulted in forms, a scoring rubric, and process timeline to be potentially used in the ESA process. Mr. Bighinatti explained that the previous WUCC process for southeastern Connecticut utilized a scoring rubric to mediate disputes between utilities claiming the same exclusive service areas. Mr. Bighinatti described the timeline for the ESA process and reminded the group that the next meeting of the Subcommittee will take place on September 28th at 1:30PM at the Southeastern Connecticut Water Authority headquarters.
- Mr. Bighinatti described the next steps in the ESA process, which include: addressing a letter from the WUCC to existing ESA holders requesting intention to retain their existing ESA; addressing a letter to WUCC members and interested parties indicating that the ESA process has begun and providing a general schedule; addressing a letter to municipalities where ESAs are not yet assigned regarding the ESA process; creating a Frequently Asked Questions document for the CT DPH website; and creating an ESA guidance document that will be added to the Eastern WUCC Work Plan. Mr. Bighinatti also reminded the group that municipalities may claim ESAs despite not currently operating a public water system (and therefore not being WUCC members) and that there are two such examples in southeastern Connecticut.
- Mr. Bighinatti described the ESA process draft schedules. Mr. Bighinatti explained that notification letters and affirmation requests previously mentioned would be sent by September 16th. Mr. Bighinatti continued by stating that ESA forms should be approved by the October meeting, that a summary of ESA declarants should be received by the November meeting, and that a public comment period for ESA declarants would take place between the November and December meetings. Mr. Bighinatti continued by explaining that final ESA boundary approval should be completed by June. The proposed schedule slide is attached.

Mr. Bighinatti asked if there was any discussion.

- Mr. Cansler stated that ESAs are a critical portion of the water planning process in the north and south and that letters to municipalities are important in that respect.

Mr. Decker asked if there were any other questions.

- Mr. Ken Skov of Aquarion Water Company asked if the ESA process schedule presented would be available online.

- Mr. Bighinatti stated that the schedule would be available online following the meeting.
- Mr. Bighinatti reminded the group that the minutes from the ESA Process Subcommittee meeting are available on the Eastern WUCC webpage.

7. Other Business

Mr. Decker asked if there were action items for the October Meeting.

- Mr. Bighinatti stated that the Western WUCC is conducting a town-by-town review of issues, needs, and deficiencies related to the provision of public water supply at their next meeting. This information will be included in the Final WSA and that this is an option for the Eastern WUCC to consider.
 - Mr. Decker expressed concern over the amount of the meeting that such a review would consume.
 - Mr. Kargl asked how the review will be structured.
 - Mr. Bighinatti stated that the Western WUCC has approximately 70 communities and that he was not sure how the Western WUCC planned to structure the meeting.
 - Mr. Butler asked if each community is expected to participate or if the WUCC chairs and Milone and MacBroom are expected to lead a discussion based on a list of common issues, needs, and deficiencies.
 - Mr. Bighinatti stated that it would likely be the latter, but that he would need to check with the Western WUCC to confirm.
 - Mr. Decker stated that the Eastern WUCC should reach out to municipal chief elected officials to notify towns that the WUCC is contemplating this approach and encouraging them to complete the previously distributed survey, and asking for representation, either in-person or in written form.
 - Mr. Bighinatti stated this outreach to chief elected officials could be added to data requests distributed through the Councils of Governments.

Mr. Decker asked if representatives from CT DEEP had comments from the Western WUCC meeting.

- Denise Ruzicka noted that the possibility of a “hotspot map” showing where environmental issues and pollutants may exist in the region in relation to water utilities was discussed at the Western WUCC meeting, and asked if this could also be done for other regions.
 - Mr. Bighinatti stated that this could be considered for the Final WSA. He explained that there is a lot of interest for additional hotspot mapping in the document.
- Ms. Ruzicka spoke about the scoring rubric for the ESA process and urged caution when weighting scoring factors. Ms. Ruzicka stated that weighting is not specifically provided for in statute.
 - Mr. Bighinatti explained that the idea of weighting was brought up at the subcommittee meeting. Weighting was not used in the southeastern WUCC, although scoring was used to help folks vote. Weighting seemed appropriate in that ability of a utility to adequately supply water seemed for important than political (town) boundaries. For example, lately there has been large push for watershed-

level planning, which may ignore political boundaries. Mr. Bighinatti stated that the point was well taken and will be referred back to the subcommittee for discussion.

- Ms. Ruzicka reiterated her caution.
 - Mr. Nick Neeley of PURA stated that the WUCC could look at the legislative history of the statute and see what comments were made at the time, if any, in regards to weighting factors.
 - Mr. Decker stated that, if the statute is silent on weighting and if the rubric does not provide for weighting, we are leaving it to ESA holders to weight factors themselves through a non-standard process.
 - Ms. Ruzicka stated that the process would vary by town and situation.
 - Mr. Cansler asked if the statutes specify criteria to consider when establishing an ESA boundary.
 - Mr. Neeley stated that they do and that the form cites the regulations not the statutes.
- Ms. Miner stated that in the Western WUCC meeting, it was interesting to see that environmental maps and spatial water quality data, as generated by CT DEEP, for certain streams have recently changed in the state. Ms. Miner stated that it would be best to use most recent data throughout the process.
- Mr. Bighinatti explained that a lot of such data is in paper format such that it could be summarized but not necessarily shown on a figure. He encouraged DPH and DEEP to provide scans of any mapping or data that could assist in the process.
 - Mr. Stevens stated that adding a map of hot spots of environmental concerns would lead to better decision making. Mr. Stevens added that the WUCC should agree on what data is beneficial and what would satisfy environmental concerns.

Mr. Decker asked if there were additional comments.

- Mr. Bighinatti stated that as the WUCC, Milone and MacBroom, and CT DPH receive additional comments regarding the WSA for any of the regions, those comments will be incorporated into other plans as appropriate.
- Mr. Decker stated that this will contribute to consistency across the three regions.

Mr. Decker asked for a motion to adjourn the meeting. Mr. Kargl made a motion to adjourn the meeting. The motion was seconded by Mr. Butler. The meeting was adjourned at 2:12 PM.

Respectfully Submitted,

Samuel Alexander, Recording Secretary

**Meeting Agenda of the
Eastern Region WUCC
at the Southeastern Connecticut Council of Governments
5 Connecticut Avenue, Norwich, CT
September 14, 2016 at 1:00 P.M. to 2:15 P.M.**

1. Welcome & Roll Call (5 minutes)
2. Approval of August Meeting Minutes (5 minutes)
3. Formal Correspondence (5 minutes)
4. Public Comment (10 minutes)
5. Preliminary Water Supply Assessment Feedback / Vote to Release Preliminary Water Supply Assessment for Public Comment (30 minutes)
6. Report from ESA Process Subcommittee (30 minutes)
7. Other Business (15 minutes)
 - Action Items for Next Meeting
 - Additional Public Comment (if time allows)

Water Supply Assessment Schedule



Action	Timeline
Preliminary WSA Adoption	September 14, 2016 Meeting
30-Day Public Comment Period on Preliminary WSA	September 15, 2016 to October 27, 2016
WUCC Review & Action on Public Comment to Date / Additional Member Comments	October 12, 2016 Meeting
Initial Draft Final WSA to WUCC Members	November 1, 2016
WUCC Review & Action on Public Comments / Additional Member Comments	November 9, 2016 Meeting
Final Consultation from State Agencies Due	November 23, 2016
Final Draft of Final WSA to WUCC Members	December 1, 2016
Adoption of Final WSA	December 14, 2016 Meeting
Submission of Final WSA to DPH	December 16, 2016

ESA Process Draft Schedule



Action	Timeline
Notification Letters and Affirmation Request Letter	September 16, 2016
Affirmation Response Due Date	October 11, 2016
Approval of Declaration Forms and Distribution to WUCC Members and Municipalities	October 12, 2016 Meeting
Declaration Form Due Date	November 8, 2016
Summary of Declaration Forms, Schedule Presentations for Conflicted Declarants, and Approve Scoring Rubric	November 9, 2016 Meeting
30-Day Public Comment Period for Areas with Conflicted Declarants	November 10, 2016 to December 14, 2016
Inform Conflicted Declarants of Presentation Schedule	November 11, 2016
Presentations by Conflicted Declarants, Conflict Resolution, PURA Recommendations	December 2016 – February 2017 Meetings
Approve Preliminary ESA Document for Public Review	March 8, 2017 Meeting
30-Day Public Comment Period, final PURA Recommendations, Approval of ESA Document	April, May, and June 2017 Meetings