

**EXCLUSIVE SERVICE AREA DECLARATION FORM  
CENTRAL CONNECTICUT WUCC  
Due December 12, 2016**

**INSTRUCTIONS:**

Please answer all questions in Sections 1 and 2 and Sections A through H. Attach additional sheets if necessary.

For additional information regarding the exclusive service area declaration process, please refer to the Central WUCC Work Plan, contact any of the Central WUCC Officers, or contact Ms. Jeanine Gouin of Milone & MacBroom, Inc. at 203-271-1773 or jgouin@mminc.com.

Kindly return this form completed and signed, and with any pertinent attachments, to Ms. Jeanine Gouin of Milone & MacBroom, Inc., 99 Realty Drive, Cheshire, Connecticut, 06410 via mail, fax (203-272-9733), or email (listed above) by 10 AM on December 12, 2016.

**SECTION 1. DECLARANT INFORMATION**

Water Utility or Municipality Name:

Town of Tolland, Tolland Water Commission, Tolland Water Department

Mailing or Street Address: Tolland Water Commission, 21 Tolland Green,

Town, State, Zip Code:

Tolland, CT 06084

Primary Contact Person & Title:

Eugene Koss, Chairperson \_\_\_\_\_

Secondary Contact Person & Title:

Vincent Tursi, Vice Chairperson \_\_\_\_\_

Contact Telephone:

\_\_860.871.3680\_\_\_\_\_

Contact Fax:

\_\_860.871.3663\_\_\_\_\_

Contact Email:

watercommission@tolland.org\_\_\_\_\_

\_\_\_\_\_

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

Areas within the municipal boundaries of Stafford, Tolland, Willington, Coventry, Mansfield, Bolton, Andover, and Columbia, with the exception of those parcels of land currently served by public water systems, are open to declarants as proposed exclusive service area boundaries. Additionally, portions of Berlin, Southington, East Hampton and Farmington are currently open to declarants.

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.

Tolland proposes that its exclusive service area is all areas within the borders of the Town of Tolland which are not presently served by Connecticut Water Company or other existing public water systems or areas adjacent to properties served by CWC or other existing Tolland public water systems. If CWC or another existing Tolland public water system is near an area of concern and can be a logical, economic solution to a concern or request, Tolland will be open to discussion. This, in general terms, is to state that Tolland does not seek to intrude where there is an existing public water system. However for unserved areas within Tolland's borders, Tolland proposes these areas become part of the Tolland exclusive service area.

Tolland currently provides service in areas north and south of Interstate 84. The original systems were established decades ago. There has been progressive expansion of the systems over the decades since. While the systems are separate public water systems as this is written, additional study of hydraulics and operations is ongoing with the goal of operating the systems with supply from the Tolland main system supply from the River Park well field. Details about the systems, with maps, are part of the Tolland Water Supply Plan dated June 2009, with modifications dated January 2010, September 2011 and October 2013, which was approved by the Connecticut Department of Public Health on April 11, 2014. This declaration will include information from the approved Water Supply Plan. We believe the Plan should a reference for this declaration.

The Tolland main system currently covers an area north and predominately south of I84 along the Merrow Road, State Route 195 corridor as well as east to the border with Willington. Significant business and public authority customers are on the north and south sides of I84 and the east and west sides of Merrow Road along with the many residential customers served by this system. As indicated in Water Supply Plan future growth for the main system was expected south along Merrow road toward the Coventry town line and east toward the Vernon and Coventry town lines. With State's approval of Connecticut Water Company's proposal to sell water to the University of Connecticut and customers in Mansfield, CWC's May 18, 2011 Water Pipeline Operation Agreement with Tolland came to fruition. Tolland has been able to add Tolland customers along the Merrow Road corridor south to the Coventry Town Line. With the passage of time, especially in the twenty and fifty year planning horizons, it is foreseen that problems with on-site sewage disposal systems and or wells may lead property owners to seek public water. In older and or higher density neighborhoods this may be more prevalent.

The Torry Road, Skungamaug system north of I84 covers an area north and east and west of the point where it has a connection with the main system. With the passage of time, especially in the twenty and fifty year planning horizons, it is foreseen that problems with on-site sewage disposal systems and or

wells will cause property owners to seek public water. In older and or higher density neighborhoods this may be more prevalent. In this area there have been inquiries due to salt levels in well water in a residential neighborhood, unpalatable water in a larger building and water supply for a planned apartment complex.

As requests for water service are made, evaluations will be conducted for each request. Consideration will be given to responding to the request by expansion of the Town distribution system and or by developing a satellite system. Responses and providing water service to any new service area will be based on full recovery of the fully allocated cost of service for providing service to the requestor(s).

A significant consideration for development of public water system is should there be public water in some portions of an area or town. Pointed out by the Connecticut Department of Energy and Environmental Protection to the Central Region Water Utility Coordinating Council in their letter dated October 20, 2016:

Ensure that State Conservation & Development Policies are addressed throughout the planning process, including the following:

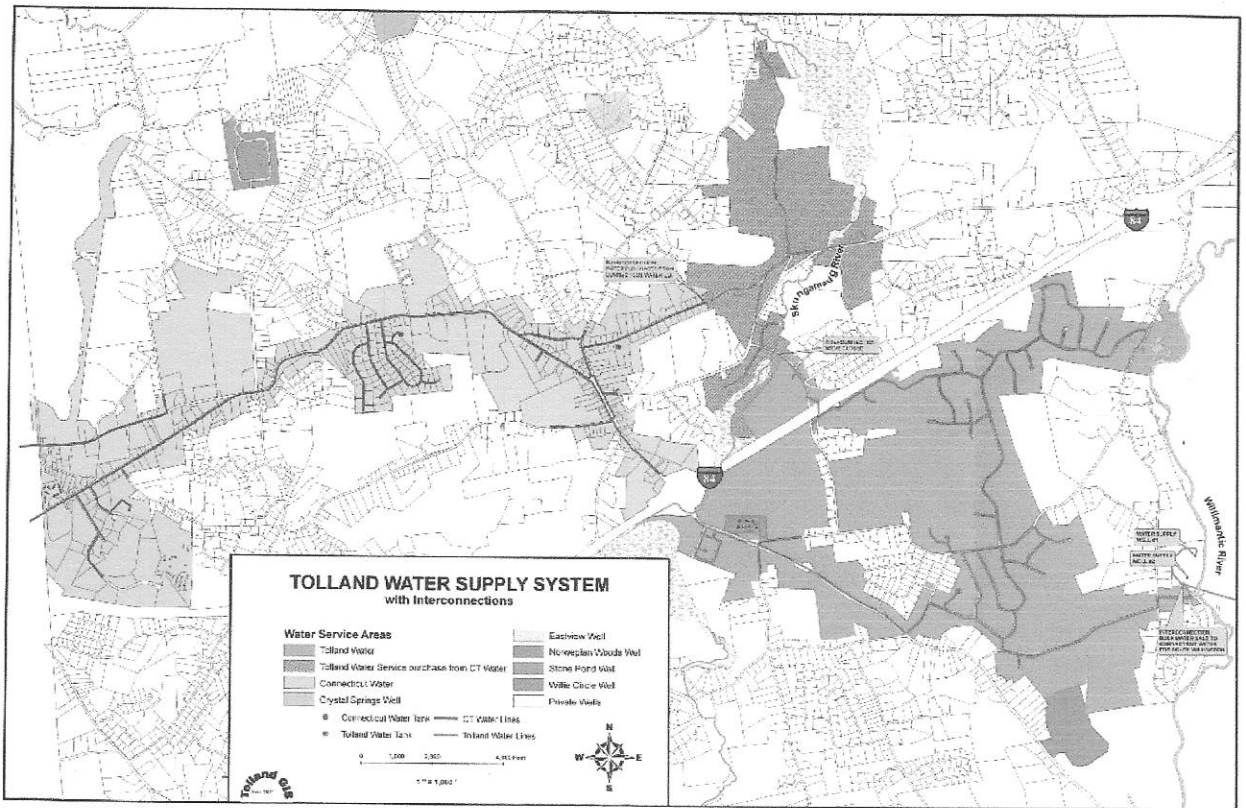
b. "Rely upon the capacity of the land, to the extent possible, to provide drinking water and wastewater disposal needs beyond the limits of the existing service area. Support the introduction or expansion of public water and/or sewer services or advanced on-site wastewater treatment systems only when there is a demonstrated environmental, public health, public safety, economic, social, or general welfare concern, and the introduce such services only at a scale which responds to the existing need without serving as an attraction to more extensive development". – DEEP, October 20, 2016 letter page 2

The CTDEEP encourages the WUCCs to discuss and consider the following during ESA designations and for the Integrated Report:

a. Consider if it is necessary for entire towns to be encompassed by ESAs, perhaps designating service avoidance areas where the mix of viable, existing private, community and non-community wells are self-sustaining, safe, and reliable, and also where there are large tracts of protected open space, such as state parks or low density rural growth. – id

The aforementioned is important to Tolland and the Tolland Water Commission. Tolland has sizable holdings of Town open space lands. The State of Connecticut has sizeable holdings of State Forest lands and State Wildlife Preserve lands. This is the same in other towns, at least in some other towns. While currently permissible development with on-site water and wastewater disposal can preserve the balance that DEEP reminds the WUCC, we are concerned that access to public water will compromise the open space goal the State and Towns have invested so much in.

2. 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? Please contact the Central WUCC officers and Milone & MacBroom, Inc. if you are unsure. If you do not own a public water system within each municipality in your proposed exclusive service area, please indicate those municipalities where you do not currently own and operate a system.

Yes.

2. If you do own and operate a public water system within your proposed ESA, are you planning on expanding your existing service area in the future? If yes, describe your general expansion plans for the 5-year, 20-year, and 50-year planning periods.

As indicated in Water Supply Plan future growth for the main system was expected to move south along Merrow road toward the Coventry town line and east toward the Vernon and Coventry town lines. With State's approval of Connecticut Water Company's proposal to sell water to the University of Connecticut and customers in Mansfield, CWC's May 18, 2011 Water Pipeline Operation Agreement with Tolland came to fruition. Tolland has been able to add Tolland customers along the Merrow Road corridor south to the Coventry Town Line. With the passage of time, especially in the twenty and fifty year planning horizons, it problems with on-site sewage disposal systems and or wells will cause property owners to seek public water. In older and or higher density neighborhoods this may be more prevalent.

The Torry Road, Skungamaug system north of I84 is expected to experience growth as well. With the passage of time, especially in the twenty and fifty year planning horizons, it is foreseen that problems with on-site sewage disposal systems and or wells will cause property owners to seek public water. In older and or higher density neighborhoods this may be more prevalent. In this area there have been inquiries due to salt levels in well water in a residential neighborhood, unpalatable water in a larger building and water supply for a planned apartment complex.

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.

As requests for water service are made, evaluations will be conducted for each request. Consideration will be given to responding to the request by expansion of the Town distribution system and or by developing a satellite system. Responses and providing water service to any new service area will be based on full recovery of the fully allocated cost of service for providing service to the requestor(s).

The CTDEEP has raised concerns about the conflict between State and local open space goals and expansion of public water in areas with State and or Town owned open space. We await clarification on this.

**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.

The Tolland Water Commission has followed and continues to follow planning and zoning matters in Tolland. As part of this consults with the Town Planner, receives and reviews Planning and Zoning Commission agendas and attends meetings of the P&Z Commission when necessary. Water Commission members have met with property developer and proposals have been evaluated by the Water Commission. This is expected to continue.

The Water Commission has followed development of the Town Plan of Conservation and Development. Some Commission members have been involved in Plan of Conservation and Development revisions.

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 Town Planner is the director of the Town Development Group. The Town Planner is support to the Planning and Zoning Commission. The Water Commission has consulted with the Town Planner and expects this to continue

3. Do the current zoning, land use plans, and growth trends in the municipality(ies) in your proposed exclusive service area currently suggest that new public water systems, or an extension of public water systems, will be needed? If yes, please explain.

Not clear at this time.

4. Do the current zoning and land use plans in the municipalities in your proposed exclusive service area identify geographic locations 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? If yes, please explain.

Not clear at this time.

The most recent development proposal to come to the Water Commission abutted water system infrastructure.

The most recent sizable development proposal to come to the Tolland P&Z Commission abuts Connecticut Water Company's infrastructure.



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? Will these regulations affect your proposed exclusive service area and if so, how?

Tolland is familiar with water supply regulations.

The Tolland Water Commission is familiar with existing land use, land use patterns and Tolland zoning.

The question pointed out by CTDEEP, pointed out earlier, is related to the pressure on Planning and Zoning Commissions and future Plans of Conservation and Development brought to bear by the claim that public water should be provided because of an Exclusive Service Area.

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

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

1. If you anticipate serving 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?

It is not certain that whether expansion of the distribution system will cause a need to develop new sources of supply. The service area served by Tolland's well field is predominantly suburban residential. Significant business customers are on the Merrow Road corridor and are served with water purchased from CWC.

The areas served by the Tolland system are predominately residential, with comparatively large lots under current zoning.

See above with respect CTDEEP recommendations on ESA and open space.

2. If you anticipate serving 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.

Tolland does not forecast serving all of Tolland via satellite systems.

While the Town water system has, over the years, evaluated water sources, this has been in the context of the municipal system that has evolved near the Willimantic River. There has not been a need for detailed or comprehensive information at this time. Information we have, while anecdotal, suggests some sources distant from our existing system may be less desirable.

See above with respect CTDEEP recommendations on ESA and open space.

3. If you do not anticipate serving a portion of your proposed exclusive service, please identify how future potential problems may be addressed.

We are not clear there are future potential problems.



**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? If yes, please explain.

No.

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

The Tolland water system is interconnected with Connecticut Water Company.

As indicated in earlier filings, Tolland currently purchases water from CWC at an interconnection on Torry Road in Tolland to serve its Torry Road, Skungamaug system. This system is interconnected with Tolland's main system and preparation is ongoing to switch the source of supply. This CWC interconnection is expected to remain as an interconnected emergency source of supply.

As indicated in earlier filings, Tolland is interconnected with CWC's regional pipeline to provide service to UCONN and Mansfield. This interconnection, near Tolland's Merrow Road pressure reducing valve, currently provides water to Tolland customers along Merrow Road from Fieldstone Commons, near 184, south to the Coventry town line. The regional pipeline, with water mains owned by Tolland and CWC, serves Tolland customers with water currently purchased from CWC pursuant to the Pipeline Operation Agreement.

While not an interconnection to enable purchases of water, Tolland is interconnected to CWC in Tolland's River Road Park and well field at a pressure reducing vault and meter station. At this interconnection, Tolland water is sold to CWC for service to customers in Willington.

**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? Please contact the Central WUCC officers and Milone & MacBroom, Inc. if you do not know. 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.

Tolland is a municipality and has been a public water system for over three decades.

CGS. Section 7-234 ...

CGS. Section 16-1 ...

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.

Not that we are aware of.

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.

Not that we are aware of.

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.

Tolland's water system was created by Town Code and operates pursuant to and in accord with Town Code. For example:

Code of the Town of Tolland, Chapter No. 57, Water Commission, Assessment for Improvements. Adopted by Town Council, November 24, 1998.

Code of the Town of Tolland, Chapter No. 146, Water Service to Customers, Adopted by Town Council, June 27, 1989.

Code of the Town of Tolland, Chapter A176-1 Policy Regarding Water Main Assessments, Adopted by Town Council June 27, 1989.

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

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

1. If you anticipate serving 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.

Not clear at this time.

As is indicated in Tolland's water supply plan, the Tolland water system pumps water hundreds of feet uphill from the River Road Park well field to its Summit Drive 560,000 storage tank.

Tolland has studied options including an additional tank at a location different from Summit Drive.

As indicated earlier, it is not clear if or where there will be significant demand increases.

It is not certain that whether expansion of the distribution system will cause a need to develop new sources of supply, tanks or pumping facilities. The service area served by Tolland's well field is predominantly suburban residential. Significant business customers are on the Merrow Road corridor and are served with water purchased from CWC.

The areas served by the Tolland system are predominately residential, with comparatively large lots under current zoning.

See above with respect CTDEEP recommendations on ESA and open space.

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

As indicated in Tolland's water supply plan the Tolland water system has sizable variation in elevation. Tolland operates with five pressure reducing stations to manage pressure in meeting customer needs satisfactorily.

It is not certain that whether expansion of the distribution system will cause a need to develop new sources, storage, pressure regulation. The service area served by Tolland's well field is predominantly suburban residential. Significant business customers are on the Merrow Road corridor and are served with water purchased from CWC.

The areas served by the Tolland system are predominately residential, with comparatively large lots under current zoning.

See above with respect CTDEEP recommendations on ESA and open space.

**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.

Please see Water Supply Plan and amendments.

Tolland owns 29.6 acres comprising the River Park well field. This well field is along the west bank of the Willimantic River. Tolland owns much of the land in Tolland along the west bank of the river and more recently purchased the Becker property, immediately upriver and upland of the well field to increase the open space water protection area.

Aquifer mapping has been completed. Regulations for Administering the State Aquifer Protection Area have been promulgated and have been in effect since December 20, 2009.

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

Tolland started with constructing and managing a small water system three decades ago. This was before the Water Commission was created.

With Town management, subsequently a governing board with experienced professional and contract operations personnel Tolland has the requisite management experience, competencies to operate systems, such as a water system.

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?

See above. Tolland has been operating its water system for many years. Tolland contracts with firms providing qualified, certified operators for its water system. Currently Connecticut Water Company has the contract to provide routine, non-routine and emergency services.

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.

With a governing board with experienced professional s and contract qualified, certified operations personnel Tolland has the requisite management experience, competencies to operate systems, such as a water system.

See Water Supply Plan for Town Code references for water system management.

The Water Commission plans budgets, capital plans and has been closely involved in water supply planning, infrastructure planning, facility condition review/capital efficiency planning. Commissioners have been working together for years and are available. This Commission has a good working relationship among members, contract personnel and Town staff.

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?

The Tolland water system, while operating within Town government, is operated with an enterprise fund. See Town code referenced provided earlier.

The water system has separate funds and reserves. The Water Commission has the authority to raise rates and borrow money.

The Commission has retained consultants and contractors in the past and expects this will continue.

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

Within Tolland's current exclusive service area there have been occasional consumer complaints.

Complaints, possibly 2-3 per quarter, sometimes 0 almost always are caused by turbidity. The Tolland well field water supply has traces of manganese in one well and traces of iron in the second well.

Most recently a flow test was conducted on the main system served by the well field. This test, without proper care in operation, caused a turbidity complaint.

On the Merrow Road portion of the system which now has water from CWC's Rockville system there have been recent turbidity episodes. The contractors working for CONNDOT on the Merrow Road widening project have disturbed our plant causing turbidity problems we have not had before. We believe CONNDOT's work which affects are system is completed.

7. If you anticipate serving 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.

One MCL violation for total coliform occurred.

8. If you anticipate serving any or all of your proposed exclusive service area via an extension of your existing service area, and you utilize surface water sources for supply, please describe any potential concerns related to disinfection byproducts that may need to be evaluated with any main extension.

Tolland does not have a surface water supply.

As indicated in earlier responses discussing purchases of water from Connecticut Water Company, Tolland has purchased water and expects to purchase water from CWC which is from a surface supply. For Tolland's Merrow Road customers, Tolland is one of the first parts of the journey to UCONN and Mansfield. We expect CWC will provide water meeting all regulatory requirements. The Tolland CWC pipeline agreement requires this. For the Torry Road Skungamaug system we expect the same but continuing evaluation and planning has water from the main system meeting customers' needs and non-emergency purchases ending.

If you currently provide public water service in or near your proposed exclusive service area, please describe the type of rate structure utilized 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.

Tolland's customers are all on metered rates.

Tolland has an inverted rate structure. Prices per unit of consumption increase as volume consumed increases.

As indicate earlier in a case where expansion into a new area results in expansion of Tolland's system or creation of a new system the proposed expansion/development and customer will be required to pay the fully allocated costs of service. The rules the system operates under do not permit existing customers to subsidize new customers. The Town Code has provisions for Development Agreements to recover infrastructure and rates have been set, for decades, to reflect different costs for water supply. Going forward, those proposing expansions for new service, developers and customers of new systems would be treated the same.

A customer of the Tolland main system using 109,500 gallons for the year would be billed \$893.57 at 2016 rates. A customer of the Tolland Torry Road Skungamaug system using 109,500 gallons for the year would be billed \$1,156.00 at 2016 rates.

#### **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.

2. If you answered yes to question 1, 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.

Not applicable.

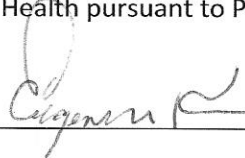
#### **CERTIFICATION**

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:



Date:

12 Dec 2016

Print or Type Name and Title:

EUGENE M. KOSS

CHAIRPERSON