

Water Planning Council Advisory Group

**April 21, 2015
Meeting Minutes**

A meeting of the Water Planning Council Advisory Group (WPCAG or group) was held at the [Public Utilities Regulatory Authority](#) (PURA), in New Britain, Connecticut, at 1:30 p.m.

Members Present:

Gil Bligh	City of New Britain
Virginia de Lima	USGS CT Water Science Center
Margaret Miner	Rivers Alliance
Vin Ringrose	Fisheries Advisory Council
Lori Vitagliano	South Central CT Regional Water Authority
Robert Wesneski	Avon Water Company
Maureen Westbrook	Connecticut Water Company
Bob Young	Middletown Water & Sewer Department

Members by Phone:

Jennifer Kertanis	Farmington Valley Health District
Robert Silvestri	PSEG

Other Attendees:

Tom Callahan	WPC project management
Alicea Charamut	CRWC
Marc Cohen	ASRWWA
Betsy Gara	CWWA
George S. Logan	Aquarion
Gail Lucchina	PURA
Nicholas Neeley	PURA
Matt Pafford	OPM
Martha Smith	West River Watershed Coalition
Bruce Wittchen	OPM

Members Absent:

Eric Brown	CBIA
Karen Burnaska	Endangered Lands Coalition/CFE
James Butler	SCCOG
Len DeJong	Pomperaug River Watershed Coalition
Greg Leonard	Southeastern CT Water Authority
Denise Savageau	Town of Greenwich
Richard Sobolewski	OCC
Kevin Sullivan	Green Industry
Henry Talmage	CT Farm Bureau

1. Call to Order

The meeting was called to order at 1:40 p.m.

2. Approval of Minutes – March 2, 2015

A motion was made and seconded to approve the [minutes of the March 2, 2015 meeting](#) and the motion was approved unanimously, with Gil Bligh, Jennifer Kertanis and Robert Silvestri abstaining because they had not attended the meeting.

3. Old Business

a. State Water Plan – WPC, WPCAG & work group roles

Tom Callahan distributed a list of CT Water Plan Steering Committee members, dated 4/17/2015. He noted that the WPC has already voted to include all but one of the listed people to be members of the Steering Committee and needs to vote to add Susan Stratton Sayre. He added that she is a natural resources economist at Smith College. Maureen Westbrook asked if someone with waste water industry perspective will be included and Tom said he did not know.

Tom said that, because of procurement difficulties, the Memorandum of Agreement with UConn has been modified so that a facilitator can be hired through UConn's procurement system. UConn's system offers greater flexibility with small contracts than the state agency system.

Three proposals have been received and those have been vetted by Tom and agency staff. A recommendation will be provided to the WPC within the next couple days and the facilitator should be on board within the next couple weeks. They are still aiming to hold the visioning session in May, but it might slip into June.

Tom said the bond funding for water planning still seems to be in good shape and there was a discussion of the process for accessing funds in the next two fiscal years. Tom said Betsey Wingfield mentioned that Michael Sullivan, formerly of DEP, OPM and UConn, has been named the new Deputy Commissioner at DEEP and also that he is interested to the water planning initiative. Tom added that Scott Jackson, formerly mayor of Hamden, has been appointed Undersecretary at OPM.

Maureen Westbrook asked when would be the most appropriate time to provide other people's input – before or after the visioning. She noted that the proposed outreach suggested by the WPCAG emphasized the importance of having input before and after such a session to garner support and confidence in the approach/process being developed by the Steering Committee. Tom said that he expects the facilitator will address that. Tom was asked about potential third-rail issues and he said there are no surprises so far and the facilitator will flesh out sensitive issues in confidential discussions with steering committee members and others. Tom listed potential third rail issues, which include changes to existing requirements regarding Class B waters, registered diversions and reorganization of agencies' water-related responsibilities.

Maureen asked if she and Margaret, as WPCAG co-chairs, should be soliciting input from other WPCAG members prior to the visioning session, noting that it may be difficult to appropriately represent the various interests without more specific questions. She suggested that, once the facilitator shares more information on the visioning process, the WPCAG should meet so the chairs have some direction from the group. There was a discussion of the scope and process of the planned retreat and Tom said he will distribute UConn's solicitation for facilitators.

Virginia de Lima said the list of issues to address could take a week and the expectation to cover all of them in a single day is too ambitious. Tom said part of the goal at this stage of the process is to determine where to focus first and to develop a roadmap for the process. Maureen Westbrook recommended that WPCAG members look for gaps. There also was a discussion of steering committee members' backgrounds and whether they represent each of the water-related interests that had been discussed. There also was a discussion of the policy group that has been proposed and Tom Callahan said the group is yet to be formed.

Bob Young noted that the steering committee's water industry representative is with a utility that is regulated differently from most others. Tom Callahan said the representative has considerable experience with his region's [Water Utility Coordinating Committee](#), so is familiar with more than just his own utility.

Margaret Miner said she believes the steering committee is weighted more towards industry than to habitat and there was a discussion. Tom Callahan said that such a concern can be raised with the WPC and it could be part of the conversation with the facilitator. Margaret also questioned how broadly the term "environmental" is defined: does it including engineering and technology or is the focus on habitats and other features of the environment? There also was a brief discussion of the potential significance of funding for data collection and other work coming from industry rather than from government and whether it has any influence on outcomes. Virginia made it clear that while USGS may solicit funding for their gaging stations, they are all subject to the same standards and protocols as any USGS data.

b. 2015 legislative session update

Margaret Miner mentioned [HB 5023](#), a bill to promote full legal equality for Connecticut's snapping turtles. She said support seems to be strong for the \$500,000/year funding for water planning and there was a question of whether there is support for but not a commitment for funding. Margaret said she is paying attention to pesticides legislation and [SB 1063](#) might extend restrictions on pesticide applications to parks and playgrounds.

Margaret said that a few sections have been removed from [HB 6998](#), the conveyance bill, but the proposed transfer of a portion of [Silver Sands State Park](#) to Milford for local use is still included. She also mentioned a section regarding an exchange of lands to benefit gravel mines adjacent to the Quinebaug River. She said the information is sketchy and a number of questions remain.

Margaret also mentioned that there are several bills to phase out single-use plastic grocery bags or to prohibit microbeads in personal care products. She added that there is another bill that could limit how far CT can deviate from federal law and another might extend the use of underground storage tanks.

Vin Ringrose noted his opposition to the conveyance bill and to the transit oriented development bill that would enable state condemnation of properties near public transit.

Maureen Westbrook said the water industry supports bills making minor changes regarding procedural aspects of the water revenue adjustment mechanism and service lines. She also said there also are two bills pertaining to small water systems. Sen. Duff's [SB 569](#) would provide agencies more tools for working with small community water systems. DPH's small water systems proposal will need considerable changes before it can be supported.

Maureen mentioned [SB 865](#), which would eliminate the reduction in DEEP's funding to replace contaminated water supplies when systems are oversized for economic development purposes. She also mentioned a proposal to study virtual net metering and [HB 5602](#), which is similar to 2014's [HB 5220](#), regarding responsibility for removing a tree or limb that falls on a neighboring property. The 2015 bill would exempt municipalities and nonprofits. There are a number of broad concerns. There was a discussion of the proposed budget still sweeping [Community Investment Act](#) funds.

4. New Business

There was no new business.

5. WPC Requests to WPCAG and Work Group Updates

a. New Work Group – Other States Work Group

Matt Pafford said the group is making steady progress and will have a draft report for the WPC.

b. Small Systems Work Group

Maureen Westbrook said the group has met several times to modify DPH's legislative proposal regarding small systems. She provided a brief background regarding such systems and suggestions in the [Townsley report](#).

Maureen mentioned that DPH has developed a scorecard that could be used for assessing small systems and noted that many in the group believe that a basic problem is that many small systems do not charge high enough rates to sustain their system operations. She added that other changes under consideration by the group include streamlining the voluntary acquisition process as well as possible changes to processes for land transfers and [certificates of public convenience and necessity](#) (CPCNs). One of the underlying questions is who should be in charge of particular processes, DPH or PURA?

Margaret Miner said she is concerned that the WPC was not involved with DPH's bill. It should have gone to the WPC. She is also concerned about the multiple definitions of "water company" and about reduced opportunities for public involvement. Presumptions are made about exclusive service areas This would be easier if we had up-to-date regulations. Given the land provisions, this bill should also go the WPCAG's watershed lands work group. Maureen explained that most of the sources in these systems are very small quantity and below the threshold that would even require a diversion permit and that DPH focus, as part of their public health obligation, is to ensure the customers in these systems have adequate, safe water.

While the issue has not gone to the full WPC, there has been considerable review and discussion from the WPCAG's Small Systems workgroup. Timing, as is often the case during the session, may not fit to have changes reviewed by WPCAG and WPC. There was further discussion of this group's efforts, including the participation of the Office of Consumer Counsel (OCC).

c. Drought Plan Work Group

Virginia de Lima said the group has established a regular monthly meeting schedule.

d. Green Industry Conservation Work Group

There was no report.

e. Watershed Lands Work Group

Margaret Miner said there is nothing new to report but we should pay attention to bills having land implications.

6. Public Comment

There was no public comment.

7. Future Meeting Date

The next meeting is scheduled for 1:30 on Tuesday, May 19th, 2015 at PURA, in New Britain.

8. Adjourn

The meeting adjourned at 3:00 p.m.

Minutes prepared by Bruce Wittchen, OPM