



2019 CWWA Legislative Update

Maureen Westbrook, Connecticut Water Company

Lori Vitagliano, Regional Water Authority

CWWA's Mission

Formed more than 80 years ago to represent the interests of the water industry at the state Capitol and before state agencies

Organized to ensure that CWWA's positions reflect the concerns and priorities of all forms of water utilities – municipal, private, and regional

CWWA's Board of Directors – Comprised of a balance of municipal, regional, and private water company representatives

CWWA President position rotates from each form of water utility ownership



CWWA Legislative Committee



- Committee develops positions and responses on state legislative and regulatory issues affecting the water industry
- CWWA Legislative Tri-Chairs – Reflect each form of utility ownership
 - Pat Kearney, Manchester Water
 - Lori Vitagliano, Regional Water Authority
 - Maureen Westbrook, Connecticut Water Company
- Coordinate with CTAWWA Committees

CWWA Government Affairs Agenda

- Monitor/participate in task forces, working groups, Water Planning Council Meetings
- Legislative Planning Meetings – CWWA Board members, Legislative Committee members, CWWA Supporters, CTAWWA Committee Chairs invited to participate
- Based on the input of members, CWWA develops a Government Affairs Agenda outlining legislative & regulatory recommendations and priorities
- Subject to approval by CWWA's Board of Directors in December



CWWA Initiatives

- Maintains full-time presence at the state Capitol.....Betsy Gara
- Coordinates meetings with legislators and CWWA Legislative Committee Officers
- Submits requests for legislation to relevant committee chairs
- Tracks bills affecting public water suppliers
- Drafts testimony and testifies before legislative committees
- Communicates with legislators, Governor's Office, state agencies, etc. on bills affecting the water industry
- Issues Legislative Alerts on key bills
- Develops coalitions to build support for or against a bill



2019 Political Landscape

New Governor – Ned Lamont

New Commissioners

Katie Dykes – DEEP

Renee Coleman-Mitchell - DPH

Marissa Paslick Gillett – PURA Chair

Senate moved from an 18-18 split with Republican
Co-Chairs on all committees

11 Freshman in Senate; 24 Freshman in House

New Committee Chairs - including Public Health,
Environment, Planning & Development and Energy



2019 Legislative Session

Key Legislative Issues



The State Water Plan

The State Water Plan

The State Water Plan was not approved in 2018 largely due to concerns regarding the insertion of language tying the existing CEPA public trust statute to the balancing of water uses

Water as a Public Trust – What's the Problem?

- Complex legal doctrine
- Uncertainty as to whether projects will be approved
- Potential impacts on existing and future supply needs
- Chilling effect on economic growth

The State Water Plan

Governor Malloy's Executive Order directed the WPC to implement the plan and resubmit to legislature "as is"

Coalition Effort – Broad Stakeholder Group

CWWA met with chairs and ranking members of the 4 committees of cognizance, legislative leaders, and rank and file members

Pursued with Governor's Office



The State Water Plan



House Joint Resolution 171

- The State Water Plan adopted
- Separate language in budget bill clarifies potential conflict

‘in the event of a conflict between the State Water Plan and existing statute, the existing statute controls.’
- Water Planning Council now moving forward with implementation

Safe Drinking Water Primacy Assessment - Year 1

Initially adopted for FY18 to support DPH's ability to maintain primacy Assessment per service connection

Adopted for FY18-19
Requirement to coordinate with water companies to develop methodology for fees going forward

January 1, 2019 & May 31, 2019
50% assessments due



Proposed HB-7193 – DPH Fee

- Increased cap from \$4.00 to \$5.00 per service connection
- Eliminated overall revenue cap of \$2.5 million
- No sunset provision
- Revenue reflected in the budget
- CWWA met with OPM and DPH to discuss changes
- CWWA and members contacted legislators



Biennial State Budget

- Included in Budget
- \$3.00 Per-Service Connection cap
- Sunsets in 2021
- DPH Reporting Requirements

As Adopted

**DPH Primacy
Fee**

As adopted – Thru FY 2021	
CWS less than 50 service connections	\$125
Nontransient noncommunity systems	\$125
CWS with > 50 and <100 connections	\$150
CWC serving 100 or more connections Per Service Connection	Not to exceed \$3

**Final
DPH Primacy
Fee**

**DPH Circular Letter 2019-20
September 30, 2019**

- \$1.83 per service connection
- FY 2020 (July 1, 2019 – June 30, 2020)
- Determined based upon a review of the cost to maintain primacy during the same fiscal year

DPH webpage:

<http://www.portal.ct.gov/DPH/Drinking-Water/DWS/Safe-Drinking-Water-Primacy-Assessment>

Workforce Development

Public Utility Management Degree Programs

PA 19-150 requires the Technical High Schools to meet with representatives;

(1) of electric, gas, water, and wastewater utilities and

(2) from state colleges and universities offering public utility management courses to access the community's and utilities' workforce needs and modify the curriculum accordingly.



Invasive Species Stamp

PA 19-190 - Requires a person who registers a vessel in Connecticut or in another state and who intends to operate it on state waters, to purchase an invasive species stamp for \$5.

80% of the revenues will be used for:

- 1) programs to eradicate aquatic invasive species and cyanobacteria blooms;
- (2) education and public outreach programs about protecting and preserving state lakes, rivers, and ponds; and
- (3) grants to state and municipal agencies and nonprofit organizations to conduct research and provide education on managing state lakes, rivers, and ponds.



Water Infrastructure Funding

PA 19-118 - DPH is authorized to use SRF funds to respond to emergency situations involving water contamination, water infrastructure failure, or water shortages.

PA 19-194 – Private water companies are now eligible for grants under DPH's Public Water System Improvement Program if system;

- (1) serves at least 25 people or at least 15 year-round service connections,
- (2) grant used for an eligible drinking water project under DPH's DWSRF Program,
- (3) DPH consulted with PURA about the grant.

Existing law limits % of eligible costs in grants to:

- (1) 50% for systems serving up to 10,000 people and
- (2) 30% for systems serving more than 10,000 people.



Other Water Matters



Additional Bills of Interest

- **PA 19-194** requires DPH to amend regulations so third parties can administer certification exams for water treatment, distribution and small systems as well as requirements for cross connection testing and surveys.
- **PA 19-117** allows DPH to approve the location of a replacement well in Ledyard based on certain requirements.
- **PA 19-200** calls for DEEP to reimburse Wallingford for extension of a municipal water system to a designated street.

Dead Bills



Will they
be Back??

Bills That Died

- Call Before You Dig
- Lead Service Line Replacement for Customer Side
- Lead Testing in Schools
- PFAS ban in fire-fighting foam
- Virtual Net Metering
- Watershed or Land Surveys Prior Notice

Emerging Issues

- Voluntary transfer of municipal water and wastewater system assets with mechanism to determine value of assets and rate recovery. PURA and OCC raised concerns in 2019.
- Water Treatment Operator Certification Reciprocity

Topics identified by members through CWWA legislative planning session.

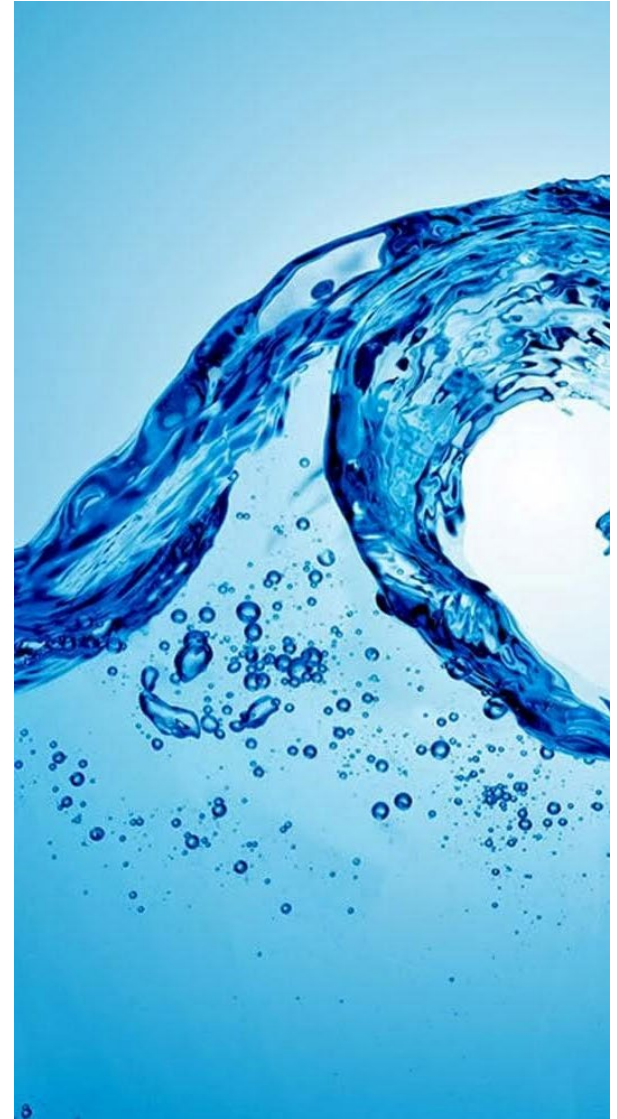
Items for CWWA
in 2020?



Lobbying for Your Participation

Depend on members to be involved to deliver CWWA's Mission.

- Input needed on issues **your** utility is facing.
- Feedback on pending legislation and how it will **impact your utility**.
- Members to reach out to their legislators on key issues – the local connection matters.
- Does not require significant time. Everyone can participate in the legislative committee process or engage with legislative alerts and email updates.





QUESTIONS?