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STATE OF CONNECTICUT
DEPARTMENT OF ENERGY AND
ENVIRONMENTAL PROTECTION
PUBLIC UTILITIES REGULATORY AUTHORITY

STATE WATER PLANNING COUNCIL

Regular Meeting held Via Teleconference on
February 6, 2024, beginning at 1:33 p.m.

H e l d B e f o r e :

JOHN W. BETKOSKI, III, WPC CHAIRMAN,
and PURA VICE-CHAIRMAN

1 **A p p e a r a n c e s :**

2 **WATER PLANNING COUNCILMEMBERS PRESENT:**

3 **JOHN W. BETKOSKI, III, CHAIRMAN (PURA)**

4 **LORI MATHIEU (DPH)**

5 **GRAHAM STEVENS (DEEP)**

6 **MARTIN HEFT (OPM)**

7
8 **ALSO PRESENT (on record):**

9 **VIRGINIA de LIMA**

10 **MARGARET MINER**

11 **DENISE SAVAGEAU**

12 **DAN LAWRENCE**

13 **CAROL HASKINS**

14 **IRIS HERZ KAMINSKI**

15 **ALICEA CHARAMUT**

16
17 **Staff:**

18 **LAURA LUPOLI**

19 **ALYSON AYOTTE**

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1 (Begin: 1:33 p.m.)

2
3 THE CHAIRMAN: Good afternoon, everyone. Welcome to
4 the February 6th meeting of the Connecticut Water
5 Planning Council. I call the meeting to order.

6 Our first order of business is the approval
7 of the January 2, 2024, meeting transcript.

8 May I have a motion?

9 MARTIN HEFT: So moved.

10 GRAHAM STEVENS: Second.

11 THE CHAIRMAN: Motion made and seconded that the
12 transcript of the January 2, 2024, meeting be
13 approved.

14 Any questions on motion?

15
16 (No response.)

17
18 THE CHAIRMAN: If not, all those in favor signify by
19 saying aye.

20 THE COUNCIL: Aye.

21 THE CHAIRMAN: The motion is carried.

22 Any public comment on agenda items? Any
23 public comment on agenda items?

24
25 (No response.)

1 THE CHAIRMAN: If not, we'll move on to item four, DEEP
2 updates. Graham?

3 GRAHAM STEVENS: Thank you, Jack. We originally had
4 two updates to provide. Our Deputy Commissioner
5 was going to introduce herself. Unfortunately,
6 she's not feeling well today, so she's taking
7 fewer meetings.

8 Well, tomorrow is the start of the
9 legislative session, I heard, so hopefully she's
10 all rested up -- but I also did want to update the
11 Water Planning Council about the creation of a new
12 office within DEEP. It's the Office of Planning
13 and Resilience. And that new office will be
14 situated in my bureau, so that office will report
15 to me.

16 And just to give everyone some context and
17 framing on what that means, as far as, you know,
18 water planning and state water planning issues,
19 you know we have an Office of Climate Planning and
20 an office director and staff within that office
21 that deal with all things, you know, climate
22 related from a planning perspective.

23 They also do some implementation of
24 resilience efforts, including DEEP's Climate
25 Resilience Fund, which is a fund that provides,

1 you know, currently planning grants to
2 municipalities to try to push for, you know,
3 community resilience across Connecticut.

4 You know, there's also talk about looking at
5 opportunities to, you know, create a matching
6 grant program for municipalities who are seeking
7 federal funds so that there can be some durable
8 commitment from the State when at a time of
9 application -- so folks can seek our unfair share
10 of federal funds, as we like to say.

11 And you know, my new office will be handling
12 the implementation of, you know, this existing
13 round of planning grants, which was announced in
14 December and also will be handling, you know,
15 future grant administration and the matching grant
16 program, which really needs to be -- you know,
17 it's in the concept phase now. But it will also,
18 you know, will also be reaching out to
19 stakeholders to try to get some feedback on that
20 grant program before it's, you know, before it
21 goes live.

22 We've created a new office. It doesn't mean
23 we've, you know, just overnight created new staff
24 for this new function. So I am recruiting for an
25 office director position within that office. And

1 then I will work with the office director to fill
2 out -- albeit a lean team, a team, nonetheless, to
3 work on really, you know, pushing for community
4 resilience in all of its meanings across
5 Connecticut and really working in partnership with
6 other state agencies who do a lot of work in this
7 space.

8 Obviously, our municipal partners and our
9 NGOs, you know, who have a lots of work already
10 underway in this arena to ensure that we can
11 address some of the very, you know, significant
12 goals that we've set out for ourselves through
13 various planning efforts, including GC3 which has
14 quite a few touch points with ideas on resilience,
15 resilience planning and infrastructure, and how
16 that relates to our work here, particularly as it
17 relates to infrastructure, water infrastructure in
18 particular.

19 So I look forward to having more in-depth
20 conversations with many of you in the coming weeks
21 as we create this office and looking for greater
22 opportunities to get the word out about the
23 State's resilience efforts, you know, in this, in
24 this forum and others.

25 I think I'll leave it there for today, Jack,

1 but suffice to say, very excited and I look
2 forward to working with many of you in this new
3 capacity.

4 **THE CHAIRMAN:** Thank you very much, Graham.

5 Any questions for Graham or comments?

6
7 (No response.)

8
9 **THE CHAIRMAN:** It sounds exciting. To be continued.

10 You'll make more reports to us in the future, I'm
11 sure, as the office progresses.

12 Next, we're going to have the final draft of
13 new procedural rules for the Water Planning
14 Council advisory group by Virginia and Alecia.

15 I'd like to acknowledge Martin Heft for his
16 work on this. He made some suggestions and talked
17 to councilmembers and talked to the leadership of
18 the IW, implementation workgroup and WPCAG. And I
19 believe Alecia and Virginia are going to make some
20 report on that.

21 **VIRGINIA de LIMA:** I want to second that and --

22 **THE CHAIRMAN:** Alecia, are you okay? I understand you
23 were rather feisty in Bristol last night.

24 **ALECIA CHARAMUT:** I was provoked.

25 **THE CHAIRMAN:** Have you recovered from Bristol?

1 ALECIA CHARAMUT: I have to say I slept later than I
2 normally do this morning after, you know, leaving
3 there at ten o'clock.

4 THE CHAIRMAN: Just checking in. Good job.

5 VIRGINIA de LIMA: Well, I want to second Jack's
6 comments thanking Martin. He and Alecia and Dan
7 and I had a very productive meeting where we went
8 over the various versions of the drafts and
9 made -- the three of us made recommendations to
10 him. And I can see that in the final draft that a
11 lot of those recommendations were incorporated.

12 So we really appreciated that interaction and
13 your openness to having that input from the two
14 committee chairs. So thank you, Martin, for that.

15 There are a couple of things that I think --
16 that Alecia and I think warrant further discussion
17 with the Water Planning Council. And they come
18 into the category of some very basic things.

19 We in both the advisory group and
20 implementation group have long discussions on the
21 length of the terms. As you may remember, the
22 advisory group terms have been four years; the
23 implementation workgroup terms have been two
24 years.

25 And the arguments for one or the other was,

1 first of all, that four years gives you more
2 continuity amongst the members. The argument in
3 favor of the two year terms is that asking
4 somebody to make a four-year commitment can be
5 pretty daunting and contributes to the fact that
6 we've had a lot of difficulty recruiting members
7 over the past many years. And I think Carol
8 Haskins can speak to that as head of the
9 nominating committee.

10 We, the two groups had sort of settled on
11 three as a compromise. And I think that that
12 should be something that the four of you should
13 discuss.

14 As I said, the reasoning being that four -- a
15 four-year commitment is a lot to ask of folks,
16 particularly because they are all volunteers,
17 volunteers either in the true sense of the word,
18 or volunteers taking time away from the job that
19 they have been hired to do with their organization
20 in order to participate.

21 **THE CHAIRMAN:** Well, did you want to go through all the
22 items and we'll take -- councilmembers take them
23 one by one?

24 **VIRGINIA de LIMA:** I can mention the other one, and
25 then certainly Alecia and Dan can chime in.

1 THE CHAIRMAN: Okay.

2 VIRGINIA de LIMA: The other one is just a small point
3 that I think can be addressed with perhaps a
4 wording change in that when we're talking about
5 the membership, the people that are involved, that
6 obviously is the responsibility of the Water
7 Planning Council to make those appointments.

8 And then also the alternates, the way it is
9 currently written, it just says that the -- I
10 would like to see the same language in appointing
11 the alternates as exists in appointing the
12 members, that they do that with input from the
13 Water Planning Council itself, the advisory group
14 and any other parties -- just to make it parallel,
15 the appointment of the members themselves.

16 ALECIA CHARAMUT: I thought that's the way it is right
17 now in Martin's version. Isn't it?

18 VIRGINIA de LIMA: Hang on a second.

19 MARTIN HEFT: Yes, if I may? And I want to interrupt
20 you, because I appreciate you going through.

21 It does state in section two, WPC appoints
22 all members and alternates.

23 VIRGINIA de LIMA: Okay. Yeah.

24 MARTIN HEFT: WPC will solicit recommendations to fill
25 all positions. So it's very clear that it's both.

1 VIRGINIA de LIMA: Yes. And --

2 MARTIN HEFT: There is just a separate section on
3 alternates showing that the member can identify
4 that alternate, you know, for them there.

5 So that's why they're two separate sections,
6 for clarification.

7 VIRGINIA de LIMA: Thank you for that. The piece that
8 did catch my attention was in that article two,
9 section five for vacancies; any vacancy will be
10 filled by the Water Planning Council for the
11 unexpired term. That's where I would like to see
12 some mention of getting input from the nominating
13 committee or from the Water Planning Council
14 advisory group.

15 The way it reads now to me is that the Water
16 Planning Council would just say, okay. You know,
17 Jane -- Jane Smith is going to take that position
18 and I would like to see that.

19 That's the piece that I was really focusing
20 on -- I misspoke earlier -- that I would like to
21 see some words in there to include the input from
22 the nominating committee and perhaps others.

23 ALECIA CHARAMUT: And it may just be a just a reference
24 back to section one.

25 VIRGINIA de LIMA: Yeah, following the same approach as

1 section one -- yeah, that would. That would
2 certainly cover it. So those are the two things
3 that caught my eye.

4 Alecia and Dan, how about you?

5 ALECIA CHARAMUT: So you know, again, I appreciate all
6 of the work that Martin put into this when we -- I
7 think I used some sort of template, or stole it
8 from somewhere else when we first initiated this
9 process. And there was a lot that probably was
10 just needed to be massaged.

11 So I appreciate Martin's additions,
12 especially the FOIA clarifications, because we're
13 always asking, you know, ourselves -- wait. What
14 are we supposed to do? So having it here in
15 writing is really helpful where we don't have to
16 go through and try to dig through the statutes,
17 and so there are a lot of great additions here.

18 I appreciate -- I am more comfortable with
19 the wording in the appointment section, which
20 is -- actually I should have said it was section
21 two, it should have been referred to.

22 My concern going forward is if there is a
23 Water Planning Council, you know, five to ten
24 years from now, that isn't as proactive, you know
25 that the advisory group will languish -- just

1 because Carol puts a lot in the nominating
2 committee, puts a lot of hours into the process of
3 finding members. It's not always easy.

4 And there's also a concern that, you know, we
5 may have a very active member who's contributing
6 that may get swapped out without our opinion. And
7 you know, I know we've always had a good working
8 relationship going forward with the present Water
9 Planning Council, and all of you, but just a
10 little bit of a concern in the future that, you
11 know, if there isn't that, that valuable or
12 respected partnership that we may end up losing
13 some folks that help drive things forward.

14 So those are just my concerns, but -- and I
15 just wanted to voice them, but like I said, I'm
16 much more comfortable with the wording under
17 section two, article two, than I was before.

18 That's all I have.

19 THE CHAIRMAN: When you're saying article two, are you
20 saying the composition?

21 MARTIN HEFT: The appointment language.

22 ALECIA CHARAMUT: Appointment, right.

23 THE CHAIRMAN: Section two, appointment --

24 ALECIA CHARAMUT: Yes.

25 THE CHAIRMAN: -- WPCA may recommend membership

1 committee for approval. Right?

2 ALECIA CHARAMUT: Yeah.

3 THE CHAIRMAN: And then we have the length of term is
4 now the three years.

5 Martin, you made that change?

6 MARTIN HEFT: No, I did not make that change because
7 that's a discussion between the councilmembers
8 where you're hearing their version, and then we'll
9 discuss that and make our decision once we finish
10 hearing from all three of them, if we can.

11 VIRGINIA de LIMA: Excuse me, Jack. I think you're
12 looking at the same document as I am, because the
13 "composition" has -- that word has been
14 eliminated. It's now membership.

15 MARTIN HEFT: You're looking in my version, Jack, the
16 MLH version. I think that's what both Virginia
17 and Alecia are referring to as well.

18 ALECIA CHARAMUT: Uh-huh.

19 MARTIN HEFT: Sorry.

20 I know everyone received three versions.

21 THE CHAIRMAN: Okay, I've got it. I've got it, yeah.

22 MARTIN HEFT: Okay. Just to clarify. Thanks.

23 THE CHAIRMAN: I got it.

24 ALECIA CHARAMUT: But also, I just also want to point
25 out that this is very different than what the

1 water planning advisory group had looked at. And
2 I just hope that the Council gives an opportunity
3 for other advisory group members who contributed
4 to the last version to be able to speak on this as
5 well.

6 LORI MATHIEU: Alecia, could I ask -- or Jack, could I
7 ask Alecia a question?

8 THE CHAIRMAN: Sure.

9 LORI MATHIEU: Alecia, specifically, what would you
10 change if you could?

11 ALECIA CHARAMUT: I think if -- just adding the Water
12 Planning Council appoints all members and
13 alternates in partnership with the Water Planning
14 Council advisory group. I think that would
15 alleviate any sort of -- the things that I had
16 brought up, yeah.

17 LORI MATHIEU: How do you see in partnership working?

18 VIRGINIA de LIMA: As it does now.

19 GRAHAM STEVENS: Lori, can I make friendly amendment?

20 LORI MATHIEU: I'm asking Alecia a question.

21 GRAHAM STEVENS: Go ahead.

22 LORI MATHIEU: If Alecia -- if you could? Because I'm
23 interested in this. I'm interested in what your
24 thoughts are, Alecia. Seriously, I am.

25 ALECIA CHARAMUT: Well, no. I feel that's the way it

1 works now. Right?

2 So we -- we talk a lot, you know, within the
3 advisory group. First, within the nominating
4 committee. Right? They're the ones doing all the
5 grunt work at the bottom.

6 LORI MATHIEU: Right.

7 ALECIA CHARAMUT: I really appreciate all the time
8 they've put into it.

9 LORI MATHIEU: Right.

10 ALECIA CHARAMUT: And then at the advisory group level,
11 when they come to us and say, hey. We have these.
12 And then we talk to the Water Planning Council and
13 say, okay. So we have these, these vacancies and
14 we're having a hard time finding someone. And you
15 guys, you know, almost always give me -- or give
16 them suggestions to follow up on.

17 And then, you know, we go ahead and put it
18 all together in a nice little package for you
19 guys, and everybody takes a look at it. And then
20 we send it up to you guys, and then you guys
21 decide from there. Okay. Are we going to accept
22 this or not? Do we want to change something? And
23 that's -- I found it has worked well that way for
24 years.

25 And it is the vacancies that, you know, like

1 I said, the nominating committee has spent, you
2 know, several months sometimes trying to fill just
3 one vacancy. And so I think that, you know, the
4 Water Planning Council also needs to think about
5 how much time you guys want to put into these,
6 these processes, you know, so.

7 LORI MATHIEU: Okay. Thank you.

8 I appreciate that, Alecia.

9 THE CHAIRMAN: Graham, you have a comment?

10 GRAHAM STEVENS: I'm okay, Jack. Thanks.

11 THE CHAIRMAN: Martin, any other?

12 MARTIN HEFT: Sorry. No, I didn't know if Virginia and
13 Alecia and Dan were all done doing their piece of
14 this. I want to make sure.

15 And then obviously, I'm more than happy, you
16 know, to yield to any other members, you know,
17 that worked on this if they have other concerns
18 before we just start, start discussing it as a
19 WPC, you know, the members of the advisory group
20 or implementation -- if someone else had a comment
21 they want to make?

22 DAN LAWRENCE: This is Dan Lawrence. I'm good. I
23 would agree with Virginia and Alecia just in --
24 and I think it's the concern over, you know, not
25 having a voice.

1 You know the Water Planning Council advisory
2 group wants to have a voice, as you know we all
3 invest time and resources. I think that's, when
4 you think about it, all we're asking for is that.
5 So that kind of, you know, for membership to, you
6 know, who we're going to be working with -- and
7 does that make sense?

8 So I think that's a simpler way for me to
9 think about it, so. Other than that, I thought
10 the meeting with Martin and myself, Alecia and
11 Virginia was excellent.

12 So thank you, everyone.

13 **THE CHAIRMAN:** Thank you, Daniel.

14 Any further comments?

15 So Martin, let me go back to you, and if you
16 can kind of run through?

17 **MARTIN HEFT:** Sure.

18 **THE CHAIRMAN:** I made some notes here in terms of some
19 of the recommendations that were made by Virginia
20 and her team, because I'd like to go over this
21 today.

22 **MARTIN HEFT:** Sure. Yeah, more than happy to. And
23 thank, you know -- and again, just on, you know,
24 behalf of, not only myself but the other, you
25 know, councilmembers, thank Alecia, Virginia, Dan,

1 and both of the, you know, groups for working on
2 this and getting everything together and going
3 through all this.

4 It is greatly appreciated. And you know I --
5 just so everyone knows, I met with each of the
6 councilmembers separately. Then you know as you
7 already have stated, I met with Virginia, Alecia,
8 and Dan on this going through. And so that's kind
9 of why we're down to a couple little, you know,
10 points of clarification and everything else on
11 this.

12 And for just anyone following along for what
13 was sent out, I'm using the document that's with
14 my initials on it, MLH as, you know, the document
15 that we're kind of looking at, at this point.

16 The two items that you were -- kind of
17 mentioned under vacancies, you know, I don't have
18 an issue with just putting at the end of that, you
19 know, pursuant to section two, you know, which
20 then just shows that the vacancies are done, you
21 know, as appointment, even though it says -- up
22 above, it says all positions. I'm fine with that
23 clarification. There are no issues, you know, on
24 that part of it.

25 Looking at the appointment language under

1 section two, I mean, it specifically states now --
2 I mean, the whole thing -- and I will say this to
3 everybody, and I've said this to everyone, you
4 know, prior to this, it is ultimately -- I wrote
5 these, you know, and kind of helped draft these
6 pursuant to the Connecticut state statute of where
7 the authority lies, and that is how these are
8 drafted on that.

9 The WPC has the authority to appoint an
10 advisory council. It may appoint one, actually.
11 It's not even a requirement. It may, but we do
12 find the value and everything in that, as we've
13 all talked about and know.

14 So the language I have there is the WPCA
15 appoints all the members. And then it says, we
16 will solicit recommendations to fill all positions
17 through the WPC, WPCAG, and other resources. It
18 specifically states there that we will fill those
19 through those mechanisms. It's already stated
20 there.

21 And then we did -- I did update that next
22 line there, which was part of our meeting on last
23 week. You know it's saying the WPCAG may be asked
24 to recommend membership candidates for
25 appointments through a nominating workgroup. So

1 that way, even the nominating workgroup was in
2 there for that. And understand that ultimately it
3 is the WPC who has to make the authority.

4 Personally, I feel it's covered there. WPCAG
5 is going -- is part of that. It's saying there,
6 will solicit recommendations. It doesn't say, may
7 solicit; it says, will solicit recommendations.
8 It is already there. It is very clear to me.
9 That's why I use certain words instead of a may, a
10 shall, a will, a may type of thing. It actually
11 says, we will solicit recommendations.

12 So to me, it's there. That doesn't need any
13 other change. Hopefully, that helps clarify for
14 everyone with that language on that.

15 Then I think the last piece that it is
16 looking at is section four, which is just the term
17 length. I have left it at the four-year on it,
18 because that's what it currently is. Obviously, I
19 did hear the concerns about, you know, do we look
20 at three-year? Do we look at four-year?

21 Part of that I looked at is I don't feel that
22 the Water Planning Council needs to be filling
23 membership spots every single year, you know, on a
24 one, two, three-year basis. I am fine if, you
25 know, if the Council agrees they want to go to a

1 three-year cycle, but I would still only recommend
2 that we do it, you know, that the first
3 appointments we do them for -- half of them for
4 one year, and then when they renew it's three
5 years, and then the other half for three years.

6 So we have that staggering thing of half and
7 half doing this. You know every year it's a lot
8 of work on it, not to say it's going to be less
9 work because we're only doing it every couple of
10 years versus every single year. The four-year
11 just seemed to make that a little bit easier.

12 Having just finished some charter revision
13 work with a couple of municipalities -- working
14 on, they actually found that four-year terms are
15 actually the norm for most municipal boards and
16 commissions for that. Yeah, you're always going
17 to have that one-off vacancy where someone can't
18 fill the full term and you have that vacancy. So
19 we have a provision for that.

20 So that was my rationale for staying with a
21 four-year term, but I'm happy, you know, fine that
22 that's a workable thing, you know, for that there.
23 I would just -- my preference would be not to be
24 doing it as staggered three years, you know, one
25 group for one year, another group for two years,

1 another group for three years. I just think that
2 becomes, you know, more difficult to having to do
3 that every year and tracking and everything else
4 for that.

5 So those were kind of the only other items.
6 Everything else we've kind of discussed on it. So
7 I think really, you know, besides hearing from,
8 you know, the rest of the councilmembers of any
9 other concerns that they have, it would be, you
10 know, a decision upon the term for section four.

11 And then obviously if we have to change the
12 language, you know, they are -- so Jack I'll turn
13 it back to you.

14 **THE CHAIRMAN:** Thank you. Yes, thank you, Martin.

15 And Virginia, I'm going to hold off on your
16 question. I want to give the other councilmembers
17 a chance to weigh in more, and then Graham.

18 **LORI MATHIEU:** I agree with Martin. We've had some
19 good conversations about this. You know we're
20 nothing without our volunteers, first of all.
21 Right?

22 And the groups, ever since this was created
23 way back when, the people who come and volunteered
24 over the years and over the decades are at the
25 heart of our team. Right?

1 And so that's why Alecia, I wanted to hear
2 from you about what you thought and how important
3 it was to have the right wording in this document
4 for everyone for the future. Right? Because it's
5 not just for one or two years. We hope that this
6 stands for a while, and it probably will.

7 So Martin, I'm fine with everything that
8 you've put out there. I just would love to hear
9 again maybe from Alecia to see if there was
10 something, another word that you'd like to tweak.

11 But for the most part, everything, Martin,
12 that you've said, I'm absolutely fine with. And
13 thank you for your work and your dedication to the
14 details of this. Appreciate that.

15 **THE CHAIRMAN:** Yes, a lot of work going into this.

16 Graham?

17 **GRAHAM STEVENS:** Yeah. I mean, not much else I can
18 say. Right? It's all been said, and I support
19 the changes that Martin put forward. I think that
20 it does cover that need for us to interface, you
21 know, with the folks who have always helped us
22 make the decisions that are best for the Water
23 Planning Council with respect to membership.

24 You know, and I know that we're in a place
25 where obviously it's important to, you know,

1 create systems to protect against our future
2 selves. I feel that this does that, and I
3 understand where you're coming from.

4 And I know that has nothing to do with the
5 current plate of folks sitting in these seats, and
6 I respect and acknowledge that, but I think that
7 does address the concern and I'm happy with the
8 changes as currently drafted.

9 THE CHAIRMAN: Thank you.

10 Virginia, you had a question or comment?

11 VIRGINIA de LIMA: I was going to ask you, Jack, if you
12 thought it would be helpful to have input from
13 Carol Haskins, who actually has been doing the
14 searching for candidates in terms of the work
15 involved in four-year terms versus three year
16 terms. That's up to you whether you think that
17 input would be useful.

18 THE CHAIRMAN: Is Carol with us? I don't see her.

19 Is Carol with us?

20 VIRGINIA de LIMA: Yes.

21 CAROL HASKINS: I'm here.

22 THE CHAIRMAN: Oh, there you are. I didn't see you on
23 my screen. Would you like to weigh in, Carol?

24 CAROL HASKINS: Sure. I would just like to say, you
25 know, I looked at the proposed revisions and stuff

1 today. Alecia and I talked earlier.

2 Martin, I really do appreciate what you did
3 with section two there under the membership and
4 recognize that the Council has the full ultimate
5 say in who is elected as members, or who's
6 included as members, and I think it's well
7 presented that way.

8 And I think it was last week or the week
9 before Virginia, Alecia and Dan and I met and
10 talked about the terms. And I took a swing at if
11 you were to go with three-year terms, breaking
12 down what the current membership is into those,
13 kind of like into three classes instead of four,
14 and I think it actually would work well in terms
15 of staggering your membership as far as when those
16 terms renew.

17 It's not any more or less work for the
18 nominating committee as far as, you know,
19 presenting a new group for renewal each year to
20 help stagger. And I think going to the three
21 years does create a nice opportunity for balance
22 in the representation that's renewed each cycle.
23 So you would have three in stream, three out of
24 stream and one neutral, or two, two and two.

25 So I think that would just, you know, I think

1 it would achieve some of the goals of the balanced
2 representation within the Water Planning Council
3 and the advisory group as well.

4 So that's my only added input, and I'm happy
5 to send over a draft of what I had shared with
6 Virginia, Alecia and Dan, if you'd like to take a
7 look at that for consideration, but I don't think
8 that has any bearings on what you do procedurally
9 here today.

10 THE CHAIRMAN: Okay. Carol, thank you. Thank you for
11 all your work.

12 CAROL HASKINS: Yeah, you're welcome.

13 MARTIN HEFT: Jack, just a follow-up question to Carol,
14 if I may?

15 THE CHAIRMAN: Sure.

16 CAROL HASKINS: Sure.

17 MARGARET MINER: Thanks, Carol. And thanks on that.

18 So Carol, do you see that if it was done on a
19 four-year cycle with just do it, you know, half
20 and half, you know the breakdown that way there --
21 do you see that as, you know, although there, you
22 know, it allows for other things, but if, you
23 know, working would, you know, as the work you've
24 done and everything, does that look -- more work?
25 Less work? The same amount? You know, obviously,

1 MARTIN HEFT: So I guess -- well, the biggest thing is
2 we should -- because there's really only one. One
3 revision at this point is under section five to
4 just add at the end, pursuant to section two,
5 which is under article two, membership -- excuse
6 me, section five.

7 It would just be -- the line would read, any
8 vacancy will be filled by the WPC for the
9 unexpired term pursuant to section two, on that.

10 Then the other would be if we want to change
11 section four, the term from three or four, then
12 I've got to rework that language there. Still,
13 you know, my preference is leaving in a four-year
14 term, which is what it is currently on there, but
15 that's -- I mean, if I was making a motion, I
16 would make a motion with that one change that I
17 just mentioned and go from there.

18 But as I said, I'm not bound to that, but
19 that's why I wanted to hear what the other
20 members, you know, are looking at. So that would
21 be the only other change if we decide we want to
22 make before we vote on this.

23 THE CHAIRMAN: Lori? Graham?

24 GRAHAM STEVENS: Go ahead, Lori.

25 LORI MATHIEU: I go with whatever the group goes with.

1 I am not a big fan of longer terms, because I
2 think people are now coming and going more. And
3 maybe a three-year refresh is better than a four,
4 but that's just my thought.

5 And I could go either way.

6 THE CHAIRMAN: I agree. I agree with you. Most of the
7 boards that I'm involved with tend to be three
8 year terms, or tend to be a little bit longer.

9 So Graham?

10 GRAHAM STEVENS: All right. The pressure is on me.

11 The pressure is on me then. Right?

12 THE CHAIRMAN: Yes.

13 GRAHAM STEVENS: Let's see.

14 THE CHAIRMAN: With three or four?

15 GRAHAM STEVENS: Let's go three. Let's go three,
16 unless an alternative term length is approved by
17 the Water Planning Council.

18 MARTIN HEFT: Okay, so what I will --

19 GRAHAM STEVENS: What do you think about that, Martin?

20 MARTIN HEFT: Yeah. So I've got to rework that section
21 four a little bit, but if -- with the pleasure, I
22 will make a motion that we adopt the Water
23 Planning Council advisory group guidelines and
24 procedures.

25 And just for the record, the MLH version with

1 these two changes from what everyone has there;
2 under article two, membership, section five, that
3 the words "pursuant to section two" are added to
4 the end of that line; and then under article two,
5 membership, under section four, that the
6 membership term length will be based on a
7 staggered three-year cycle.

8 And I'll have to, with your permission, is
9 just rework that last thing because now it says,
10 half the appointed members. We can say a third of
11 the appointed members, you know, and change the,
12 you know, that language appropriately, but I don't
13 want to try to tweak it right here. But it will
14 all be based upon a third and we can do the
15 one-two-three, you know, cycle that way.

16 So with those two changes, I move adoption.

17 **THE CHAIRMAN:** Thank you, Martin.

18 Do I hear a second?

19 **LORI MATHIEU:** Second.

20 **THE CHAIRMAN:** Motion made and seconded that the
21 changes as proposed to the Water Planning Council
22 advisory group guidelines and procedures are being
23 revised to reflect those stated by Martin.

24 Any questions on the motion?
25

1 (No response.)

2
3 THE CHAIRMAN: And again, I thank Martin and I thank
4 the WPCAG leadership for all their work on this.

5 And all those in favor signify by saying aye.

6 THE COUNCIL: Aye.

7 THE CHAIRMAN: Opposed?

8
9 (No response.)

10
11 THE CHAIRMAN: The motion carried. Well done. Thank
12 you very much, Martin.

13 MARTIN HEFT: You're welcome.

14 And Jack, before we move on from this, can I
15 make one other motion?

16 THE CHAIRMAN: Absolutely.

17 MARTIN HEFT: That relates to this so we can continue
18 moving forward with this process -- is now under
19 article two, membership, section two, I would like
20 to make a motion that we ask the advisory group,
21 the current advisory group that is, you know,
22 still there as the members to recommend membership
23 candidates for our next meeting based upon the
24 three-year cycle.

25 And then, additionally, you know we can put

1 something on our website and look for other people
2 for nomination as well through that process. So
3 I'll make that motion.

4 THE CHAIRMAN: Second?

5 LORI MATHIEU: Second.

6 THE CHAIRMAN: Motion made and seconded. Any questions
7 on Martin's motion, which I think is a good one?

8
9 (No response.)

10
11 THE CHAIRMAN: All those in favor signify by saying
12 aye.

13 THE COUNCIL: Aye.

14 THE CHAIRMAN: Opposed?

15
16 (No response.)

17
18 THE CHAIRMAN: The motion carried.

19 MARTIN HEFT: Thank you. And I will get out a clean
20 copy of this to everybody.

21 THE CHAIRMAN: Excellent.

22 MARTIN HEFT: I actually have it drafted already. I've
23 just got to make these changes and, I'll have a
24 clean copy out for everybody and we'll get that
25 reposted on the website as well. Thank you all.

1 THE CHAIRMAN: No. Thank you. Terrific. All right.

2 So let's move down to the workgroup reports.

3 Alecia and Dan.

4 ALECIA CHARAMUT: Everybody, so I -- we spent most of
5 the last meeting discussing the procedural rules.
6 So we really don't have a whole lot to report out
7 on -- sorry, I'm getting visitors in my new
8 space -- we don't have a whole lot to report out
9 on from the advisory group.

10 Unless Dan, you remember something that I
11 don't?

12 DAN LAWRENCE: No, I would agree with you, Alecia.

13 It was well invested time.

14 ALECIA CHARAMUT: Yeah. And we'll say -- and this kind
15 of leads into, segues into Virginia's report that
16 we did, the three of us did get together along
17 with Carol to talk about how to transition the
18 implementation workgroup folks into the advisory
19 group. And then actually based on what we have
20 available, it works out well.

21 So we just have some followups to do, and we
22 will have a slate for you at the next Water
23 Planning Council meeting.

24 THE CHAIRMAN: Excellent.

25 Any questions for Alecia or Dan?

1 (No response.)

2
3 THE CHAIRMAN: Okay. Thank you.

4 Virginia?

5 VIRGINIA de LIMA: Ditto. I'd say exactly the same
6 thing as Alecia did in that our last meeting. We
7 focused on this document, or the prior document
8 and coming up with suggestions in terms of what
9 the combination of the two groups would look like.

10 The only thing that we did differently in our
11 meeting is that we celebrated the completion of
12 the workgroup that had looked at the USGS data
13 collection. And we also celebrated the work that
14 the IWG has done over the past five years, or
15 whatever it's been, a celebration complete with
16 toasts -- but there's nothing, nothing new to
17 share with you folks.

18 THE CHAIRMAN: Interagency drought workgroup?

19 MARTIN HEFT: Sure. A very short report. No changes.

20 And this month's meeting is canceled.

21 THE CHAIRMAN: We have enough rain.

22 MARTIN HEFT: For right now, yes.

23 THE CHAIRMAN: Okay. Denise, outreach and education?

24 DENISE SAVAGEAU: Hi. Good afternoon, everyone. So
25 the outreach and education group met this morning

1 and we're moving forward on our work plan. Again,
2 our theme for this year is source water
3 protection, starting with the 20th anniversary of
4 the Aquifer Protection Act regulations. And
5 groundwater week is the first week in March, and
6 on March 6th, we'll be holding a workshop.

7 The DEEP, Kim Czapla and Ali Hibbard are
8 working on this and have put together a great
9 program. We have a save the date that I know
10 everybody should have received. Laura, thank you,
11 thank you, thank you -- to Laura for getting that
12 out to everyone.

13 They now have the agenda set and the
14 registration -- and again, Laura and Ali, I got us
15 the registration. So we're all set with the
16 registration links. And hopefully by the end of
17 the week we will have the registration materials
18 out on that. So we're looking forward to that
19 again -- that's March 6th, that it's, you know, a
20 lunch and learn twelve to one, 1 p.m. And so
21 looking forward to that workshop.

22 We're also starting to work on the second
23 workshop, which is a safe drinking water act. And
24 that's going to be held during drinking water
25 awareness week, which is the, I believe the first

1 week in May or first through second week in May.

2 We're looking at that and when we did our
3 work plan, Martin noticed that was the last week
4 of session. So we want to make sure that whatever
5 we did that we're not interfering with that.

6 The session is supposed to end on the 7th.
7 We know that doesn't always happen, although in a
8 short year it's more likely to happen than in a
9 long year when they weren't fighting about the
10 budget. So we expect that it will hopefully end.

11 So we'll be looking -- if we do a lunch and
12 learn, it will be towards the end of the week,
13 possibly I believe it's May 9th -- if that's the
14 Thursday. But we're looking at that date.

15 Again, we want to coordinate with the
16 Department of Public Health, because we know that
17 they are obviously going to be celebrating safe
18 drinking water week -- or I should say drinking
19 water week with the 50th anniversary of the Safe
20 Drinking Water Act. So we're looking at
21 coordinating with them and we're also coordinating
22 with AWWA, the Connecticut chapter.

23 So stay tuned on that. We'll have more
24 information on that. Hopefully after our next
25 meeting -- we were really focused on the,

1 obviously, the first one that's happening in
2 March.

3 Let's see. Just following up on that, Iris
4 Kaminski is on our panel and she's now with the
5 Yale Center for Public Health. And she's going to
6 be informing our group about some of the work that
7 she's doing and that Yale is doing on DX, and it's
8 a toxin that they're seeing now in drinking water.
9 And I will get more information on that.

10 And I'm going to say -- unless Iris is here,
11 which I don't think she is. I will -- I'm going
12 to pass on anything further on that.

13 LORI MATHIEU: I think she is there.

14 DENISE SAVAGEAU: Oh, there she is.

15 Oh, Iris, if you could just quickly --

16 IRIS HERZ KAMINSKI: I did not send you the writing.

17 1,4-dioxane, I'm sure many, many of you dealt with
18 this because I know DEEP did a lot of work in
19 Connecticut already.

20 So it's a small molecule that goes -- it's
21 one of the forever chemicals and it just seeps.
22 It could travel through waters and soil.

23 It's soluble.

24 DENISE SAVAGEAU: So she's going to be -- obviously, I
25 need the education on that. She's going to be

1 educating our group and seeing where we might take
2 this. Obviously, our theme for this year is
3 source water protection and not that it doesn't
4 fall under, but we're going to be just -- just to
5 keep ourselves up on some of the newer stuff and
6 take advantage of, you know, having someone with
7 her expertise on our workgroup and some of the
8 work that she's working on. So we'll be looking
9 at that.

10 And then just quickly -- and I know Ali
11 Hibbard is on, and last time we reported that Ali
12 and the team that's working on updating the
13 website has a website -- and she just put the link
14 in the chat -- the state water plan outreach and
15 education workgroup. So we now have this on the
16 website.

17 We will be getting all of our webinars that
18 we've produced and all the new ones that are going
19 to be produced up here eventually. And thanks to
20 DEEP, we're using the YouTube channel. I think I
21 reported that last time -- and that, that does
22 require some work.

23 You know, with transcription, it doesn't
24 always say what you need it to say. And they need
25 to -- now when you put it on the DEP YouTube

1 channel, it has to have the, you know, word
2 transcription so that it's accessible to all. And
3 then we have to make sure that that language
4 translation from the audio is correct. It's not
5 England wetlands. It's inland wetlands, et
6 cetera, et cetera.

7 And again, thanks to Ali and the folks who
8 are going to be looking at those videos and making
9 sure that all our workshops get up. So we don't
10 have all of them up yet. We have a couple of them
11 up and as we're able to go through those
12 transcripts, we'll have more of them up. And I
13 think that's pretty much it.

14 Our next meeting is March 5th.

15 **THE CHAIRMAN:** A lot is going on in your group, Denise.
16 Thank you.

17 Any questions for Denise?

18
19 (No response.)

20
21 **THE CHAIRMAN:** Appreciate all of your work.

22 Next, we're back to Alecia on the
23 conservation pricing, rate recovery analysis
24 workgroup.

25 **ALECIA CHARAMUT:** Yes. So we met last Thursday and we

1 further refined the survey. I still need to meet
2 with the CWWA folks in order to finalize that, but
3 we further refined it.

4 We also -- there are a few tasks that people
5 have and bringing some information to the table
6 and I will be working with folks to put an outline
7 together so we can finish bringing all of that
8 information together for the report. And we'll
9 meet again the first Thursday of March.

10 THE CHAIRMAN: Very good. Any questions?

11 MARTIN HEFT: Well, Jack, just one. And I apologize
12 because I'm out of order, but just because we're
13 still -- as we're still under the workgroup
14 reports, can I also just recommend as we are now,
15 you know, moving forward with the advisory
16 workgroup and hopefully have nominations next
17 month, everything else is just a notation that the
18 implementation workgroup if -- Virginia, if you
19 can start wrapping that workgroup up, if you will?
20 You know as we will be, you know, as it will then
21 now be consolidated, you know, eliminated as a
22 workgroup, if you will. I don't like that word
23 "eliminated," but sorry.

24 You know, moving forward, once we appoint
25 those new members, I just want to make sure that

1 we're closing out that workgroup appropriately
2 over the next month or so, you know, month and a
3 half, while we, you know, because once we have the
4 new workgroup, you know, advisory workgroup done,
5 the implementation workgroup will cease, you know,
6 at that point, so.

7 VIRGINIA de LIMA: And I have told them that they will
8 each be receiving an annuity in perpetuity for the
9 work that they've put in over the past five years.

10 MARTIN HEFT: Yeah, they'll be getting the same amount
11 they've gotten every year. So thank you.

12 DENISE SAVAGEAU: If I could just add on to that?

13 THE CHAIRMAN: Thank you.

14 DENISE SAVAGEAU: Thank you, Martin, for the reminder.
15 If I could just add on the education and outreach,
16 you know, the workgroup that's looking at the
17 website is also looking at this transition and how
18 to archive all of that.

19 So that was also something that was discussed
20 on our meeting in terms of making sure that we as
21 we transition this, everything is on the website
22 appropriately, so.

23 And again, thanks to Ali Hibbard and Kim
24 Czapla. And I think Rebecca Dahl and Bruce
25 Wittchen, who are all working, have this workgroup

1 for the website.

2 **THE CHAIRMAN:** Thank you very much.

3 Watershed lands workgroup, Margaret?

4 **ALECIA CHARAMUT:** So Margaret asked me just to report
5 that the minutes have gone out and they're working
6 on the agenda for the March 8th meeting.

7 A brief report today.

8 **THE CHAIRMAN:** Okay. All right. Our next meeting will
9 be March 5th. Now, Margaret had sent us a letter.
10 Is Margaret off the call?

11 **ALECIA CHARAMUT:** Margaret had sent me something on
12 this as well, and I think she probably wanted me
13 to speak in her proxy on this.

14 **THE CHAIRMAN:** Why don't you do that?

15 **MARTIN HEFT:** So Margaret is on, but she might not --
16 just so to clarify, Margaret is showing here as
17 participating, but I know her e-mail mentioned
18 that she may not be able to talk. So sorry,
19 Alecia. I just wanted to make that.

20 **ALECIA CHARAMUT:** No, that's okay. I think that --
21 unless Margaret -- unmute, if that's not the case?
22 If not, I will just move forward.

23 **MARGARET MINER:** Please do.

24 **ALECIA CHARAMUT:** What's that Margaret?

25 **MARGARET MINER:** Yeah, please speak. I'm not at a good

1 place where I could talk.

2 ALECIA CHARAMUT: Okay. That's what I thought.

3 So last month, Margaret had brought the
4 Wykeham case back to the Water Planning Council.
5 And Martin, you had provided her with the
6 statutes. And you know, I think there's still the
7 question there of how broadly do the planning and
8 zoning commissions really understand their role?

9 And you know, I've experienced this myself
10 with a lot of the land use commissions where there
11 really is an understanding about what they can
12 potentially do. And what I see a lot is land use
13 commissions saying that's the State's job. We
14 don't have anything to do with it. And I see this
15 in inland wetlands.

16 You know, I don't interact in Planning and
17 Zoning as much, but I think -- and I'm wondering
18 if the storyboard that was created for the WUCCs
19 might help clarify this, if there's something that
20 we can do to better educate land use commissions
21 in general as to, you know, water supply and who
22 does what.

23 But I feel like there needs to be some sort
24 of initiative on that front because when you
25 have -- it's almost impossible for a concerned

1 citizen who's done their homework, has their facts
2 and data lined up to question whether what the
3 planning and zoning is looking at is actually
4 correct.

5 And so -- and this is why Margaret continues
6 to pursue this, because it is tough for the
7 citizens of Connecticut to really interact on
8 these things, especially when you have, you know,
9 municipal agencies and state agencies sort of
10 going like that, you know, or you know, to the
11 utilities, and it can be frustrating from that
12 perspective. So -- and, you know, let's throw the
13 WUCCs into that.

14 So this is the frustration that she's
15 expressing and that a lot of us share who work at
16 the local level, either as concerned citizens or
17 folks who help concerned citizens out through
18 these land use proceedings, whether it be inland
19 wetlands or planning and zoning.

20 So Margaret was a lot more detailed in her
21 note to you, but I think I condensed it and maybe
22 expounded a little bit based on my own experience,
23 so.

24 **THE CHAIRMAN:** Any comments from -- yes, Martin?

25 **MARTIN HEFT:** So let me just thank you. Thanks,

1 Alecia, and thank you, Margaret. I know you've
2 asked this multiple times.

3 And I will once again state as I have in the
4 previous record, the Water Planning Council, my
5 opinion does not have authority over this at all.
6 We can maybe help guide to direct areas which we
7 have done, which is why I provided the zoning
8 statutes, which state that the zoning has
9 authority over that.

10 If you look at the Connecticut Inland
11 Wetlands Watercourse Act, it requires municipal
12 regulation of activities. The State of
13 Connecticut has delegated these authorities to the
14 municipalities. They have broad authority over
15 that. The state agencies like OPM or DEEP or
16 others, you know, on it, unless it's specific,
17 written in the statutes that those agencies have
18 authority over this, most of these -- at least on
19 these two, zoning and inland wetlands are strictly
20 authorized back to the municipality for oversight
21 of this.

22 The State -- and I get questions on this all
23 the time, especially rezoning or other things,
24 even taxation assessment. We don't have oversight
25 of that. For that, the municipalities have to

1 implement themselves, the state statutes and any
2 of the regulations. That's why you have to go
3 back to the local municipal officials or the
4 municipal attorney and review this on a local
5 level.

6 A municipality may -- one municipality versus
7 another one may have a different interpretation,
8 legal opinion from their attorneys. That is up to
9 them. As long as they're treating everyone fairly
10 and equitably within their municipality based upon
11 their understanding they are in compliance with
12 the law. And this is just from past stuff that,
13 you know, we have seen.

14 So the information, you know, and their
15 questions saying, where does the resident go,
16 everything else? It gets turned back to the
17 municipality who have the authority over this. If
18 the municipality is not acting appropriately or
19 whatever, you have to go through the municipal
20 chain of command, or unfortunately hire an
21 attorney to go through and do that.

22 The State doesn't have the regulatory pieces,
23 at least like in the two that I've mentioned here,
24 and that is why it still has to go back. The
25 Water Planning Council does not have authority

1 over these actions of that zoning board in
2 Washington or other pieces in that sense.

3 ALECIA CHARAMUT: What I will say, Martin, is the Water
4 Planning Council has traditionally been a place
5 where when something's not working the way it's
6 supposed to, that people have come to you and
7 said, hey, Water Planning Council. This is what
8 we've said in our state water plan, that we are
9 going to protect this resource in X, Y, and Z way.
10 It's not working.

11 Let's find -- and this is the space where the
12 agencies get together and we can all look at it,
13 and the stakeholders, and look at it together and
14 say, where -- what's the problem here?

15 So, yeah, the Water Planning Council doesn't
16 have an authority to change anything about this
17 particular issue, but this particular issue
18 highlights a broader issue that is preventing us
19 from meeting the goals of the state -- or
20 implementing the state water plan.

21 And if there's -- this is the space where we
22 should be discussing these things because we have
23 all the right people in the room.

24 THE CHAIRMAN: Graham?

25 GRAHAM STEVENS: Yeah, I'm happy to weigh in here to

1 the extent I might be able to be helpful. I'm not
2 sure that I will be, but you know, I totally agree
3 with what Martin said, and Alecia, I agree with
4 what you said. I think that both can be true.

5 You know, what we can do I think is
6 constrained by what Martin laid out for us here,
7 but you know, I haven't given up on this question.
8 I think given what Martin specified here with
9 respect to various state agencies and our roles
10 and responsibilities and authorities -- right?
11 Because we have to act within our statutorily and
12 mandated authorities. You know, we don't have any
13 clear path, but it doesn't mean that, you know,
14 this isn't something that we should continue to
15 think about.

16 I -- you know, frankly, this is a complicated
17 one and I need to have an in-depth conversation
18 with my attorney who's not available to talk for
19 the next few days just because the session starts
20 tomorrow. But it's not one that I've given up on,
21 and I'm happy to report back anything that I come
22 up with as far as like what might be a good next
23 step.

24 I mean, it seems like maybe this, you know,
25 since we don't have any statutory authorities, we

1 could maybe think about how educational
2 partnerships, you know, might be able to be
3 leveraged.

4 I don't know if anybody has ever been through
5 the municipal training through CLEAR, UConn CLEAR.
6 I've attended. I'm not a municipal official, but
7 we just deal with municipalities. I wanted to get
8 that training. And they, they delve into a lot of
9 these issues. They also cover some of the things
10 that I'm not expert on, but other people are, like
11 you know, some of the legal cases and case law as
12 it pertains to zoning.

13 If you read the zoning statute, there's, like
14 you know, one third of the page is statutory, you
15 know, text. And then the rest is, you know,
16 footnotes that speak to case law. So there's a
17 lot of case law in that provision, in those
18 provisions of statute.

19 So that might be an avenue, but I don't want
20 to speak from a place of ignorance. And I need to
21 speak with my attorney before I can provide
22 additional thoughts.

23 **THE CHAIRMAN:** Martin, I see your hand raised.

24 **MARTIN HEFT:** Yeah. And thanks, Graham, because that
25 just reminded me.

1 And I put a link in the chat; under
2 Connecticut State Statute 8-4c, which was amended
3 just this past legislative session -- are
4 requirements for municipal planners, land use
5 training guidelines, which OPM issued. As Graham
6 mentioned CLEAR, that clicked in my head because
7 they're listed in this training guidelines.

8 But it is all upon the municipality to train
9 their local officials in land use. So the
10 guidelines are there of what types of classes are
11 required, but even that, again, is all on the
12 municipal level. The municipality has to certify
13 that they're trained, keep the records, everything
14 else that way, but this is a guideline made up of
15 multiple people.

16 So there is some education out there. CLEAR
17 is a great one. They are mentioned in this land
18 use training guidelines. So I just wanted to
19 reference that because there is a requirement that
20 they be trained/certified under Section 8-4c of
21 the statutes.

22 **GRAHAM STEVENS:** Good reminder. Thanks, Martin.

23 **THE CHAIRMAN:** Denise, I see your hand up?

24 **DENISE SAVAGEAU:** Hi, yes. I just wanted to weigh in
25 as someone who worked in a municipal land use

1 office for over 20 years, and we're dealing with
2 both the inland wetlands commission and the
3 planning and zoning commission. Both have
4 jurisdiction over source water protection and
5 public drinking water supplies.

6 One of the things I will say is, that's
7 confusing to many inland wetland officials -- is
8 that we do have town attorneys who say otherwise.
9 And one of the reasons that they say that is most
10 town attorneys, especially for smaller towns, were
11 not hired as land use attorneys. They were hired
12 as attorneys that know how to deal with municipal
13 things like the bargaining units that
14 municipalities have to deal with, and whatever.
15 And they don't always give the commissions best
16 legal advice.

17 So I agree with Graham that we need to do
18 some outreach education. I think it falls under
19 the work of source water protection. How do we do
20 source water protection if we don't -- it starts
21 with land use. And I think we need to do a lot of
22 work on that.

23 I will say from a regulatory perspective is
24 that if the wetland agency isn't doing its job,
25 you can report the wetland agency to DEEP. That

1 is in statute. So unlike planning and zoning
2 where I'm not sure you have an oversight that I
3 don't think you can report them to OPM, but with
4 the inland wetlands and water courses regulations
5 it very specifically states if an inland wetland
6 agency isn't doing its job, that you can report
7 them to DEEP.

8 Now I'm not sure that's the best course of
9 action. I think if we drafted some information
10 and sent it out and let them know very
11 specifically what it says in the statute, that
12 would be a way to handle it. And I think it gets
13 into this whole bigger issue of talking about
14 source water protection.

15 The Department of Public Health does a great
16 job trying to get the word out, working with the
17 water utilities under their regulations in the
18 Safe Drinking Water Act, but it is not enough
19 because they don't have the jurisdiction. They're
20 not land use regulators like the municipalities
21 are. They're not land use regulators like DEEP
22 is.

23 There are other organizations that need to
24 step up and understand that source water
25 protection needs to happen at all of these

1 different levels, and I think it's really an
2 important discussion. I'm glad Margaret keeps
3 pushing it. And I think we need to push it as a
4 Water Planning Council. Thank you.

5 LORI MATHIEU: Jack, could I ask?

6 THE CHAIRMAN: Yes.

7 LORI MATHIEU: For an inland wetland agency, in the
8 case of Washington, what do you see their role in
9 this particular situation?

10 And then -- that's an unfair question. It's
11 a very detailed question, but we're talking about
12 a very specific set of statutes that came from the
13 State of Connecticut that requires municipalities
14 to protect wetlands.

15 I know a little bit about this. Right? I've
16 been involved and volunteered for a long time in
17 my town.

18 And so they're very specific. When we have
19 questions as a group in my town, we go to our town
20 attorney, who is our legal authority. We work
21 with our town planner, and we bring our town
22 attorney in to teach us, and we ask questions of
23 that town attorney.

24 I'm just curious about what you think the
25 role of an inland wetlands commission is in this

1 particular instance with the Town of Washington's.

2 MARGARET MINER: The wetlands commission is not the
3 problem, and was not the problem.

4 LORI MATHIEU: Okay. Thank you. I appreciate that.
5 Thank you, Margaret.

6 MARGARET MINER: Okay.

7 ALECIA CHARAMUT: Well, Jack, if you don't want to
8 answer that question, I have a good example just
9 from last night.

10 GRAHAM STEVENS: Who was that current question directed
11 to? I'm not even sure.

12 THE CHAIRMAN: Who was that?

13 ALECIA CHARAMUT: I thought it was directed at you.
14 Who was it directed at, Lori?

15 THE CHAIRMAN: It was directed to anybody.

16 LORI MATHIEU: I was asking for anybody that has
17 knowledge of, and Margaret answered it. So it's
18 the -- I'm specifically thinking about inland
19 wetland law and that particular instance in the
20 Town of Washington. That's all, and Margaret
21 answered. So thank you, Margaret.

22 ALECIA CHARAMUT: But what I can tell you is last night
23 I was at a public hearing on inland wetlands and
24 the attorney for the applicant stated that the
25 inland wetlands commission has no jurisdiction

1 over any withdrawals for drinking water.

2 Now he wasn't exactly -- I mean, I'm not
3 quoting him for accuracy because he also said it
4 was DEP's jurisdiction, but just giving you an
5 idea of this is what goes on in these land use
6 commissions when you have laypeople who are facing
7 someone with a law degree and essentially not
8 always giving them accurate information as far as
9 what water law and regulation is.

10 GRAHAM STEVENS: I think that's why training is so
11 important.

12 LORI MATHIEU: Right.

13 GRAHAM STEVENS: And I think that the state agencies
14 over the years have, even in cases where, you
15 know, and unlike the inland wetlands and
16 watercourses, even where they don't have direct
17 jurisdiction over, you know, some of these
18 commissions, I think all the state agencies put a
19 tremendous amount of time and effort into helping
20 in the training for those officials.

21 DEEP, whether this was appropriate or not, in
22 the past coauthored a book that was published on a
23 recurring basis, what's legally permissible. We
24 no longer are coauthors of that text, but we do,
25 you know, that's something that's put out by a

1 private attorney in Connecticut who has a vast
2 amount of experience.

3 But Denise is right. You know the town and
4 town attorneys need to know everything from how to
5 defend against foot trips and falls to negotiate
6 union contracts to, you know, be the
7 parliamentarian that we have here in Mr. Heft to
8 help people run meetings properly and handle FOIA,
9 and all of these other things. So it's a really
10 difficult position. I don't envy it, which is why
11 we really need to think about training.

12 And I know that there was a legislative
13 initiative last session that spoke to, in addition
14 to what Martin posted, spoke to additional
15 training for, you know, inland wetlands officials.
16 I know it's something that's, you know, an
17 important topic for the co-chair of the
18 Environment Committee, an important topic for
19 DEEP.

20 And you know, I say let's, you know, maybe
21 give me a little bit of time to see if I can come
22 up with anything with my attorney and provide that
23 back at a subsequent meeting. And you know, if
24 not, maybe we can all think about, you know, what
25 can we do as a collective to help with the

1 training of the officials who represent this
2 public trust?

3 THE CHAIRMAN: (Unintelligible) --

4 LORI MATHIEU: (Unintelligible) --

5 THE CHAIRMAN: Oh, I'm sorry. Go ahead, Lori.

6 LORI MATHIEU: Thank you, Jack. And thank you, Martin.

7 Just to add to that, it would be -- and I was
8 just thinking about the state water plan when you
9 said the words "public trust." Right? So I was
10 thinking about what is in that state plan that we
11 could lean on? Because I think there are a couple
12 of areas there that speak to this point of the
13 need.

14 Like, remember the points that were made by
15 our consultants and the questions that we received
16 maybe -- well, some of you were around when this
17 plan was drafted. Right? So you know, the
18 uniqueness of Connecticut. You know we're not
19 that unique in New England, but you know, the
20 local approval authority remains -- a lot of the
21 local approval authority remains in the town and
22 with the town and that responsibility.

23 And you know, that I remember, you know,
24 other people who were part of the Council at the
25 time, you know, just repeating that and repeating

1 it. And it's part -- it's embedded within the
2 state water plan. And so education outreach, you
3 know, Denise's group, it's so important to educate
4 our municipal officials and the people, frankly,
5 that volunteer, that come and go on these local
6 land use commissions.

7 And, you know, that is anyone who's
8 volunteered on a local board and see people
9 just -- every year, there's turnover. So those
10 are some things that, you know, I'd really love to
11 dive into the state water plan, find what it said
12 about this, talk about it maybe next time.

13 **THE CHAIRMAN:** Yes.

14 **LORI MATHIEU:** Because it is so important, I think.

15 It is.

16 **THE CHAIRMAN:** Yeah, it's not unique to Washington. It
17 comes up to a lot of towns, as you all know.
18 You've been in the inland wetland in your hometown
19 for many years. So it's something we should all
20 go back to respective agencies, talk to some of
21 our legal people, and then look into the plan and
22 come back and talk about it.

23 **ALECIA CHARAMUT:** Well, I remember Lori's frustration
24 throughout the development of the state water
25 plan, and even previous to that, that the last

1 thing they seem to look at when there's any sort
2 of development is whether there is enough water
3 there, or some sort of wastewater connection. And
4 I think that's very -- this is, this scenario is
5 very much connected to that, that problem.

6 LORI MATHIEU: Right. And there's a fundamental
7 responsibility on behalf of that utility. Right?

8 There's a fundamental responsibility on
9 behalf of that utility.

10 ALECIA CHARAMUT: But they're only as good as the
11 information they get from the applicant. Right?

12 LORI MATHIEU: But for me, I think we have to go back
13 to what we've all been through for many years.
14 You know we've seen items come and go similar to
15 this, and we should probably step back and think
16 that through about what has happened in the past
17 and where we are today and what we would like to
18 do in the future.

19 You know, as the -- you know, with the
20 authority that we have here, you know, to all of
21 your points, you know we have a responsibility.
22 I'd like to go back to the state water plan and
23 take a look to see what it said and bring that
24 forward.

25 THE CHAIRMAN: Well, and I look -- I'm going to ask Dan

1 Lawrence to weigh in, because I look at Dan and
2 those in my hometown of Beacon Falls. They want
3 to add on to a development, and one of the issues
4 there is water. I mean, people are concerned
5 about water.

6 So Aquarion is actively engaged with the
7 local authorities to come up -- we might have put
8 a holding tank or something there. But aren't
9 you -- with something like this, when the ESA is
10 assigned to a publicly or a privately owned water
11 company, they are involved in that planning.

12 Are they not, Dan?

13 DAN LAWRENCE: Yeah, we were involved with the
14 applicant. I think one of the important things
15 that everyone needs to remember is we don't
16 advocate for or against any development. You know
17 that's something that I think gets misconstrued
18 that, you know, we want to sell water.

19 You know, we generally respond to people that
20 approach Aquarion for water when they're doing a
21 development. And as part of that process,
22 Aquarion uses what's called a will-serve process,
23 which means they submit their proposed site plans,
24 calculations of water usage, whether that's
25 irrigation, domestic usage, and we evaluate

1 whether we have sufficient water to meet that
2 need.

3 And then we issue a will-serve letter, which
4 most of the time goes to the planning and zoning
5 boards -- at least I hope it does, because they
6 shouldn't approve it without such a thing. We
7 don't, at that stage, determine whether they need
8 a pump station or a tank or anything like that.
9 It just says we can serve you. And subject to,
10 you know, final discussions when you're ready to
11 talk about how that's serviced.

12 That may be just a service line to a
13 building. It might be a water main extension. It
14 might be a water main extension with a pump
15 station, various things like that, but we do all
16 that evaluation as part of the process and kind of
17 the complexity, the amount of water someone might
18 want. It's a pretty common thing here every day
19 with all the different systems we have.

20 And some of our systems have tighter margins
21 of safely available water than others, and we have
22 to keep track of that as well.

23 **THE CHAIRMAN:** Denise, I see your hand up?

24 **DENISE SAVAGEAU:** Yeah, I mean, I just wanted to say
25 that I think that the discussion on water and

1 local municipalities, the education curve is huge.
2 It's steep on getting folks to understand what we
3 need to do. So I think it's really, really
4 important that we take, you know, a look at what
5 we can do that way.

6 There's just so much going on with
7 municipalities, but they are on the front line and
8 they need to understand what's going on. So I
9 think it's important for us to have those
10 discussions with them.

11 And I wanted to say in terms of the state
12 water plan, all the different regulatory programs
13 are listed in the state water plan -- so the
14 inland wetlands and watercourses. And one of the
15 things with the state water plan and one of the
16 reasons it needs to be updated is that there was a
17 whole lot of work done basically saying, oh, this
18 is already done. This is already being handled.
19 We don't need to go there.

20 And I think from a source water protection
21 perspective, it does -- we need to go and say, how
22 are these things that we put into the state water
23 plan that were existing programs, are they working
24 the way they should? And that's kind of to
25 Alecia's point.

1 And then just the last thing I want to say is
2 I served on the governor's council on climate
3 change working in natural lands workgroup. And I
4 was on the inland wetlands -- or I should say, the
5 wetlands workgroup, which took care of tidal and
6 inland wetlands. And in that report it basically
7 says, we need to be looking at talking to the
8 inland wetlands commissioners and addressing the
9 Inland Wetland Act from a climate change
10 perspective.

11 And so, you know, this work that we're doing,
12 I think we need to realize that, yes, it's about
13 water, but we need to also recognize this urgency
14 within this context of climate change. And I'm
15 not sure that we're there yet.

16 And that's -- so I just wanted to say that
17 there's a lot of moving parts here that we need to
18 bring together. And you know, looking at the
19 climate change, looking at the inland wetlands
20 act, looking at it all, how it all relates to the
21 state water plan. And I think it's about, you
22 know, one of the reasons we need to update the
23 state water plan is because it's not clear how we
24 all interact here.

25 **THE CHAIRMAN:** Okay. Any further comment? I don't

1 want to cut off discussion. I think to be
2 continued. I think we can all go back to our
3 respective agencies and, per Lori's suggestion,
4 look at the state water plan and put it on the
5 discussion for the next meeting as well, because I
6 think this is a topic that's happening in
7 Washington right now, but it's going to come up in
8 other municipalities as well.

9 So any other comments on this before we move
10 on?

11
12 (No response.)

13
14 **THE CHAIRMAN:** And Martin's already posted the new
15 guidelines. That just popped up on there.

16 Okay. So any other public comment this
17 afternoon? Any other public comment from anyone?
18 Any other public comment?

19
20 (No response.)

21
22 **THE CHAIRMAN:** If not, again, our next meeting will be
23 on March 5th. So a very good meeting this
24 afternoon. We covered a lot of ground and
25 appreciate everybody's efforts, the Water Planning

1 Council advisory group and my colleagues on the
2 Council, and the soon to be former implementation
3 workgroup for their work here as well.

4 And with that, I will entertain a motion to
5 adjourn.

6 MARTIN HEFT: So moved.

7 THE CHAIRMAN: Second?

8 GRAHAM STEVENS: Second.

9 THE CHAIRMAN: All those in favor?

10 THE COUNCIL: Aye.

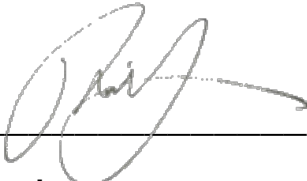
11 THE CHAIRMAN: Thank you all very much. Have a good
12 rest of the day. Appreciate everything.

13 Thank you.

14
15 (End: 2:50 p.m.)
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CERTIFICATE

I hereby certify that the foregoing 66 pages are a complete and accurate computer-aided transcription of my original verbatim notes taken of the Regular Meeting of the Water Planning Council, which was held before JOHN W. BETKOSKI, III, CHAIRMAN, and PURA VICE-CHAIRMAN, via teleconference, on February 6, 2024.



Robert G. Dixon, CVR-M #857

Notary Public

My Commission Expires: 6/30/2025

1 INDEX

2 VOTES TAKEN
3 (Unanimous Approval)

4 DESCRIPTION	PAGE
5 1/2/'24 Transcript approval	3
6 WPCAG staggered membership appointment cycles	32
7 WPCAG recommend candidates	33
8 Adjournment	66

9 TOPICS OF DISCUSSION

10 DESCRIPTION	PAGE(s)
11 G. Stevens: Office of Planning & Resilience	4-5
12 Office director recruitment	5-6
13 V. de Lima: WPCAG term lengths/alternates	8-9
14 Council Discussion	10-30
15 D. Savageau: O&E 3/6 workshop, May workshop	35-37
16 I. Kaminski, Yale research: 1,4-dioxane	38-39
17 Website, webinars, YouTube 3/5 meeting	39-40
18 A. Charamut: rate recovery analysis workgroup	40-41
19 Council Discussion	41-42
20 A. Charamut: Watershed lands workgroup	43-45
21 Inland wetlands (Wykeham)	44-45
22 Council Discussion	45-65