

From: [Rivers Alliance of CT](#)
To: [Hust, Robert](#); [Bellucci, Christopher](#)
Cc: [Wingfield, Betsey](#); [Rivers Alliance](#)
Subject: FW: streamflow classifications
Date: Friday, August 14, 2015 5:40:09 PM

Dear Rob and Chris:

We have reminded our members and colleagues to look at the proposed streamflow classifications in the South Central Coastal Basin and that the deadline for comments is August 21. (The website says “to” August 21, which I hope means all-day on August 21, the full 24 hours.)

We try to give readers guidance on using the map because much of the important information you make available there may be lost if people can't figure out how to do the zooming and clicking. It would be helpful if DEEP would give more user hints on the map page. We are getting a low response rate, which I attribute to August; the cryptic aspect of the map (it's hard to locate and interpret the squiggles); and the fact that it will be some ten years before the map leads to any changes.

In the meantime, utilities have the resources and data to review the map accurately, while the public, and even many experts, do not.

In attempting to help our members use the map, we have developed an overarching concern that the classifications, stream locations, aquifer locations, etc., are unverifiable by the public. In the prior process, for the southeast basin classifications, many corrections were submitted. I did not see any bias in the mistakes. But mistakes can lead to serious problems, and it is not easy at this point to determine where mistakes have been made, although a couple stand out.

It appears that the classifications are in some important respects unverifiable, most obviously in exact locations. There are no coordinates for the location of stream points, for Level A aquifer recharge areas, or for future wellfields; there is no depiction of Level A aquifer areas; the stream segments

shown in the classification map do not align with those used in the state's CWA integrated water quality report; and there are no Google Earth landmarks or links. So, if the map information pop-up shows a stream as an automatic 3 because it has intersected an aquifer protection area, it is extremely difficult for a viewer, even one from the neighborhood, to know where that intersection is or which aquifer protection area is at issue; on the map, the aquifer protection areas are invisible. *Recommend an overlay of the approved aquifer protection areas.*

For the automatic-3 classification of streams in identified future drinking water sources, the map and information pop-up do not define the area affected by the "future" designation, nor are there citations for supporting documents. (Even if a document is confidential, it can be cited, for example: Water Company water supply plan 2014. The DEEP Wildlife Action Plan uses citations.) *Recommend an overlay of the proposed, future source recharge areas and addition of documentary citations for the proposals.*

DEEP should indicate uncertainty for those classifications based on unverified information. There are three levels of uncertainty here. The first includes cases in which DEEP possesses data that could be used to verify information on the map, say, an intersection at which a stream classification changes; in such cases, DEEP could readily review the conclusions and provide this data to the public. The second includes cases in which DEEP is relying on second- or third-hand reports and/or data that is being withheld for security reasons. So DEEP itself cannot verify the data and information. The third includes cases in which a proposed water supply expansion or development evidently conflicts with other state goals, such as protection of unique habitat. The outcome of the conflict may affect a classification; but the outcome is not known. We do not want to delay progress, but we do not want corrections to be postponed for months or years. ***DEEP should provide a process for prompt, timely resolution of uncertainty and correction of errors at any point in the process.***

We also urge that corrections be added to the map as they come in, so that a viewer does not have to waste time studying and commenting on errors

already identified. Two significant errors have not been corrected on the classification map. These are two CT Water Co. aquifer protection areas in Clinton and Madison/Clinton (the Rettick aquifer). The streams in these areas are all marked green. This tells viewers, wrongly, that these streams will be protected for flow. An oddity that we just noticed is in Southington, a portion of Judd's Bridge (aka Humiston Brook) that is not marked at all as a segment even though it shows on the base map. *Again, we do not want to slow the implementation of the regulation. However, it would be imprudent to allow errors to remain in place with the same status as correct classifications. Errors should be correctible.*

Given that the average person is at a disadvantage in viewing the map, it would be helpful if DEEP would post comments from better resourced viewers as they come in. Of special interest would be requests or implications that a segment should be a 4. We much appreciate that you have not designated any 4s, but seeing unspecified future diversion in water-stressed basins suggests that some may end up as 4s. *Recommend that utilities be asked to note any potential 4s of which they are aware at this time.*

Specific Questions and Comments from staff (apologies for occasional repetition):

- The Connecticut Water Company aquifer in Clinton is still not marked. As a result a number of streams appear to be misclassified. The Clinton drinking water aquifer *is* shown on the DEEP map of level A areas.
- The Rettick aquifer protection area in Madison/Clinton also seems to be missing from the classification map. What presumably are automatic -3 streams are shown in green.
- In order to verify that a stream segment actually intersects with a statutory aquifer protection area (Level A), it is essential to have coordinates or Google Earth landmarks or some means of determining the border of the aquifer area and the location of the

stream. DEEP could overlay the approved Level A, mapped, public drinking-water aquifers on the classification map; but, at this time, the best we can do is advise people is to go to the DEEP website, look at the roughly mapped Level A areas, and eye in where they might appear on the streamflow map. If a river runs right through the middle of an aquifer Level A area, one might assume the intersection and automatic 3 are correct (although I have seen some gross mapping errors over the years). However, look at the case of the Quinnipiac River in Southington, which apparently meanders in and out of an approved aquifer protection area *and* a proposed future water source area. As a result the river segments are automatic threes. But it would be important to know the exact location of the border intersections, especially since the DPH listing of future water sources indicates that DEEP and DPH have problems with the proposals because of contamination and related issues that would require modification of the aquifer areas and the automatic classifications.

Recommend the addition of overlays and coordinates as available, and no automatic 3 status for sources that are not unquestionably viable. (A guess would be that future water supply along the Quinnipiac needs closer scrutiny.)

- In Madison, the DEEP Natural Diversity database includes the floodplain of the Hammonasset River in this area. Is this taken into account? Has the wildlife data used in the flow classification been updated, for example to be consistent with the newly released DEEP Wildlife Action Plan? *Recommend that the diversity database, as well as sources and findings in the Wildlife Action Plan be considered, especially in the case of speculative future water-supply diversions.*
- Future water supply criteria appear four times in instructions for classification: Future Water Supply with Investment (Certainty Factor for Class 3); Potential Public Water Supply (Additional Factors to Be Considered); Identified by CT DPH (Additional

Factors to Be Considered); and Margin of Safety (Additional Factors to Be Considered); . For the Potential ... Supply and Identified by CT DPH, there is also a requirement that there be “plans for development beyond the five-year planning period.” (What five-year planning period? Probably the period in a utility’s water supply plan. No areas of future or potential supply are shown. For the first category (requiring investment), there is an assumption that if the proposed source is in the five-year planning period, apparently as given in a water supply plan, a significant investment has been made. Really? How does DEEP know this? No verifying details are given for any of these criteria. The DEEP Methodology paper gives a substantial list of items that should go into a determination of whether a significant investment has been made. But there is no record of these items having been gathered and considered. Instead of assembling the facts to justify a classification, DEEP is relying on a document that the public is not allowed to see. *Recommend that for the purposes of clarity and verifiability DEEP provide links to the data or other information underlying a designation.*

- Can the public see that DEEP has reviewed the information necessary for accepting utilities’ proposed future investments? For example, segments 104001382 in the Hammonasset watershed and 104000092 along the Quinnipiac River in Southington are automatic-3s because they are proposed future water sources with investment. Some of the Southington future sources evidently are far in the future (beyond 20 years). *Rivers Alliance is requesting the data DEEP used to give the above segments a 3 designation because of investment.*
- It is our understanding that considerations relating to margin of safety cannot be discussed publicly for security reasons. Any claims on this point are unverifiable. *Recommend that any standard or criterion in the classification that is not based on publicly accessible data be dropped from the process.*

- In general, water utilities appear to be given considerably more attention than natural streams, aquatic wildlife, river-linked species, such as migrating birds, and opportunities for the public to boat, fish, and swim. *Plus ça change plus c'est la même whatever.*

Thanks for the major effort dedicated to this work. We will help if we can.

Margaret (Miner)

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