



Water Allocation and Use Ordinance

Town of Southbury
Board of Selectmen
December 4, 2014



Len DeJong
Executive Director
Pomperaug River
Watershed Coalition





Pomperaug River Watershed Coalition's mission is to ensure the availability of high quality water in the Pomperaug Watershed communities through the use of science and education. We share our knowledge and expertise with others committed to the protection of water resources for future generations.



Help us protect our water resources for generations.

Pomperaug River Watershed Coalition promotes the use of science and education to ensure the availability of high quality water in the Pomperaug Watershed communities.

SCIENCE



Science is our first priority. We carry out studies that examine the river water, the groundwater, and the landscape to better understand and steward the health of our watershed. We want to ensure that our rivers, streams, and aquifer will be a trusted drinking water source, a vital habitat for aquatic wildlife, and a vibrant recreational resource for generations.



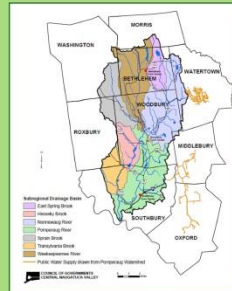
THE POMPERAUG RIVER WATERSHED: A TREASURE IN OUR MIDST.

What is a watershed?

It is all the water in our rivers, streams, lakes, wetlands and underground aquifers. It is also the landscape that surrounds these waters.



Photograph by Don Austin



A watershed is the land that stretches from water's edge to the tops of nearby hills. Rain that falls here is either absorbed into the ground, replenishing the aquifer, or flows downhill as runoff until it reaches a river, stream, lake, or wetland.

The Pomperaug River Watershed is a 90-square mile watershed that drains to the Housatonic River Watershed in western Connecticut and that has geology mimicking the Connecticut River Watershed.



EDUCATION



Education is an essential service to our community.

We teach school children about the way and wonder of the watershed. We also teach our neighbors how they can protect this precious resource we all share. We provide information to governments and businesses that make critical decisions about how communities use our water.

Your stewardship matters!

Learn more about the watershed.
Become a Member. Make a donation.
Volunteer to help. Like us on Facebook.

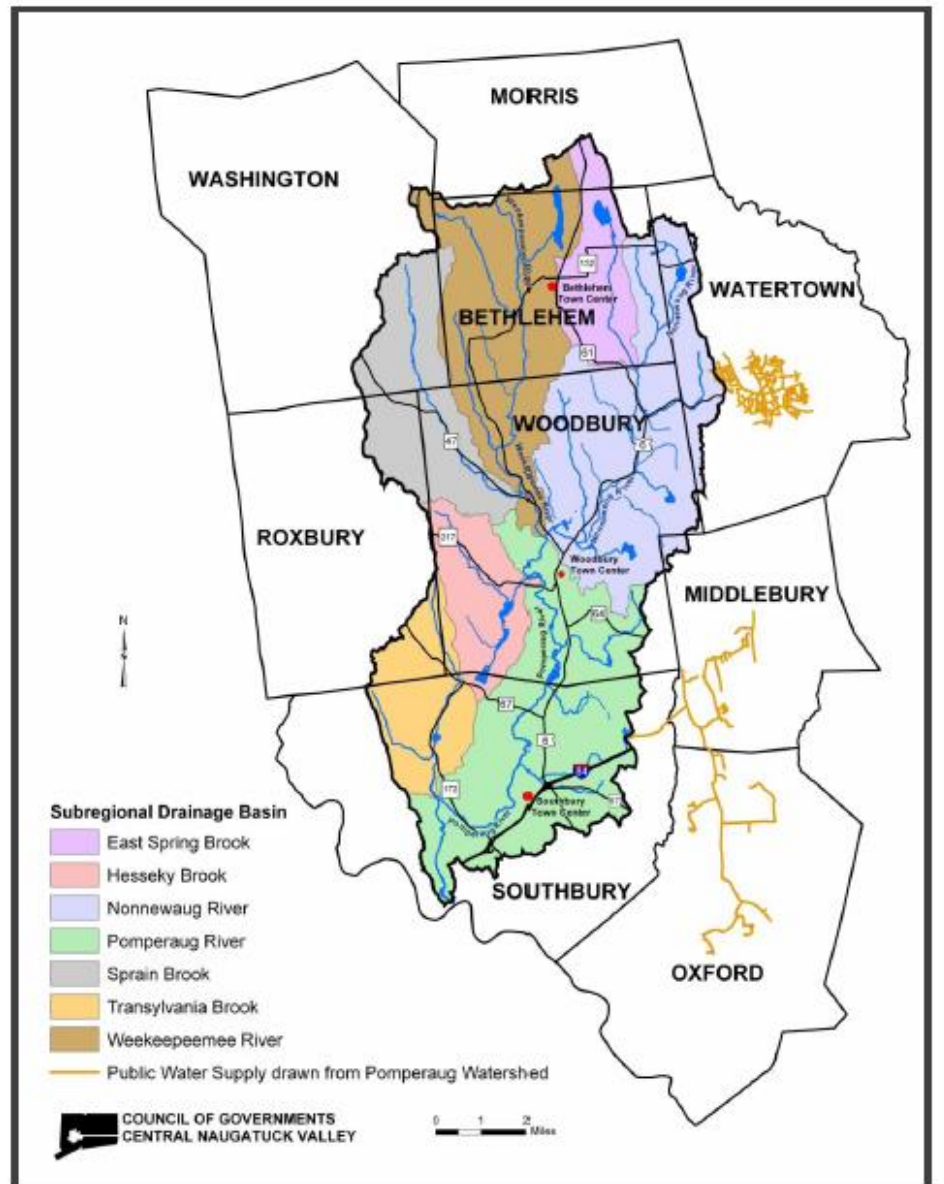
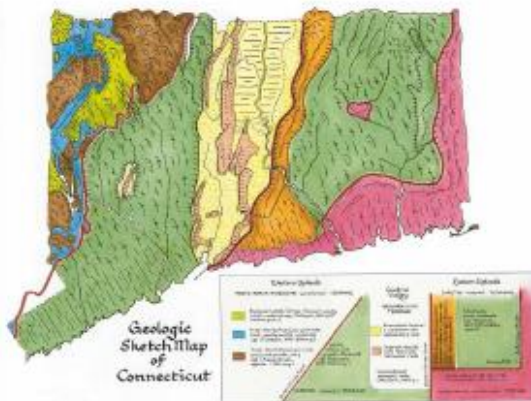
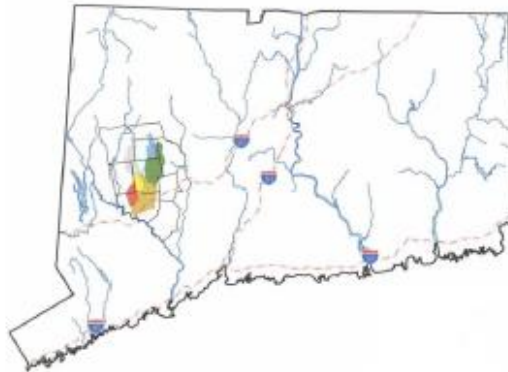


For more information:

(203) 263-0076
www.pomperaug.org
39 Sherman Hill Rd, Woodbury, CT

Pomperaug River Watershed

A 90-square mile watershed that drains to the Housatonic River Watershed in western Connecticut and that has geology mimicking the centrally located Connecticut River Watershed.



AQUIFER PROTECTION AREAS

SOUTHURY, CT

September 19, 2013

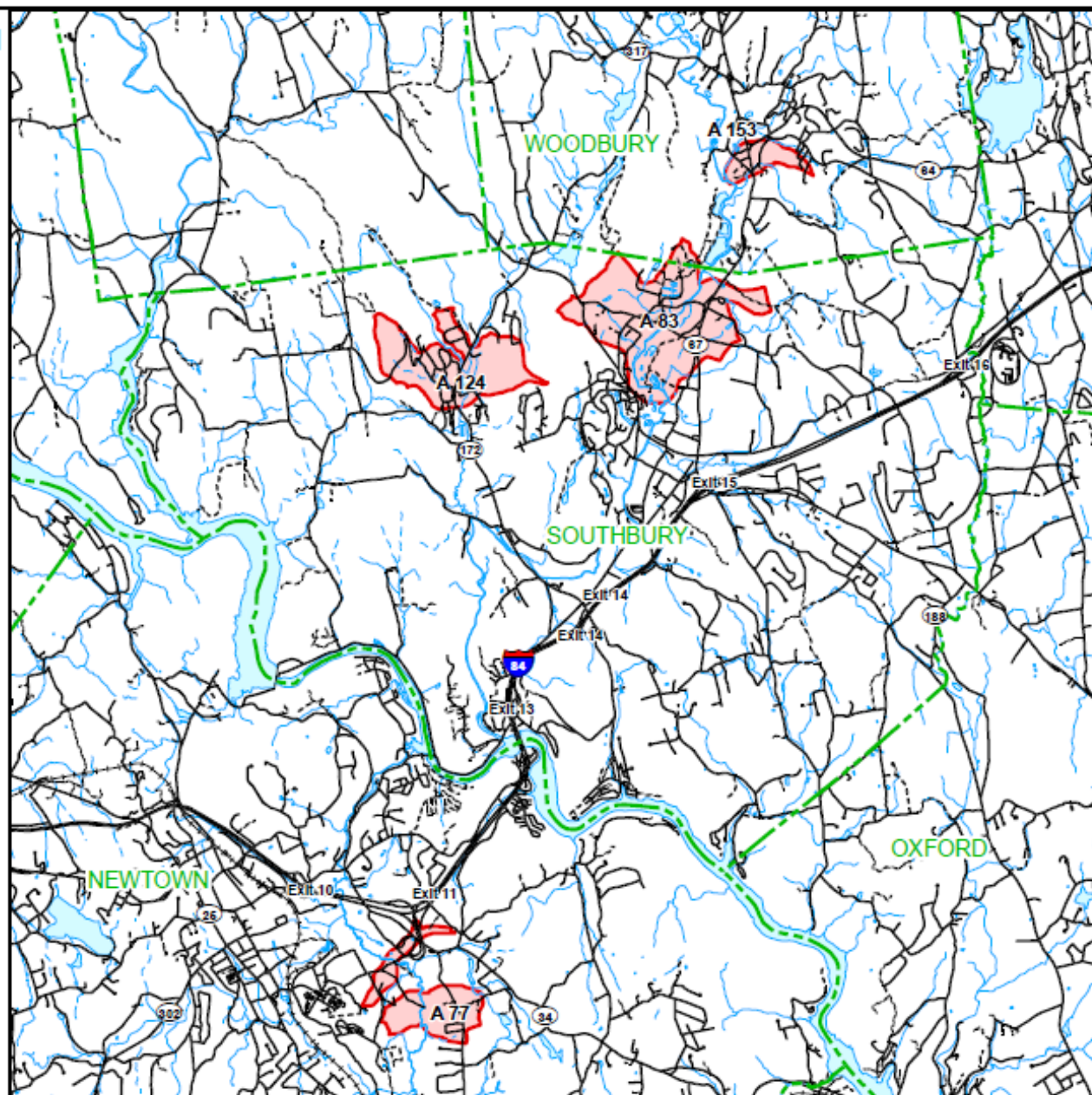
- Level A APA (Final Adopted)
- Level A APA (Final)
- Level B APA (Preliminary)
- # APA ID Number
- Town Boundary

NOTE: This map shows Connecticut's Aquifer Protection Areas, as delineated through the Level A and Level B Mapping Processes. Aquifer Protection Areas are delineated for active public water supply wells in stratified drift that serve more than 1000 people, in accordance with Sections 22a-354c and 22a-354z of the Connecticut General Statutes. Level B Mapping delineates a preliminary aquifer protection area, providing an estimate of the land area from which the well draws its water. Level A Mapping delineates the final Aquifer Protection Area, which becomes the regulatory boundary for land use controls designed to protect the well from contamination. As Level A Mapping is completed for each well field and approved by DEEP, it will replace the Level B Mapping. Towns that have adopted the Aquifer Protection Areas at the local level and for which landuse regulations are now in place are designated by the solid pink/red shading.

QUESTIONS:
Bureau of Water Protection and Land Reuse
Planning and Standards Division
Phone: (860) 424-3020
www.ct.gov/deep/aquiferprotection



STATE OF CONNECTICUT
DEPARTMENT OF
ENERGY & ENVIRONMENTAL PROTECTION
79 Elm Street
Hartford, CT 06106-5127





Current and Recent Activities

- Cedarland Park Buffer Restoration
- Storm Drain Marking
- Ballantine Park Streambank Stabilization
- River Smart Education Initiative
- Southbury Volunteer Fair Participation
- Water-Quality Monitoring and Volunteer Conference





Current and Recent Activities

- Dam Safety Initiative in Collaboration with COG
- MS4 Compliance
- Watershed Management Plan Update - Federal Grant Funded
- Streamflow Regulations and Classifications
- Towantic Proposed Facility Review
- State Water Planning Council Advisory Group
- Southbury Riverview Cinema and Playhouse

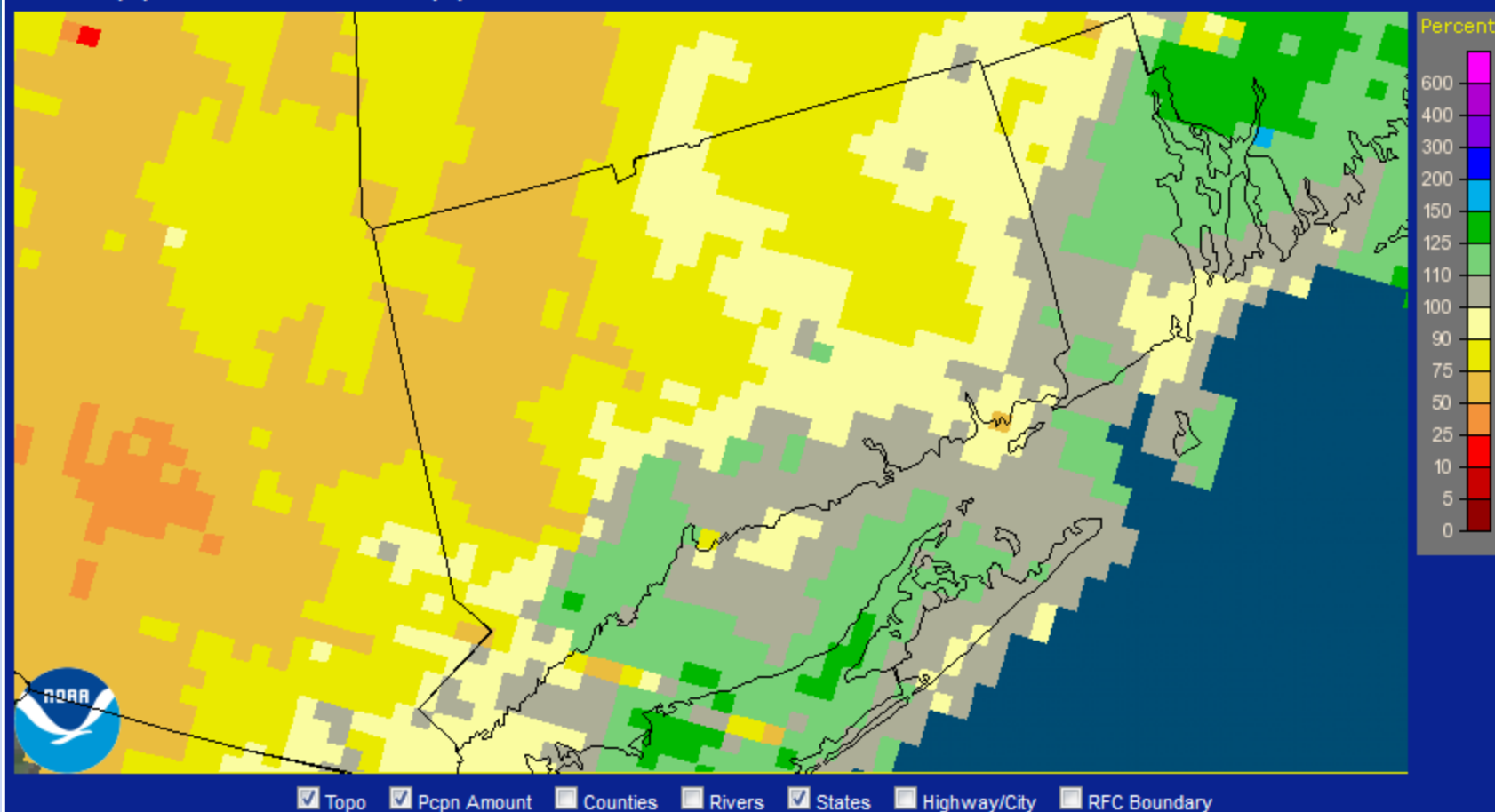




“Drought is more than a physical phenomenon or natural event. Its impact results from the relationship between a natural event and demands on the water supply, and it is often exacerbated by human activities.”

-2012, WPCAG Drought Workgroup report to the CT Water Planning Council.

Connecticut: Current 30-Day Percent of Normal Precipitation
Valid at 12/2/2014 1200 UTC - Created 12/2/14 15:05 UTC



1. Timeframe

- ☒ Current Data
☐ Archive: Month/Year
☐ Archive: Daily

December 2, 2014 - Today
December 2, 2014 - Last 7 Days
December 2, 2014 - Last 14 Days
December 2, 2014 - Last 30 Days
December 2, 2014 - Last 60 Days

2. Product

Observed
Normal
Departure from Normal
Percent of Normal

3. Location

- ☒ States
☐ NWS RFC/Regions
☐ NWS WFOs

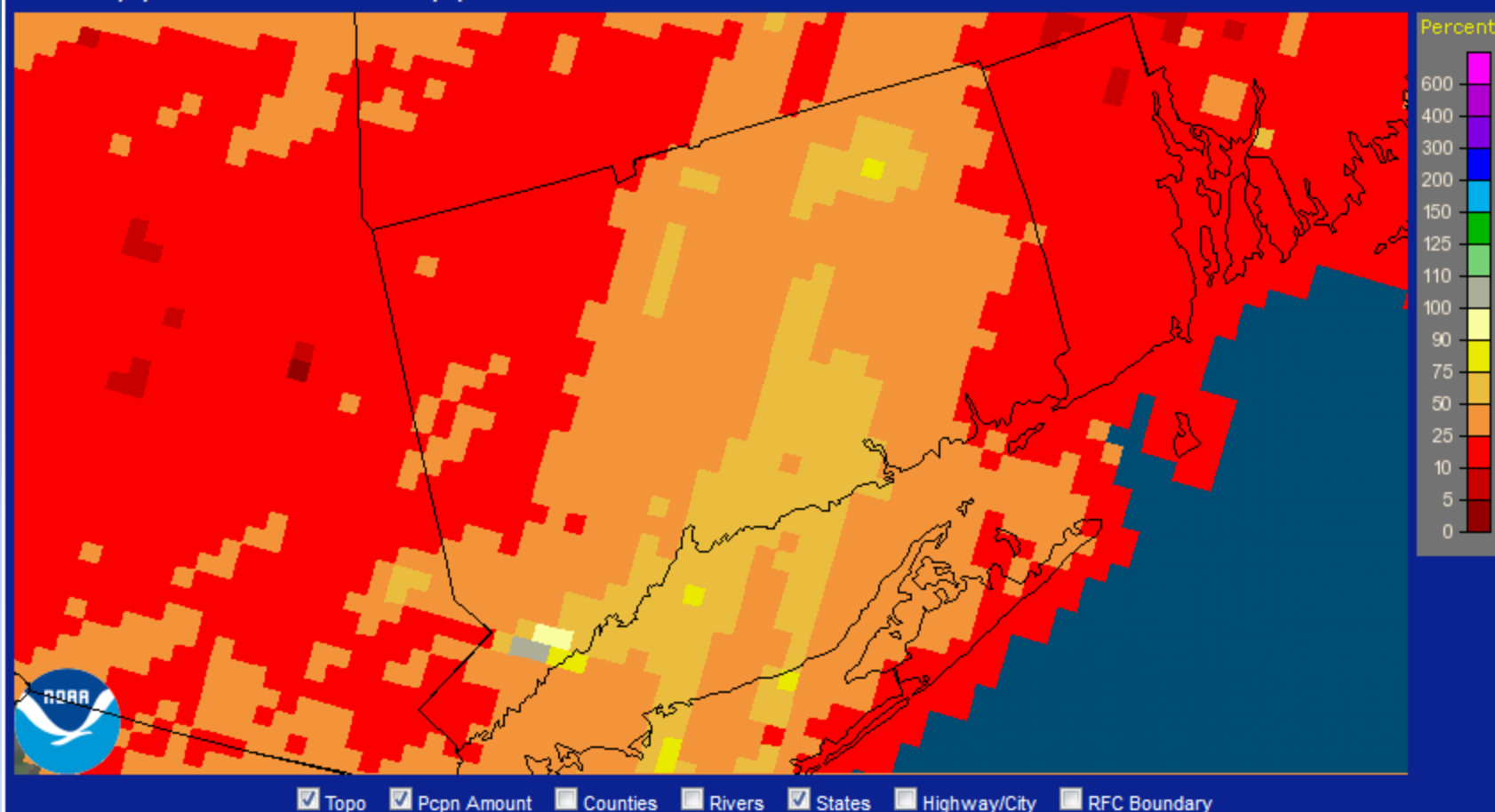
Arizona
Arkansas
California
Colorado
Connecticut

4. Units

- ☒ English
☐ Metric

Missing
Data

Connecticut: September, 2014 Monthly Percent of Normal Precipitation
Valid at 10/1/2014 1200 UTC - Created 10/3/14 23:57 UTC



1. Timeframe

- ☐ Current Data
☒ Archive: Month/Year
☐ Archive: Daily

Year: 2014

Month: September

2. Product

Observed
Normal
Departure from Normal
Percent of Normal

3. Location

- ☒ States
☐ NWS RFC/Regions
☐ NWS WFOs

Arizona
Arkansas
California
Colorado
Connecticut

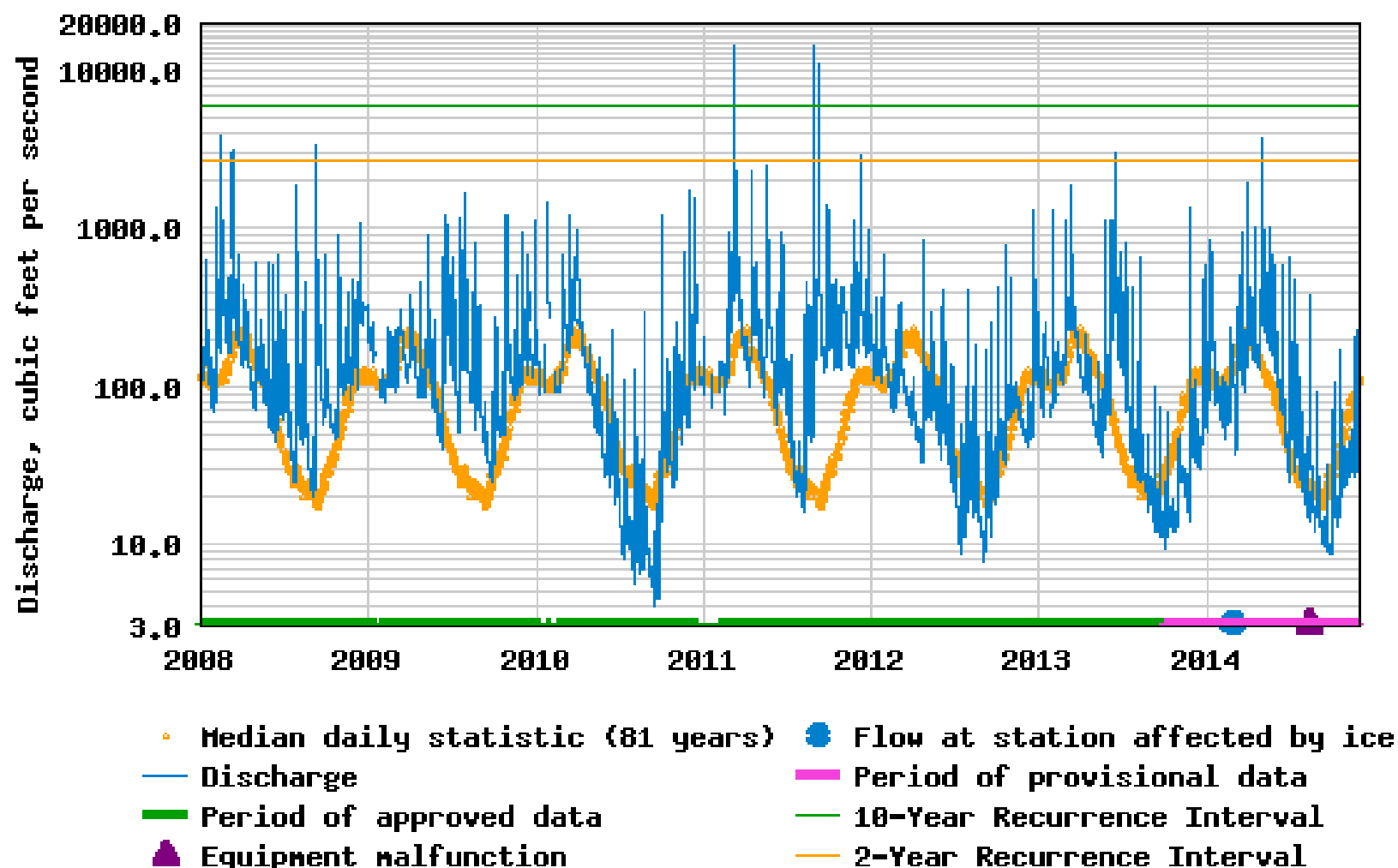
4. Units

- ☒ English
☐ Metric

Missing
Data

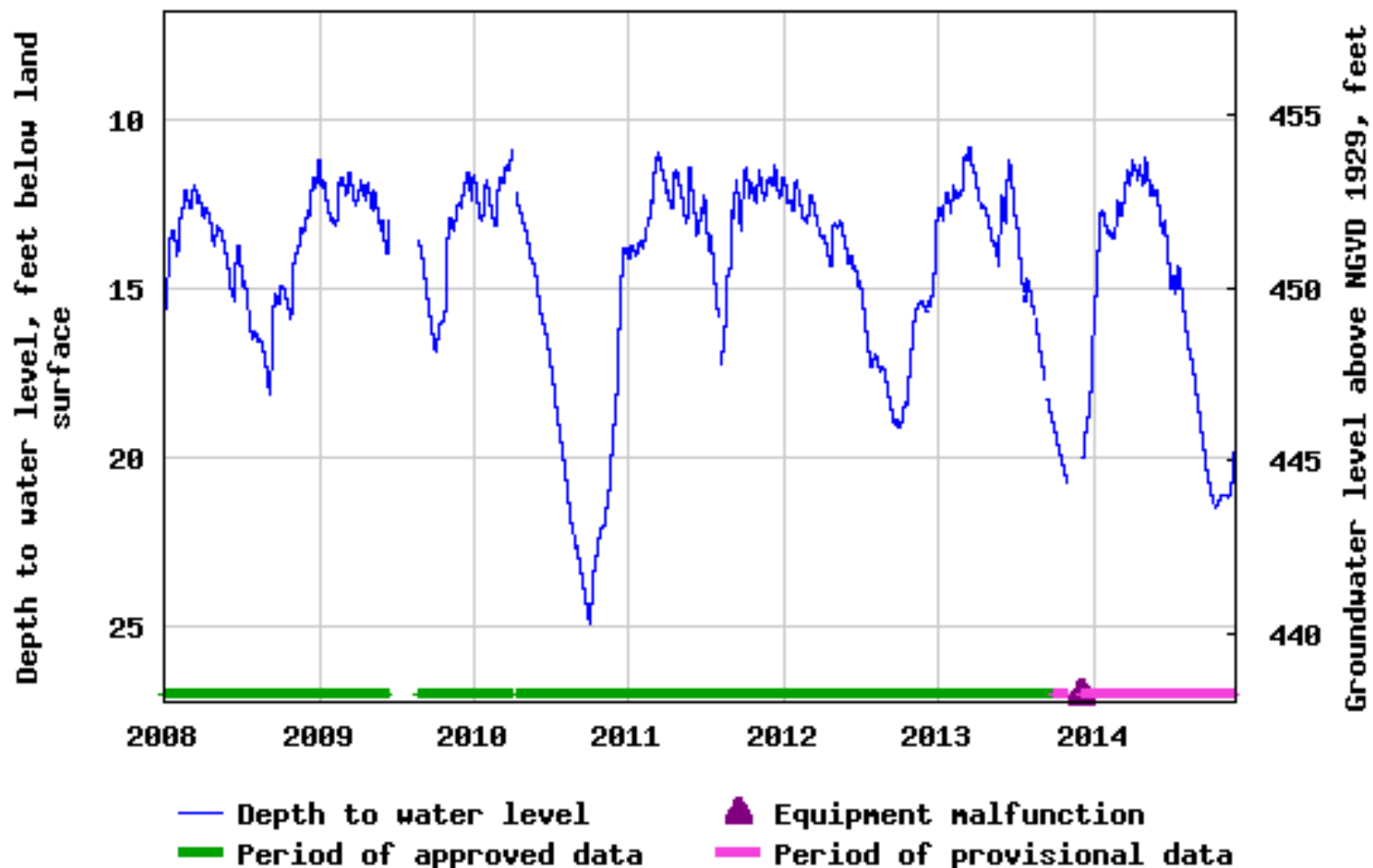


USGS 01204000 POMPERAUG RIVER AT SOUTHBURY, CT

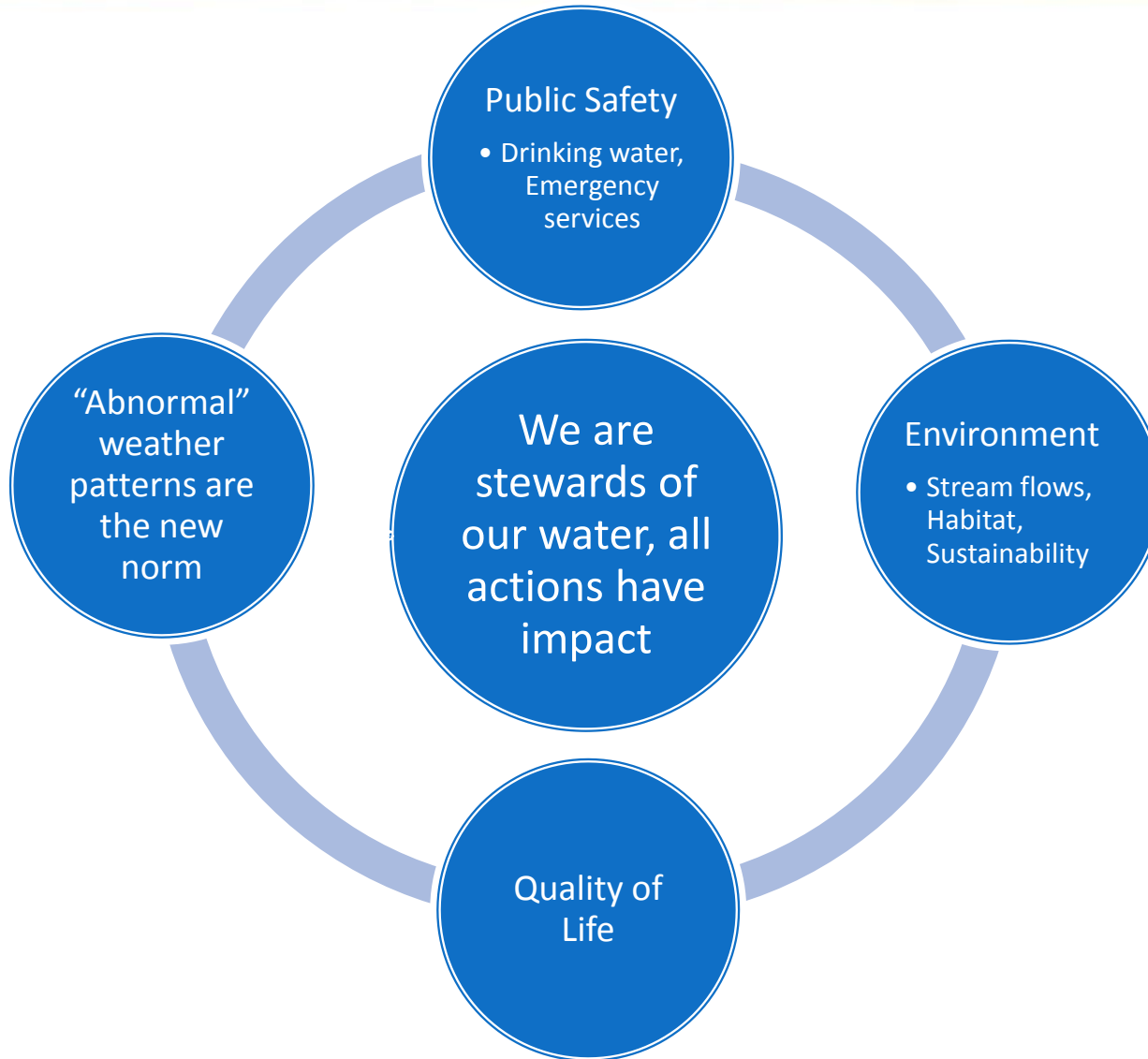




USGS 412916073121701 CT-SB 42 SOUTHBURY, CT



Why Take Action?



Deficiencies of Status Quo



- **Problem:** Despite Advisory Levels in Water Company Water Supply Plans (WSP), no enforcement ability
- ***Solution:*** Municipal Ordinance consistent with WSPs and State Drought Preparedness Plan
- **Problem:** CT water policies, water system practices, do not encourage conservation in general
- ***Solution:*** Rate Re-structuring; Infrastructure Investment; Environmental Assessment of Registrations; Interconnections; Streamflow Regulations

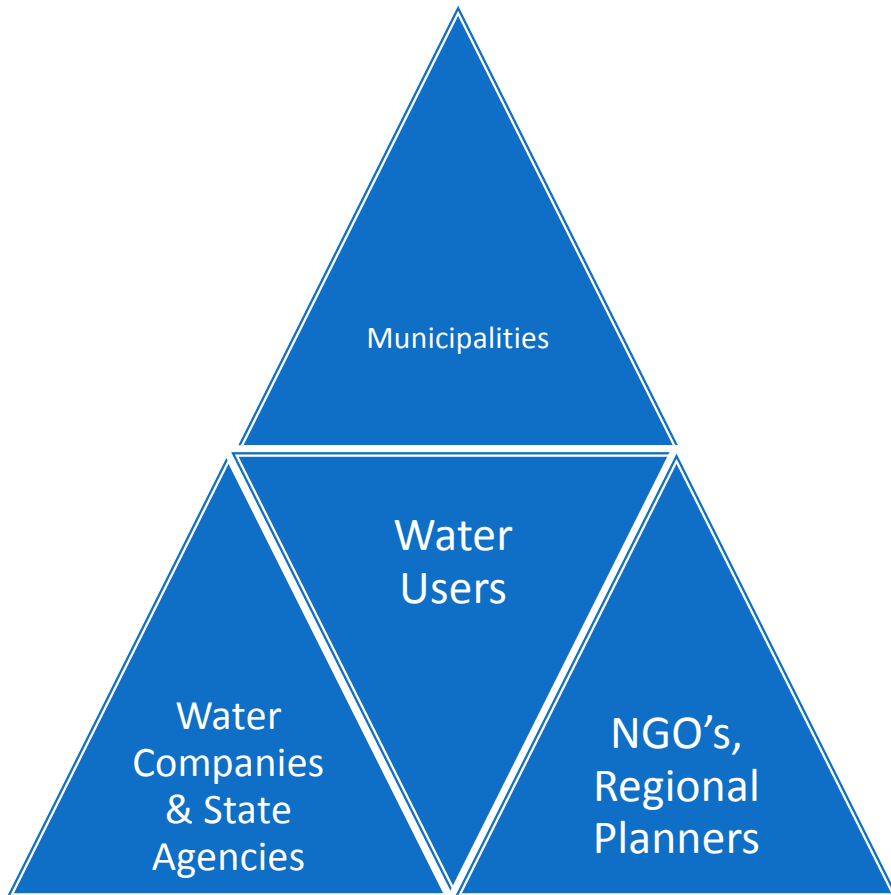
Successful Programs Nationwide

- Typically underpinned by State statute or policy
- Work in conjunction with water utilities or regional water districts
- Vary in approach regarding stages and measures
 - Use of odd/even days
 - Anywhere from 1 to 5 stages
 - Some include private wells
- All emphasize outdoor and non-essential use and usually achieve the targeted goals (10-20% range)
- Success usually seen without punitive enforcement, although an enforcement schedule is important
 - Education, planning and infrastructure lead to success
 - Sensible waiver and exemption process also important

Drought Levels and Why We Need an Ordinance?

- There is no enforcement power to require conservation.
- Pro-active conservation practices are growing but a prolonged drought may “outrun” the best of measures.
- Municipalities and officials play a key role in water allocation and use during periods of drought.

Partners in the Process



Municipalities

Pre-Hazard Planning, Education,
Ordinance Powers, Facilities Management

Water Utilities and Agencies

Registered and Permitted Rights, Fiscal
Power, Public Health, Environmental
Responsibility, Conservation Practices,
Water Supply Plans

NGO's and Regional Planners

Education, Facilitation,
Support and Supervision

Water Users

Education Focus, Ultimate Beneficiary and
Ultimate Fiscal Burden

Common Town Resolution: Southbury

- WHEREAS the Pomperaug River Watershed Coalition conducted a study funded by the Connecticut Institute for Water Resources on Water Allocation Planning in the watershed;
- WHEREAS the study included a severe drought table-top exercise that dramatized the significant impacts that a severe drought would have on our community;
- WHEREAS the study completed a White Paper that outlined water related challenges facing our community and the significant actions that could be undertaken in cooperation with the other towns and stakeholders in the watershed including the development of a Water Use Ordinance;
- **WHEREAS the Board of Selectmen has reviewed this White Paper and is in general agreement with the challenges identified and the initial corrective actions outlined; and**
- WHEREAS it is understood that Federal, State or foundation funding for the activities noted in the White Paper will require confirmation of the support of the town;

Southbury Plan of Conservation and Development

- “Manage the withdrawal of water from the aquifer so that the flow of rivers and streams dependent upon the aquifer is not reduced from present levels in order to maintain their environmental integrity.”
- “Cooperate with water companies and other towns in the Pomperaug Watershed Aquifer recharge and watershed area in the sound management and use of the resource.”
- “Encourage residents and businesses to conserve water.”
- “Adopt a Drought Ordinance.”

Public Act 14-163



- “An Act Concerning The Responsibilities Of The Water Planning Council.”
- “Prepare a State Watershed Plan by July 1, 2017.”
- “Promote the adoption of municipal ordinances based on the State of Connecticut Model Water Use Restriction Ordinance for municipal water emergencies.”

State of Connecticut Model Water Use Ordinance

- Authority
 - This ordinance implements the municipality's authority to impose water use restrictions (following voluntary conservation) conditioned upon a state of water use restrictions or a declaration of public drinking water supply emergency
- Restricted Water Uses May Include:
 - Automatic sprinkler use (new lawn exception)
 - Car washing (commercial exception)
 - Prolonged loss of water from customer's service line
 - Outdoor watering (agricultural, nursery exception)
 - Swimming pools (newly constructed exception)
 - Washing impervious surfaces

State of Connecticut Model Water Use Ordinance

- Notification
 - Newspaper
 - Reverse 911 (Code Red)
 - Other
- Enforcement Considerations
 - By municipal water commissioner, building inspector, local police
 - Violation Fines
 - First (up to \$100.00)
 - Second (up to \$200.00)
 - Third and subsequent (up to \$500.00 and mandatory court appearance)
 - Extreme cases (municipality may order the water company to curtail water service)
- Exemptions
 - Adversely affect livelihood, health or sanitation

Southbury Business Association Outreach

- PRWC hosted a SBA Breakfast Forum.
- Overall understanding and acceptance of the value and importance of an ordinance.
- Questions raised about how an ordinance would impact both public water and individual well supplies.
- Interest in reviewing ordinance specifics as they are developed.



Next Steps



- Board of Selectman approval to proceed.
- PRWC to facilitate drafting a Water Allocation and Use Ordinance with ad-hoc committee representatives from:
 - Town Planning
 - Town Law Enforcement
 - Pomperaug Health District
 - Heritage Village Water
 - Aquarion Water
 - Southbury Business Association
 - Council of Governments
 - Major Water User(s)
- Deliver draft ordinance to Board of Selectman in mid 2015 for public comment and adoption consideration.
- PRWC to continue to collaborate on State-wide drought planning.
- Engage other watershed communities in drought preparedness planning.



THANK YOU!!!



- For More Information Contact PRWC
 - Visit www.pomperaug.org
 - Email info@pomperaug.org
 - Call 203-263-0076

