

Town of Mansfield
CONSERVATION COMMISSION
Meeting of 19 December 2012
Conference B, Audrey P. Beck Building
MINUTES

Members present: Aline Booth (Alt.), Joan Buck (Alt.), Neil Facchinetti, Quentin Kessel, Scott Lehmann, John Silander. *Members absent:* Robert Dahn, Peter Drzewiecki. *Others present:* Grant Meitzler (Wetlands Agent), Michael Soares.

1. The meeting was **called to order** at 7:34p by Chair Quentin Kessel. Alternates Aline Booth and Joan Buck were designated voting members for this meeting. Frank Trainor has had to resign for personal reasons. Michael Soares, a consultant for land trusts who has a background in geology and environmental education, was introduced as a prospective member of the Commission. {At the end of the meeting, Mr. Soares indicated that he was interested in joining the Commission.}

2. The **draft minutes** of the regular monthly meeting on 14 November 2012 and the special meeting of 27 November 2012 were approved as written.

3. IWA referrals.

a. **W1508 (Shafer, 45 Echo Rd).** Additions are proposed on all sides of this house on Echo Lake, including a new garage on the north side, screened porch & deck on the west (lake) side, and four-season room on the south side. The garage will require a foundation; the other additions will be on concrete pylons. The house is quite close to the lake; the new porch would be 47 ft from it. After some discussion, the Commission agreed unanimously (**motion:** Silander, Buck) to comment that:

The Commission is concerned about the potential for significant negative impacts on Echo Lake from (1) sedimentation during construction (grading would be required on the slope that drops from west side of the house to the lake a short distance away) and (2) nutrient loading from septic leaching (increasing the living space of this house by one or two rooms may increase the amount of sewage generated, and Echo Lake is a low-nutrient pond that is particularly sensitive to nutrient loading).

b. **W1509 (Cone, 260 Coventry Rd).** A 30x40 ft addition to a garage, which houses the Cone's Christmas Tree shop, is proposed to increase retail space for seasonal use. The addition would rest on a concrete slab. While it would be farther from the brook along Coventry Rd. than the existing garage, runoff from the site down a steep slope to the SW could potentially deliver sediment to the brook during construction. The Commission agreed unanimously (**motion:** Silander, Booth) that:

The wetlands impact of this project appears to be minimal *provided* sedimentation and erosion controls sufficient to prevent soil from washing into the brook during heavy rain are in place during construction and thereafter until the area is stabilized.

4. **Luciano letter.** The Commission received a copy of a letter from Tulay Luciano to Sen. Don Williams urging passage of legislation declaring UConn to be a water company and, accordingly, subject to state regulations that limit what water companies may do with their land. Such legislation was approved in 2003 by the Environment Committee but died when the Committee

on Higher Education nixed it at the behest of UConn. Facchinetti asked whether water-company status for UConn would limit the authority of the water board that has been proposed to oversee new water supplies for UConn and Mansfield. Kessel thought not: water companies and water boards have different functions. After wandering into tangential issues (see item 5), the Commission agreed unanimously (**motion:** Buck, Silander) to urge, in light of concerns that new water sources might permit UConn to abandon the well-fields it now uses, the Town Council to look carefully at Ms. Luciano's letter and the bills to which she refers.

5. Water Supply EIE. (a) Buck asked whether a regional water coordinating commission must approve any water supply plan, as alleged at the public hearing on the UConn Water Supply EIE. Kessel replied that it's supposed to work this way but that at present there is no regional commission for this area and that the Department of Energy and Environmental Protection has no money to set one up. (b) Kessel reported that Simsbury, Canton, and other towns in the Metropolitan District Commission (MDC) service area will object to MDC's proposal to supply water to UConn, since it involves an interbasin transfer of water. (c) The Town is requesting that all comments on the EIE from Town Commissions and Committees be included in the hearing record; the Commission's comment is attached.

6. Frank Trainor. The Commission agreed to send to the Town Council (via Town Manager Matt Hart) a tribute to long-time member Frank Trainor, so that his service to the Commission and the Town might be more widely recognized:

The Conservation Commission regrets that Frank Trainor has had to resign for personal reasons after twenty years of service. During his twenty years of service on the Commission, he made many valuable contributions to the Town. Frank is truly "a gentleman and a scholar," and his knowledge of conservation matters, especially his expertise on water issues, will be sorely missed. He is known internationally for his scholarly research on freshwater algae and remains active in the field. Frank taught at UConn for 40 years, and has received a number of distinguished awards, including a Fulbright Scholarship for research in Sweden, UConn's Distinguished Faculty Award for Excellence in Teaching, and an honorary degree from Providence College.

7. Hazardous Waste Transfer Station. Kessel reported that maps for UConn's Tech Park show a site there for a relocated Hazardous Waste Transfer Station. However, the committee in charge of recommending a site has yet to announce any siting decision. Silander wondered why the university is planning a Tech Park on undeveloped land when it could instead use the Mansfield Training School (MTS) property (where some tech enterprises are now located). Kessel suggested that renovating or replacing old buildings may be too expensive. He also noted that the Transfer Station could not be relocated to the MTS property, since federal regulations require that such facilities be on property contiguous to that on which the waste is generated.

8. HUD planning grant. The Town has obtained a grant from the U.S. Department of Housing and Urban Development (HUD) to update the Plan of Conservation & Development and zoning regulations pursuant to it. These documents will be written by outside consultants using input from four working groups: Agriculture, Economic Development, Housing, and Zoning. Noting that Conservation seems to have been left out of the planning process, Kessel stressed the importance of getting people with a conservation perspective appointed to the working groups. Booth expressed interest in Zoning, Facchinetti in Housing, and Kessel, Lehmann, & Silander in Economic Development. The process begins in January and will continue for eighteen months.

9. Agronomy Farm. Facchinetti reported that the Storrs Heights Neighborhood Association is still trying to get UConn to divulge information on the nature of experimental chemicals being used at the Agronomy Farm.

10. CL&P Interstate Reliability Project. The Army Corps of Engineers has issued a “Finding of No Significant Impact” regarding CL&P’s plan to run another 345kV transmission line through Mansfield Hollow. Its deliberations (concluding that the proposal was “non-contraversial”) were apparently not informed by the objections the Town had communicated to the Connecticut Siting Council. Matt Hart has requested a public hearing on the Finding.

11. Adjourned at approximately 9:05p. Next meeting: 7:30p, Wednesday, 16 January 2013.

Scott Lehmann, Secretary, 21 December 2012; approved 20 March 2013.

Attachment: Comment on the Draft Water Supply EIE.

TO: Mansfield Town Council
FROM: Mansfield Conservation Commission
DATE: November 28, 2012

SUBJECT: Public Hearing on the Water Supply Environmental Impact Evaluation

Rank ordered by importance, The Mansfield Conservation (CC) makes the following recommendations and comments (ES-12 and 9-4 type page numbers referred to are those in the EIE, while the CDP designation is for the page numbers in the Draft 2013-2018 Conservation & Development Policies: A Plan for Connecticut):

1-A. From the point of view of conservation and best management practices, the WWW is clearly the best option. One reason for this is the State's environmentally-based hesitation to approve inter-basin transfers of water by water companies. In the case of the WWW, the inter-basin transfer would be from the Fenton/Mt. Hope/Natchaug River watersheds into the Willimantic River watershed (as is the current transfer of water from the University's Wells A,B,C, and D). The reason for this preference by the CC, is that all four of these rivers join to become the Shetucket River, i.e., this diversion results in only a detour of the water from its natural course, with the water pumped from the first watershed rejoining the Shetucket waterflow for which was destined in the first place. This position is consistent with the State's draft for the 2013-2018 Conservation & Development Policies: A Plan for Connecticut (CDP Growth Management Principles # 4 and #5, pp 17-22).

1-B. For the reasons in 1-A, the CC ranks the CWC as the second option and the MDC option a distant third. Other reasons include the capital costs of pipelines from more distant sources, the energy costs of pumping through the greater mileages of pipes, and the deterioration of water quality with the distance pumped. The MDC option is not consistent with many of the policies presented in the CDP Growth Management Principles #4 (CDP 17) and #5 (CDP 20). Nor is it consistent with the ecological and conservation practices utilized by a number of conservation organizations who attempt to base their planning activities on a watershed basis.

1-C. The CC is concerned with the seemingly uneven evaluations of the WWW, CWC, and MDC. There are several examples of this:

a) Under "Assessment of Feasibility": For WWW (9-1) "In the event that a new diversion permit could be obtained..." For MDC there is no mention of the much more serious diversion permit that will be required in their assessment (8-1).

b) Under the concluding "Findings": For WWW(9-40) "...A feasible alternative that may result in impact to downstream aquatic habitat under low stream flow conditions." This will be true for a relatively short reach of the Natchaug River (the already impaired portion between the WWW dam and the Shetucket River), but as the EIE notes, appropriate management of the Mansfield Dam could overcome this shortcoming. It is not clear to the CC that the difficulties of the dam management cannot be overcome, even if, as Jason Coite implied (the November 15, 2012 Four Corners Sewer and Water Committee meeting), "It might take an act of Congress." The CC does not understand the negativity associated with the WWW alternative.

The EIE is seemingly unaware of the Army Core of Engineers approval of a hydroelectric generator installation below the dam that should be providing electricity within a year. It is assumed there will be a constant flow through the associated turbine into the WWW reservoir. What will this flow be and how does it compare with WWW's current water usage and the additional amount that UConn needs?

Contrary to the findings statement for the WWW alternative, for the MDC proposal (8-62) the finding is that it "... will not result in significant environmental impact." Eileen Fielding, Executive Director of The Farmington River Watershed Association has expressed concern to the CC chair about this statement. The CC does not understand how the major inter-basin transfer of water proposed by the MDC would not have a significant environmental impact.

c) Another example of the apparent prejudice against the WWW in the EIE may be found in the Executive Summary (ES-8,9). Six cumulative Impacts are listed, including the interbasin transfer of water, but the WWW seems to be singled out because of the diminution of flow in a relatively short reach of Natchaug River, while the CWC and MDC are said to apparently be able to minimize their cumulative impacts – certainly the more serious interbasin transfer of water proposed by the MDC will be difficult to minimize!

2-A. The CC is concerned with the University (Jason Coite at the November 15, 2012 Four Corners Sewer and Water Committee meeting) apparently viewing as positive, the possibility of the University being able to shut down their current pumping operations along the Willimantic and Fenton Rivers. There are a number of reasons for this concern:

a) It would be contrary to one of the positive benefits of an outside water source listed in the EIE (ES-12): to "Provide additional redundancy and flexibility to the University of Connecticut water system."

b) The Town of Mansfield should not be at the mercy of a sole distributor for a commodity as valuable as drinking water is. The potential problems of such an arrangement are manifold, including the loss of the source (broken pipeline?) or contamination of the water, the financial implication of such a monopoly, and the general loss of control of the Town's water supply.

c) The possibility of shutting down the Willimantic and Fenton River well fields points out a shortcoming of the EIE. It does not investigate the consequence of shutting down one, or both, of the existing well fields, including secondary development.

2-B. In the event the University does choose to abandon its Willimantic and Fenton River

pumping stations, the Town should be permitted to operate them, perhaps utilizing the CWC, as the University does at present. The current arrangement is ironic, in that the University pumps its water from Mansfield aquifers and then limits what they are willing to apportion to the Town. The CC notes that as part of the EIE, a great effort was made to find suitable well sites at several locations in Mansfield, but none were found. It would make little sense to abandon the very productive current wells.

3. A governing body, such as a Water Board, should be formed to establish and oversee the policies that will govern not only the existing water sources but the new supplier of water to the Town and the University. This board must have significant representation from not only the Town and the University, but from the Mansfield citizens, as well. In the event that the WWC is chosen, an expansion of their existing Water Board might suffice for this.

4. The EIE's assessment of alternatives is driven by water demand projections from UConn and the Town, but these projections not evaluated in this study. Considering numbers presented in earlier University Water Plans it may be dangerous to accept these numbers at face value. (In the late 1990s or early 2000s UConn's Water Plan numbers indicated little or no growth, while at the same time they were significantly increasing UConn's enrollment.) Some numbers are puzzling, such as the PDD with 15% MOS value for "Committed Water Supply Demand" in Table ES-3: if calculated in the same manner as the other values in this column, it would be 425,500 gpd instead of 730,000 gpd. More generally, the basis for the projections is not clear. Also unclear is whether any consideration has been given to managing demand (by demand pricing, requiring water conserving fixtures in new construction and renovation, etc.) rather than simply supplying whatever amount of water is demanded.

5. The CC is offended by the situation Mansfield finds itself in because of wording in the MDC charter (3-2). A very small portion of Mansfield is apparently more than 19 miles, but less than 20 miles from the State Capitol in Hartford; above the 20 mile limit, MDC could not supply water to Mansfield. As it is, the MDC can supply water to the inhabitants of Mansfield and to any state facility located within Mansfield. If it were to supply water only to Mansfield residents, the Town of Mansfield would be required to pay for the Hartford to Mansfield pipeline, but the cost of constructing the pipeline to a state facility (UConn) would be borne by the taxpayers of the State of Connecticut. It is unclear to the Mansfield CC how the costs might be apportioned if UConn chooses the MDC option, in spite of the MDC proposal's environmental shortcomings. Would UConn be able to continue to supply water to the Town of Mansfield without Mansfield having to pay for a share of the pipeline?