

Representative Policy Board  
**Land Use Committee**  
South Central Connecticut Regional Water District  
90 Sargent Drive, New Haven, Connecticut

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**AGENDA**

**Regular Meeting of Wednesday, December 13, 2023 at 5:30 p.m.**

1. Safety Moment
2. Approval of Minutes – November 8, 2023 meeting
3. Review proposed revisions, discussion points, including necessary procedural updates to RWA’s enabling legislation
4. Confirm date of special joint committee special meeting for FY 2025 Budget Review – Monday, April 15, 2024 at 5:30 p.m. (Joint meeting with Consumer Affairs Committee)
5. Updates on land and RWA properties, including invasive species update
6. Other land items
7. Authority meeting assignments:
  - a. December 21, 2023 – G. Malloy
  - b. January 25, 2024 – M. Levine
8. Next Regular Meeting: Wednesday, January 10, 2023 at 5:30 p.m.
9. Adjourn

# SAFETY MOMENT

Tap Into  
Safety



Regional Water Authority

Looking ahead to holiday gatherings, events, and activities may fill you with anticipation and excitement, along with a little angst. You may feel that build-up of anxiety as the holidays approach. Here are some coping strategies to help bolster your mental health during the holidays.

## 6 Easy Tips for Reducing Holiday Stress

1. When you wake up in the morning, stop and take a moment to say good morning to your day.
2. If you are in a relationship, take a few minutes to really look at and appreciate your significant other.
3. If you are deployed with your unit, pause to think about how your buddies support and help one another to get through a rough day.
4. Take a moment to be grateful. Before you eat lunch, reflect for a moment and think about something that keeps you going everyday.
5. At dinner, spend a moment thinking about your loved ones. Have you told them lately something you appreciate about them?
6. Finally, before you go to sleep, acknowledge something about yourself you're proud of.



Safety is a core company value at the Regional Water Authority .  
It is our goal to reduce workplace injuries to zero.

 Regional Water Authority

**Representative Policy Board  
Land Use Committee  
South Central Connecticut Regional Water District**

**Minutes of November 8, 2023 Meeting**

The regular meeting of the Land Use Committee of the Representative Policy Board (“Committee”) of the South Central Connecticut Regional Water District (“RWA”) took place on Wednesday, November 8, 2023 at 90 Sargent Drive, New Haven, Connecticut. Chair Betkoski presided.

**Committee Members Present:** P. Betkoski, P. DeSantis, B. Eitzer, C. Havrda, M. Horbal, M. Levine, J. Oslander and J. Mowat Young

**Committee Members Absent:** G. Malloy

**Representative Policy Board:** R. Harvey

**RWA:** C. LaMarr

**Management:** S. Lakshminarayanan, J. Hill, C. Savoy, and J. Triana

Chair Betkoski called the meeting to order at 5:30 p.m. He reviewed the Safety Moment distributed to members.

On motion made by Mr. Eitzer, and seconded by Mr. Horbal, the Committee voted to approve the minutes of its October 11, 2023 regular meeting.

Mr. Savoy, the RWA’s Project Engineer, provided an update on the Lake Whitney Dam design project, which included a history of dam. He reported that the project goals consisted of three upgrades that would increase the dam’s stability, control seepage, and increase the dam’s hydraulic capacity to pass the Probable Maximum Flood.

Challenges and risks included managing water through the construction period, water treatment plant operations, protecting existing utilities, permitting, and working with the State Historical Preservation Office to manage the appearance of the dam.

Mr. Savoy stated that the RWA is currently working with three contractors as part of an Early Contractor Involvement (“ECI”), which would minimize risk, reduce costs, and improve scheduling. He reported that the ECI included two phases: 1) Phase I, which includes professional services to supplement design, and 2) Phase II for construction services. The RWA is currently at the end of Phase I. Construction is expected to begin in 2025.

Chair Betkoski discussed the ECI process with management and Committee members.

Update on *The Land We Need for the Water We Use Program* – Mr. Triana, the RWA’s Real Estate Manager, reported:

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
October 31	87%	73%	66%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
October 2023	4.01	2.59	3.87

Fiscal YTD (6/1/23 –	24.86	15.92	19.13
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Land We Need for the Water We Use Program (Dispositions/Acquisitions)

- Cheshire – Corresponded with property owner of 50+/- acres.
- Bethany – Corresponded with property owner of 30+/- acres.
- Bethany – Corresponded with property owner of 60+/- acres.
- Madison – Corresponded with property owner of 24+/- acres.
- Madison – Corresponded with property owner of 7+/- acres.
- North Branford – Corresponded with property owner of 46+/- acres.
- Hamden – Corresponded with property owner of 10+/- acres.
- North Branford, Beech St. and Poms La. properties (NB 4) – RPB voted to approve both applications. Sent letters to state and town about their rights of first refusal. Notice of the decisions were published in the newspapers.
- North Branford, Great Hill Rd. (NB 4) – Corresponded with abutter about land adjacent to his property. Indicated that we were no interested selling any of our parcel.
- Seymour, Squantuck Rd. (SE 5) – Received email asking about our use of the parcel and expressing some interest from the town in acquiring it from us. Instructed them to send us a formal letter if their interest was serious.

Rental houses

- Hamden, 233 Skiff St. (HA 9A) – Asst. Town Attorney again did not respond to emails or VM's. Emailed Town Attorney and that was not responded to by month's end.

Forestry Update

- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) – 75% complete.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – The harvest was halted in early June, and the logger pulled his equipment off the property on June 13th. It is uncertain at this point whether the buyer will continue with the salvage operation even if a market is found - 15% complete.
- Killingworth - N. Chestnut Hill Patch Cuts, (KI 6) – 100% complete. Equipment removed, but some firewood logs still at the landing.
- Guilford - Menunketuc High-Grade Rehabilitation Cut and Conifer Release (GU12/12A) - **Conducted a timber showing for GU 12/12A timber harvest. Evaluated bids and two bidders and awarded to highest bidder. Drafted a letter to homeowners abutting the timber sale and developed a mailing list for distribution.**
  - Cut grass and weeds between Christmas trees at Lake Gaillard.
  - Explored areas to move an existing maple taper looking to expand operations.
  - Investigated a trespassing incident at another rented field at the Crosby parcel

Recreation

- Bird walk at Prospect was cancelled due to inclement weather.
- Assisted with Women's Club walk-a-thon at Lake Gaillard. Over 100 people participated.
- Boating program ended for the year. Boats moved to storage at Lake Gaillard and the dock were removed from Lake Saltonstall.
- Fish importation and liberation permits were filled out and filed with the CT DEEP so that we can get walleye stocked into Lake Saltonstall. The fish were delivered, but about 1/3 of the fingerlings arrived dead. The hatchery was contacted and adjusted the invoices.

- Met with Vermont Systems to talk about the website and including the current newsletter and updated events on the calendar.
- Cleared more trails at Bethany, Genesee, Hammonasset, and Pine Hill.
- Met with Bethany Horsemen representative about adding a water bar to a trail.
- Worked on plan to add more sections of dock with capital funds.
- The Water Wagon attended three events in October.

	October		September	
	2023	2022	2023	2022
Permit Holders	4,823	4,968	4,827	5,026

Special Activity Permits

- Connecticut State Police K9 Unit (Mr. Ryan Cloukey and designees)-training K9 teams in the discipline of tracking, Lake Gaillard, (9/18/23-9/18/24)
- Univ.of New Haven Army ROTC Program Coordinator (Robert Clark) - Squad Tactical and Platoon Tactical Training - 1955 Litchfield Turnpike/West River Training Area, Woodbridge (9/18/23 – 9/18/24).
- Earth Tones, LLC, Adjunct Professor Naugatuck Valley Community College (Kyle Turoczi) – bring students to our properties for field work only. No collection of seed or plants, Morris Road, Bethany Rt. 69 and walk along the powerlines, (9/28/23 – 12/31/23).

Other items

- Encroachments/agreements –
  - West Haven, Shingle Hill tanks (WH 7) – Noted that Yale signed off on their conflict waiver with Murtha.
  - Hamden, Downs Rd. fields (HA 36) – Met with our licensee and NRCS staff at the field she uses. Corresponded to other tenant about mowing her field.
  - Hamden, High Rock tank (HA 22) – Sent courtesy email to Hamden Fire Chief that the license agreement for their equipment needed to be renewed.
  - Trespassing – Recorded instances of trespassing including hikers without permits, people with dogs, ATV’s, dirt bikes, dumping, and vandalism on a gate.
- Invasive plants – Treated or documented invasive plant populations in Orange, North Branford, Madison, and Hamden. Met with New Haven Parks staff to discuss cutting Ailanthus on RWA property abutting Edgerton Park. Attended CIPWG general meeting and steering committee meeting, and confirmed new proposed additions to the invasive species list.

Invasive Species Documented/ Mapped (ac)	70.5 acres
Invasive Species Treated (ac/MH)	2.4 acres

- Hamden, water main easement at Hamden Plaza – Spoke with Murtha about them drafting the letter that would go to the property owner at the Plaza with a cc: to Wood-n-Tap.
- Cheshire, proposed easement off of I-691 – Corresponded with DOT and DEEP staff about getting an easement for a water main between Peck Lane and Dickerman Rd.

- North Branford, former trolley line – Contacted UI real estate department to determine if they might grant an easement for a water main across their property which is the former trolley line.
- North Haven, Wharton Brook Industrial Park water main – Received notice from Amtrak that the license agreement for this water main expired in 2019. Filled out forms to renew the agreement.
- New Haven, 660 Howard Ave. – Discussed correspondence from the owner of the property claiming that he was owed money from us after we retired a pipe on the property in the mid-2000's. This used to be a railroad line with a bridge. The above ground portion of the pipe was removed by us about 2008. Amanda and Jenine did much research on this matter and Amanda was going to respond to the property owner.
- Hamden, Cumley Rd. ROW – GIS staff noticed a garage situated over a water main in a ROW. Research showed that there was a build there from at least 1934 while the main was installed about 1922. Discussed with other RWA staff about the best way to move forward.
- Deer hunt – Put out signs at various locations. Hunt started on October 27 and will conclude on November 30. By the end of the month, 10 deer had been harvested.
- Green burials – Responded to an inquiry from a customer about the potential for green burials on our property. Replied that I didn't think it was consistent with water supply protection.
- Bethany, proposed ordinance for burials on private property – Reviewed proposed ordinance from Bethany about allowing burials on private property. Environmental Planning issued a letter against the proposal, especially within a certain radius of our water bodies.
- East Haven, Rock Rd. SNET easement – Contacted Frontier about their abandoned equipment at Rock Rd. and possibility of releasing that easement.
- Hamden, Lake Whitney dam access – Contacted UI real estate department to resolve the issue of legal access to the parking lot and dam.
- Regional Conservation Partnership – Hosted a meeting of the RCP. The speaker talked about trap rock ridges and the first state geologist of CT.
- Branford, Hosley Ave. cleanup - Staff members participated in cleanup of trash along Hosley Ave.
- Drone flights – ISMT conducted two drone flights at the Derby tank for Engineering.

There were no other land items to report.

The committee reviewed and adopted its proposed 2024 calendar year meeting dates.

Authority meeting assignments were made for:

- November 16, 2023 – Mr. Eitzer
- December 21, 2023 – Mr. Malloy
- January 25, 2024 – Mr. Levine

The next meeting is on Wednesday, December 13, 2023 at 5:30 p.m.

At 6:20 p.m., the committee voted unanimously to adjourn the meeting.

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Peter Betkoski, Chairman

## Summary of Enabling Legislation Amendments

1. Section 2, page 3, allowing RWA to conduct its non-core business outside of Connecticut.
  - In May we asked Murtha Cullina whether the RWA could acquire a noncore business if the business has operations outside of the RWA service territory and if some or all of the operations of the business are located outside of Connecticut. Memo attached.
  - As you will see in the attached that while Murtha concluded that the Enabling Legislation does not establish geographic boundaries in which a business must be located in order for it to qualify as a noncore business, Murtha also noted that the absence of guidance as to geographical limits for noncore acquisitions also means that the Enabling Legislation's provisions may be interpreted differently – particularly when the noncore business to be acquired has minimal or no Connecticut nexus. The revisions to the Enable Legislation now proposed is simply designed to make it explicitly clear that there is no geographic limitations for the non-core business.
2. Section 4, page 5, setting the Authority shall meet at least quarterly with the RPB.
3. Section 4, Page 6 correction of typo (the word timber)
4. Section 5, page 7, increasing the Authority board to seven members, providing exclusions to appointment (see below), no less than 5 members shall be residents of the district.
5. Section 9, page 8, allowing the Authority to meet at least quarterly. Also, setting that four members of Authority are a quorum.
6. **Section 14, page 17, setting that interest rate can be applied to past due bills after the 28<sup>th</sup> day.**
7. Section 18, page 21, combining (c) with (b) moving paragraph (c). Section 18, page 25, first paragraph, adding a period after the word records.
8. Section 19, page 25, raising the question if the \$2 million threshold for RPB approval of capital project should be increased according to inflation as well as the non-core \$1 million threshold. Also comports section 19 to section 18 to exclude vacancies when calculating the total weighted votes of the RPB membership need to approve various items.
9. Section 21, page 26, raising the question if the word "improvements" should be defined to eliminate questions about the applicability of certain provisions.
10. Section 22, page 31, correcting the spelling of the word "all".
11. Section 30, page 35, question if the threshold for RPB approval of a project should be increased.
12. Special Act 03-12, page 40, correcting the word "affect" to "effect".

## New Proposed Amendments

13. Section 2, page 3, add "sustainable manufacturing support" to allowed non-core business activity

Additional Information:

The EPA defines Sustainable manufacturing as "the creation of manufactured products through economically-sound processes that minimize negative environmental impacts while conserving energy and natural resources."

The lab we are in discussion with provides analytical services critical to support sustainable manufacturing by enabling the lab's manufacturing clients to operate their processes at the highest level of efficiency. An optimized manufacturing process minimizes process waste generation, minimizes energy usage, and minimizes scrap product.

Further, an optimized manufacturing process results in the highest throughput at the lowest possible operating cost while minimizing process waste generation and scrap. CT Manufacturers can thus produce the highest quality product with a competitive, compliant operation.

14. Section 22 (b), page 27 remove "not exceeding forty years from their respective dates"

15. Section 22 (h), page 30 remove "any bonds issued by it at a price of not more than the principal amount thereof and accrued interest"

16. Section 4, page 4 and 5, RPB compensation – update to base compensation amount, change to every third vs. fifth year, and update referenced dates

17. Section 5, page 7, Authority board term limits (e.g., limit of 3 or 4 terms)

18. Section 5, page 7, consider including a CPI factor for Authority board member compensation, applicable every three years, subject to RPB approval

Regarding #4 above, exclusions to appointments, handle through the rules and regulations vs. the Enabling Legislation, consider including the Authority board Chair as a non-voting member of the nominating committee

**December 13 2023  
Land Use Committee Meeting**

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
November 30	86%	75%	66%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
November 2023	3.52	3.39	3.93
Fiscal YTD (6/1/23 – 11/30/23)	28.38	19.31	23.06

Land We Need for the Water We Use Program (Dispositions/Acquisitions)

- Cheshire – Corresponded with property owner of 50+/- acres.
- Cheshire – Corresponded with property owner of 20+/- acres.
- North Haven – Corresponded with property owner of 15+/- acres.
- Branford – Corresponded with property owner of 3+/- acres.
- Bethany – Corresponded with property owner of 60+/- acres.
- Hamden – Corresponded with property owner of 10+/- acres.
- North Branford, Beech St. and Poms La. properties (NB 4) – Reviewed draft of the P&SA.

Rental houses:

- Hamden, 233 Skiff St. (HA 9A) – Corresponded with Town Attorney. Said Asst. Town Attorney was having email problems. She forwarded his email stating he was checking with the court that week. I replied to him and he never responded.

Forestry Update

- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) – 75% complete.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – The harvest was halted in early June, and the logger pulled his equipment off the property on June 13th. It is uncertain at this point whether the buyer will continue with the salvage operation even if a market is found - 15% complete.
- Killingworth - N. Chestnut Hill Patch Cuts, (KI 6) – 100% complete. Equipment removed, but some firewood logs still at the landing.
- Guilford - Menunketuc High-Grade Rehabilitation Cut and Conifer Release (GU12/12A) – **Sales agreement signed with vendor. Harvest is expected to start in January 2024.**
  - Cut autumn olive in the Christmas trees plantation.
  - Reviewed the terms of a conservation easement and discussed said information to a procurement forester planning an operation on the Lally property in Killingworth (CE – 2-KI).
  - After conducting initial inquiries and introductions, worked with Bromage and the Junivers on future use of sugar bushes at the Saltonstall and Gaillard properties.
  - Coordinated Christmas tree donation at the Gaillard tree farm for the Pardee Seawall Park in New Haven.
  - Met with adjoining landowner and CAES researcher to select a white ash study area at Lake Gaillard field site.

Recreation

- Held tree identification walk at Genesee with 9 attendees.
- Cleared more trails at Sugarloaf, Genesee, Maltby Lakes, and Big Gulph.
- Met with Bethany Horsemen representative about adding a water bar to a trail.

- Authorized dock manufacturer to provide 3 sections of new dock.
- The one Water Wagon reservation was cancelled due to illness of RWA staff.

	November		October	
	2023	2022	2023	2022
Permit Holders	4,780	4,913	4,823	4,968

Special Activity Permits

- North Branford Land Conservation Trust (Mike Ferrucci and designess)—review of land to be purchased by North Branford Land Conservation Trust, (11/22/23).
- McLaren Engineering Group (Craig Plate) – Perform a routine and underwater inspection at Waite Street Bridge over Lake Whitney; contracted by CTDOT to perform the inspection; (11/30/2023).
- McLaren Engineering Group (Craig Plate) – perform a routine and underwater inspection at Davis Street Bridge over Lake Whitney, contracted by CTDOT to perform the inspection, (12/1/2023).

Other items

- Encroachments/agreements –
  - West Haven, Shingle Hill tanks (WH 7) – Signed off on our conflict waiver. Received new draft agreement from WH. Indicated that we were not interested in changing the timing to suit Yale’s desires.
  - Hamden, New Haven Country Club parking lot (HA 5) – Received updated appraisal and informed NHCC staff what the fee will be for the next 5 years.
  - North Branford, Great Hill Rd. field (NB 4) – Sent updated agreement to the Page’s to use this field. Also talked to them about what is and is not allowed to happen at the former Panko property that we have an easement on.
  - Hamden, High Rock tank (HA 22) – Received letter from Town to exercise their next 5-year extension for radio equipment.
  - Trespassing – Recorded instances of trespassing including people without permits, people with dogs, and ATV’s.
- Invasive plants – Treated or documented invasive plant populations in North Branford, West Haven, Orange, and East Haven.

Invasive Species Documented/ Mapped (ac)	140 acres
Invasive Species Treated (ac/MH)	8.3 acres

- Hamden, water main easement at Hamden Plaza – Hamden, water main easement at Hamden Plaza – Sent letter to owners of the Hamden Plaza and Wood-n-Tap.
- North Branford, former trolley line – Discussed idea with UI real estate department. They will be researching their deeds.
- Cheshire, proposed easement off of I-691 – DEEP staff rejected the concept of this easement. Notified Distribution staff.
- North Haven, Wharton Brook Industrial Park water main – Completed the forms and emailed to Amtrak staff.
- Hamden, Cumley Rd. ROW – Other RWA staff said the plan would be to cut and cap the main through this property and create a loop on the line to the north.
- New Haven, Rt. 80 PRV – Commented on proposed plans for new PRV on the Ross Woodward School grounds.

- Deer hunt – The hunt concluded on Nov. 30<sup>th</sup>. Final harvest tally for 2023 - 54, 21 does and 33 bucks. By property: Gaillard - 15 does, 24 bucks; Bethany - 1 doe, 7 bucks; Prospect - 5 does, 2 bucks; Seymour - 0 deer harvested.
- Hamden, Lake Whitney dam access – Received draft license agreement and reviewed.
- Branford, WPCA pump station (BR 11) – Sent email to Branford Town Engineer about the sewage pump station.
- New Haven, Yale Golf Course Reviewed plans for drainage changes related to the golf course work.
- Hamden, Olin Powder Farms property – Met with Six Lakes Coalition members to discuss our property interests in the area.
- Drone flights – Performed drone flight at the Derby tank.

#### Attachments

- November 3, 2023 - Two CT cities file lawsuits against chemical companies over PFAS contamination – NH Register
- November 11, 2023 - Bacteria levels up in some private CT wells following summer of extreme rain – CT Public
- November 17, 2023 - Scientists warn of growing invasive tick population in Connecticut – WTNH
- November 28, 2023 - Despite a dramatic decline in wild turkeys in parts of the US, numbers are stable in CT – NH Register
- November 23, 2023 - CT tree farms brace for holiday season — and race to keep up with the demand  
- NH Register
- November 25, 2023 - Environmental protection or 'NIMBY tool'? Inland wetlands agencies growing site of CT housing fights – NH Register
- November 2023 – NBLCT Earns ABC Grant Program Award

#### Upcoming Agenda Items

January 2024 -

## Two CT cities file lawsuits against chemical companies over PFAS contamination

Vincent Gabrielle, Staff writer – NH Register - Nov. 3, 2023

The chemicals, known as Per- and polyfluoroalkylalkylated substances, or PFAS, have been a growing concern in Connecticut and elsewhere in recent years due to the increased research into negative health effects. PFAS are found in numerous consumer products and increasingly detected in drinking water, air and fish.

As research around PFAS has increased and people have become more aware of negative health effects, companies producing them have come under fire. Danbury and New Haven are two communities among many across the country that have filed similar lawsuits.

“Danbury is filing a lawsuit so they can be in the mix to collect settlement money, or collect funds to retrofit their water supply system so that they don’t pass that cost on 100 percent to their constituents,” said Augie Ribeiro, CEO of Ventura Law in Danbury, the law firm representing the city.

New Haven and Danbury are targeting different, but sometimes overlapping companies, for damages. The New Haven lawsuit specifies some fairly prominent chemical companies including Dow, DuPont, and 3M.

Danbury’s lawsuit is more focused on fire suppression companies including several business units owned by Chubb, a multinational based in the United Kingdom.

Several major chemical and fire suppression companies including Arkema, Buckeye Fire Equipment, BSAF, Corteva, Clariant and Dynax are being sued by both cities. Johnson Controls, a multinational conglomerate owns several businesses targeted by the lawsuits including Tyco and Williams Fire.

Both cities are suing defense contractor Raytheon and consumer appliance company Carrier Global Corporation. In 2020, Raytheon merged with Farmington-based United Technologies, spinning off Carrier into a separate company.

Johnson Controls, Clariant 3M and DuPont were among the defendants that responded to inquiries from CT Insider, each offering similar statements.

“We have and will continue to deliver on our commitments – including remediating PFAS, investing in water treatment, and collaborating with communities,” wrote Grant Thompson, a spokesperson for the company, in an email. “3M also will continue to address PFAS litigation by defending itself in court or through negotiated resolutions, all as appropriate”

DuPont took the additional step of denying that they had ever manufactured PFAS or related chemicals.

“In 2019, DuPont de Nemours was established as a new multi-industrial specialty products company. DuPont de Nemours has never manufactured PFOA, PFOS or firefighting foam,” wrote Daniel Turner, a spokesperson for the company. “While we don’t comment on litigation matters, we believe this complaint is without merit, and we look forward to vigorously defending our record of safety, health and environmental stewardship.”

Ribeiro explained that these lawsuits were bubbling under the surface, gaining steam as several factors came to a head. As the science on PFAS became more clear, the Environmental Protection Agency began considering tightening reporting standards and drinking water limits for PFAS. This year they issued draft rules limiting six toxic PFAS chemicals to four parts per trillion, down from 70 parts per trillion earlier.

“Most of our cities are compliant with that (70 parts per trillion),” said Ribeiro. “The EPA will lower limits which means greater costs for cities like Danbury and others to retrofit their systems to provide the best quality drinking water.”

Ribeiro pointed to settlements from this summer where 3M agreed to pay \$10.3 billion to hundreds of plaintiff communities to settle a multi-district litigation trial. Time Magazine reported that this was the biggest ever settlement against a PFAS manufacturer but that it was unlikely to remain so. Another settlement from DuPont and its spinoff companies Chemours and Corteva agreed to pay out about \$1.8 billion dollars to another group of litigants.

Several deadlines are looming for cities to issue objections or claims on the settlements against 3M, DuPont and its spinoffs, Ribeiro said. “This settlement doesn’t end the litigation,” said Ribeiro, explaining that the 3M and DuPont settlements only applied to drinking water, not health injury claims or soil contamination. Those settlements also don’t apply to the other companies that have not settled.

The news comes as two class-action lawsuits accuse the two largest water suppliers in the state, Aquarion and Connecticut Water Co. of knowingly supplying water contaminated with PFAS to hundreds of thousands of residents in Connecticut.

Elizabeth Benton, spokesperson for the Attorney General, wrote to CT Insider in a statement that the office was actively monitoring the suits but could not comment on them specifically. “Connecticut is acting on multiple levels of government to test, remediate and evaluate all possible enforcement avenues to hold accountable those who created and contributed to this contamination,” Benton wrote.

## Bacteria levels up in some private CT wells following summer of extreme rain

by Michayla Savitt | Connecticut Public November 11, 2023

Torrential rains caused widespread problems across the region this summer, ruining crops, washing out roads and flooding homes. But there's another, often unnoticed, consequence of all that rainwater pouring onto the ground — private wells are getting contaminated.

A UConn extension testing program established in September 2022 saw more wells contaminated with coliform bacteria this summer, according to Mike Dietz, an extension educator, and director of the Connecticut Institute of Water Resources.

Half of the water samples at the lab were positive for total coliform this summer, up from 30% in months prior, Dietz said. It's a concern, because Connecticut's thousands of private wells are less regulated than city water.

"Any public water supplier is required to test that water frequently, and have to meet all the EPA Safe Drinking Water Act requirements," Dietz said. "Private well owners are only required to do that when the well goes in. The responsibility is on every person that owns that well."

Coliform itself isn't dangerous, but can indicate the presence of other bacteria from shallow groundwater leaking into residential wells, like E. coli, which negatively impacts health.

According to the state Department of Public Health, about one in four Connecticut residents rely on private wells. Currently, the EPA does not regulate private wells or provide recommended standards — and the state doesn't require Connecticut homeowners to test their wells annually. Because of this, testing doesn't happen enough.

Dietz said residents should test every one or two years, and the U.S. Environmental Protection Agency recommends testing if there is local flooding.

Wells with positive coliform samples are typically disinfected with bleach, a process which takes at least a week to complete. Then the lab tests the water again to ensure it's safe. Health experts recommend bottled water for drinking and cooking until the issue is corrected.

This newer testing program at UConn doesn't have a long-term record to compare data, Dietz said. The state DPH did not immediately respond to inquiries about how the rise in bacteria this year may have affected residents this year, or in past years with lots of rain.

As larger, more powerful storms are predicted to continue with climate change, excess rain poses more of a risk to water quality in rural areas.

"When we have a lot of rainfall — like we have this past summer — that excess rain gets down into the shallow groundwater, and can change the way that shallow groundwater moves and gets into the well itself," Dietz said.

He added that his team is looking to continue the grant-funded program to expand the contaminants they can test for, and continue offering testing to residents at a low cost.

Information on certified labs and water testing is published online through local and state health departments.

## **Scientists warn of growing invasive tick population in Connecticut**

by: Vanessa Blasi, Kent Pierce - WTNH - Nov 17, 2023

NEW HAVEN, Conn. (WTNH) — Scientists are sounding the alarm about the growing population of Asian Longhorned Ticks, an invasive species on the rise in Connecticut.

According to scientists, these ticks are relatively new to the U.S., yet their population has quickly grown in Connecticut. Scientists said that when they go out to collect them, they often find hundreds in just minutes.

One reason for that is that every tick can reproduce by itself.

“In other words, all the ticks that we have are females,” explained Dr. Goudarz Molaei, the Chief Scientist of the CT Tick Surveillance Program. “Females are capable of laying all these eggs up to 3,000.”

If one tick can have 3,000 offspring, and they are all females and each of those has 3,000 more, that’s 9 million ticks. If each of those 9 million lays 3,000 eggs, that’s 27 billion. By just the fifth generation, we’ve gone from one tick to 81 trillion.

The Asian Longhorned Tick also likes to feed a little on one host and then move on to another, spreading diseases among hosts.

“It is involved in the transmission of up to 30 viral, bacterial and parasitic diseases,” Dr. Molaei said.

The tick often carries human diseases like the Hartland Virus, which is very dangerous to cattle and another disease that attacks man’s best friend.

“We now know that it is involved in transmission of a major parasitic disease to dogs to canines,” Dr. Molaei said.

Although many people believed that ticks were a summer problem, Dr. Molaei said there is no such thing as a tick season anymore, due to the lingering warmer weather.

“These are all the ticks that we have received today,” Molaei said, holding up several envelopes.

## Despite a dramatic decline in wild turkeys in parts of the US, numbers are stable in CT

Jesse Leavenworth, Staff Writer – NH Register - Nov. 28, 2023

Wild turkeys — seen bobbing across roads, yards, and woodlands from Norfolk to New London — have declined dramatically in parts of the United States, but biologists in Connecticut say there's no reason for alarm, yet.

Turkey experts in the state and region, however, "are paying attention and gathering information," state Department of Energy and Environmental Protection spokesperson Paul Copleman said Monday.

"Overall, a trendline indicates slight growth since 2007, so in that regard, we do not necessarily fit with an assessment of something being 'clearly amiss' per the Post article," Copleman said, referring to a recent story in The Washington Post.

The nation's turkey population may have decreased by about 1 million, or nearly 15 percent, between 2004 and 2014, with much of that decline in parts of the South and Midwest, the newspaper reported. Between 2014 and 2019, turkey numbers dipped another 3 percent, though there are gaps in the data, the Post reported.

Possible causes, according to news reports, include habitat loss, climate change, increased predation, hunting, and disease. Wildlife experts in the state and region, Copleman said, are looking at issues such as the impact of cold, wet spring seasons on poult survivorship, along with predation and Lymphoproliferative disease, a virus widespread throughout New England with varying percentages of infection by state (Connecticut does not have a percentage estimate). The overall impact on the the region's flocks is not obvious at this point, Copleman said.

Wild turkeys were wiped out in Connecticut by the early 1800s. The last written report of a harvest was in 1813. Successful restoration began in 1975 with the release of 22 birds from New York state. The Connecticut population has been robust enough to support a spring hunting season since 1981 and a fall season since 1983 (archery) and 1990 (firearms).

"With turkeys reported in all 169 towns, we take these statistics to represent a successful reintroduction," Copleman said.

Three poults per hen indicates a stable population, and last year, 3.87 poults per hen were recorded under a new calculation that jibes with the method used by the National Wild Turkey Federation, state wildlife biologist Will Cassidy said. The federation describes itself as a nonprofit organization working to preserve wild turkeys and the nation's hunting heritage.

Turkeys harvested by hunters offer another indication of population health. In 2021, hunters took 1,247 wild turkeys in the spring, 67 in the fall archery season, and 44 in the fall firearms season. Last year, the harvest tally was 1,139 birds in the spring, 82 in the fall archery season, and 69 in fall firearms. This spring, hunters took 1,279 turkeys.

Connecticut has a five-turkey bag limit in the spring, which is high compared with other states, Will Pomeroy, Connecticut chapter president of the Wild Turkey Federation, said. He noted an increase in non-resident hunters, particularly the popularity of a hunting challenge called the U.S. Super Slam, in which a hunter must bag and register a turkey from the 49 states with turkey hunting seasons (all but Alaska).

"It's going to be interesting to see how Connecticut does with that bag limit as high as it is," Pomeroy said.

Turkeys were reintroduced in New England states later than in other states, so a decline may come to the region later, or it may not. Habitat management is key to turkey survival, Pomeroy said. Young birds need both thick cover and "early successional habitat," such as meadow lands, while adult birds need mature forests for roosting. The state of Connecticut, Pomeroy said, "does an excellent job with habitat management," but private landowners have to be incentivized to do their part.

The birds' breeding season starts in late March and early April, when toms begin gobbling and displaying for hens, which lay eight to 14 eggs at the rate of about one egg per day. The eggs are incubated for 28 days, beginning when the final one is laid. Once hatched, the poults remain with the hen throughout summer, fall, and winter.

Wild turkeys are among many bird species, including many common species, that have plummeted in the U.S. and Canada. About 3 billion birds have been lost across North America over the last 50 years, a decline of about one-third, according to a 2019 study. Climate change, habitat loss, and predation, including by cats, are possible causes.

## CT tree farms brace for holiday season — and race to keep up with the demand

Alexander Soule, Staff Writer – NH Register - Nov. 23, 2023

As Christmas tree farms in Connecticut and the Northeast gear up for the post-Thanksgiving rush, prices this year appear to be in line with overall inflation — even as farms aim for better inventories after a boom in pandemic sales and continuing weather shocks.

While Christmas tree retailers and nurseries are already selling trees, most of the state's "cut-your-own" farms kick off the season Friday morning, staying open until dark on Black Friday weekend, the first of the two busiest for tree sales.

In a review of dozens of Christmas tree farms that have posted their prices, many are offering flat prices of anywhere from \$45 to \$80 for available inventory, with any taller "cathedral" trees in stock costing more. A few farms charge by the foot, at \$9 or \$10.

In Warren, Angevine Farm took reservations for a third year running on its available trees, which carry a flat rate of \$70 including taxes. The 2023 inventory sold out in advance of Thanksgiving.

"Inventory has been an issue across the nation," said co-owner Lisa Angevine-Bergs, who does double-duty as executive director of the Connecticut Christmas Tree Growers Association based in Torrington. "There's no shortage of trees. ... Where the shortage is, is taller trees."

Given normal weather, Christmas trees average about a foot of growth annually. But stocks were hit hard by the double whammy of the 2016 drought and the 2020 pandemic, that spurred some homeowners to splurge on extra trees or taller ones.

Bergs noted that the punishing weather patterns have continued to take a toll on tree stocks in Connecticut, including last year's dry spell and heavy rains this year that waterlogged the roots of younger trees in lower-lying areas. Add it all up, and Bergs estimated that prices are up this year anywhere from \$5 to \$10 on average.

"That tree might have been the third tree in that little plug," Bergs said. "If they are well established — say four or five or six years old — their root system is deeper so they can reach water. But a younger tree has shallow roots, and once that shallow ground dries out, they're done."

The number of Connecticut farms have dwindled over the past 25 years, Bergs noted, with imports from Canada helping fill the gap. Stew Leonard's expects to sell 50,000 trees this year across its seven Northeast stores, which would equate to more than 21,000 trees across its stores in Norwalk, Danbury and Newington.

The chain has used the same Quebec farms for 40 years, with the province having nearly 260 farms in all as of 2021 with more than 19,000 acres cultivated for trees according to Statistics Canada. Plantations Real Beloin, one of the major Quebec farms located just over the Vermont and New Hampshire line, says its trailers typically carry about 750 trees in each load headed south, with the company also offering refrigerated shipments with 500 trees per truckload.

This year's Canadian wildfires did not affect available inventories, but higher labor costs are adding about \$5 to what the company is paying, according to Stew Leonard's spokesperson Meghan Bell. "We're in good shape — we buy so far ahead," Bell said Wednesday. "As soon as the turkey gets cleared off the table (Thursday), we're in full-on tree mode."

National Christmas Tree Association surveys suggest that 31 percent of Americans who purchase natural trees cut their own at farms. Stores account for about 19 percent of U.S. sales, with nurseries getting about 16 percent of the market and retail lots 15 percent.

Churches, youth groups and other nonprofits generate about 8 percent of sales, slightly ahead of online purchases of live Christmas trees whether delivered from specialists like A Tree to Your Door or Christmas Trees in the Mail, or via retail giants like Home Depot, Lowe's and Walmart.

Bergs said many continue to gravitate to farms to enjoy hot chocolate and cider, and peruse other holiday greens and gifts. At Angevine Farm each year, people come from as far away as New Jersey, making it one of the big events of the season on the family calendar.

"People don't necessarily mind the crowds — social media has gotten so big that it's like, 'Here I am!'" Bergs said. "They stay overnight, they'll go into Litchfield. It's a destination — it's great for the whole community, really."

At Dolan's Christmas Tree Farm in Clinton which sells less than 150 trees a year, some people come across from Long Island for the experience, according to co-owners David and Pam Kadamus. The farm is charging a flat \$50 for its available inventory, with the couple planning to save one for themselves from whatever is left in this year's stock.

"It's all about just meeting people and connecting and having fun," Pam Kadamus said. "It's a great tradition."

## **Environmental protection or 'NIMBY tool'? Inland wetlands agencies growing site of CT housing fights**

Alex Putterman – NH Register - Nov. 25, 2023

What happens when the need for affordable housing in an increasingly expensive state clashes with environmental concerns heightened by the arrival of climate change?

Local inland wetlands commission meetings get a lot more interesting.

Under Connecticut law, towns must regulate development affecting inland wetlands and watercourses, which they do through local agencies whose specific names and processes vary from place to place. And in one community after another, these agencies have been the sites of bitter housing debates, often derailing developments before they can even reach local zoning boards.

This spring, New Canaan officials rejected a proposal for 93 units of new housing, 28 of which would have been affordable, in part due to a finding from the local Inland Wetlands Commission that the development would have an "adverse impact on wetlands and watercourses on the site." Months later in nearby Ridgefield, the Inland Wetlands Board denied a proposed development of townhomes and apartments over worries about nearby wetlands.

Similarly, Middletown's Inland Wetlands & Watercourses Agency rejected a proposed housing development in September due to concerns including its proximity to wetlands.

In Fairfield, meanwhile, a proposal for new housing was temporarily held up over questions about drainage design and wetlands protection before ultimately being allowed to proceed. In Simsbury, the Inland and Wetlands Commission approved a plan for 64 units of new housing, only for a resident to sue the agency, claiming the development would damage the surrounding wetlands and watercourses.

While environmentalists consider these processes essential, particularly as climate change brings more rain and increased flooding, housing advocates and developers sometimes regard them with suspicion. At a time when local communities have often resisted calls to build more affordable housing, advocates wonder, are environmental concerns earnest and well-meaning? Or are they just another excuse to block construction?

"We all want to protect our environment," said Erin Boggs, executive director of the non-profit Open Communities Alliance, which advocates for affordable housing. "And we really don't want to see our important environmental laws abused."

'A NIMBY tool'?

Denise Savageau has spent more than 35 years as an environmental planner, including two decades as conservation director in Greenwich, and views wetlands protection as essential for Connecticut communities. She has testified at the state Capitol against certain affordable housing proposals in part out of concern over potential environmental impacts.

Still, she acknowledges she'll sometimes hear from residents whose apparent fears about wetlands or water supply seem to have ulterior motives.

"I tell them outright, 'No, you're just trying to stop this. There's no wetland concern,'" Savageau said. "Can [the process] be abused? It absolutely can."

While Savageau says this is rare, some housing advocates aren't so sure. They suspect people who simply don't want affordable housing in their communities often reach for environmental concerns as an excuse to block development.

Boggs says some communities seem to hold affordable housing to higher standards than other forms of development, using environmental regulations as a "NIMBY tool" (referring to the popular acronym for "not in my backyard").

"There are people who are opposed to affordable housing, who are trying to use our environmental laws as a tool to keep out much-needed housing at various levels of affordability," Boggs said. "It's really dangerous."

In recent years, Connecticut has faced a growing housing crisis, with fewer units available than ever before and prices soaring in part as a result. To address the problem, advocates say, communities must be willing to allow affordable multi-family housing, maybe even public housing, in places it doesn't currently exist.

New development, however, has often been a hard sell for towns looking to preserve property values and local character. According to one recent report from the Office of Legislative Research, 93 of the state's 169 towns have less than 5 percent affordable housing, as defined by the state.

At a recent housing roundtable in front of state lawmakers, one developer complained that small minorities of residents can deter needed housing through pressure on local officials.

"Even once you get in the ground, towns have a way of using their political and their local sort-of authority to drag a project through, to take too long to get it done," said Thomas Haynes, president of the Seymour-based Haynes Group. "Everybody wants housing, but nobody wants that housing."

Pete Harrison, director of Desegregate Connecticut, said the advocacy group is currently working with Yale students to track instances where affordable housing proposals have been derailed by inland wetland agencies.

"We're hoping to have some data relatively soon, but my instinct is it is a bigger problem as more pressure for development is hitting parts of the state," he said.

Do the environmentalists sometimes have a point? Harrison acknowledges that some development efforts fail to account for genuine environmental concerns. But he says the type of construction Desegregate Connecticut supports — high-density, connected to transportation — don't have to threaten wetlands or other types of open space.

Boggs, similarly, said she doesn't see housing and the environment as opposing forces. In fact, she notes, high-density development popular among housing advocates is typically more eco-friendly than low-density suburban or rural development full of large, single-family lots.

"Denser housing that is likely to be more affordable is better for the environment," Boggs said. "Single-family homes spread out on large lots, especially next to golf courses? Not so good for the environment.

"So I think if we do housing creation correctly, we will have a Connecticut that is more environmentally sound."

'Fundamental environmental regulations'

To some environmental advocates and local officials, there's nothing questionable at all about what's happening at inland wetlands agencies.

"I think this is a manufactured controversy, honestly," said Francis Pickering, executive director of the Western Council of Governments, which includes much of Fairfield County. "Wetlands protections are fundamental environmental regulations, and Connecticut has the laxest wetlands standards of any state in New England."

Under Pickering's leadership, WestCOG has released several reports analyzing wetlands regulations, often concluding that the state should do more to protect local environments from development. Asked whether towns sometimes use wetland protection as an excuse to block unwanted housing, Pickering said he hasn't seen it.

"It's very easy to insinuate that somebody has an ulterior motive. That's a cheap shot," Pickering said. "They haven't proven this. No evidence has been presented to show these regulations are being used this way."

Betsy Gara, executive director of the Connecticut Council of Small Towns, said she also hasn't come across any instances in which inland wetland commissions abused their narrow authority to consider wetland impacts of proposed development.

In her view, the process has worked the way it's supposed to.

"The inland and wetland commissions seem to be staying in their lane," Gara said. "They understand that they can only act within the scope of their purview, which is a good thing."

The benefits of wetlands, and the importance of maintaining them, are largely beyond dispute. They're a natural habitat for local wildlife. They offer a buffer against floods. They intercept run-off, resulting in cleaner drinking water.

Construction on wetlands, meanwhile, can have negative results not only for the environment there but also for the developments themselves, which risk cracked foundations and flooded basements. As climate change brings more rain and more floods, environmentalists say, these concerns become even more pressing.

Savageau, the long-time environmental planner, says her opposition to affordable housing on wetlands includes an environmental justice component: Concentrating low-income residents on flood plains leaves them most vulnerable when storms hit.

As Savageau sees it, affordable housing is necessary but shouldn't come at environment costs.

"How do we do make sure we're not just doing housing to put housing out there, but how are we making sure that we're meeting environmental justice goals?" she said. "How are we making sure that we're doing it sustainably so that we have a resilient Connecticut?"

'It's not a trade-off'

If it were up to Pickering, Connecticut would significantly tighten regulations around developing on or near wetlands, increasing the minimum distance new development must be set back from surface water and creating a larger role for environmental scientists in local decision-making.

Boggs says she'd also like to see more state involvement in the inland wetlands process but from a different perspective: She'd like the state to monitor decisions by local commissions to make sure the agencies are not abusing their authority.

Harrison envisions a system in which an inland wetlands agency approves certain areas of a town or region for development preemptively, as opposed to making case-by-case decisions on specific proposed developments. This, he says, would prevent towns from blocking proposed developments under the guise of environmental concern.

Despite these and other differences, the housing advocates say they value the environment, while the environmentalists say they don't object to affordable housing categorically. The question becomes, is there room for common ground?

Harrison and Savageau say there is. Ostensibly on different sides of the issue, the two recently appeared on a panel together and have since spoken further about how to reconcile environmental concerns with the need for housing.

Both say they have found more agreement than they expected.

"It's not a trade-off between affordability or sustainability," Harrison said. "Both of those are achievable."



## NBLCT Earns ABC Grant Program Award

The North Branford Land Conservation Trust (NBLCT) was awarded a \$5,000 grant from the Athletic Brewing Company's 2023 Two for the Trails Grant Program.

The Athletic Brewing Co, located in Milford, CT is dedicated to crafting delicious non-alcoholic beer. Since 2018, they have donated over 3 million dollars protecting the outdoor places we love.

These grant funds will be used to make a portion of the parking lot and trail at our soon to be acquired Beech and Poms properties ADA-compliant. It will be North Branford's first ADA trail.

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