

**Representative Policy Board  
Land Use Committee  
South Central Connecticut Regional Water District  
Lake Saltonstall, 100 Hosley Avenue, Branford  
(Meet at the Fish Shack)**

---

**AGENDA**

**Regular Meeting of Wednesday, October 14, 2020 at 4:30 p.m.**

1. Safety Moment
2. Approval of Minutes – September 9, 2020 meeting
3. Special Topic – Recreation Update
4. Consider and act on recommendation to the Representative Policy Board re: Completeness and mode of the Authority’s Application for a Non-substantial Amendment to the Land Use Plan to Modify the Current Procedure for Future Renewable Economic Resource Projects
5. Updates on land and RWA properties, including invasive species update
6. Other land items
7. Next Regular Meeting: Wednesday, November 18, 2020 at 5:30 p.m.
8. Adjourn

**\*\*** In order to comply with social distancing and stop the spread of COVID-19, the South Central Connecticut Regional Water Authority is requiring attendees to remain outdoors, keep a 6’ distance and wear masks or face coverings. Driving together to the meeting is not encouraged.

In the event of rain, the meeting will be held remotely. For information on attending the meeting, via remote access and to view meeting documents, please visit <https://www.rwater.com/about-us/our-boards/board-meetings-minutes?year=2020&category=1435&meettype=&page=>. For questions, contact the board office at [jslubowski@rwater.com](mailto:jslubowski@rwater.com) or call 203-401-2515.

**IN THE EVENT OF RAIN ONLY THE MEETING WILL BE HELD VIA CONFERENCE CALL:**

**Topic: RPB Land Use Committee Meeting**

Time: Oct 14, 2020 04:30 PM Eastern Time (US and Canada)

Join Meeting (*via conference call*)

Dial by your location

+1 312 626 6799 US (Chicago)

+1 646 876 9923 US (New York)

+1 301 715 8592 US (Germantown)

+1 408 638 0968 US (San Jose)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 874 5510 7490

Passcode: 535301

Find your local number: <https://us02web.zoom.us/j/87455107490>

# SAFETY MOMENT

## AUTUMN SAFETY



**CHECK  
SMOKE  
DETECTORS**

ONCE PER MONTH TO  
ENSURE THEY WORK



**KEEP ALL FALL  
DECORATIONS**

AWAY FROM LIT CANDLES  
& ALL OPEN FLAMES

**CLEAN AND  
INSPECT**

YOUR CHIMNEY ON A  
REGULAR BASIS



**DON'T  
OVERLOAD  
OUTLETS**

WITH TOO MANY  
PLUG-IN  
DECORATIONS



**Tap Into  
Safety**



Regional Water Authority

Service – Teamwork – Accountability – Respect – Safety

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

 Regional Water Authority

**UNAPPROVED DRAFT**

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

**Minutes of September 9, 2020 Meeting**

A regular meeting of the Land Use Committee of the Representative Policy Board of the South Central Connecticut Regional Water District (“RWA”) took place on Wednesday, September 9, 2020 at the Lake Whitney Water Treatment Plant, 900 Whitney Avenue, Hamden, Connecticut. Chair Betkoski presided.

Present: Committee Members: P. Betkoski, P. DeSantis, B. Eitzer, R. Harvey, M. Horbal, M. Levine, G. Malloy, J. Oslander and J. Mowat Young

Authority: D. Borowy

Management: T. Norris, J. Tracy, J. Triana, and A. Velasquez

Resident Bee Keeper: V. Kay

RPB Staff: J. Slubowski

Chair Betkoski called the meeting to order at 4:30 p.m. He reviewed the Safety Moment distributed to members.

On motion made by Mr. Malloy, seconded by Mr. Harvey, and unanimously carried the Committee approved the minutes of its August 12, 2020 meeting.

Mr. Kay, RWA’s resident bee keeper, provided a discussion on the care and maintenance of bees and beehives and their contribution to the environment. He also reported that he currently manages 500 hives located in in Bethany, Woodbridge and Madison, a quarter of which are located on RWA property. Four of the hives that were onsite at the meeting harvested 400 lbs. of honey. Committee members toured the hives at the end of the meeting.

At 4:40 p.m., Mr. Levine entered the meeting.

Mr. Norris, the RWA’s Vice President of Asset Management, and Ms. Velasquez, RWA’s Environmental Compliance and Sustainability Lead, provided an update on modifications to the Procedure for Future Renewable Economic Resource Projects (“Project”). Mr. Norris stated that revisions were necessary to provide for clarity, as well as include language for de minimis projects on parcels less than ½ an acre or on rooftops, which would no longer require RPB approval. Ms. Velasquez reported that the process was first developed in 2011 and included an initial meeting between management, town officials, and the RPB representative of the designated town. Mr. Norris reported that such meetings, where the LUC was hearing about the project for the first time, presented potential ex parte communication issues and is one reason that the current procedure needed to be revised. As such, under the revised procedure management would first meet with the Land Use Committee for its concurrence on a Project. If the LUC concurred with the project, management would proceed with town official meetings.

Ms. Norris stated that the following modifications are proposed to be made in the revised procedure:

- Name Change
- Added a de minimis category
- Presentation to Land Use Committee prior to meeting with town officials
- Language for roadblocks
- Clarifications of management’s process

After discussion, it was the consensus of the committee to authorize management to move forward with the changes as presented. Next steps will include a presentation to the Authority at its September meeting.

Update on *The Land We Need for the Water We Use Program* – J. Triana reported:

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
August 31, 2020	75	87	74	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
August 2020	2.84	4.03	3.98
Fiscal YTD (6/1/20 – 8/31/20)	8.44	12.73	11.40

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

Hamden/Bethany, DePodesta and Hendrickson properties – Sent conservation easements for the Hendrickson property to both towns to be filed on the land records. Forwarded the Certificate of Title for the DePodesta property to DEEP. Responded to several questions they had.

Branford, Todd’s Hill Rd development – Attorney for developer informed us that the owner will be donating the open space land to the Branford Land Trust.

Rental houses:

- Seymour, 59 Rimmon Rd. (SE 11) – Met buyers with their mortgage inspector to check out the house.
- Hamden, 95 Ives St. (HA 13) and 233 Skiff St. (HA 9A) – Submitted application for lot split at Skiff St. Hamden Engineer had comments on the application.
- Orange, 499 Derby Ave. – Reviewed plans to convert the garage to a larger living space. We rejected the proposal.
- Madison, 760 Summer Hill Rd. – Spoke to owner about new shed that was on the property.

Forestry Update

- Guilford – West of Sugar Loaf ash salvage (GU 4) – 40% complete
- North Branford - Beech Street Softwood (NB 4) – 85% complete
- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) - Contract not yet awarded.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – Not started yet
- Bethany – East of Lake Bethany hardwood (BE 18) – 70% complete.
  - Marked timber harvests in two different areas; Seymour and Madison.
  - Coordinated with Connecticut Agricultural Experiment Station (CAES) to delineate and mark slash wall harvests and plots to monitor regeneration.
  - Worked with CAES to mark their current silvicultural experiment plots at Nathan’s Pond (a 30+ year study).
  - Interviewed by multiple news crews about the storm damage (wind/salt) of tropical storm Isaias.

Recreation

- Recreation permit holders – 5,615.
- Bill insert ended on August 21.
- Boating continued at Lake Saltonstall with only one refusal to wear a mask due to religious objections.
- Held first walk since COVID period started. Nine people attended botany walk at Dudley Pond on August 15<sup>th</sup>.
- Had repeated problems with people vandalizing the lock and gate at Maltby Lakes.
- Spent much time cutting and removing trees from a tropical storm on August 4<sup>th</sup> and a tornado on August 27<sup>th</sup>.
- Reblazed white trails at Pine Hill.

Special Activity Permits

- Milford Police Department (Lieutenant Luke Holder and designees) – Police dive training, Maltby Lakes, (8/17/20)
- C. Thomas Paul – (Permit renewal) Conduct research on American Indian and pre-Columbian culture as related to the Hammonasset Line - Killingworth, Madison and Guilford (6/26/2020-6/26/201).

**REVISION:** A professor from the University of Washington may come to RI and CT on September 4<sup>th</sup> – September 11<sup>th</sup>, Dr. Jim Feathers who has an Optically Simulated Luminescence lab at the school. The test is to determine how long a rock or soil has been out of the sun light. A stone sample is taken 1” in OD about an inch down. A soil sample is taken a few inches down, about 7 oz. in size. The sample or samples (1 or 2 samples) will be taken on the Hammonasset Line in Madison.

Other items

- Encroachments/agreements –
  - Agricultural fields – Executed license agreement with Urbano for use of the Sperry Rd. field for Christmas trees. Tanev supplied his certificate of insurance to hay the fields in Prospect, Bethany, and Woodbridge. Discussed other fields with three potential farmers.
  - Hamden, Skiff St. – Sent draft agreement to neighbor to potentially park his employees’ vehicles at the house.
  - North Haven, Davis Rd. (NO 9A) – Issued letter to abutter about pet grave on our property.
- Invasive plants – Contractor completed harvesting water chestnut in Furnace Pond. Established second hardware cloth plot for Japanese knotweed in the West River area. Collected more data on herbicide plots in Prospect. Treated invasives in Bethany and East Haven. Conducted drone flights at Furnace Pond and Lake Menunketuc.

Invasive Species Documented/ Mapped (ac)	~1.5 acres
Invasive Species Treated (ac/MH)	~5 acres

- Deer hunt – Check station volunteers were selected and contacted.
- Durham, Vasel driveway easement – Corresponded with Vasel’s attorney about settling the matter of the driveway easement.
- Land Use Plan – Worked with Communications staff to post the Land Use Plan amendments online with the full plan.

There were no other land items to report.

Assignments were made for the next quarter Authority meetings.

The next regular meeting of the committee is Wednesday, October 14, 2020 at 4:30 p.m.

At 5:19 p.m., the meeting adjourned.

---

Peter Betkoski, Chairman

**South Central Connecticut Regional Water Authority**

90 Sargent Drive, New Haven, Connecticut 06511-5966 203-562-4020

<http://www.rwater.com>

Date: September 17, 2020

To: Members of the Representative Policy Board  
South Central Connecticut Regional Water Authority

Subject: Land Use Plan Amendment – Modification of the Current Procedure for Future Renewable  
Economic Resource Projects

Ladies and Gentlemen:

The South Central Connecticut Regional Water Authority requests that the Representative Policy Board (“RPB”) accept the following enclosed document as complete:

Application for a non-substantial amendment to the Land Use Plan to Modify the Current  
Procedure for Future Renewable Economic Resource Projects

Based on our conclusion that the proposed Land Use Plan amendment is in support of the goals of the South Central Connecticut Regional Water Authority and is in the public interest, we are further requesting that the RPB approve this action.

Any questions regarding this Application may be directed to Ted Norris, Vice President Asset Management or Amy Velasquez, Environmental Compliance and Sustainability Lead.

Sincerely,

South Central Connecticut Regional Water Authority

Anthony DiSalvo, Chair  
David Borowy  
Joseph A. Cermola  
Kevin J. Curseaden  
Suzanne C. Sack

Enclosures



# Request for Approval of Land Use Plan Amendment

## Modification of the Current Procedure for Future Renewable Economic Resource Projects

### Application to the Representative Policy Board From the Regional Water Authority

September 2020

---

#### Application for an Amendment to Land Use Plan

The Regional Water Authority (Authority) requests that the Representative Policy Board (RPB) approve the Land Use Plan amendment (LUP) described in this application, in accordance with the provisions of Connecticut State Act No. 77-98, as amended. This application and its annexed materials meet the requirements set forth in Connecticut State Act No. 77-98, as amended, and the Rules of Practice of the RPB. The format below follows that of a typical Land Use Plan Amendment application. This application seeks to modify a procedure found in the Land Use Plan and therefore some sub-sections below have been noted as 'not applicable' (N/A).

The proposed LUP was discussed with the Land Use Committee (LUC) on September 9, 2020 who gave their consensus to proceed. The documents provided to the LUC and meeting minutes are included as Appendix A.

I. Proposed Amendment

A. Type of Amendment

In April 2011 the RWA Management (Management) applied for a LUP amendment that would allow for the development of renewable economic resources on Authority land, subject to regulatory approval at the federal, state and local levels as required. This application was denied by the RPB due to concerns that it provided blanket approval for all renewable projects, which cost less than \$2 million, did not provide for public participation, and could allow for the clearing of large areas of RWAs forest land. As a result of the denial, Management and the LUC of the RPB collaboratively created a procedure for approving new renewable energy projects on RWA Land. That procedure, known as the Procedure for Future Renewable Economic Resource Projects (Procedure) was incorporated as Appendix D of the LUP updated in 2016 and is included as Appendix B in this application as written and schematic descriptions. Appendix C in this application provides written and schematic descriptions of the proposed procedure.

This application seeks to modify the current procedure as discussed below. Because there will be no impact to the public water supply, this amendment is being submitted as a non-substantial amendment.

B. Location

N/A

C. Objectives of, and Need for, the Amendment

- 1) Rename the Procedure, the “Procedure for Future Renewable Energy Resource Projects” to make it clear this procedure is only intended for renewable energy projects as the current procedure does not specifically reference renewable energy. A definition of renewable energy has also been added.
- 2) Add a “de minimis” category that excludes specific small solar projects from the Procedure. The current procedure is overly burdensome for small solar energy projects.
- 3) Revise the existing Procedure to provide clarity, and avoid redundancy and delays. Meeting with town officials prior to applying for town permits, as the current procedure requires, is redundant as meetings with town boards are necessary to obtain local approvals. As currently written, the Procedure provides no time for obtaining state and local approvals or direction if obstacles are encountered. The modified Procedure allows an off ramp for, and faster approval of, de minimis projects and provides direction if obstacles are encountered.
- 4) Add provisions to avoid *ex parte* communication as communications with RPB members outside the legislated approval process risks raising questions about the legality of the application.

D. Watershed Classification of Affected Areas

N/A

E. Land Use Plan Classification

N/A

F. Description of Proposed Amendment

The purpose of the proposed amendment is to revise the current Procedure for Future Renewable Economic Resource Projects. The new Procedure (Appendix C) will rename the procedure and define renewable energy, simplify the Procedure, provide clarity, avoid redundant approvals, and provide a de minimis category for small solar projects, for example, roof-top solar panels. The current Procedure does not reference or define renewable energy, does not include an exemption for small renewable energy projects, requires a meeting between Management, RPB members and host town officials and requires Management to make a second presentation to the Authority following the meeting with host town officials. The revised procedure includes a “de minimis” category that exempts small solar projects that meet specific criteria from needing a LUP amendment, and replaces the host town meeting with a LUC meeting with the host town RPB member invited. The proposed revisions to the current Procedure are summarized below:

DESCRIPTION OF PROPOSED CHANGES BETWEEN THE 2011 PROCEDURE AND PROPOSED PROCEDURE:

1. The current Procedure refers to future renewable economic resource projects. This reference is not readily identifiable as renewable energy projects. As such, the Procedure’s title is proposed to be changed to “Procedure for Future Renewable Energy Resource Projects”. A definition of renewable energy is being added to the new procedure so it is clear what types of renewable energy projects are allowed. The definition is based on energy sources associated with noncore business as defined in RWA’s enabling legislation (Class I and III energy sources as defined by the Connecticut General Statutes, excluding wind sources in the district).

2. The current Procedure is to present the project to the Authority for approval and authorization to prepare a LUP amendment. The proposed procedure is the same with an added exemption for Authority or RPB approvals if it is a de minimis project. To meet the definition of de minimis a project must be for a solar array located on a rooftop or be a ground mount solar array with a total array footprint of 0.5 acres or less; and be located on a RWA property with the use designation of “Water Supply Facility” in the RWA Land Use Plan. The solar array size was chosen based on United Illuminating’s (UI) and Eversource’s requirements for the medium and small zero emissions renewable energy credit (ZREC) program, 250 kW or less. The maximum kW is equivalent to 0.5 acres. By choosing 250 kW, Management has the option of participating in the medium or small ZREC program, which have separate funding amounts, payment types and approval processes.

The purpose of this change is to provide a procedure for relatively small projects to proceed without requiring approvals by the Boards. The addition of the de minimis category will allow RWA to pursue smaller solar projects that would previously have been too costly and time consuming compared to the energy savings achieved. The return on investment was insufficient for these projects to be pursued.

3. The current Procedure requires a meeting between Management, RPB members and host town officials. When the Procedure was created in 2011, solar energy projects were relatively new and unfamiliar. This is no longer the case as solar arrays are commonplace throughout Connecticut. The meeting with the host town officials, RPB members and Management causes additional delay of the process while adding an un-needed layer of redundancy. In most cases, local approvals are already required for these projects, and requiring a formal pre-approval process adds time and expense without guaranteeing a favorable outcome when the application is filed. Staff can also provide regular updates to the host town RPB member.

The proposed procedure replaces the host town meeting with a presentation of the project at the regular monthly LUC meeting, with an invitation to the host town RPB member. This provision still allows RPB members to provide input prior to staff moving forward with obtaining approval from state and local regulatory agencies without delaying the process and, provides the LUC with an opportunity to give consensus for the project to proceed or stop.

4. The format of the host town meeting under the current Procedure does not provide any provisions to avoid *ex parte* communications with RPB members. Communications with RPB members regarding the project outside of the legislated RPB approval process risks raising questions about the legality of the application and validity of the final project or LUP Amendment approval by the RPB. In order to avoid *ex-parte* communications, a requirement has been added to the modified Procedure to include minutes of the LUC meeting (described above) and presentation materials to the LUP amendment application.
5. Under the current Procedure, Management is required to make a presentation to the Authority following the meeting with host town officials. The way this step is written either the project stops or a LUP amendment application is filed. It does not allow time to obtain state and local approvals. In the new procedure, Management gathers feedback from state and local regulatory officials (CT DPH, P&Z, and IWWC) and obtains state and local approvals as necessary. If the host community, CT DPH, or other regulatory agencies do not have significant concerns, and it is believed that necessary permits and approvals can be obtained, Management advises the Authority and continues preparation of LUP amendment application. Alternately, if the host community, CT DPH, or other regulatory agencies have significant concerns Management will determine whether the concerns pose a significant roadblock warranting discontinuing the project or if a remedy is reachable in

the timeframe available. Depending on what Management determines, either the project will be stopped or Management will continue with preparation of the LUP amendment application.

The reason for this change is to provide clarity to Management on what should be done during the process steps. The step discussed above caused confusion during the development of a solar array project in 2017 that was ultimately stopped. The confusion resulted in an additional presentation to the Authority that was not necessary. That presentation caused a delay of a month or more, which is significant based on the deadlines for construction required by UI and Eversource. The current Procedure also does not provide Management with the opportunity to stop the project if significant roadblocks are encountered with state and local regulatory agencies. Additional steps have been added to provide Management direction depending on the outcome of meetings with state and local regulatory agencies.

6. Steps five through eight of the current Procedure, regarding providing a report to the Authority, preparation of the LUP amendment, filing of the LUP amendment application by the Authority, and the RPB following its normal process for applications are largely the same as steps five and six of the proposed procedure. The only change is the proposed procedure provides the option to perform the Authority meeting in executive session while the current procedure requires executive session. This change was made because the Authority may choose not to enter executive session.
7. Projects presented to the Authority and RPB will be either 1) a project where RWA owns, operates and maintains the project with the potential for a vendor to operate or maintain the project or 2) a project that encompasses a power purchase agreement (PPA) coupled with a revocable license agreement that will be entered into with a developer for the construction, operation and maintenance of the project. The purpose for this change is to define the ownership and operating responsibilities. It is advantageous for RWA to own and operate de minimus projects because RWA will own the Renewable Energy Credits (RECs) associated with these projects. This will allow RWA to reduce our carbon footprint associated with our fuel usage. Since these will be smaller projects, large energy savings will not be achieved. Developing a project under a PPA will allow RWA to build a larger structure such as a one megawatt solar array and therefore achieve greater energy savings. The RECs are sold under a PPA but this does not hurt RWA because it already has sufficient RECs to cover its energy usage through our electricity supplier.

## II. Existing Environment

### A. Watershed function

N/A

### B. Physical/Biological

N/A

### C. Present land use

N/A

### D. Social/Political environment (including surrounding land use)

N/A

E. Cost of maintaining the land in its present use

N/A

III. Environmental Impact Statement

A. Summary of potential impact

The amendment proposes to revise an existing procedure, which prescribes the requirements for the approval of renewable energy projects. As noted in the Preliminary Assessment (Appendix D) the impact of this procedural change is minimal and therefore this amendment is being submitted as a non-substantial amendment. Any de minimus projects exempt from the new Procedure must either have a total footprint less than 0.5 acres and be located on a property with the use designation of "Water Supply Facility" in the RWA Land Use Plan or be located on a rooftop of a facility owned by the RWA. The solar array size was chosen based on UI's and Eversource's requirements for the medium and small ZREC program, 250 kW or less. The 250 kW is equivalent to 0.5 acres of solar array. By choosing 250 kW as the maximum size, Management has the option of participating in the medium or small ZREC program, which have separate funding amounts, payment types and approval processes.

B. Impact on public water supply

N/A

C. Financial impact on the RWA

The addition of the de minimis category will allow RWA to pursue smaller solar projects that would previously have been too costly and time consuming compared to the energy savings achieved. The return on investment was insufficient for these smaller projects to be pursued with a PPA. Installing solar power at some of our facilities will help lower energy costs.

IV. Land Use Controls

A. Conformity with Authority land use policies

The revised procedure complies with the policies of the 2016 Land Use Plan. The Land Use Plan states that "renewable and non-renewable resources must be managed in an environmentally-sound manner to protect the environment and ensure the long term productivity of the land. Timber, prime farmland, and sites for renewable energy are among the resources on Authority land."

B. Conformity with other applicable plans

As noted in the Preliminary Assessment - Section H, the proposed procedural modification conform with the Conservation and Development Policies Plan for Connecticut, 2013-2018, the South Central Regional Plan of Conservation and Development, the Hamden Plan of Conservation and Development, and the Draft North Branford Plan of Conservation and Development 2019-2029.

V. Summary Statement

The Authority is putting forth this application to modify of the Procedure for Future Renewable Economic Resource Projects that was originally created in 2011. The current Procedure is overly burdensome for small renewable energy projects and the new procedure will provide clarity and avoid redundancy. The modified Procedure will also create a “de minimus” category that will exempt specific small solar projects from the LUP amendment process and provide a procedure to avoid *ex parte* communication. The modified procedure is in conformance with the 2016 Land Use Plan and other state, regional and local conservation and development plans and will have a beneficial financial impact on the RWA by allowing the pursuit of small solar array projects.

VI. Authority's Final Evaluation and Recommendation

The Authority requests that this application, to modify the Procedure for Future Renewable Economic Resource Projects, be approved by the Representative Policy Board. The Authority recommends that the RPB approve this amendment for the following reasons:

This modification will streamline the Procedure to avoid redundant steps and increase the clarity of the process. Modifying the Procedure will not have an adverse impact on the water supply. The creation of a de minimis category will have a positive financial impact.

# **Appendix A**

## **LUC Meeting Minutes and Presented Documents**

**UNAPPROVED DRAFT**

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

**Minutes of September 9, 2020 Meeting**

A regular meeting of the Land Use Committee of the Representative Policy Board of the South Central Connecticut Regional Water District (“RWA”) took place on Wednesday, September 9, 2020 at the Lake Whitney Water Treatment Plant, 900 Whitney Avenue, Hamden, Connecticut. Chair Betkoski presided.

Present: Committee Members: P. Betkoski, P. DeSantis, B. Eitzer, R. Harvey, M. Horbal, M. Levine, G. Malloy, J. Oslander and J. Mowat Young

Authority: D. Borowy

Management: T. Norris, J. Tracy, J. Triana, and A. Velasquez

Resident Bee Keeper: V. Kay

RPB Staff: J. Slubowski

Chair Betkoski called the meeting to order at 4:30 p.m. He reviewed the Safety Moment distributed to members.

On motion made by Mr. Malloy, seconded by Mr. Harvey, and unanimously carried the Committee approved the minutes of its August 12, 2020 meeting.

Mr. Kay, RWA’s resident bee keeper, provided a discussion on the care and maintenance of bees and beehives and their contribution to the environment. He also reported that he currently manages 500 hives located in in Bethany, Woodbridge and Madison, a quarter of which are located on RWA property. Four of the hives that were onsite at the meeting harvested 400 lbs. of honey. Committee members toured the hives at the end of the meeting.

At 4:40 p.m., Mr. Levine entered the meeting.

Mr. Norris, the RWA’s Vice President of Asset Management, and Ms. Velasquez, RWA’s Environmental Compliance and Sustainability Lead, provided an update on modifications to the Procedure for Future Renewable Economic Resource Projects (“Project”). Mr. Norris stated that revisions were necessary to provide for clarity, as well as include language for de minimis projects on parcels less than ½ an acre or on rooftops, which would no longer require RPB approval. Ms. Velasquez reported that the process was first developed in 2011 and included an initial meeting between management, town officials, and the RPB representative of the designated town. Mr. Norris reported that such meetings, where the LUC was hearing about the project for the first time, presented potential ex parte communication issues and is one reason that the current procedure needed to be revised. As such, under the revised procedure management would first meet with the Land Use Committee for its concurrence on a Project. If the LUC concurred with the project, management would proceed with town official meetings.

Ms. Norris stated that the following modifications are proposed to be made in the revised procedure:

- Name Change
- Added a de minimis category
- Presentation to Land Use Committee prior to meeting with town officials
- Language for roadblocks
- Clarifications of management’s process



After discussion, it was the consensus of the committee to authorize management to move forward with the changes as presented. Next steps will include a presentation to the Authority at its September meeting.

Update on *The Land We Need for the Water We Use Program* – J. Triana reported:

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
August 31, 2020	75	87	74	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
August 2020	2.84	4.03	3.98
Fiscal YTD (6/1/20 – 8/31/20)	8.44	12.73	11.40

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

Hamden/Bethany, DePodesta and Hendrickson properties – Sent conservation easements for the Hendrickson property to both towns to be filed on the land records. Forwarded the Certificate of Title for the DePodesta property to DEEP. Responded to several questions they had.

Branford, Todd’s Hill Rd development – Attorney for developer informed us that the owner will be donating the open space land to the Branford Land Trust.

Rental houses:

- Seymour, 59 Rimmon Rd. (SE 11) – Met buyers with their mortgage inspector to check out the house.
- Hamden, 95 Ives St. (HA 13) and 233 Skiff St. (HA 9A) – Submitted application for lot split at Skiff St. Hamden Engineer had comments on the application.
- Orange, 499 Derby Ave. – Reviewed plans to convert the garage to a larger living space. We rejected the proposal.
- Madison, 760 Summer Hill Rd. – Spoke to owner about new shed that was on the property.

Forestry Update

- Guilford – West of Sugar Loaf ash salvage (GU 4) – 40% complete
- North Branford - Beech Street Softwood (NB 4) – 85% complete
- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) - Contract not yet awarded.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – Not started yet
- Bethany – East of Lake Bethany hardwood (BE 18) – 70% complete.
  - Marked timber harvests in two different areas; Seymour and Madison.
  - Coordinated with Connecticut Agricultural Experiment Station (CAES) to delineate and mark slash wall harvests and plots to monitor regeneration.
  - Worked with CAES to mark their current silvicultural experiment plots at Nathan’s Pond (a 30+ year study).
  - Interviewed by multiple news crews about the storm damage (wind/salt) of tropical storm Isaias.

Recreation

- Recreation permit holders – 5,615.
- Bill insert ended on August 21.
- Boating continued at Lake Saltonstall with only one refusal to wear a mask due to religious objections.
- Held first walk since COVID period started. Nine people attended botany walk at Dudley Pond on August 15<sup>th</sup>.
- Had repeated problems with people vandalizing the lock and gate at Maltby Lakes.
- Spent much time cutting and removing trees from a tropical storm on August 4<sup>th</sup> and a tornado on August 27<sup>th</sup>.
- Reblazed white trails at Pine Hill.

Special Activity Permits

- Milford Police Department (Lieutenant Luke Holder and designees) – Police dive training, Maltby Lakes, (8/17/20)
- C. Thomas Paul – (Permit renewal) Conduct research on American Indian and pre-Columbian culture as related to the Hammonasset Line - Killingworth, Madison and Guilford (6/26/2020-6/26/201).

**REVISION:** A professor from the University of Washington may come to RI and CT on September 4<sup>th</sup> – September 11<sup>th</sup>, Dr. Jim Feathers who has an Optically Simulated Luminescence lab at the school. The test is to determine how long a rock or soil has been out of the sun light. A stone sample is taken 1” in OD about an inch down. A soil sample is taken a few inches down, about 7 oz. in size. The sample or samples (1 or 2 samples) will be taken on the Hammonasset Line in Madison.

Other items

- Encroachments/agreements –
  - Agricultural fields – Executed license agreement with Urbano for use of the Sperry Rd. field for Christmas trees. Tanev supplied his certificate of insurance to hay the fields in Prospect, Bethany, and Woodbridge. Discussed other fields with three potential farmers.
  - Hamden, Skiff St. – Sent draft agreement to neighbor to potentially park his employees’ vehicles at the house.
  - North Haven, Davis Rd. (NO 9A) – Issued letter to abutter about pet grave on our property.
- Invasive plants – Contractor completed harvesting water chestnut in Furnace Pond. Established second hardware cloth plot for Japanese knotweed in the West River area. Collected more data on herbicide plots in Prospect. Treated invasives in Bethany and East Haven. Conducted drone flights at Furnace Pond and Lake Menunketuc.

Invasive Species Documented/ Mapped (ac)	~1.5 acres
Invasive Species Treated (ac/MH)	~5 acres

- Deer hunt – Check station volunteers were selected and contacted.
- Durham, Vasel driveway easement – Corresponded with Vasel’s attorney about settling the matter of the driveway easement.
- Land Use Plan – Worked with Communications staff to post the Land Use Plan amendments online with the full plan.

There were no other land items to report.

Assignments were made for the next quarter Authority meetings.

The next regular meeting of the committee is Wednesday, October 14, 2020 at 4:30 p.m.

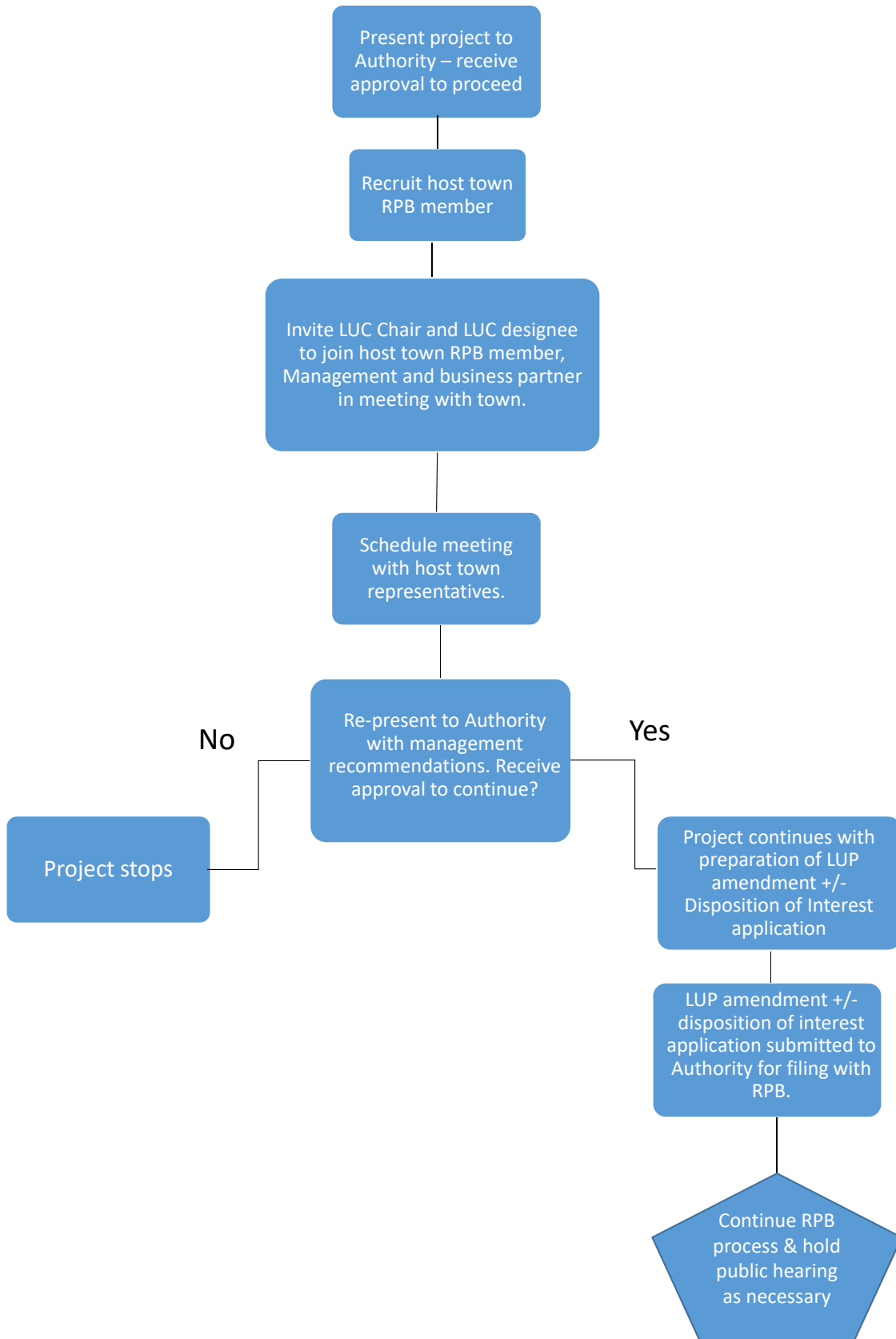
At 5:19 p.m., the meeting adjourned.

---

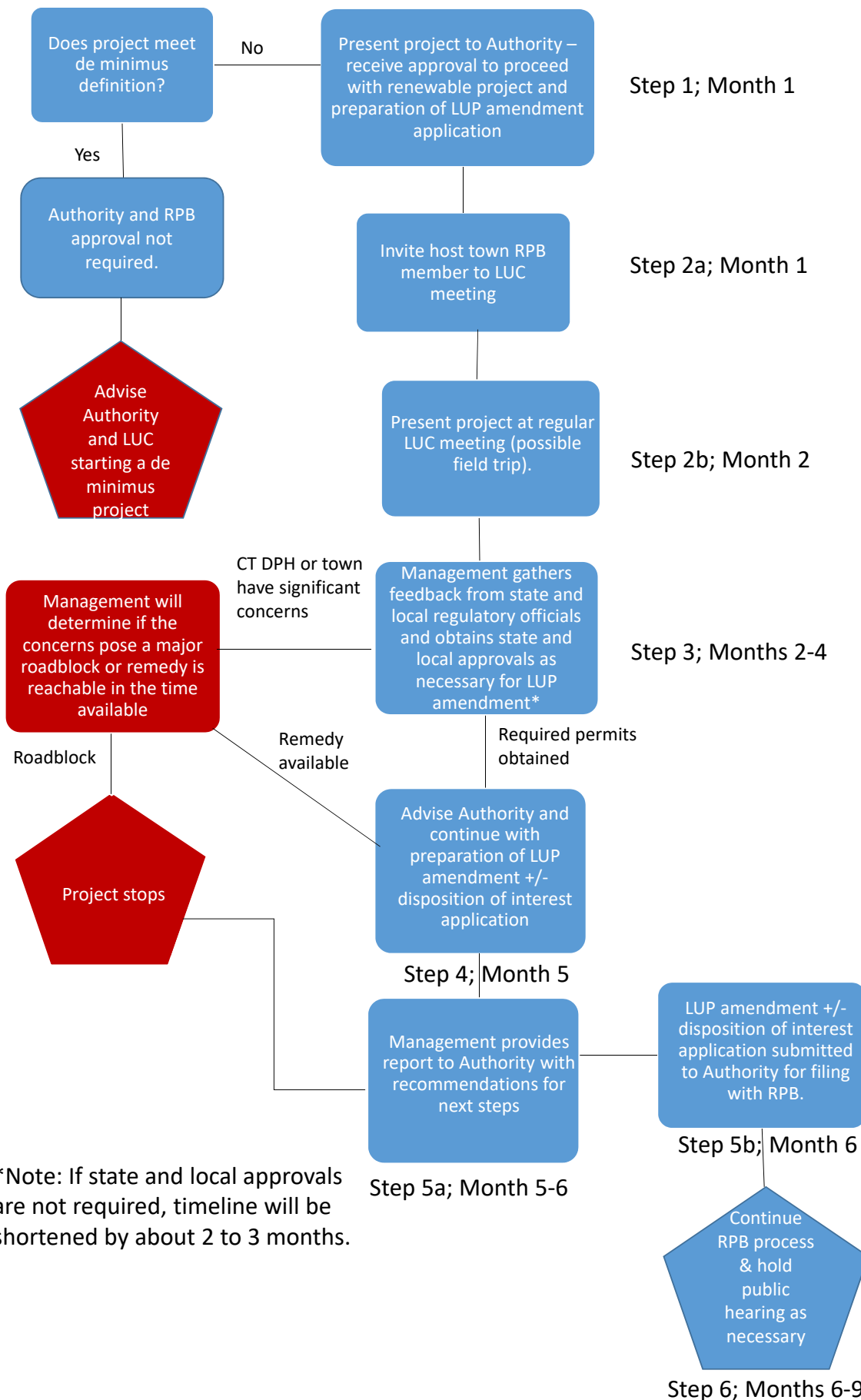
Peter Betkoski, Chairman

# Appendix A

## 2011 Future Renewable Economic Resource Project Procedure



## Appendix A 2020 Procedure for Future Renewable Energy Resource Projects



\*Note: If state and local approvals are not required, timeline will be shortened by about 2 to 3 months.

# **Appendix B**

## **Current Procedure for Future Renewable Economic Resource Projects and Schematic**

**November 3, 2011**

**Procedure  
For  
Future Renewable Economic Resource Projects**

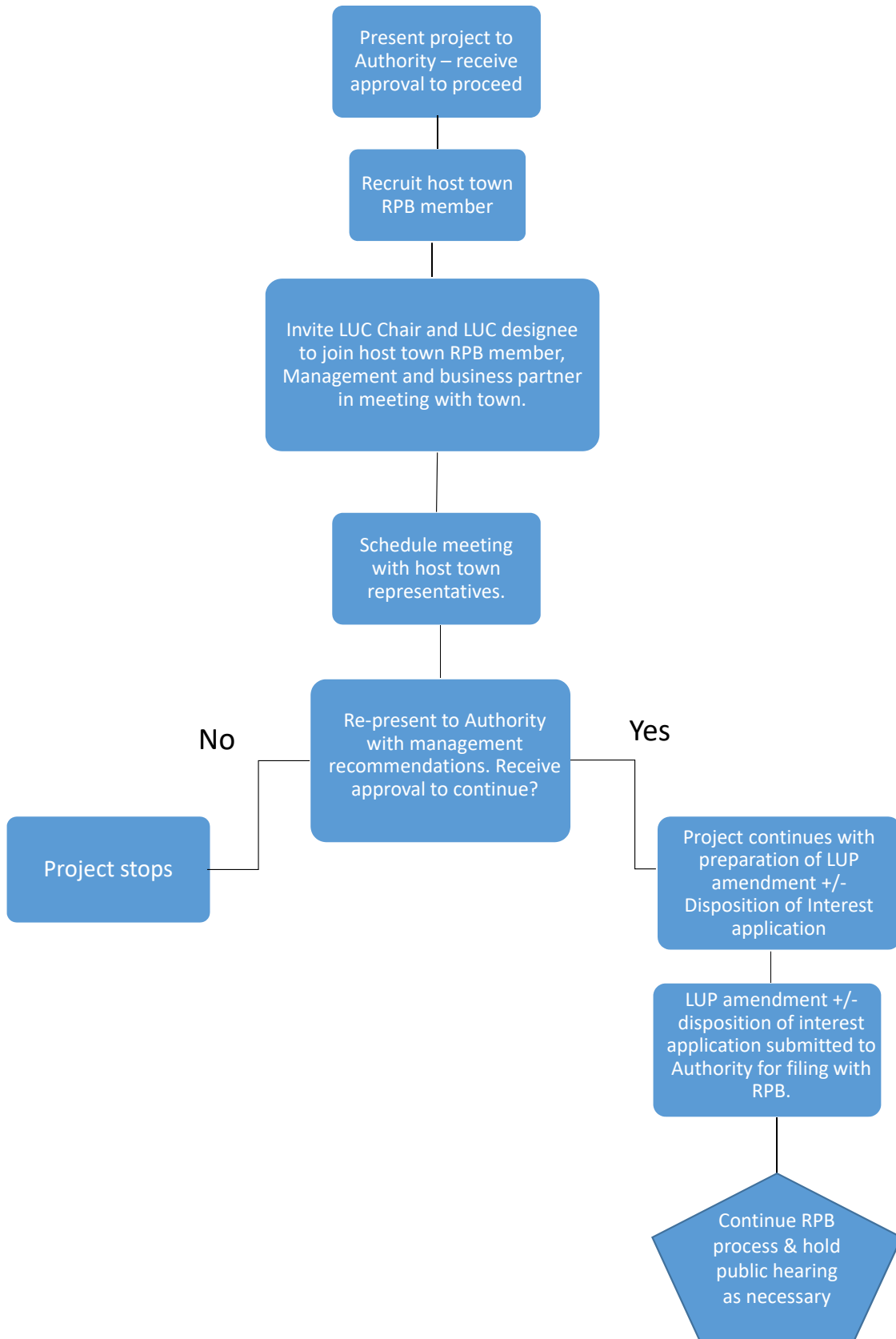
1. Present project to Authority\* to obtain (a) approval for a renewable resource project and, if needed, (b) authorization to prepare a LUP amendment application +/- disposition of interest in land application (based upon revocable license agreement suitability)
2. Recruit RPB member from community where project will be sited on RWA land.
3. Invite LUC chair and one LUC designee to join the host RPB member ***(total of three RPB members)*** along with mgmt and the business partner for the project.
4. Schedule meeting with host town representatives one week prior to requested meeting.
5. Conduct meeting with host town representatives to discuss
  - Benefits of project for host community,
  - Controls over project available to host community regulatory agencies, and
  - Controls using environmental protection best management practices to minimize impacts/disturbance of Class I, II and III land.

***This discussion with all attendees is completed with the limitation of a hand-shake agreement to keep topic confidential until the business partner and mgmt are ready for public communication plan roll-out.***
6. In executive session (confidentially), mgmt provides report to Authority with recommendation for next steps that might be:
  - Project stops
  - Project continues and Land Use Plan application +/- Disposition of Interest application is filed by Authority for filing with RPB
7. RPB follows normal process for applications and schedules public hearing in host town.
8. RPB approves application or not and project continues forward or not.

\*In some cases, the Authority may be requested by Management to approve a sole source for the project based upon a justification to be defended by Management.

# Appendix B

## 2011 Future Renewable Economic Resource Project Procedure





# **Appendix C**

## **Proposed Procedure for Future Renewable Energy Resource Projects and Schematic**

**Procedure For  
Future Renewable Energy<sup>1</sup> Resource Projects**

**Proposed September 2020**

1. Unless it is a de minimis project<sup>2</sup>, present project to Authority<sup>3</sup> to obtain:
  - (a) Approval for a renewable resource project and, if needed;
  - (b) Authorization to prepare a Land Use Plan (LUP) amendment application +/- disposition of interest in land application (based upon lease/revocable license agreement suitability).

In some cases, Management may request the Authority to approve a sole source for the project based upon a justification to be defended by Management.

Depending on the nature of the project, it may be presented in one of the following ways:

1. RWA owns project
  2. Power purchase agreement (PPA) coupled with a lease or revocable license agreement as applicable.
2. Present project at regular monthly Land Use Committee (LUC) meeting, with an invitation to the host municipality RPB member. LUC consensus is required in order for project to continue. To avoid ex-parte communication, minutes of the LUC meeting and presentation materials will be added to the LUP amendment application.
3. Management gather's feedback from state and local regulatory officials (CT DPH, P&Z, IWWC) and obtains state and local approvals as necessary.
4. If the host community, DPH, or other regulatory agencies have no significant concerns, and it is believed that necessary permits and approvals can be obtained, advise the Authority and continue preparation of LUP amendment application +/- disposition of interest in land application (based upon revocable license agreement suitability). Move to step 5 once necessary permits have been obtained and the LUP amendment application is ready.

If the host community, CT DPH, or other regulatory agencies have significant concerns, Management shall determine whether the concerns pose a significant roadblock warranting discontinuing the project or if a remedy is reachable in the timeframe available.

5. Management provides a report to the Authority with recommendation for next steps, such as:
  - Project stops, or
  - Project continues and LUP amendment application +/- disposition of interest application is filed by Authority for filing with RPB.

## Appendix C

6. RPB follows normal process for applications and schedules public hearing in host town.

7. RPB approves application or not and project continues forward or not.

### Footnotes:

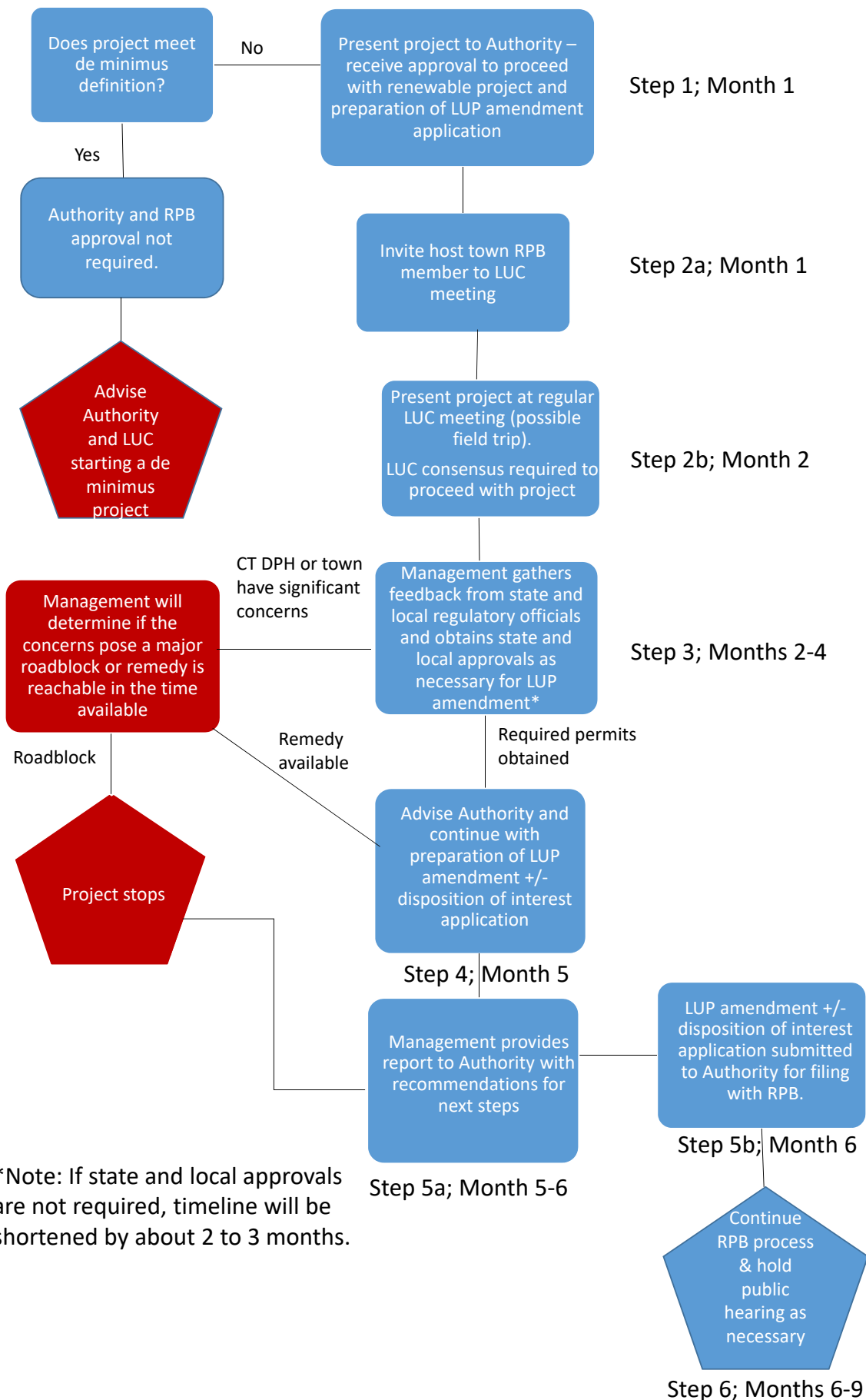
<sup>1</sup>Renewable energy resource is defined as a class I renewable energy source or a class III source as defined in in the Connecticut General Statutes and referenced in RWA's Enabling Legislation, but excluding wind sources located within the district;

<sup>2</sup>De minimis project – to be considered a de minimis photovoltaic project the following conditions must be met:

- Be located on a rooftop of a RWA owned facility, or;
- Be a ground mount solar array with a total footprint of 0.5 acres or less, and be located on a property with the use designation of "Water Supply Facility" in the RWA Land Use Plan

<sup>3</sup>The Authority may choose to meet in executive session if confidentiality is warranted, including when considering a PPA with an outside party.

## Appendix C 2020 Procedure for Future Renewable Energy Resource Projects



\*Note: If state and local approvals are not required, timeline will be shortened by about 2 to 3 months.

# **Appendix D**

## **Preliminary Assessment**

## **APPENDIX D**

### **PRELIMINARY ASSESSMENT**

#### **Modification of Procedure for Future Renewable Economic Resource Projects**

**Location:** N/A

**Proposed Action:** Revise the Procedure for Future Renewable Economic Resource Projects known as Appendix D of the RWA's Land Use Plan updated in 2016. The modifications include renaming the procedure to clearly identify its use for renewable energy projects, creating a category of small de minimis projects to be exempted from the procedure, and developing a clear, more efficient process for larger projects.

**Study Prepared By:** Amy Velasquez

**Date:** June 29, 2020

**Study Reviewed By:** Ron Walters

**Date:** July 28, 2020

**Study Approved By:** John Hudak

**Date:** August 7, 2020

**Note:** This application seeks to modify a procedure found in the Land Use Plan. Approval of this modification will not in itself authorize any specific project or disturbance of RWA land; therefore some sub-sections below have been noted as 'not applicable' (N/A).

## **Introduction**

This Preliminary Assessment form provides for consideration of potential impacts on specific aspects of the environment, subdivided into eight general areas:

- A. Geology, Topography, Soils
- B. Hydrology and Water Quality
- C. Air Quality, Climate, Noise
- D. Biotic Communities
- E. Land Use
- F. Natural Resources and Other Economic Considerations
- G. Public Safety and Health
- H. Community Factors

All phases of the proposed action are considered - planning, construction, and operation - as well as possible secondary or indirect effects. This project is for the revision of an existing procedure, therefore the impact is minimal.

For each “yes” response, the indicated specific information is provided in the space for notes. Elaborations of negative responses may also be provided if appropriate (e.g., to indicate positive impacts on a given environmental factor); “no” answers for which explanatory notes are provided are indicated by an asterisk. Sources of information, including individuals consulted, are also listed in each section.

**A. Geology, Topography, Soils**

**Yes    No**

- |  |            |
|--|------------|
| <p>1. Is the site subject to geologic hazards (e.g., seismic, landslide)?<br/>If yes, specify type of hazard, extent, relative level of risk, whether or not the proposed action is vulnerable to damage from such hazard, and any measures included in the proposed action to avoid or minimize the risk of damage.</p>   | <p>N/A</p> |
| <p>2. Will the proposed action create a geologic hazard or increase the intensity of such a hazard?<br/>If yes, specify the type of hazard, the extent to which it will be increased by the proposed action, and whether or not the proposed action can be modified to reduce the hazard.</p>  | <p>N/A</p> |
| <p>3. Does the site include any geological features of outstanding scientific or scenic interest?<br/>If yes, describe the features and their relative importance, the extent to which they will be impacted by the proposed action, and any measures included in the proposed action to avoid or minimize damage to important geologic features.</p>  | <p>N/A</p> |
| <p>4. Is the site subject to soil hazards (e.g., slump, erosion, subsidence, stream siltation)?<br/>If yes, specify hazards, their extent, the relative level of risk to the proposed action, and any measures included in the proposed action to avoid or minimize damage from soil hazards.</p>  | <p>N/A</p> |
| <p>5. Does the site have any topographic or soil conditions that limit the types of uses for which it is suitable (e.g., steep slopes, shallow-to-bedrock soils, poorly drained soils)?<br/>If yes, specify the conditions, the of limitations on use, the extent to which the proposed action requires the use of such areas, and any measures included in the proposed action to minimize adverse impacts of these uses.</p> | <p>N/A</p> |
| <p>6. Does the site include any soil types designated as prime farmland?<br/>If yes, indicate the area of prime farmland soils and whether the proposed action requires any irreversible commitment of these soils to non-farm uses.</p>   | <p>N/A</p> |



**B. Hydrology and Water Quality**

**Yes    No**

1. Is the site located on a present or projected public or private water-supply watershed or aquifer recharge area? N/A\*  
If yes, specify the location, type, and volume of the water supply, the extent to which the proposed action involves construction or other use of the watershed or recharge area, and any measures included in the proposed action to minimize adverse effects on water supplies.
2. Does the proposed action create a diversion of water from one drainage basin to another or significantly increase or decrease the flow of an existing diversion? X  
If yes, specify the location, watershed area, and flow rates of the diversion, whether it involves a transfer of water between sub-regional drainage basins, the extent to which it will affect any required downstream flow releases and actual downstream flows, and the type and extent of expected impacts on the downstream corridor.
3. Does the site include any officially designated wetlands, areas of soils classified as poorly drained or somewhat poorly drained, or other known wetlands? N/A  
If yes, specify the extent and type of wetlands on the site and indicate whether the proposed action involves any construction, filling, or other restricted use of wetlands.
4. Will the proposed action seriously interfere with the present rate of soil and subsurface percolation? N/A  
If yes, specify the nature of the interference (compaction, paving, removal of vegetation, etc.), the extent to which the percolation rate will be hampered, and whether the project can be redesigned to minimize the interference.
5. Is the site located in a floodprone area? N/A  
If yes, specify the frequency and severity of flooding, the area of the site subject to inundation, and the relative level of risk; indicate whether the proposed action will be subject to damage from flooding, the anticipated amount and type of damage, and any preventive measures included in the proposed action to minimize flooding damage.
6. Will the proposed action increase the effects of flooding, either on-site or downstream? N/A  
If yes, specify the anticipated amount and location of increased flooding, the estimated damage from this increase, and any measures included in the proposed action to minimize the risk of flooding.

7. Will the proposed action generate pollutants (pesticides, fertilizers, toxic wastes, surface water runoff, animal or human wastes, etc.)? If yes, specify the type and source of pollutant, amount of discharge by volume, and parts per million, and the relative level of risk to biotic and human communities. X

**Notes (including sources of information):**

**B. Hydrology and Water Quality**

**B.1** There is a high likelihood that future renewable energy projects will be located on or near existing water supply facilities that could be on or off the RWA watershed or aquifer areas. Projects disturbing land within these areas are subject to review and permitting by the Connecticut Department of Public Health (DPH).

**C. Air Quality, Climate, Noise**

**Yes    No**

- |  |             |
|--|-------------|
| <p>1. Is the present on-site air quality below applicable local, state, or federal air quality control standards?<br/>If yes, specify the extent to which the air quality fails to attain such standards and the potential effects of sub-standard air quality on the proposed action.</p>   | <p>N/A</p>  |
| <p>2. Will the proposed action generate pollutants (hydrocarbons, thermal, odor, dust, or smoke particulates, etc.) that will impair present air quality on-site or in surrounding area?<br/>If yes, specify the type and source of pollutants, the peak discharge in parts per million per 24-hour period, and the relative level of risk to biotic and human communities.</p>  | <p>N/A*</p> |
| <p>3. Is the site located in a high wind hazard area?<br/>If yes, specify the range and peak velocity and direction of high winds; identify any features of the proposed action subject to damage from high winds, the relative level of risk, and any measures included in the proposed action to minimize wind damage.</p>   | <p>N/A</p>  |
| <p>4. Will the proposed action involve extensive removal of trees or other alteration of the ecosystem that may produce local changes in air quality or climate?<br/>If yes, describe the nature and extent of the changes, potential adverse effects, areas likely to be affected, possible cumulative effects of removal of natural vegetation and addition of new pollutant sources, and any measures that could be included to reduce the adverse effects.</p> | <p>X*</p>   |
| <p>5. Is the site subject to an unusually high noise level?<br/>If yes, specify the sources of noise, the noise levels, and any measures included in the proposed action to minimize the effects of noise.</p>   | <p>N/A</p>  |
| <p>6. Will the proposed action generate unusually high noise levels?<br/>If yes, specify the source of noise, the range of noise levels, and any measures incorporated into the project to minimize generation of, or exposure to, excessive noise levels.</p>   | <p>N/A</p>  |

**Notes (including sources of information):**

**C. Air Quality, Climate, Noise**

**C.2** Renewable energy projects reduce reliance on coal-fired electricity generation, which is a known source of airborne toxins and pollutants. They include mercury, lead, sulfur dioxide, nitrogen oxides, particulates, and various other heavy metals. The burning of coal also adds carbon dioxide, a greenhouse gas, to the atmosphere. Modifying this procedure will help facilitate renewable energy projects and help reduce overall air pollution in Connecticut.

**C.4** A de minimis category has been added with limitations to solar arrays on rooftops and those with small footprints of RWA water supply facility designated land. These projects are unlikely to pose a significant impact because the projects will be sited on rooftops or non-forested land. These as well as larger projects may be subject to other required environmental reviews by other agencies, such as local inland wetlands agencies and DPH, as applicable. This modification will assist RWA in pursuing renewable energy projects, which will result in a reduction in greenhouse gas emissions and other air pollutants. The reduction of greenhouse gas emissions is important to mitigate the effects of climate change and improve overall air quality.

**D. Biotic Communities**

**Yes    No**

- |  |     |
|--|-----|
| 1. Are there any rare or endangered plant or animal species on the site?<br>If yes, specify the species, the degree of rarity, and the estimated population on the site; indicate the extent to which the proposed action will disturb the species and its habitat, and specify any measures included in the proposed action to minimize such disturbance. | N/A |
| 2. Are there unusual or unique biotic communities on the site?<br>If yes, specify type of community and its relative significance; indicate the extent to which the proposed action will destroy significant biotic communities and specify any measures included in the proposed action to minimize such damage.  | N/A |
| 3. Is the site used as a nesting site by migrating waterfowl, or is it critical to the movement of migratory fish or wildlife species?<br>If yes, specify the species, the extent to which nesting or migration will be disturbed as a result of the proposed action, and any measures included in the proposed action to minimize disturbance.            | N/A |
| 4. Does the proposed action significantly reduce the amount, productivity, or diversity of the biotic habitat?<br>If yes, specify the amount and types of habitat lost, types of wildlife or plants likely to be seriously affected by the proposed action, and any measures to mitigate impacts on biotic communities.                                    | X*  |

**Notes (including sources of information):**

**D. Biotic Communities**

**D.4** The addition of a de minimis category for small projects will limit these projects to small rooftop solar arrays or those with a small footprint located on RWA water supply facility designated land. These projects are unlikely to affect important habitats for plants and wildlife, as they will be located on rooftops or non-forested land. It is highly likely the renewable energy projects will be on RWA water supply facility property, on or off watershed or aquifer areas, and may require several layers of local and state approvals (Inland Wetlands, Planning & Zoning, Connecticut Department of Energy and Environmental Protection, DPH).

<b>E. Land Use</b>	<b>Yes</b>	<b>No</b>
<p>1. Does the site include any officially designated historic or archaeological sites, or other sites of known historic, archaeological, or cultural significance? If yes, specify their type and significance, the extent to which they will be disturbed by the proposed action, and any measures to reduce such disturbance.</p>		N/A
<p>2. Does the site have any outstanding scenic or aesthetic characteristics, especially as viewed from public highways or recreation areas? If yes, specify the type and significance of scenic features, the extent to which they will be disturbed by the proposed action, and any measure to reduce the extent of such disturbance.</p>		N/A
<p>3. Is the site presently used for recreation? If yes, indicate the type of recreation, the amount of use, and the extent to which the proposed action will interfere with present recreational uses or limit recreation options on the site.</p>		N/A
<p>4. Is the site presently used for residence or business? If yes, specify the type of use and the extent to which the proposed action will displace present occupants, especially disadvantaged persons or businesses, and any measures included in the proposed action for relocation of such occupants.</p>		N/A
<p>5. Will the proposed action break up any large tracts or corridors of undeveloped land? If yes, specify the area of undeveloped land surrounding the site, the amount of development the proposed action will involve, and the distance to the nearest developed land.</p>		X
<p>6. Does the proposed action include features not in accord with the Authority's Land Use Plan or land disposition policies? If yes, specify the nature and extent of conflict.</p>		X
<p>7. Is the proposed action part of a series of similar or related actions that might generate cumulative impacts? If yes, specify the type and extent of related actions, implemented or planned, and the general nature of potential cumulative impacts; indicate whether a generic or programmatic impact assessment has been or will be prepared for this series of actions.</p>		X

**Notes (including sources of information):**

**E. Land Use**

**F. Natural Resources and Other Economic Considerations** **Yes** **No**

- |  |  |
|--|--|
| <p>1. Does the proposed action involve any irreversible commitment of natural resources?<br/>If yes, specify the type of resource, the importance and scarcity of the resource, the quantity that will be irreversibly committed, and any measure that could be included in the proposed action to reduce irreversible commitments of resources.</p> | <p style="text-align: right;">X</p>    |
| <p>2. Will the proposed action significantly reduce the value and availability of timber or other existing economic resources?<br/>If yes, specify the type and extent of resources affected, the estimated revenue loss, and any measures that could be included in the proposed action to improve the efficiency of resource utilization.</p>      | <p style="text-align: right;">X</p>    |
| <p>3. Will the proposed action require expenditures greater than the projected revenues to the Authority?<br/>If yes, specify the estimated difference.</p>  | <p style="text-align: right;">X</p>    |
| <p>4. Will the proposed action require any public expenditure (e.g., provision of municipal services) that might exceed the public revenue it is expected to produce?<br/>If yes, specify the estimated difference.</p>  | <p style="text-align: right;">X</p>    |
| <p>5. Will the proposed action cause a decrease in the value of any surrounding real estate?<br/>If yes, estimate the amount and distribution of altered real estate values.</p>   | <p style="text-align: right;">N/A*</p> |

**Notes (including sources of information):**

**F. Natural Resources and Other Economic Considerations**

**F.4** No research was readily available regarding the effect of renewable energy projects on surrounding real estate. This issue can be considered, if necessary, in the RPB approval process for individual projects.

**G. Public Safety and Health**

**Yes    No**

1. Is the site subject to unusual fire hazard (from flammable vegetation, difficulty of access, lack of water for fire fighting, or other causes)? N/A  
If yes, specify the type of hazard, the extent to which the proposed action might increase the fire hazard, the extent to which it is subject to damage from such fires, and any measures included in the proposed action to reduce the risk of fire damage.
2. Does the site include any features that present potential safety hazards under the proposed conditions of use, or will the proposed action create any hazards to public safety? N/A  
If yes, specify the hazards, the extent to which the public, workers, or others will be exposed to the hazard, the degree of risk, and any measures that will be included in the proposed action to eliminate hazards or reduce the risk of injury.
3. Does the proposed action have the potential to create increased risks to public health? X\*  
If yes, specify the nature of the health hazards, population at risk, the degree of risk, and any measures that will be incorporated in the proposed action to avoid adverse impacts on public health.

**Notes (including sources of information):**

**G. Public Safety and Health**

**G.3** Projects that will disturb aquifer or Class I or II water supply lands will require a DPH Water Company Lands permit. This permit approval process insures the project will not impact the public water supply.



**H. Community Factors**

**Yes      No**

1. Does the proposed action include any features that are not in conformity with local, regional, or state plans of conservation and development? X\*

If yes, specify the plan(s), the nonconforming features, and the extent of the nonconformity, and any measures that could be incorporated into the proposed action to improve conformity.

2. Does the proposed action differ from the established character of land use in the surrounding area? N/A\*  
If yes, specify the nature and extent of the conflict and any actions that might be taken to resolve it.

3. Will the proposed action require any service by public facilities (streets, highways, schools, police, fire) or public utilities that are expected to exceed capacity within 5 years? X

If yes, specify the type of facility or utility, its capacity, present and projected use, the additional capacity required to implement the proposed action, any public plans to increase the capacity, and any measures that can be incorporated into the proposed action to reduce excessive demands on public facilities.

4. Will the proposed action produce any substantial increase in nonresident traffic to the area (construction or other temporary workers, permanent workers, recreational users, etc.)? N/A

If yes, specify the amount and type of traffic, its potential impact on the surrounding neighborhood, and any measures included in the proposed action to reduce adverse effects from increased traffic.

5. Will the proposed action produce an increase in projected growth rates for the area? N/A

If yes, specify the extent to which growth will be increased, the project ability of the community to cope with higher growth rates, and any measures include in the proposed action to reduce anticipated adverse effects from increased growth.

6. Is there any indication that the proposed action can be expected to generate public opposition or conflict over environmental concerns? N/A\*

If yes, indicate the type and source of conflict, whether it is limited to immediate neighbors of the site or extends to the larger community, and any measures that have been taken or could be taken to resolve the conflict.

**Notes (including sources of information):**

**H. Community Factors**

**H.1.** State, regional, and local conservation and development plans have similar principles with regard to the use of renewable energy. The proposed modification of the Procedure does not go against these principles, and may even benefit the cause by increasing the access to small scale renewable energy projects. Selected principles that support renewable energy are listed in the table below for the Conservation and Development Policies Plan for Connecticut, 2013-2018<sup>1</sup> (CT C&D Plan), the South Central Regional Plan of Conservation and Development (SCR POCD),<sup>2</sup> the Hamden Plan of Conservation and Development, Town of Hamden, Connecticut (HA POCD),<sup>3</sup> and the Draft North Branford Plan of Conservation and Development 2019-2029, Town of North Branford (NB POCD)<sup>4</sup>.

Note that the CT C&D Plan, although dated ending in 2018, is current. A Draft 2018-2023 State C&D Plan is under consideration by the General Assembly in the 2020 legislative session.<sup>5</sup> The only POCD currently available in North Branford is the Draft 2019-2029 plan.

Plan	Policies/Strategies
State CT C&D Plan	“Utilize the state’s renewable power generation potential to the extent that is compatible with state goals for environmental protection, and minimize potential impacts to rural character and scenic resources when siting new power generation facilities and/or transmission infrastructure.”
Regional SCR POCD	<ul style="list-style-type: none"> <li>• “Support and promote local energy task forces and the Clean Water Fund’s efforts to advance towards 100% renewable energy use.”</li> <li>• “Assist members with research and guidance on new technologies, such as floating solar, anaerobic digestion, and assist in navigating the complex regulations and procedures involved in introducing renewable energy into the regional system.</li> </ul>
Local Hamden POCD	<ul style="list-style-type: none"> <li>• “Increase the use of renewable of renewable energy sources such as solar, wind, and electric car charging stations...”</li> <li>• “Promote the use of alternative energy sources including solar and wind”</li> </ul>

<sup>1</sup> <https://portal.ct.gov/-/media/OPM/IGP/ORG/cdplan/20132018-FINAL-CD-PLAN-rev-June-2017.pdf?la=en>

<sup>2</sup> <https://scrcog.org/wp-content/uploads/2018/07/2018-07-SCRCOG-POCD-report-online.pdf>

<sup>3</sup> <https://www.hamden.com/DocumentCenter/View/1989/Hamden-2019-POCD-Approved-09-17-19-Effective-09-27-19-With-Maps-RFS%2011-19-09%20EFF%2012-21-09.pdf>

<sup>4</sup> [http://nbpocd2019.com/nbpocd2019/resources/site1/General/Draft\\_North\\_Branford\\_POCD\\_06202019\\_online.pdf](http://nbpocd2019.com/nbpocd2019/resources/site1/General/Draft_North_Branford_POCD_06202019_online.pdf)

<sup>5</sup> <https://portal.ct.gov/OPM/IGPP-MAIN/Responsible-Growth/Conservation-and-Development-Policies-Plan/Conservation-and-Development-Policies-Plan>

Local  North Branford POCD	<ul style="list-style-type: none"> <li>• “Continue to support community efforts to increase public and private use of renewable energies as a means of reducing housing costs.”</li> <li>• “Install photovoltaic or other renewable energy systems on public buildings and promote and support alternatives and clean-fuel technologies for public fleets, as feasible.”</li> </ul>
-------------------------------------	---

**H.2** A de minimis category has been added with limitations to solar arrays on rooftops and those with small footprints on RWA water supply facility designated land. Larger projects are also likely to be installed at water supply facility, as there needs to be a use for the power generated. These water supply facilities may or may not conform to the land use in the surrounding area.

**H.6** Any proposed projects enabled by this action that require local, state, and/or RPB approval will include opportunities for stakeholder input.

**October 14, 2020**  
**Land Use Committee Meeting**

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
September 30, 2020	68	81	68	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
September 2020	2.99	2.08	3.77
Fiscal YTD (6/1/20 – 9/30/20)	11.43	14.81	15.17

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

- Killingworth - Corresponded with property owner of 25+/- acres.

Hamden/Bethany, DePodesta and Hendrickson properties – Received the grant check for the Hendrickson property. Continued to correspond with DEEP about materials needed to complete the DePodesta grant.

Rental houses:

- Seymour, 59 Rimmon Rd. (SE 11) – Granted buyers an extension for the closing into mid-October
- Hamden, 95 Ives St. (HA 13) and 233 Skiff St. (HA 9A) – Continued to discuss survey with Hamden town staff for lot split.
- Madison, 760 Summer Hill Rd. – Approved new shed and concrete pads for generator and propane tank.

Forestry Update

- Guilford – West of Sugar Loaf ash salvage (GU 4) – 40% complete
  - North Branford - Beech Street Softwood (NB 4) – 85% complete
  - Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) - Contract not yet awarded.
  - Hamden - Overstory removal and Tornado Salvage, (HA 36) – Not started yet
  - Bethany – East of Lake Bethany hardwood (BE 18) – 70% complete.
- Coordinated with Connecticut Agricultural Experiment Station (CAES) to delineate and mark slash wall harvests and plots to monitor regeneration.
  - Coordinated with NRCS Soil Scientists to increase the scope of the CAES’s experimental silviculture plots in Madison. This will not only allow us to study forest composition through different forest management prescriptions, but also allow us to assess and document any changes in soil health or composition underneath the canopy.
  - Worked with contractor for the purposes of salvaging the storm damaged material at Lake Bethany (in addition to clearing the road and trails).

Recreation

- Recreation permit holders – 5,711
- Boating continued at Lake Saltonstall with only one refusal to wear a mask due to religious objections.
- Held butterfly walk at Lake Gaillard with 11 participants.
- Started scavenger hunt activity that will conclude at the end of November.

- Continued cutting and removing trees from a tornado on August 27<sup>th</sup>. Needed outside contractor to clear the Lake Bethany trails.
- Received corrected DPH permit for the Genesee area activities.
- Lake Chamberlain golf cart access – Denied request from permit holder to allow access to family member to get to Lake Chamberlain dam by golf cart.

Special Activity Permits

- Chris Sullivan, PhD Student, UCONN- Will be taking tissue (using non-lethal biopsy punches) from the 15 bass to evaluate mercury contamination, Lake Saltonstall, (9/24/20)
- Southern Connecticut State University (Michael J. Maloney)-looking to set mesh minnow traps in several ponds in Madison, transport the wood frogs that swim into the traps to the lab in New Haven for tests (strength, jump distance, etc.) then return the frogs to the ponds where they came from, Rt. 79 north of the traffic circle and Summer Hill Road, (09/23/2020-09/23/2021).
- State of CT Cross Connection Committee (Adam Pandolfi) – State of Connecticut Cross Connection Committee Meeting; Lake Gaillard; (09/30/20)

Other items

- Encroachments/agreements –
  - Agricultural fields – Discussed a field with a potential farmer. Signed hay agreement with Hammarlund’s.
  - Bethany, Downs Rd. cul-du-sac (BE 17) – Extended license agreement for Bethany to keep the cul-du-sac at the end of Downs Rd.
  - Bethany, 81 Litchfield Tpk. (BE 26) – Sent letter about yard debris.
  - Bethany, 250 Wooding Hill Rd. (BE 14) – Sent letter about yard debris.
  - Bethany, 254 Wooding Hill Rd. (BE 14) – Sent letter about yard debris.
  - Hamden, 62 Washington Rd. – (HA 12) - Sent letter about yard debris.
  - Hamden, 41 Maher Ave. (HA 12) – Sent letter about fence over the line.
  - Madison, 21 Hathaway La. (MA 6) – Sent letter about yard debris.
  - Madison, 49 Hathaway La. (MA 6) – Sent letter about deer feeder and targets.
  - Woodbridge, 43 Morris Rd. (WO 6) – Sent letter about yard debris.
  - North Branford, 229 Forest Rd. (NB 17) – Alerted to large encroachment by neighbor. Documenting the extent of the encroachment by month’s end.
- Invasive plants – Treated invasives in East Haven and Seymour. Collected data at the herbicide plots in Prospect. Recorded videos for Outreach and Communications staff to use online.

Invasive Species Documented/ Mapped (ac)	~2.3 acres
Invasive Species Treated (ac/MH)	~2.4 acres

- Deer hunt – Permits were mailed to hunters.
- Branford, Hilltop Rd. (BR 6) – Branford Land Trust staff said that trees were blocking access to the road so they were deferring the installation of the gate until the trees are removed.

### Attachments

- September 18, 2020 - Report: Drought conditions worsen in CT, except Fairfield County – Milford Mirror
- September 22, 2020 - Connecticut Water asks customers in 5 Shoreline towns to reduce water use – NH Register
- September 22, 2020 - Norwalk's water emergency forecasted to continue – CT Post
- September 28, 2020 - Brush Fire Extinguished At Lake Whitney In Hamden – Patch.com
- September 28, 2020 - Extreme drought strikes portions of Connecticut as dry weather stretches into fall; rainfall down 11 inches in Hartford area – Hartford Courant
- October 5, 2020 - State agency upgrades drought conditions for five CT counties – Fox61

### Upcoming Agenda Items

November 2020 –

## **Report: Drought conditions worsen in CT, except Fairfield County**

By Jim Shay – Milford Mirror - September 18, 2020

Fairfield County is the only county in Connecticut that does not have drought or abnormally dry conditions. The yellow area is abnormally dry, the tan area has a moderate drought, the brown area has a severe

For the first time since early June, Fairfield County no longer has abnormally dry conditions, according to the latest report from U.S. Drought Monitor.

This summer, Fairfield County has had the most rainfall in Connecticut. Parts of southwest Connecticut benefited from frequent showers and thunderstorms.

On July 3, a line of thunderstorms dropped 2.99 inches at Sikorsky Memorial Airport. On July 11, strong thunderstorms soaked Danbury with 2.40 inches of rain.

Fairfield County is the only county in New England with no abnormally dry or drought conditions.

Despite the rain, Peter Fazekas, of Aquarion, said continued high demand for water, is reducing reservoir levels.

“We are at a Stage 2 drought trigger and we are quickly approaching the third stage,” Fazekas said. “Water demands remain high with the warm weather and people working from home.”

Hitting a third trigger is based on the probability of reservoirs having a 90-day supply of water available, he said. “Our daily water demand sees a very clear schedule when we allow irrigation” for people to water their lawns.

Aquarion customers in six towns are under a mandatory, twice-weekly irrigation schedule (Darien, Greenwich, New Canaan, Newtown, Stamford and Westport) and to reduce water usage by 20 percent.

Despite the order, some customers are are not following the schedule of twice-weekly watering.

As of Sept. 15, Aquarion’s reservoirs capacity ranged from 49 percent in Greenwich to 77 percent in greater Bridgeport

Drought Monitor’s report Thursday said the drought has worsened in Connecticut.

For the first time since 2016, parts of Connecticut have extreme drought conditions. The driest conditions are along the Rhode Island border from Sterling to Southington.

“Given the protracted period of heat and dryness, drought continues to expand and intensify in many areas. Two areas of extreme drought were introduced — one in northern Maine and the other in southern New England” in Connecticut, southeastern Massachusetts and 78 percent of Rhode Island,” the report said.

Areas of Connecticut with a severe drought include most of Hartford and Windham counties and the northern half of Tolland County.

Unlike Fairfield County, Hartford County has had a very dry summer. Hartford’s July rainfall was 3.20 inches below average, August was 3.48 inches below normal and the first half of September saw only 55 percent of its usual rainfall.

A moderate drought exists in northern Middlesex County, western New London County and southern Tolland County.

With the exception of an area along the Housatonic River, New Haven County has abnormally dry conditions.

Western Litchfield County is also abnormally dry and the eastern half has a moderate drought.

The Regional Water Authority in the greater New Haven area reports that its reservoirs are at 75 percent of capacity; normal at this time of year.

## **Connecticut Water asks customers in 5 Shoreline towns to reduce water use**

By Luther Turmelle – NHR - September 22, 2020

Clinton-based Connecticut Water is asking customers served by its Shoreline system to voluntarily reduce their water consumption by 10 percent because of continued dry weather and increased use, company officials said Tuesday.

The towns served by the Shoreline system are Clinton, Guilford, Madison, Old Saybrook and Westbrook. The drought advisory announced by the utility for customers in those communities is the first of four stages of Connecticut Water's drought response plan designed to extend available water supplies to meet essential needs.

Craig Patla, vice president of service delivery at Connecticut Water said between June and August, water use was about 20 percent higher than it was in the summer of 2019.

"We currently have an adequate supply of water for our customers' needs," Patla said in a statement. "But we want to ensure we will continue to have enough water. That's why we are asking customers in the shoreline communities to voluntarily reduce their water usage by 10 percent, which will help prolong available water supplies to ensure we have water for public health, hygiene and fire protection."

Some of the increased use, he said, may be the result of more swimming pool use and increased lawn watering because of dry weather as well as more people spending increased time at home because of COVID-19.

Nearly 85 percent of Connecticut is considered abnormally dry to extreme drought conditions, according to the U.S. Drought Monitor. This summer has been the 11th-driest and the warmest summer since 1895, according to the Northeast Climate Center.

Precipitation is nearly 5 inches below the normal rainfall of 8 inches for the summer season.

Measures customers can take to reduce water use include:

Stop watering lawns.

Sweep patios, driveways and sidewalks rather than using hose water on paved surfaces.

Turn off the water when brushing teeth or shaving.

Take showers instead of baths.

Fix leaks.

Connecticut Water provides water to about 105,000 customers in 60 Connecticut towns. It also provides wastewater services to 3,000 customers in the town of Southbury.



## **Norwalk's water emergency forecasted to continue**

By Erin Kayata – CT Post - September 22, 2020

NORWALK — Norwalk's water emergency will likely last into the foreseeable future.

"The forecast isn't looking good for rain," said Norwalk Health Director Deanna D'Amore at a Board of Health meeting on Tuesday morning. "We continue to look for creative ways to push conservation methods for the city. ... Unfortunately with climate change, I think we're going to continue to see more things like this more frequently."

D'Amore said this is the first time Mayor Harry Rilling has called a water emergency since 2016. The mayor officially declared a water emergency on Sept. 5 as water supplies neared dangerously low levels.

The city initially asked residents to conserve water back in July. Michele DeLuca, deputy director of the city's office of emergency management, said the city's water usage was at an "all-time high" thanks to hot, dry conditions and more people being at home due to the novel coronavirus pandemic.

As part of the water emergency, residents have been asked to adopt an irrigation schedule and decrease non-essential water use like watering their lawns. The schedule is in effect until Oct. 31.

## **Brush Fire Extinguished At Lake Whitney In Hamden**

By Vincent Salzo, Patch Staff      Sep 28, 2020

HAMDEN, CT — Crews extinguished a brush fire on the Regional Water Authority's Lake Whitney property Monday in Hamden, according to fire officials.

Officials said the crews of Engine 3 and Engine 5 did "yeoman's work" in stretching more than 1,000 feet of hose to extinguish the fire.

Fire Chief Gary Merwede said the "labor intensive effort reduced the probability of having to return after dark when injuries are more likely."

Ring | Featured Advertiser

Giant Bear Throws Himself a Kiddie Pool Party

This uninvited swimmer came and went in the middle of the night, but thanks to the video recording from her Ring Floodlight Cam, Cyria knew exactly what happened.

Watch Now

"Hard work, hard job," Merwede wrote in a post on Twitter. "1000' of 1 3/4" line. Water is 8.3 lbs per gallon.

"Life safety & the conservation of property. It's what we do."

## **Extreme drought strikes portions of Connecticut as dry weather stretches into fall; rainfall down 11 inches in Hartford area**

By Stephen Singer - Hartford Courant - Sep 28, 2020

The signs of drought are obvious: sunny days without end, trees dropping leaves in summer, soil so dry it's become dust and grass once soft and green now a hard brown thatch that crunches underfoot.

Combined with this summer's record-setting heat, the parched conditions in Connecticut are worrisome.

"We take it for granted that New England is water rich," said Chris Phelps, state director of Environment Connecticut, an advocacy group. "What is normal for Connecticut and what is normal for New England are changing for the worse."

The drought affects dairy farmers who struggle to bring in enough corn and hay because of the drought. Extreme drought conditions can threaten Christmas tree farms and other farm crops.

On average, the Hartford area should have received about 33 inches of rain since the first of the year, but just 22 inches have fallen, leaving the area down by about 11 inches, according to the National Weather Service.

Responding to what's shaping up as the most arid spell since 2016, Connecticut officials recently added New London County to four counties already listed as experiencing an "incipient drought" that calls for water conservation.

The U.S. Department of Agriculture on Sept. 20 rated 90% of pastures in Connecticut and Massachusetts very poor to poor and 100% of Rhode Island's pastures in similar shape. In addition, streamflow in many areas of the Northeast is very low for this time of year, with some hardest hit areas reporting wells going dry and requiring new wells.

"Given the mounting drought impacts, significant deterioration was shown in several areas from Pennsylvania to Maine," officials said.

Kristie Smith, a meteorologist at the National Weather Service in Norton, Mass., said the Hartford area received less than one inch of rain so far this month, compared with 2.6 inches typical for September.

In August, the area received 2.2 inches, a little more than half what would be considered normal for the month. Just 1 inch of rain fell in the region in July, compared with 4 inches that's more typical.

And in June, rainfall amounted to "a quarter of what you would see," Smith said.

"Certainly we have been in a drought for a very long time," she said.

Gary Lessor, chief meteorologist at the Western Connecticut State University's Weather Center, blamed a high pressure front off the coast that "kind of brought all the hot, dry conditions to New England" and high pressure this month over the Appalachians that also blocked rain.

Rainfalls this summer have been nothing more than "nuisance precipitation," he said.

Water in Connecticut's reservoirs is dropping. Levels on Sept. 10 were pegged at an average of 73.6% full, a decline from 75% full the previous week, according to the state Department of Public Health. The state average for normal is 89.5%.

Farms and garden centers have a big stake in the weather and are warily watching daily forecasts.

"My husband obsesses about it," said Meghan Burnett, manager of Burnett's Country Gardens in Salem.

To find more water, Burnett's nursery has had to dig deeper into ponds. The garden center considered calling pool companies to truck in water "and see how long we can limp by," she said. A neighbor instead allowed the use of a pump to bring in additional water, Burnett said.

Kevin Zorda, a landscape designer at the Garden Barn in Vernon, said more customers are looking to replace plants that have died for lack of water.

"It's pretty obvious even if people say they water every day," he said. "It may not be enough."

Connecticut's dairy farmers have been forced to look elsewhere for corn feed because yields are down due to the lack of rain. A good corn crop generally requires 15 inches of rain and less than half that total has fallen this summer, Agriculture Commissioner Bryan Hurlburt said. Farmers who don't have ponds have to bring in water, he said.

Hay production also is down, forcing farmers to buy from other farms.

"You're losing revenue and increasing costs," Hurlburt said.

Extreme weather raises the question of whether, or to what degree, climate change is to blame. He cited what's happened so far: a wet and cold spring, a hot and dry summer, hail storms and spells of frost in summer.

"Farming is the one business where you can do everything right all the time and still lose money," Hurlburt said.

Top of Form

The average temperature this summer was 72.5 degrees, considered by the Northeast Regional Climate Center at Cornell University as a preliminary record for Connecticut's hottest summer. Averages were gathered between 1895 and 2020.

Phelps said climate change is evident in extreme swings from storms delivering a deluge to droughts and increasingly hot summers.

"That's not normal," he said. "Calling it not normal is not doing it justice. New England is a pretty stable climate for heat and precipitation."

Some relief might be in the works, with showers forecast for Monday. But extensive, soaking rains are needed to reverse the impact of the drought and Connecticut has missed out on several opportunities.

"Several times this year it looked like it would break," Lessor said. "It didn't happen."

### **State agency upgrades drought conditions for five CT counties**

Fox 61 - October 5, 2020

HAMDEN, Conn. — The state agency that monitors drought conditions has upgraded the drought severity in five Connecticut Counties. The lack of rain is affecting residents and businesses. Water Authorities are asking you to cut back on your usage by 10-15%.

Sky 61 showed us the shallows of the Farmington River in Canton on Monday. It's a popular fishing spot that won't be restocked this fall thanks to the drought. Four counties, Hartford, Tolland, Windham, and New London have been upgraded to stage three moderate drought conditions. Middlesex County was upgraded to drought level two.

"A moderate drought actually requests that voluntary actions be taken to help conserve water," said Martin Heft, the Chair of the Interagency Drought Workgroup.

That's what they've been doing over at Lyman Orchards in Middlefield where they've had to ration their irrigation affecting crops and their golf course.

Owner John Lyman said, "That's happened on our good courses as well where the ponds get low and we have to start cutting back, so the fairway is starting to brown up."

Water authorities say, for now, the drinking water supply is stable. MDC reporting reservoirs at 83% capacity, while the four reservoirs of South Central CT Regional Water Authority, including here at Whitney Lake in Hamden is at 68% capacity. Dan Doyle is on the drought team for the South Central CT Regional Water Authority.

He said, "With everyone home particularly because of COVID 19, we did see this summer an unprecedented increase in water use."

The unusually arid summer has also led to an increased brush fire danger. "We've seen Windham County area the fires that have been out there the past couple of weeks," said Heft.

Common sense measures to conserve water include not letting the faucet run, fixing leaks, upgrading to high-efficiency appliances, shortening your showers, watering by hand, and capturing and reusing rainwater.

According to the experts we are about 10 inches of rain below where we should be. CT's has five stages of drought severity with stage four kicking in mandatory water restrictions and state five being a state of emergency.