Representative Policy Board
Land Use Committee
South Central Connecticut Regional Water District
Place: Lake Saltonstall Water Treatment Plant
1 Saltonstall Parkway
East Haven, CT 06512

AGENDA

Regular Meeting of Wednesday, July 13, 2022 at 5:30 p.m.

1. Safety Moment
2. Approval of Minutes – June 8, 2022
3. Invasive Plant Activities: J. Tracy and W. Henley
4. Updates on other land and RWA properties, including invasive species update
5. Other Land items
6. Time change - August 10, 2022 Land Use Committee meeting
7. Next meeting – Wednesday, August 10, 2022 at TBD
8. Elect Committee Chair – 2022 to 2023
9. Adjourn

SAFETY MOMENT

Tap Into Safety

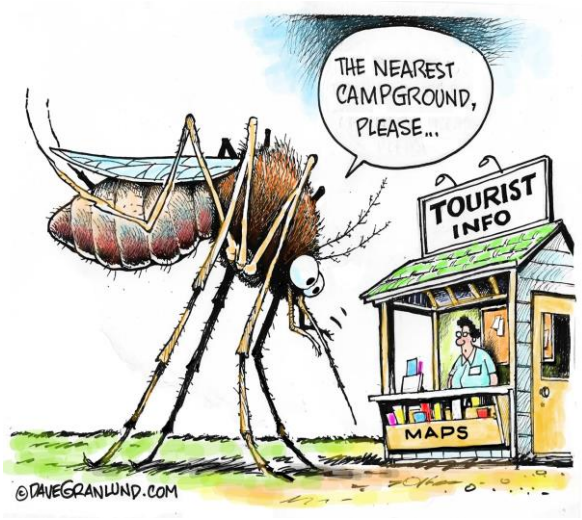
Regional Water Authority

KEEPING BUGS AT BAY

Mosquito bites are mostly an annoyance, but in rare cases mosquitoes may carry West Nile virus, encephalitis or other illnesses. Ticks, too, can be more than an annoyance. In rare cases ticks in this part of the country carry Rocky Mountain spotted fever.

PROTECT YOURSELF:

- Use insect repellent
- Wear protective clothing
- Use OTC cortisone creams for bites
- If experiencing a low grade fever after being bitten see a doctor



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 June 8, 2022 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, June 8, 2022, at Maltby Lakes, 585 Derby Avenue, West Haven, Connecticut. Acting Harvey Betkoski presided.

Committee Members: P. Betkoski, P. DeSantis, B. Eitzer, R. Harvey, M. Horbal, M. Levine, G. Malloy, and J. Oslander
Authority: C. LaMarr
Management: S. Lakshminarayanan and J. Triana
Staff: J. Slubowski

In Chair Betkoski's absence, Mr. Harvey called the meeting to order at 5:38 p.m. He reviewed the Safety Moment distributed to members.

On motion made by Mr. Eitzer, seconded by Mr. Oslander, and unanimously carried, the Committee approved the minutes of its May 11, 2022 meeting.

Mr. Triana, the RWA's Real Estate Manager, provided historical background of Maltby Lakes, which included information on the natural watershed locations and the Trout brook diversion. He stated that there are three lakes including the spillway to Rte. 34, and a second and third lake, which are the same elevation. Mr. Triana noted that much of the water supply comes from the Wepawaug watershed but is an inactive water supply as related to use in the service territory. He provided highlights of the recreation program and stated that Maltby Lakes is the most popular recreation area in the program.

Mr. Triana also provided background of Kaleb Maltby, whom the lakes were named after and his association with oyster harvesting and mining in the area. He discussed the collapse of the Wepawaug tunnel in 1909, burial grounds located in the area and use of the land by the Yale School of Forestry during the first half of the twentieth century.

At 5:53 p.m., Chair Betkoski entered the meeting.

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

Reservoir Levels (Percent Full)

	Current Year	**Previous Year**	**Historical Average**	**Drought Status**
May 31, 2022	96%	97%	93%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
May 2022	2.24	5.08	3.92
Fiscal YTD	46.81	42.26	46.54

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

- Cheshire, adjacent to Bis property – Discussed valuation to be used with the appraiser. Murtha still working on the affidavit.

- North Branford, Beech St. and Pomps La. properties (NB 4) – Asked Murtha for update on status of the draft MOA. No word as of the end of the month. Worked on the disposition applications. Expect to submit to the FMA in June.
- Madison, Old Toll Rd. and Summer Hill Rd. properties – Received final payment from the Madison Land Conservation Trust for the two properties sold to them in 2017. Issued letter to MLCT acknowledging the note was paid in full.

Rental houses:
- (nothing to report)

Forestry Update
- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) – 25% complete.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – Not started yet. **Executed change order to extend deadline.**
- Madison - Nathan's Pond Slash Wall Harvest (MA 6) – 95% complete. **Seeded landing.**
- Seymour - Silvermine Road Slash Wall Harvest (SE 9) – 100% complete. **Addressed remaining invasive plants. Seeded landing.**
- Killingworth - N. Chestnut Hill Patch Cuts, (KI 6) – Not started yet.

  - Several fire departments responded to a brush fire in Prospect behind houses on Cornwall Ave. Supplied woods road maps to the town.
  - Met former judge at Haddad Rd. timber sale to show him the slash wall and address his comments.
  - Conducted planting of pitch pine seedlings at Lake Gaillard in an on-going afforestation project above the gatehouse.
  - Seeded landings at the slash wall, timber harvests in Seymour and North Madison with conservation mix, including spreading weed-free mulch.

Recreation
- Completed reblazing trails at Genesee. Cleared trails at Genesee and Hammonasset.
- Kids fishing derby was held at Maltby Lakes with 8 participants.
- Issued another gift certificate for a tagged trout at Maltby Lakes.
- Installed new picnic tables at Maltby Lakes and Lake Saltonstall.
- Met with NBLCT members to inspect the bridge and trail coming from the Harrison Preserve.
- Discussed correcting New England Trail locations at Genesee with CFPA staff.
- Revoked one permit for an angler using live bait at Lake Saltonstall.
- Investigated anglers fishing after dusk at Lake Saltonstall.
- Answered question from Woodbridge Conservation Commissioner about who maintains the Woodbridge Greenway.
- Corresponded with UConn staff about adding our trail data to a website they are building.
- Hired Jessica Shanley for the recreation staff over the summer.

	May		April	
	2022	2021	2022	2021
Permit Holders	5,676	6,337	5,792	6,502

Special Activity Permits
- The Eli Whitney Museum and Workshop (Mr. Ryan Paxton, Museum Director)-will learn the basics of ciphers and codes, how they can hide secrets, and how those secrets can be

revealed. Drone will send live feed to a closed circuit for campers to surveille the land, 915 Whitney Avenue (8/2/22 – 8/4/22)

- New Haven Bird Club (Mr. Patrick T. Leahy and designees)-Spring Bird Walk to observe species that nest in the bluebird/tree swallow boxes, Lake Chamberlain and Lake Watrous, (5/17/2023)
- Bimbler's Bluff 50K (Russell Hammond) - Annual 50K foot race - Use of trails through Genesee Preserve north of Guilford (10/23/22)

Other items

- Encroachments/agreements –
    - Agricultural agreements – Met potential farmer at Parish Farm Rd. fields in Branford. Verified with the Cave's that they will continue the license agreement for Christmas trees by North St.
    - Bethany, Bethany Horsemen agreement – Executed annual agreement with BH.
    - Woodbridge/Orange (WO 14/OR 7) – Met with Yale Golf Course staff about increased trespassing of mountain bikers at Maltby Lakes.
    - East Haven, 167 Saltonstall Parkway (Route 1) (EH 7) – Reviewed documents from Lucido that Murtha forwarded. Murtha submitted our replies. Noticed that the property was for sale and then listed as "under contract" according to the MLS. Worked with Murtha staff to file affidavit for pre-judgement decision prior to the sale of the house.
    - East Haven, 27 Virginia Rd. (EH 3) – Sent letter to Coscenzo. Materials still over the line as of the end of the month.
    - Madison, (MA 12) – Kuck called and said the fence was moved to the property line.
    - Madison, Devonshire Dr. (MA 3) – Sent letters to two abutters about a tree stand that is on RWA behind their houses.
    - Hamden, Blake Rd (HA 32) – Roche sold property to Iscoe and Ledbetter. Signed new license agreement with them for use of the property and maintaining the sidewalk.
    - Woodbridge, 539 Amity Rd. (WO 7) – Stein sold property to Rivellini. Signed new license agreement with him for the patio and lawn area.
    - East Haven, 9 Pardee Place (EH 6) – Contacted abutter (East Haven Memorial Funeral Home) about numerous encroachments coming from their property,
    - North Branford, 438 Sea Hill Road (NB 4) – Discovered and documented encroachment
    - Trespassing – Forwarded many instances of trespassing to LT members including mountain bikes at Maltby Lakes, ATV's and dumping in Woodbridge, tree stands in North Branford and Madison, burglary and vandalism at Lake Menunketuc, ATV's and dirt bikes in North Branford, and Sugarloaf recreation gate being sawn in half.

- Invasive plants – Documented and/or treated invasive populations in North Branford, Woodbridge, Hamden, Seymour, Orange, and West Haven. Cut the knotweed at the Davis St. sediment basin in Hamden. Branford Land Trust staff reported that water chestnuts were removed from the property they recently acquired on Todds Hill Rd. Hosted walk at the Madison slashwall harvest for CIPWG members to discuss non-herbicide management options for controlling invasive species by limiting deer browse. Hosted walk at Lake Chamberlain for CIPWG members to show off four plant species that could potentially be invasive.

Invasive Species Documented/ Mapped (ac)	99.5 acres
Invasive Species Treated (ac/MH)	5 acres

- Deer hunt – Ran the lottery after all applications received. There are 192 hunt participants this year; 139 at Lake Gaillard, 25 at Bethany, 20 at Prospect, and 8 at Ansonia/Seymour.
- Boundaries – Remarked boundaries in Killingworth, Hamden, Seymour, Bethany and Woodbridge.
- East Haven, Beach Ave. watermain – Received two more easement documents. Still waiting for documents from two property owners.
- Cell phone towers – North Haven, Rabbit Rock Tank (NO 1) – Continued discussion with T-Mobile about sharing a generator at this site. Reviewed updated plans from T-Mobile and sent them comments. Sent them a draft amendment to the agreement.
- Rare species reporting – Corresponded with State Botanist about narrow-leaved vervain found at Lake Gaillard last year.
- Prospect Reservoir – Met with Mayor Chatfield and Bob Harvey to talk about the issues at the dam and future potential scenarios for the Prospect System.
- Water main break, Paradise Ave. and West Shepard Rd., Hamden – Corresponded with town staff about the status of the town ROW where the water main break occurred.
- Rats near Lake Whitney – Responded to email from nearby resident of Lake Whitney complaining that we were the cause of a recent rat outbreak in their neighborhood. Explained that we have not altered the management of our property.

The Committee discussed trespassing on RWA's property, environmental looting, and the need for more Police to monitor the areas.

Mr. Lakshminarayanan also reported that work on the Derby Tank is scheduled to begin next week.

Mr. Harvey notified members that the July meeting would include the appointment of Election of Committee Chair.

The next meeting is scheduled for Wednesday, July 13, 2022 at 5:30 p.m. Members commented that they would like an in-depth update on invasive species control and water chestnut harvesting at Furnace Pond in Branford.

At 6:39 p.m., on motion made by Mr. Malloy, seconded by Mr. Eitzer, and unanimously carried, the committee meeting adjourned.

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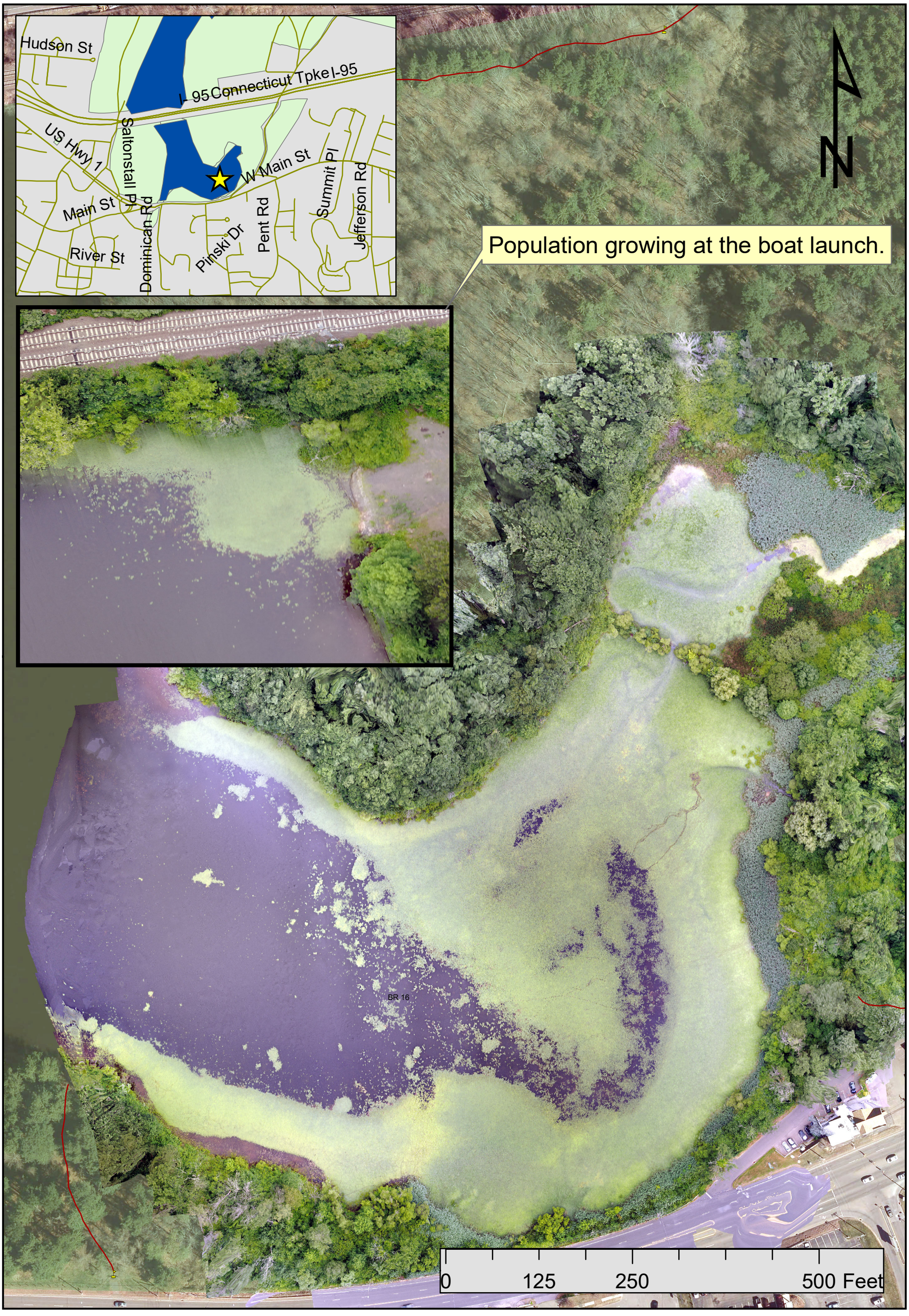
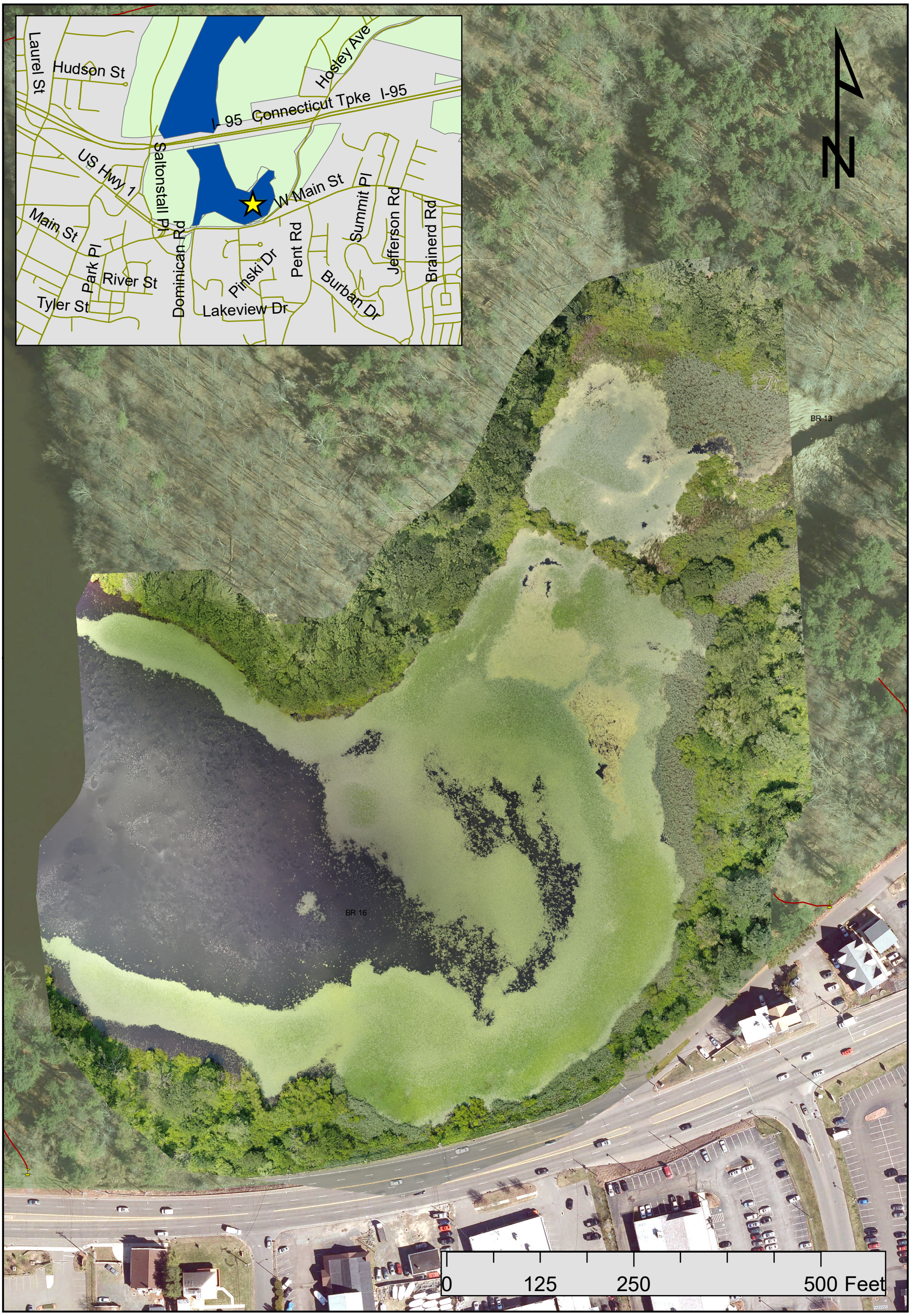
Robert E. Harvey, Jr., Acting Chairman

Water Chestnut- Pre Harvest- 07/7/2022



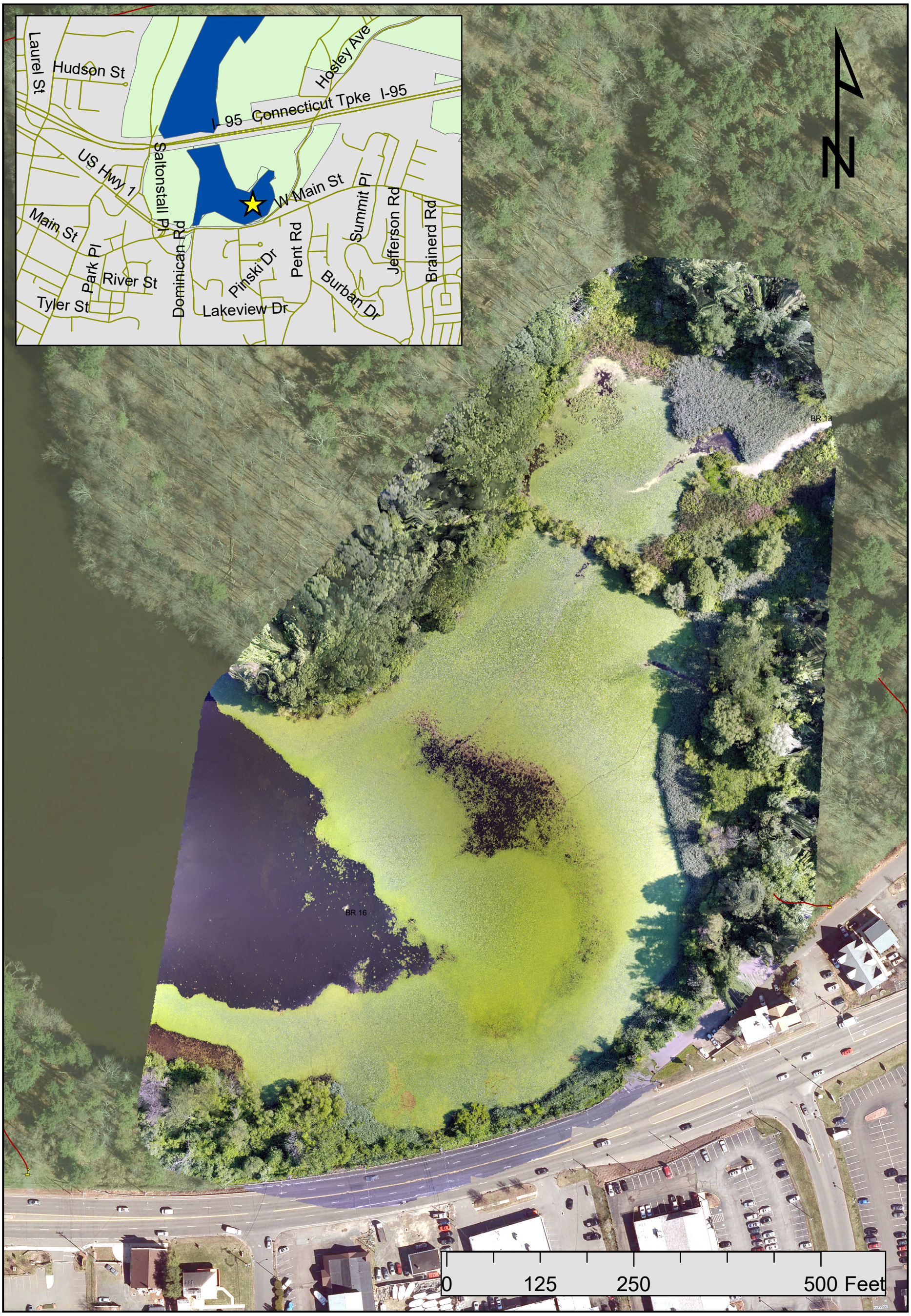
Map made by:
Joshua Tracy
Inv.Spc.Mgt.Tech.
07/08/2022

Water Chestnut- Pre Harvest- 07/16/2021



Map made by:
Joshua Tracy
Inv.Spc.Mgt.Tech.
01/05/2022

Water Chestnut- Pre Harvest- 07/06/2020



Map made by:
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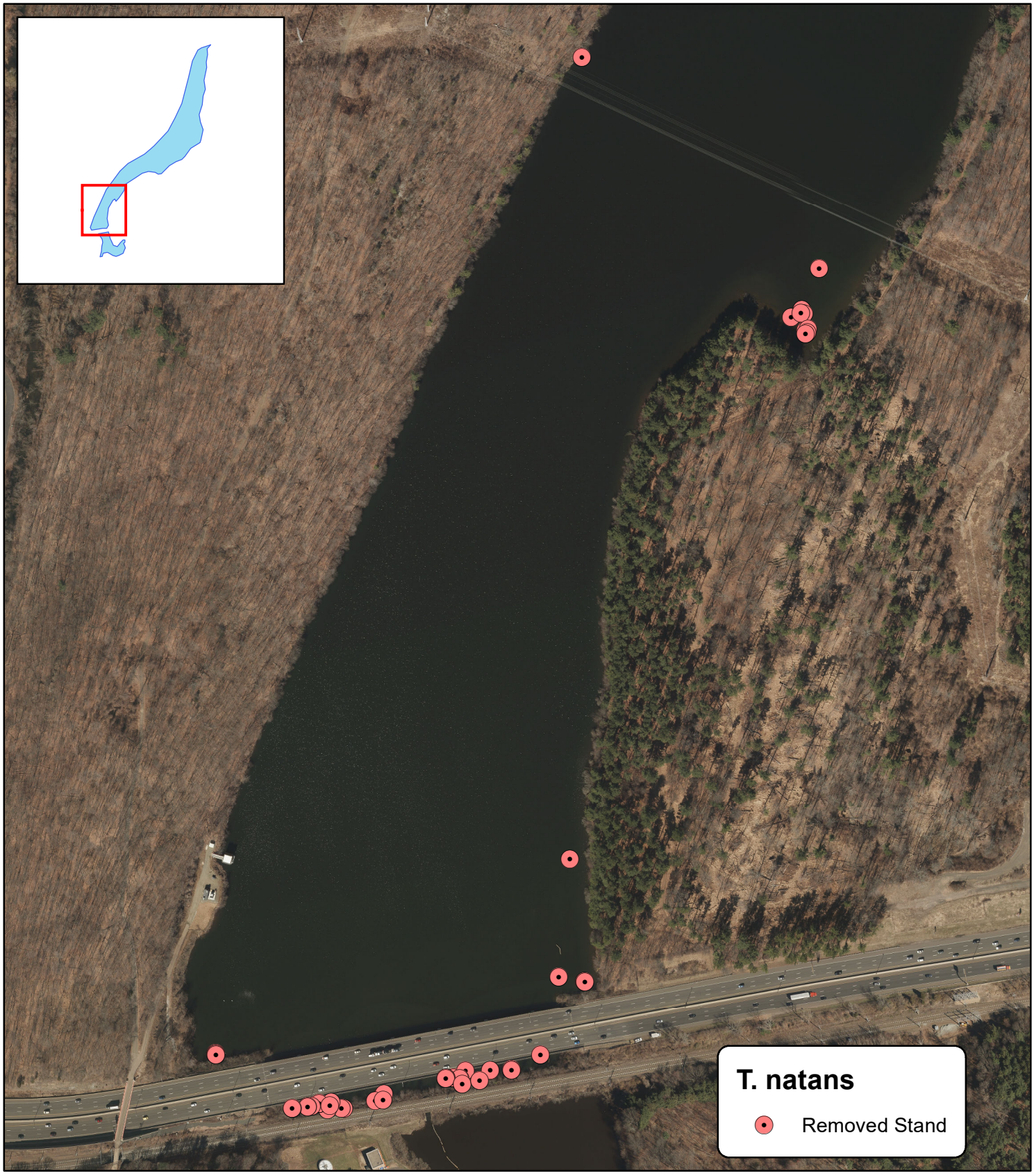
01/05/2022



Lake Saltonstall
Trapa natans
(Water Chestnut)
Distribution 07/12/22

The survey located and mapped:
~49 Individual Stands,
all of which were removed from the waterbody upon detection.
The most northern stand was located **~0.54** miles from the Furnace Pond culvert.

0.1 Miles

N

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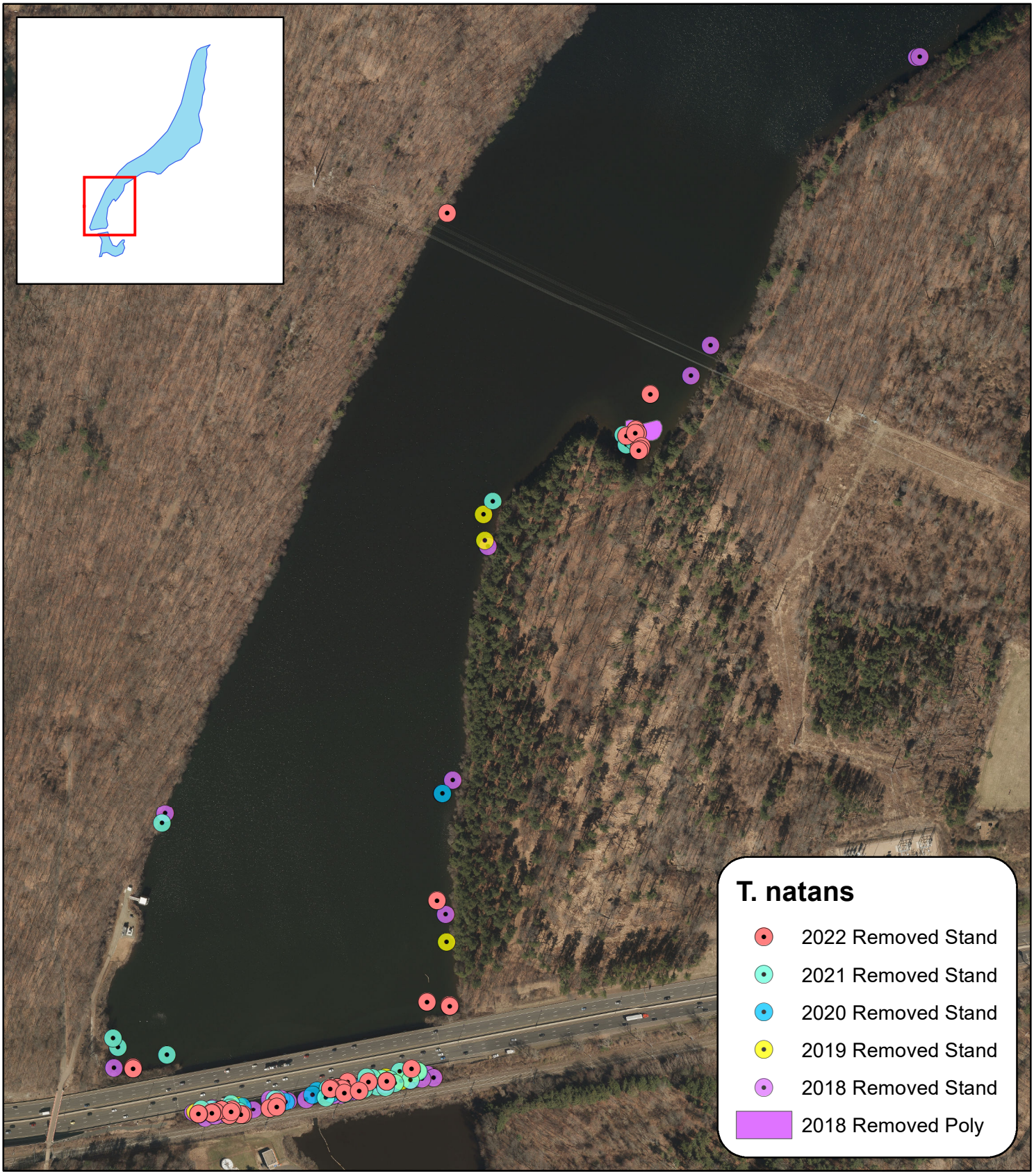
Utilizes CT Orthophotography (2016). Map intended for planning purposes only, contains no authoritative data.



Lake Saltonstall
Trapa natans
(Water Chestnut)
Distribution 2018 - 2022

Survey results 2018 - 2022 showing individual stands and patches; which were removed from the waterbody upon detection.The northernmost stand was located **~0.70** miles from the Furnace Pond culvert in 2018, and **~0.55** miles in 2022

0.1 Miles

N

Regional Water Authority

Utilizes CT Orthophotography (2016). Map intended for planning purposes only, contains no authoritative data.

July 13, 2022
Land Use Committee Meeting

Reservoir Levels (Percent Full)

	Current Year	Previous Year	Historical Average	Drought Status
June 30, 2022	91%	93%	88%	None

Rainfall (inches)

	Current Year	Previous Year	Historical Average
June 2022	3.07	1.34	3.72
Fiscal YTD (6/1/22 – 6/30/22)	3.07	1.34	3.72

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

- Madison – Corresponded with property owner of 23+/- acres.
- Cheshire, adjacent to Bis property – Got the appraisal from Nadeau and forwarded to Murtha staff. Reviewed affidavit from Murtha and discussed bringing quiet title action to solidify our claim.
- Cheshire, Ricci property – Contacted town to find out status of the OSWLA grant.
- North Branford, Beech St. and Pomps La. properties (NB 4) – Received final Preliminary Assessment. Gave draft disposition application to Sunny for review. Reviewed draft MOU for use with the NBLCT.

Rental houses:

- Hamden, 233 Skiff St. (HA 9A) – Sent another email to the assistant town attorney without a response. Discussed possibility of razing the house to end the matter.

Forestry Update

- Killingworth - East Hammonasset Leaf Screen Thinning, (KI 4) – 25% complete.
- Hamden - Overstory removal and Tornado Salvage, (HA 36) – Not started yet. **A field memorandum and change order have been executed. A preliminary field meeting between the buyer and RWA representatives was held in June to discuss and resolve issues related to the landings and use of a field. A summer start time is anticipated.**
- Madison - Nathan's Pond Slash Wall Harvest (MA 6) – 95% complete.
- Seymour - Silvermine Road Slash Wall Harvest (SE 9) – 100% complete. **The screened door within the gate area was repaired by the forester in June, who also showed the hardwood debris to a potential firewood harvester.**
- Killingworth - N. Chestnut Hill Patch Cuts, (KI 6) – Not started yet.

  - Sent overdue notice to logger from the Bethany job (>$10,000).
  - Reviewing request from someone wanting to harvest mountain laurel.
  - Contractor mowed the Christmas tree plantation.
  - Met with four new woodcutters to set them up in lots.

Recreation

- Trails day hike was held at Maltby Lakes and had 30 attendees.
- Walk about biocontrol of swallowwort given by Gail Reynolds was held at Lake Gaillard and had 12 attendees.
- Walked a portion of the New England (MMM) Trail with CFPA to discuss location of the trail.
- Hired Vincent Torres for the recreation staff.

	June		May	
	2022	2021	2022	2021
Permit Holders	5,334	5,991	5,676	6,337

Special Activity Permits

- Beecher Road School (Barbara Ahern) - Study of bluebirds, native species. Trail walking with viewing of bluebird boxes related to conservation of reservoir area. - Lake Chamberlain Recreation Area – (6/13/2022)
- East Haven Fire Department (Deputy Chief James Murray, Jr.) – low angle ropes training on the side of the hill to practice removal of victims; Saltonstall Treatment Plant inside the gate on the left, (6/6/22-6/9/22).
- Native Plant Trust (formerly New England Wild Flower Society) – (Jessa Finch, Michael Piantedosi, Conservation Director) – study of Aplectrum hyemale which is an orchid called putty-root, Maltby Lakes, (6/7/22-12/31/22)
- Shoreline Outdoor Education Center and Guilford School System (Karen S. Christensen, Ph.D., Director)-Provide geology instruction and collect rock samples from the area-Genesee Tunnel spoils area, Race Hill Road in Madison (06/10/2022-06/10/2023)
- Resources In Search and Rescue, Inc. (Celeste Robitaille and designees)-four day water seminar for training and certification testing of search and rescue K9 teams to assist with locating drowning victims; Gaillard Reservoir south and west portion (6/30/2022-7/3/2022)
- Connecticut State Police K9 Unit (Mr. Ryan Cloukey and designees)-training K9 teams in the discipline of tracking, Lake Gaillard, (6/15/2022-6/15/2023)
- Something Projects (Jennifer Davies and Meg Bloom-artists)-piece of art which will wrap around the pipe displayed in front of the Whitney Water Purification Facility, and another which will hang on the fence facing the waterfall at Water Learning Lab on the grounds of the Eli Whitney Museum, historic artifact pipe in front of Whitney Water Purification Facility and the fence that faces the waterfall near the Water Learning Lab at the Eli Whitney Museum, (8/15/22 – 11/15/22)
- US Forest Service (Ryan Nowak, Research Forester)-re-inventory a forest inventory and analysis research site on the property 215 Sherman Ave., Hamden, (June 28, 2022 – July 31, 2022)

Other items

- Encroachments/agreements –
    - Agricultural agreements – Sent draft license amendment to potential farmer at Parish Farm Rd. fields in Branford. Spoke to tenant of the Downs Rd., Hamden field since part of it needs to be used for a timber harvest landing. Renewed license for free ranging chickens in Guilford.
    - East Haven, 167 Saltonstall Parkway (Route 1) (EH 7) – Reached settlement with Lucido's insurance company. Received and deposited check.
    - East Haven, 9 Pardee Place (EH 6) – Checked the pipe to ensure there was no leakage. Contacted abutter (East Haven Memorial Funeral Home) and sent them a draft license agreement for the encroachment.
    - North Branford, Forest Rd (NB 17) – Noticed fire within a container on the property and sent notice to abutters that it must be extinguished or removed from our property.
    - Trespassing – Forwarded many instances of trespassing to LT members including ATV's at Lake Chamberlain, fishing after hours at Lake Saltonstall, inflatable boats at Lake Saltonstall, dog walker at Lake Gaillard, ATV's and illegal fishing at Lake Saltonstall, hikers without permits at Lake Hammonasset, cars inside the Genesee area, dirt bikes off of Reeds Gap Rd. (NB), and a broken lock at the Maltby Lakes entrance.

- Invasive plants – Documented and/or treated invasive populations in Branford, East Haven, North Branford, Cheshire, and Hamden. Specifically addressed areas where invasive plants are encroaching on rare, state-listed species in North Branford and East Haven. DEEP rejected our aquatic invasive grant application for the water chestnut at Furnace Pond. Submitted requisition for harvest of water chestnuts. Met with Gail Reynolds of UConn and students from the University of Rhode Island to put up a cage and release the moths for biocontrol of swallowwort, *Hypena opulenta*.

Invasive Species Documented/ Mapped (ac)	88 acres
Invasive Species Treated (ac/MH)	4.7 acres

- Deer hunt – Proficiency test scheduled for July. Participants notified.
- Boundaries – Checked boundaries in North Haven and Seymour.
- East Haven, Beach Ave. watermain – Environmental Planning staff heard from one of the agencies needed for the DEEP permit.
- Woodbridge, Laurel Rd. (WO 11) – Met with town engineer and IWEO to look at flood plain of the Wepawaug River on our property.
- Hamden, Clark's Pond (HA 18) – Responded to question about who was responsible for fixing potholes in the parking lot.
- Cell phone towers – North Haven, Rabbit Rock Tank (NO 1) – Continued discussion with T-Mobile about sharing a generator at this site. Reviewed updated plans from T-Mobile and sent them comments. Environmental Planning staff submitted change-in-use application to DPH.
- Branford, Hosley Brook clearing – Assisted Environmental Planning staff with inland wetland application regarding the clearing and cleaning of the Hosley Brook diversion channel. Attended field meeting of the IW Commission.
- Drones – Conducted drone flights at LGWTP, future Derby tank site, and Hamden Middle School with John Hudak.
- Environmental career camp – ISMT, Forester, NRA, and REM gave presentations to the students enrolled in the WWC's environmental career camp.

Attachments

- June 8, 2022 - Industrial water use threatens Louisiana capital's drinking water - The Guardian
- June 11, 2022 - 'Earthworms on steroids': Invasive jumping worms spreading in CT – NH Register
- June 16, 2022 - Huge ripple effects' expected as PFAS safety levels plunge in drinking water – mlive.com
- June 17, 2022 - CT Issues New Drinking Water PFAS Advisory: What To Know – Patch

Upcoming Agenda Items

August 2022 – Alden Page, Maple Tree Farm, North Branford

Industrial water use threatens Louisiana capital's drinking water

Unchecked water use by companies like Exxon risks saltwater intrusion and undrinkable tap water

Sara Sneath - 8 Jun 2022 – The Guardian

The city pulls its water deep underground from the Southern Hills aquifer, which requires little to no treatment to drink, unlike other Louisiana communities such as New Orleans, which draws its water from the Mississippi River and requires heavy treatment.

But the pristine water source for the predominantly Black city of Baton Rouge is facing a serious and worsening threat from over pumping: saltwater intrusion. Much of it can be attributed to unchecked water use by the industrial sector, including by the oil and chemicals corporation Exxon, the toilet paper producer Georgia-Pacific and the power company Entergy. Without intervention, the currently clean water source for more than 500,000 people in six parishes could become undrinkable for residents, according to a Louisiana legislative auditor report. It could also be detrimental to Rogers' livelihood. "I really do think it would affect a lot of floral business in Baton Rouge if that were to happen," she said.

Across the globe, the industrial sector is the second largest freshwater user after agriculture. The processes of refining oil into gasoline, making petrochemical products and cooling power plants requires billions of gallons of water every day. In Louisiana, industry uses more groundwater than in any other state except California, according to the US Geological Survey. For decades, industrial users have been able to pump water out of Baton Rouge's aquifer effectively without limitations – no withdrawal caps on individual wells and no metering requirement, according to a 2019 report by the state legislative auditor. Some similar groundwater districts in Florida and Texas, in comparison, do restrict how much water can be withdrawn from individual wells.

"People ought to come first, not Exxon and Georgia-Pacific. We ought to save it for the people," said Russel Honoré, a retired US army lieutenant general who leads an environmental group called the GreenARMY, based in Baton Rouge. In 2020 alone, Exxon's chemical facility in north Baton Rouge used 7.3bn gallons of water from the aquifer, enough to fill the Superdome stadium about eight times. The only company to use more was the Baton Rouge Water Co, which sells water to residential users.

"We need to protect the aquifer. But we need to do it in a constructive way," said Brett Furr, an attorney for Baton Rouge Water Co. Exxon operates 70% of the company's Baton Rouge refinery and chemical plant cooling towers on river water, according to the company. "ExxonMobil remains committed to the long-term conservation of the Southern Hills aquifer," the company said in an emailed response to questions.

The threat of saltwater intrusion has been well known and documented for years, but those fighting for more oversight and restrictions on industrial water use say they have met stiff resistance. A bill vetoed by the Louisiana governor last year would have made it legal for employees of Exxon and other companies to be members of the regulatory body overseeing water use in the Baton Rouge area. A similar bill introduced this legislative session passed the Louisiana senate and house and and was sent to the governor on June 2.

Excessive pumping from the aquifer is pulling saltwater northward toward the clean source of drinking water. The salinity comes from salt domes, left behind by ancient oceans in the southern part of the aquifer.

There have been some moves to address the drinking water impacts. In 2014, the Baton Rouge Water Co installed a scavenger well to temporarily slow the movement of saltwater into the aquifer. The scavenger well works to balance out the pressure that causes saltwater intrusion by pumping the heavier saltwater out from the bottom of the sand and away from drinking water wells.

In 2021, state lawmakers passed a symbolic, non-binding house resolution urging and requesting the Louisiana department of natural resources to limit the amount of groundwater that any industrial or commercial facility can draw from the aquifer to 5m gallons per day by 2026. That would be a steep decrease from the 50m gallons per day commercial and industrial facilities used on average in 2020. But longer-term measures have been harder to implement.

For most of its history, the Capital Area Groundwater Conservation Commission, which is tasked with managing the aquifer, was chaired by someone employed by one of the companies it regulates. From 1975 to 2004, 80% of commission chairs worked for ExxonMobil, Entergy, Georgia-Pacific or another large commercial or industrial water user, according to a report from the Louisiana department of natural resources. From 2013 to 2020, employees of regulated businesses held the chairmanship three times, and others served as committee chairs or vice-chairs. Commissioners are appointed by the governor and confirmed by the Louisiana senate.

Many trying to call attention to the threat of saltwater intrusion point to the leadership history as the reason why the commission has not limited the amount of water companies can withdraw from the aquifer. "The bottom line of this commission was to make sure this water was preserved for the people," Honoré said. "But because of the makeup of this commission over time, this commission has sided with industry because the majority of time they were from industry."

The conflicts were so apparent that in a rare instance, five water commissioners were hit with ethics charges in 2020 for working for companies the water commission regulates. But the charges were dropped this past February after their terms ran out or they resigned.

None of the 16 commissioners who currently sit on the Capital Area Groundwater Conservation Commission are employed by industrial or commercial water users. The Louisiana Board of Ethics has since written an advisory opinion reaffirming that it is against the state's ethics code for commissioners to receive compensation from industrial and commercial water users.

In what could be a major win for industry, lawmakers last year passed a bill that would make it legal for groundwater commissioners to receive salaries from the companies they oversee. Louisiana's Democratic governor, John Bel Edwards, ultimately vetoed the bill, but this past March the legislation was reintroduced by the Republican senator Mack "Bodi" White – who worked at ExxonMobil's Baton Rouge refinery for 17 years.

While introducing the legislation at a state senate committee hearing in April, White made the point that it is not unusual for people who have experience in an industry to sit on their respective regulatory boards. Such is the case for the state's Cemetery Board, Board of Medical Examiners and Real Estate Commission, he said.

"I'm going to leave a packet with you to look over the other 25 commissions around the state that have members on their board that vote on their business opportunities," he said to state lawmakers in a May house committee hearing. White did not respond to a request for comment. Having a background in the industry is not the same as being currently employed by a company you're regulating, critics point out.

"It's clearly the industry's way of trying to exercise more control and not caring about the appearance of impropriety, let alone the actual existence of it," said Jonathan Leo, an environmental attorney and newly appointed member of the Capital Area Groundwater Conservation Commission, of the bill.

This May, an amendment to the legislation stripped the allowance for water regulators to be employed by industrial users. However, the bill – which passed the senate and house – still allows private water companies, such as Baton Rouge Water Co, to pay salaries to commissioners. The governor did not respond to questions from Floodlight about whether he would veto the legislation again this year. There is concern that the Republican majority in the Louisiana legislature could override a veto. "To slow down the saltwater movement, there are a couple measures. A scavenger well is one measure. But it's not a long-term measure," said LSU environmental engineering professor Frank Tsai, who has been studying the saltwater intrusion issue into the Southern Hills aquifer.

A 2020 audit of the state legislature found that Louisiana spent more than $5m on a dozen water resource and management studies but still lacked a comprehensive water management plan.

In an effort to verify the water use of industry, in May last year the commission approved a measure requiring a meter on every well in the district. Previously, the commission relied on companies to estimate their water use. But in February, the Baton Rouge Water Co sued the commission over the metering measure, arguing that the meters would be inaccurate because of turbulence inside the twisting pipes that transport the water.

"If you don't have the conditions for them to work, they won't work," said Furr, Baton Rouge Water Co's attorney. Instead, Furr said the commission should be auditing the meters that companies use to self-report their water use. "I don't know why we wouldn't try that first," he said.

Gary Beard, executive director of the Capital Area Groundwater Conservation Commission, disputed the claims. Beard has more than 40 years of experience as a civil engineer, specializing in environmental treatment systems. "These meters are used throughout the world," he said. There remain no measures to limit how much freshwater is pulled from each well.

"Nobody speaks against Exxon in this town," said Honoré, the leader of Louisiana's GreenARMY. "They get what the hell they want." … we have a small favour to ask. Tens of millions have placed their trust in the Guardian's fearless journalism since we started publishing 200 years ago, turning to us in moments of crisis, uncertainty, solidarity and hope. More than 1.5 million supporters, from 180 countries, now power us financially – keeping us open to all, and fiercely independent.

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‘Earthworms on steroids’: Invasive jumping worms spreading in CT

Jesse Leavenworth – NH Register - June 11, 2022

Invasive jumping worms, which a Connecticut scientist says have the potential to cause widespread damage, are distinguished from native earth worms by their milky white collar.

A jacked-up species of earthworm is spreading in Connecticut, with the potential to ravage the landscape and forest ecosystems.

Jumping worms — also known as “crazy worms,” crazy snake worms” and “sharks of the earth” — deaden soil with their waste, or castings, which look like black Grape Nuts cereal.

“They destabilize the soil, increase nutrient leaching and erosion, increase drought vulnerability, cause turf detachment from soil and unstable rooting, root desiccation and low germination,” state scientist Gale Ridge wrote in a recent alert.

The worms are distinguished from nightcrawlers and other native cousins by a milky white collar and by strong, rigid bodies that can whip violently when disturbed. The worms do not jump, but they can climb and have been found in the upper stories of buildings.

“These are earthworms on steroids,” Ridge, who works for the entomology department at the Connecticut Agricultural Experiment Station in New Haven, wrote in the alert.

The worms are established in the Midwest and are spreading in the Northeast.

“Their activity has toppled stone walls in New England,” Ridge wrote. “Many native trees and plants (including garden plants) cannot germinate or develop in this altered soil, while invasive species thrive.”

Spread by transport of mulch, compost and potted plants, the worms have been found throughout the state, but are concentrated along the shore and in Fairfield County, Ridge said in an interview with Hearst Connecticut Media Group.

Connecticut provides prime habitat, however, so state scientists and wildlife managers are sounding the alarm. The worms have the potential to cause great damage to forest floor ecosystems by changing the soil and also because they accumulate toxic metals such as mercury and lead, which are hazardous to birds and other animals that eat the worms.

Natives of Japan, jumping worms were imported to the Bronx Zoo in 1948 to feed platypuses. More recently, they were spread in New York after Hurricane Sandy through chipping of downed trees and movement of soil and mulch for biofuel and landfill cover.

Connecticut is “at the front of the wave” now in dealing with the invasive worms, Ridge said. She is developing management techniques with a scientist from the University of Vermont, but residents can take steps to curb the spread:

Since the worms are transported in pot soil, buy bare-root plants.

Avoid buying compost and mulch unless the seller can prove that the material has been heat-treated from 105-131 degrees for at least three days.

Don’t buy worms for fish bait or vermicomposting unless certain they are not jumping worms. Do not buy worms on the internet.

There are no proven, established methods for controlling or exterminating jumping worms, Ridge wrote, but since they live in the upper 2 inches of soil, the worms can be killed by rototilling before May 30. Also, yellow mustard seed is an irritant that can flush the worms from soil, making hand-picking easier. Dump the worms in a pail of soapy water to kill them, Ridge advises.

The good news, Ridge said, is that a jumping worm predator, the hammerhead worm, has been found in Connecticut. The native of Southeast Asia with a fan-shaped head can tackle prey 55 times larger than itself, and jumping worms are high on the hammerheads’ diet.

‘Huge ripple effects’ expected as PFAS safety levels plunge in drinking water

Jun. 16, 2022 - Garret Ellison | gellison@mlive.com

WASHINGTON, DC — The U.S. Environmental Protection Agency (EPA) has lowered what’s considered a safe level of toxic PFAS in drinking water to virtually zero in a move that’s expected to produce wide regulatory ripple effects.

The EPA dropped its lifetime health advisory levels for PFOS and PFOA, the two most well-known individual compounds in the huge chemical family, by orders of magnitude from thresholds the agency has relied on for the past seven years.

New advisory levels are also being set for two compounds, PFBS and GenX, developed by chemical manufacturers to replace PFOS and PFOA in the marketplace.

The EPA announcement was made Wednesday, June 15 during the first day of the third National PFAS Conference happening this week in Wilmington, North Carolina.

“Today’s actions highlight EPA’s commitment to use the best available science to tackle PFAS pollution, protect public health, and provide critical information quickly and transparently,” said Radhika Fox, EPA Assistant Administrator for Water, in a statement.

Whereas EPA previously considered PFOS and PFOA exposure unsafe when consumed in water at 70 parts-per-trillion (ppt) or more, the agency now says the compounds are unsafe at the parts-per-quadrillion level, which translates to 0.020-ppt for PFOS and 0.004-ppt for PFOA.

Those new concentrations are so small they’re below the current minimum reporting level that most drinking water analysis labs use as a baseline for any PFAS detection. They also are far lower than any state regulatory standards for the compounds in drinking water or groundwater, including standards enacted two years ago in Michigan.

In a release, EPA said the advisories are “based on new science and consider lifetime exposure.” They also “indicate that some negative health effects may occur with concentrations of PFOA or PFOS in water that are near zero and below EPA’s ability to detect at this time.”

Although EPA advisory levels are not enforceable in court, they have been used as de-facto standards around the country in states which have not passed their own rules.

The U.S. Department of Defense has also long relied on the previous level of 70-ppt, which EPA issued in 2016, as a threshold for cleanup or connecting people to safe water in areas near military bases contaminated by PFAS-based AFFF firefighting foam.

For GenX, the EPA is setting the advisory level at 10-ppt. For PFBS, the level is 2,000-ppt. The EPA did not previously have an advisory level for either compound, which were marketed as “safer” alternatives when PFOS and PFOA were phased out in the early 2000s.

Activists cheered the news and urged the EPA to go further by developing regulations for PFAS as a chemical class, rather than on a one-by-one basis over time.

“The science is clear: these chemicals are shockingly toxic at extremely low doses,” said Erik Olson, a PFAS policy expert at the Natural Resources Defense Council (NRDC). “EPA’s new health advisories for PFOA, PFOS, and GenX reflect this robust science and will send a welcome signal that government and industry must do more to protect public health.”

Anthony Spaniola, a metro Detroit attorney and Michigan PFAS activist who co-chairs the Great lakes PFAS Action Network, urged the military to begin using the new levels.

“This is an important step from the Biden administration in the fight to protect public health,” said Spaniola. “EPA has confirmed that there are effectively no safe levels of PFOA or PFOS, and it has shot down the notion that newer PFAS chemicals, like GenX, are harmless.

“Now more than ever, it’s time for the Department of Defense to act with urgency to clean up the decades old PFAS mess that it created for service members and host communities like Oscoda all across America,” said Spaniola, who owns a home near the former Wurtsmith Air Force Base in Oscoda, where an achingly slow PFAS cleanup is crawling forward.

The Michigan Department of Environment, Great Lakes and Energy (EGLE), which developed enforceable PFAS standards for drinking water that were enacted in 2020, released a statement Wednesday saying it “welcomes” the EPA announcement as a “step toward a more unified and consistent approach to addressing PFAS compounds nationwide.”

Michigan’s own drinking water standards for PFOS, PFOA and five other PFAS compounds were finalized in August 2020. The toxicology reviews for those began in 2018 and the process resulted in limits of 8-ppt limit for PFOA and 16-ppt for PFOS, among others, which public water supplies must adhere to. The requirements are mirrored for site cleanups.

Department spokesperson Scott Dean said EGLE and its internal Michigan PFAS Action Response Team (MPART) “looks forward to reviewing the new EPA health advisory levels to help inform our evaluation of Michigan’s current and future standards.”

Sandy Wynn-Stelt, a Michigan PFAS activist who is attending the conference in Wilmington, said the widespread impact of the new levels is gradually dawning on attendees.

“It’s going to have huge ripple effects,” said Wynn-Stelt, who lives across from the House Street dump north of Grand Rapids, where shoemaker Wolverine Worldwide landfilled PFAS-laden tannery waste in the 1960s causing severe contamination in northern Kent County.

She said the state Citizen Advisory Workgroup on PFAS in Michigan, named the CAWG, is “definitely” going to want to discuss adopting the state adopting the new EPA levels.

“I don’t see any way we can’t follow the lead from EPA,” she said.

On the flip side, the American Chemistry Council (ACC), a trade group which represents chemical manufacturers, issued a statement criticizing the move as “a failure of the agency to follow its accepted practice for ensuring the scientific integrity of its process.”

“ACC is concerned that the process for development of these LHAs is fundamentally flawed,” according to a statement shared by spokesperson Tom Flanagin. “We will continue to engage with EPA and policymakers at the state and federal level to advocate for strong, science-based policies that are protective of human health and the environment.”

Flanagin shared a copy of a June 8 letter sent to Shalanda Young, director of the Office of Management and Budget (OMB) in which the ACC argued the advisories should have been subject to interagency review as well as public comment under the Administrative Procedures Act because the new advisory levels are expected to have a “clear and substantial impact on regulations and policies at the state and federal level.”

Thew new advisories follow draft toxicity analyses EPA released in November suggesting PFOS and PFOA — which have been found in many drinking water supplies and surface waters in Michigan and around the country — are far more toxic than previously thought.

The changes are based on the reliance of epidemiological studies that assess actual exposure in humans rather than solely on studies of animals exposed to the chemicals in a lab.

The EPA analyses are part of the process by which the agency is developing national drinking water standards for PFOS and PFOA. In regulatory terms, such standards are called “maximum contaminant levels” or MCLs, which are developed under the Safe Drinking Water Act for pollutants the agency considers to be widespread in U.S. water supplies.

In October, as part of a “strategic roadmap” for tackling PFAS contamination around the country, the EPA announced its intent to propose MCLs for PFOS and PFOA by this fall with the hope of finalizing those standards in late 2023.

According to the ATSDR, research involving humans suggests high exposure to PFAS may lead to increased cholesterol levels, changes in liver enzymes, decreased vaccine response in children, increased risk of high blood pressure or pre-clampsia in pregnant women, decreases in infant birth weight and increased risk of kidney or testicular cancer.

CT Issues New Drinking Water PFAS Advisory: What To Know

The state Department of Public Health released new guidance on "forever chemicals" levels in drinking water.

Rich Scinto, Patch Staff - Jun 17, 2022

CONNECTICUT — The Connecticut Department of Health released new drinking water advisories for a family of toxic “forever chemicals," which potentially have negative health effects for people.

Polyfluoroalkyl and perfluoroalkyl substances, or PFAS, are known as “forever chemicals” because of their durability in high heat and water, which means they remain in the environment for years without breaking down. They’re found in a range of products, including non-stick coatings, food packaging and firefighting foam.

Studies based on animal ingestion of PFAS raised concerns about potential effects in humans, DPH Commissioner Dr. Manisha Juthani said in a statement. Concerns are centered on the liver, immune system, growth, reproduction and fetal development, as well as endocrine disruptions and blood lipids. Some studies have shown an increased risk of kidney cancer for PFOA expsoure.

The CT DPH action levels are:

10 parts-per-trillion (ppt; ng/L) for perfluorooctane sulfonic acid (PFOS)
12 parts-per-trillion (ppt; ng/L) for perfluorononanoic acid (PFNA)
16 parts-per trillion (ppt; ng/L) for perfluorooctanoic acid (PFOA)
49 parts-per-trillion (ppt; ng/L) for perfluorohexane sulfonic acid (PFHxS)

“The new action levels for individual PFAS reflect the evolving scientific evidence on their toxicity and are more protective of public health than the previous Connecticut action levels,” Juthani said.

Action levels can be used as guidance by local health departments and private well owners. They aren’t enforceable. DPH also recommends that public water systems test their water for PFAS and report the results publicly.

Aquarion Water Company said in a statement that it's been planning for infrastructure upgrades, including PFAS treatment, according to CT Insider. They will seek funding through the federal Infrastructure Investment and Jobs Act. The company lists its testing data by water system on its website. Connecticut Water Company also said it's exploring options for PFAS treatment and awaits standards from the EPA and CT DPH.

The Regional Water Authority lists its total PFAS amount for its water sources on its website. The company regularly inspects its watershed and aquifer system for potential PFAS contamination.

"Like water systems around the country, we are taking in the new guidance as it is offered and implementing it to best serve our customers," Regional Water Authority spokeswoman April Capone said in a statement. "We will continue conversations with CT DPH and our peers through the CT section of the American Water Works Association."

Communities with PFAS contamination may be eligible for funding under a $1 billion grant program included in the Biden administration’s bipartisan infrastructure package approved by Congress last year.

Older PFAS perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA) have largely been phased out of production, but they are extremely resistant to breaking down in the environment.