



December 28, 2018

Ms. Betsey Wingfield  
Bureau Chief  
Bureau of Water Protection & Land Reuse  
Connecticut Department of Energy & Environmental Protection  
79 Elm Street  
Hartford, Connecticut 06106-5127

Subject: Integrated Plan and Long-Term CSO Control Plan, 2018 Update  
Consent Order WC 5434  
Public Hearing Responsive Summary

Dear Ms. Wingfield:

As you are aware, the Metropolitan District (District or MDC) prepared and submitted its 2018 Update to its Long-Term CSO Control Plan (LTCP) in accordance with the Consent Order WC 5434 with Connecticut Department of Energy and Environmental Protection (CTDEEP), dated November 2006.

Like many public utilities of its size and coverage area, the District has significant economic and engineering challenges to address its aging infrastructure to avoid catastrophic failure and system-wide disruptions, either of which could result in public exposure to health and safety risks. Recognizing the significant burden of this infrastructure renewal obligation, the District adopted an integrated planning approach for its 2018 LTCP Update as advocated by the United States Environmental Protection Agency (USEPA) under its June 5, 2012 memorandum "Integrated Municipal Stormwater and Wastewater Planning Approach Framework". The USEPA framework was developed because the USEPA understood that local government agencies should develop holistic, cost-effective, and balanced approaches to meet the shared objectives of clean water to protect public health and the environment. Just recently, Congress passed H.R. 7279, The Water Infrastructure Improvement Act, which codifies the integrated planning concept. The bill is awaiting the President's signature.

As part of this Integrated Plan and 2018 LTCP Update, the District conducted significant public outreach to present the updated plan and solicit comments. The public outreach culminated with a public hearing at the MDC Training Center in Hartford on December 11, 2018.

A summary of all outreach efforts conducted as part of the District's extensive public participation process, as well as the public comments that were received, is included in the attached binder. Each entry is indexed chronologically in the front of the binder.

We are providing herein the District's responses to public comments/questions received during the December 11 Public Hearing, as well as before and after via the public participation process. The public comments/questions are summarized below with the District's corresponding responses in italic. Many



questions/comments are abbreviated for brevity; however the substance of the public comment has not been altered. All written comments are attached to this document, along with a transcript of the comments made during the Public Hearing. Project dates stated herein are estimated based on receiving DEEP approval by 2020; in the event such approval occurs after 2020, these projected dates would require adjustment.

**Public Comment 1 (received during the Public Hearing):** From David Silverstone, MDC Independent Consumer Advocate:

- a) "While there was some talk of the need for capital improvements to the water system, most of the focus by that presentation was on the sewer system... critical that we look at the sewer and water capital needs together. The vast majority of customers are both sewer customers and water customers. They look upon the bill as one entity... (need to look at) affordability with regard to both water and sewer..."

**District Response to 1a:** *The District agrees that a holistic assessment of both water and sewer priorities is required to present a balanced picture of the infrastructure needs and costs. Volume 1 of the three-volume 2018 Integrated Plan and Long-Term Control Plan encompasses a comprehensive assessment of the District's water and sewer assets, identification of capital requirements to address the aging infrastructure, and a review of District operations and maintenance programs as a holistic set of improvements. Section 11 of Volume 1 details the significant water system capital improvements that are required to ensure the long-term, efficient, and reliable operation of the water treatment and delivery system. These costs are included as part of the Integrated Plan and represent nearly \$2.7 billion of the total \$6.3 billion in costs recommended in the Integrated Plan. Section 5 of Volume 3 of the Integrated Plan includes a financial assessment of affordability based on both water and sewer priorities and the projected rate increases.*

- b) "...these capital improvements to both the water and the sewer side... really have several purposes. They obviously provide water and sewer services on a 24/7 basis; promote water conservation, eliminating leaks, eliminating broken pipes, reduce the I&I problem... which overwhelms the treatment plant on rainy days."

**District Response to 1b:** *As noted in Comment 1a, the District intended to develop a comprehensive assessment and Integrated Plan for the improvement of both water and sewer systems. The Integrated Plan focuses on addressing the aging sewer and water infrastructure before the system components fail while also reducing infiltration and inflow (I/I) throughout the system. These improvements will address the commenter's concerns.*

- c) "As the chart showed earlier West Hartford...dry day, 8 million gallons sewage to the treatment plant; wet day, 64 million gallons. That's a factor of 8. So obviously we have to do something to reduce that I&I problem."

**District Response to 1c:** *The District agrees that I/I in the sewer system is a significant issue that must be addressed, and that it is evidence of an aging and rapidly failing piping system, both in*





*Hartford and in our other member communities. Please note that the ratio of wet weather flow to dry weather flow should be closer to 4 based on accepted industry standards and USEPA guidelines for I/I response, and a ratio of 8 is considered excessive. Section 6 of Volume 2 documents that I/I in the entire sewer system has a substantial impact on combined sewer overflows (CSOs) that occur in Hartford. It is estimated that over 110 million gallons of CSO can be removed from the Hartford system on an annual basis (more than 25 percent reduction) if a comprehensive system-wide pipe renewal program is implemented in the HWPCF sewershed. Accordingly, the District based its CSO control program in this CSO LTCP update on the adoption and implementation of this pipe renewal program. The benefit of the program is that this work is necessary to avoid catastrophic system failures that could result in sewer backups into homes and present potential safety hazards to the public due to the direct exposure to sewer flow on city streets. An example of this occurred recently in 2018, where a sewer main collapse on Capen Street in Hartford subsequently impacted gas service to local residents.*

*It is important to note that 43 percent of the West Hartford sewer system will be rehabilitated as part of the District's Integrated Plan, in addition to 36 percent of the West Hartford sewer system that the District already rehabilitated as part of the Clean Water Project, which results in the combined removal of a significant portion of this excessive flow. Similar system pipe renewal will be achieved in our other member communities and the city itself. However, rehabilitation or replacement of pipes does not represent the entire solution to the problem. The inflow of stormwater into the sanitary sewer system during wet weather events is significant, as noted by the commenter. In West Hartford, multiple private inflow removal contracts were identified and included in the recommended plan, as detailed in Section 4 of Volume 1 and Section 4 of Volume 3. This future private inflow removal work will require close coordination with the Member Towns that own, operate, and maintain the existing storm drain systems as private inflow removal requires new connections to the existing drains or, in certain locations, new drain extensions to re-direct these sources to a storm drain system.*

- d) "...we need to reduce the amount we spend on O&M on emergency repairs... If our goal is to reduce the overall adverse economic environmental impacts, we need to implement the long-term control plan on an integrated basis with these water and sewer infrastructure capital improvements..."

**District Response to 1d:** *The District agrees with this comment. The comprehensive water and sewer systems assessment conducted in Volume 1 was intended to provide the District with information necessary to begin predictive and proactive system renewals to avoid, to the extent possible, more costly emergency system repairs. This is accomplished by prioritizing and focusing on the rehabilitation of older, more critical infrastructure. As noted in our responses to Comments 1a, b, and c, this proactive system renewal plan (which includes, in 2018 dollars, \$3.7 billion and \$2.7 billion in work for both sewer and water, respectively), is included and prioritized in the Integrated Plan. Implementation of this plan will reduce CSO discharges and help to minimize emergency system repairs.*

- e) "Even with the integrated plan and the savings that will result from that, the plan exceeds the ability of customers to pay... It's projecting 4 percent annual increase in sewer rates, 5.6 annual



increase in water rates over a 20-year period. Those numbers are not sustainable...We are not in a situation where we have cost of living increases at anything near that level nor anything near that level projected. So those kinds of increases over 20 years of 4 percent increase essentially doubles the bill."

**District Response to 1e:** *The Integrated Plan is intended to provide the data necessary to support a balanced spending program that: 1) recognizes the District's system operational goals; 2) complies with a significant regulatory compliance burden; 3) maintains our role as a steward of the environment; and 4) affirms our fiduciary responsibility to the ratepayer for the financial support by establishing a capital program that is reasonable and that makes sense. The District believes this Integrated Plan meets these objectives.*

- f) "The chart in Volume 3, Section 5, page 9, attempts to calculate the projected residential burden from the sewer activity and it translates the ad valorem impact on individual residential units. It does not mention the sewer customer service charge which as of January 1 will increase to \$72 a year. The methodology used to calculate the residential portion of the ad valorem seems to ignore this customer service charge..."

**District Response to 1f:** *The Customer Service Charge is included in the Ad Valorem projection for the purpose of this assessment, as the revenue collected from the customer service charge offsets Ad Valorem. At the time the financial projections were performed, the Customer Service Charge was \$36 per year.*

- g) "...The median household income benchmark is terribly misleading... We live in an incredibly disparate region. So when you figure median household income the impact on people on large portions of the population throughout the region, but particularly in Hartford and probably East Hartford, is very significant and is well beyond any kind of ability to pay... If the entire MDC service area were Hartford and East Hartford and we were looking at the kinds of burdens and the median household income in those two communities it is unlikely that any reasonable person would consider that that was an affordable amount to pay over 20 or 40-year periods. So I think there's a serious affordability issue."

**District Response to 1g:** *The District agrees with this comment, and thus why we are asking for a 40-year implementation plan to help mitigate this situation. The District utilized the USEPA's standard financial assessment approach to determine the affordability of the sewer, drain, and water capital plans. That assessment approach provided the District an opportunity to review the topic of disparate household income and impacts within the service area. Volume 3, Section 5 (Financial Capability Assessment), documents the significant financial impact of the Integrated Plan over time to the portion of the District's rate payers that are already financially distressed, including specifically Hartford and East Hartford. Section ES.5 of Volume 3 summarizes the City of Hartford's key indicators of socioeconomic stress, including unemployment, poverty and education level. This assessment was utilized, along with other factors detailed in Section 4 of Volume 3, in the development of the 40-year implementation schedule of the Integrated Plan.*





- h) "Businesses, large and small will also be adversely and substantially impacted. Those businesses subject to the sewer user charge, for example, large apartment complexes, large condo complexes and undoubtedly others, are going to realize a very significant increase. Those customers, for example, just between 2018 and 2019 are going to see an increase of over 30 percent in the sewer user charge going from 3.37 to 4.64 per CCF...."

**District Response to 1h:** *The District recognizes the significant financial burden of the Integrated Plan implementation to all its ratepayers – large and small businesses, property owners, and residents. One of the primary reasons for asking for a 40-year implementation plan is to mitigate the negative fiscal impact to rate payers. The comment regarding high-flow users (customers with an average daily sewage discharge of more than 25,000 gallons) that pay a sewer user charge has been noted and will be considered by the District.*

- i) "There appears to be an effort to shift the cost from the ad valorem charge to individual bills by the customer - by the CWP charge. There seems to be an underlying assumption that whether the customers pay through the ad valorem or pay the CWP charge on their individual bill, that there's really no difference...that's not a reasonable assumption..."

**District Response to 1i:** *Projects associated with the Consent Decree, Consent Order and Nitrogen reduction have been paid for by the Clean Water Project Charge (formerly the Special Sewer Service Charge) since the start of the Clean Water Project. Projects associated with capital sewer improvements not related to the Clean Water Project have always been funded through Ad Valorem. Town Councils ask every year for the District to try to stabilize Ad Valorem and avoid large increases, as Member Towns pass these increases onto rate payers. The proposed Integrated Plan includes the sewer infrastructure renewal projects that were identified by inspections performed as required by the Consent Decree. Thus, the sewer infrastructure renewal projects are being proposed as part of the Clean Water Project going forward, which would "shift" the cost from Ad Valorem to the Clean Water Project Charges, as noted. The Integrated Plan does not assume that there is no difference between paying for sewer repairs through the Ad Valorem tax system or the CWP charge. Instead, the purpose of the Integrated Plan is to address the CSO problem while also considering and addressing current and future repair costs that will inevitably be required.*

*The cost burden of average residential customer for all Member Towns is presented in Figures 5-8 and 5-9 in Section 5 of Volume 3. What is included in each of the four scenarios shown in Figures 5-8 and 5-9 is summarized in the corresponding report text, which includes variables other than just cost "shifting" from Ad Valorem to the Clean Water Project Charge. The resulting average residential bill for each of the scenarios varies over time. The figures are intended to be an average of all residential users and did not compare specific residential scenarios that may vary higher or lower from the average.*

**Public Comment 2 (received during the Public Hearing):** From John Gale, Hartford City Council.



- a) "I've witnessed the dramatic improvements during my lifetime to the Connecticut River and to Long Island Sound and I'm terribly grateful for all of that and happy to see that we're continuing to improve that."

***District Response to 2a:*** *The District appreciates and acknowledges your feedback.*

- b) "One of the things that certainly annoyed me the most with the sewer separation projects was the fact that we saw so much of the dollar...being paid to contractors that were not from central Connecticut... I understand we may not have a local contractor who can dig a tunnel, but we certainly have local contractors who can dig sewers in the streets and do this type of repair work. I would like to see the MDC look at is the ability to incorporate community benefits agreement that somehow helps us spend the money within our 8 Member Towns and put it back into our community."

***District Response to 2b:*** *The District will continue its historically successful efforts to create opportunities for local businesses and local workforce to be involved in the construction activities associated with the Clean Water Project. These projects include adoption of a small and local business set-aside program, sponsorship of contractor/ subcontractor match-making events, coordination of "on the job training" and education programs, development of an on-line bidding and contract information system, and numerous other initiatives. All efforts are made within statutory and regulatory limitations.*

- c) "...87 rain barrels I don't think is really a significant approach to green technology. From the presentation it appears that the inflow problem is substantial and I would encourage the MDC to continue to look at ways to encourage the homeowner not to discharge their water into the sewer system... Whatever it is, combined or separated, it would appear that long term there is tremendous benefits from just getting the water out of the system completely and getting it back into the ground where it was originally going to fall..."

***District Response to 2c:*** *The District agrees that there are tremendous benefits to removing inflow from the sewer system, but this work can be disruptive to residents. Because of this, the District is proposing sewer separation and private inflow removal in problem areas with excessive I/I that are cost-effective and improve CSO control as part of the CSO LTCP Update (Volume 2). Within Hartford, nearly 20 sewer separation contracts are recommended to target inflow removal throughout the Granby, Gully Brook, and North Meadows areas. Scheduling of the separation contracts is shown in Table ES-2, which will be phased by having only two contracts under construction at a time and only one in a general area at a time. This will help reduce the potential disruption to any one neighborhood and help ensure competitive bids by avoiding oversaturation of projects.*

*In some Member Towns, targeted private inflow removal contracts to disconnect building foundation drains and sump pumps from the sewer system was identified in Section 4 of Volume 1. These project areas were identified based on flow metering, field investigations, and private property inspections, and targeted for higher levels of I/I reduction. As noted in the response to comment 1c, private inflow removal contracts will require close coordination with the Member*





*Towns that own, operate, and maintain the existing storm drain systems, as certain locations that do not have existing storm drains will require new drain extensions to re-direct these sources to the storm drain system.*

- d) "...I still think there could be better explanations for why a larger treatment plant wouldn't have done the job..."

**District Response to 2d:** *As part of the CWP, the Hartford Water Pollution Control Facility (HWPCF) is currently undergoing significant improvements to increase treatment capacity and wet weather flows to the plant from 130 MGD to 200 MGD, which will be completed in 2019. The existing sewer system does not have the hydraulic capacity to convey more flow than the current proposed HWPCF treatment capacity of 200 MGD capacity. Accordingly, the HWPCF treatment capacity will soon match the interceptor system hydraulic capacity. To increase the capacity of the HWPCF beyond 200 MGD, both new treatment facility improvements and new interceptors, which would be required in order to convey this increased flow to the HWPCF, would have to be constructed. This is not cost-effective compared to other CSO control approaches as discussed in Sections 6 and 11 of Volume 2. Additionally, the peak flows to the HWPCF only occur for brief periods during the typical year. Therefore, the CSO LTCP Update focused on removing wet weather flow from the system via separation, I/I reduction, and optimization of the existing system, which includes modifications to CSO structures along critical interceptors that will maximize flow being conveyed to the HWPCF in the existing sewer system.*

- e) "...I saw graphs that showed a reduction in expenses if we did a 40-year plan, and yet at the end the 40-year plan cost me more...I'm still not understanding it..."

**District Response to 2e:** *The commenter may be referring to the comparison of the Prior Plan (Scenario 1a with accelerated sewer rehabilitation applied to the Ad Valorem) versus the Recommended Plan (Scenario 2a with the sewer rehabilitation program eligible for a 50 percent CWF grant). The figure shows that the average residential household bill will be much higher in the first 20 years of the program if the District implemented the current sewer program (the Prior Plan). In the later years of the program, between 20 and 40 years from now, the average household bill under the Recommended Plan could potentially be more expensive than the Prior Plan. Generally, the sooner something is bought, and the quicker it is paid off, is the least it will cost. More time equals more escalation and the project will cost more. However, it is not feasible for the District to complete all the construction projects in such a short time frame under Scenario 1a as the disruption to the City would cripple residents and businesses, in addition to costing more in the short term as well. The proposed longer schedule (Integrated Plan) is intended to avoid the issues experienced in earlier years of the Clean Water Project when too many active construction projects in the City at one time resulted in significant disruption to residents and businesses. Extending the schedule costs less in the short term, yet comes at the expense of costing more in the later years of the proposed schedule, primarily due to escalation. The intent of the Integrated Plan is to reduce the burden to residents in the short term while also controlling the disruption in the City.*



**Public Comment 3 (received during the Public Hearing):** Alicea Charamut, Connecticut River Conservancy, resident of Newington.

- a) "I appreciate that in the 15 years since the Clean Water Project was initiated that we have reduced the volume of sewage by half. This is wonderful, and I appreciate that it has gone at such a fast pace."

**District Response to 3a:** *The District appreciates and acknowledges your feedback.*

- b) "However, we can't come to a screeching halt... the pace that the MDC has been going at which has been great...But we can't slow down to the pace that is being proposed."

**District Response to 3b:** *The District submits that the projects will not come to a "screeching halt," and, in fact, environmental benefits will continue to be realized. However, adjustments to the schedule are required in order to maintain affordability for the District ratepayers. As detailed in Section 4 and 5 of Volume 3, the current expenditure rate is not sustainable for District ratepayers. The District spent in recent years on the Clean Water Project approximately \$122 million (in 2015), \$164 million (in 2016), \$227 million (in 2017), and \$145 million (in 2018). The Integrated Plan allows for debt from the substantial expenditures the District has incurred and will incur between 2010 and 2023 to be significantly retired before the construction of the Downtown Tunnel. Over the course of the Integrated Plan, the expenditures for the program will be substantially greater than the minimum requirements detailed in the District's Consent Order/Consent Decree, as the annual rolling average expenditure will be \$154 million at the end of the 40 year program, and the annual cash flow will never be lower than \$62 million (requirements per CO/CD are \$90 million and \$40 million, respectively). Over the proposed Integrated Plan schedule, approximately 27 percent of the current CSO volume in a typical year will be eliminated by 2028, and nearly a 90 percent reduction will be achieved by 2043. Lastly, the District's proposed plan includes spending \$625 million in the next 5 years. Clearly, as noted, this is not a screeching halt and is significantly greater than any other municipality in the state for just these next 5 years alone.*

- c) "Right now MDC gets the lion's share of Clean Water Fund grant money. That is not going to continue if they try to have sewer rehabilitation projects considered for the Clean Water Funds...That's what the Clean Water Funds are for; not to support work that communities should have been doing all along..."

**District Response to 3c:** *As noted in the Response to Comment 1c, the District has documented that significant CSO reduction is achieved by the comprehensive sewer system rehabilitation program and has made this a cornerstone of the CSO control plan. As noted in Section 6 of Volume 2, a greater CSO reduction is expected from the Planned Improvements (which includes rehabilitation) than the South Hartford Conveyance and Storage Tunnel, which is more expensive than the planned improvements. Each of these programs should be eligible for Clean Water Funding grants because of the significant CSO benefits. Based on the financial assessment, these grant funds are necessary to stay on the Integrated Plan schedule. The sewer rehabilitation*





*accomplishes dual benefits of both sewer improvements and CSO reduction, which is the essence of Integrated Planning.*

*Sewer rehabilitation that does not contribute to the Hartford sewershed is not proposed for CWF grants, as it is understood that this rehabilitation will not reduce CSOs.*

**Public Comment 4 (received during the Public Hearing):** Judy Allen, resident of West Hartford

- a) "My understanding of an updated plan is that it should contain a description of progress made toward meeting goals of the Consent Order, a description of the work still to be done, a proposal for how the work will be done and when. It should also include financial information...this plan's description of goals met, those to be accomplished, how the goals will be met, and when are all mixed together with an assessment of the separate needs of the general sewer infrastructure. In this draft it's not possible to clearly see the elements needed to meet the requirements of an updated long-term control plan."

**District Response to 4a:** *Volume 2 addresses each of the topics included in the comment with respect to the combined sewer system (CSS). The District's CSS is an enormous and complex system with 84 CSO regulators that discharge into the city's receiving waters. It is difficult to simplify a discussion of this system or the improvements required for each CSO. Section 4 provides documentation of the progress made to-date toward meeting the goals of the Consent Decree. Section 6 through 11 discuss the alternatives identifying the work to be done to meet the objectives for CSO control in the Consent Order. Volume 3 provides a discussion of the construction projects required to complete the CSO reduction work and a financial assessment of the capital plan and schedule.*

- b) "This draft was developed backwards. Financial needs were identified for both the Clean Water Project and ongoing sewer capital improvement projects, then the length of time needed to meet those needs was determined, and only after that were the requirements of the Consent Order plugged in...I have no objection to an integrated plan that provides financial relief to customers as long as it complies with the intent of the Consent Order, but this plan doesn't do that."

**District Response to 4b:** *The Integrated Plan follows guidelines established by the USEPA and complies with the intent of the Consent Order and Consent Decree. The recommended plan integrates the needs of the municipality with CSO projects to develop a financially sustainable timetable for performing all improvements a municipality must undertake. This integration of CSO and non-CSO projects into a cohesive schedule results in the current schedule proposed. As documented in Section 5 of Volume 3, without an Integrated Plan, significant and unsustainable financial strain would be placed upon the ratepayers, as the current plan expenditure rate is unsustainable (referenced as Scenario 1a in Section 5 of Volume 3).*

*As documented in Section 4 and 5 of Volume 3, a 40-year plan is necessary for both financial and practical scheduling reasons. The implementation schedule uses logic and rationale to sequence projects to limit the number of active construction projects in any given area and limit the*



*number of similar types of projects being bid at the same time. An example is the scheduling of the separation contracts, which was limited to only two contracts at a time and only one in a general area at a time. This will help reduce disruptions to any one single neighborhood and help ensure competitive bids by avoiding oversaturation of projects.*

- c) "Clearly you anticipated problems with this draft as evidenced by the enormous efforts to sell it to member towns by stressing only financial benefits..."

***District Response to 4c:*** *The District presentations to the Member Towns were intended to provide a balanced view of the District operating objectives, regulatory requirements, and the financial impacts of the capital program and implementation schedule. Please see District's response to Public Comment 1i related to town councils asking for the Ad Valorem to be stabilized and the reasons for the proposed "shift" in some projects to the Clean Water Project. The objective of these town council meetings was to educate the town councils and the public about our proposed Integrated Plan and its impact to the towns and public. The presentations were first done in 2017 to educate the town and public about the Integrated Planning process. Then follow up presentations were made in 2018 to discuss the proposed recommendations, amongst many other things. These town council meetings were all open to the public and proved to be an efficient means to disseminate, in a broad manner, information to Towns and District ratepayers. The approach was effective in reaching both audiences as collectively these meetings were attended by more people from the public than the Public Hearing. The general feedback received from the town councils and the public during these town council presentations was centered around two primary issues: 1) their bills to pay for the Clean Water Project have been impactful and 2) complaints about how disruptive construction projects have been. These comments were noted and are part of the reason the District is moving toward an Integrated Plan, in order to lengthen the schedule of implementing projects to help control the costs of sewer infrastructure projects and the corresponding burden on the rate payers, while reducing the disruption of the construction with smaller and less quantity of active construction projects at one time.*

- d) "Stakeholder involvement by environmental groups, customers and member towns was absent during the development of this draft. What's been presented is public involvement after the development of the draft. I expect that going forward you will involve stakeholders in developing both a long-term control plan and an integrated plan that are acceptable."

***District Response to 4d:*** *The District must balance the requirements of an open public process with the desire to craft a plan and implementation schedule that meets the obligations of our ratepayers. Please see District's response to Public Comment 4c related to the outreach to Member Towns through town council meetings which occurred at two phases of the Integrated Plan development. The extensive outreach and stakeholder engagement from the District are summarized in Section 6 of Volume 3, as well as all corresponding information provided in a separate binder summarizing the outreach and notifications. As noted in Section 6 of Volume 3, there is a long list of meetings that were open to the public regarding this Integrated Plan, dating back to 2017. Additionally, the CTDEEP attended 17 workshops related to the development of the Integrated Plan, identification of projects and the development of the*





*ranking process and scoring, which included significant weight to environmental benefits. CTDEEP has been sent MDC CEO reports since September 2017, which included discussion on the development of the Integrated Plan. District staff also performed outreach to raise awareness of the public meetings through means that included posting agendas online before meetings, newspaper advertisements, mailings, social media, press releases, and posting of meeting minutes.*

*This open process will continue as we continue to assess the implementation of the Integrated Plan every five years. Note also that this is an update to prior Long-Term Control Plans, which were similarly developed with a public process and with all stakeholders in mind.*

**Public Comment 5 (received during the Public Hearing):** Larry Deutsch, Hartford Councilman

- a) "...contractors have largely not been within the city or within the region and subsequently the creation of jobs in the locality involved in this project has been small...What exactly will be the renewed effort to encourage and gain local employment through training and then employment ongoing throughout the length of the project so that the same observations don't continue to be made for the next 11 or 40 years? ... And when you mention the smaller contracts, this is very interesting and hopefully praiseworthy that among those smaller contracts many will go to local firms and if they need training in technology then perhaps it should be given."

***District Response to 5a:*** Please see District's response to Public Comment 2b.

- b) "... who is charged with monitoring and oversight of the MDC itself, and then oversight of the monitors so that the public is assured that that's being done?"

***District Response to 5b:*** The District is a specially chartered municipal corporation just the same as how the City of Hartford or Town of Rocky Hill are municipal corporations. The District is governed by its District Board similarly to how a town or city is governed by a town or city council. The District Board is made up of 33 Commissioners appointed by the member and non-member town councils, Governor and legislative branch. The Commissioners serve on behalf of, and represent the interests, of the citizens of his/her town and the body that appointed him/her to the District Board. Additionally, as to wastewater, the District and the CWP are overseen and regulated by the CTDEEP and USEPA. The District public water supply, treatment and distribution activities are primarily overseen and regulated by the Connecticut Department of Public Health, with some involvement of DEEP.

- c) "...many people find that the benefit of the sewer separation project, the reduction on the CSO, accrues not so much to them directly in Hartford but to the downriver towns...how can the City of Hartford or the 8 Member Towns benefit from real contributions from downriver towns, let alone the whole state?"

***District Response to 5c:*** The District's Integrated Plan is designed to address its direct water quality impact to the receiving waters in accordance with Federal and State regulations. The District receives significant grants from the state of Connecticut, which is paid by all state



*taxpayers, as the state recognizes that the benefit to receiving waters downstream is beyond just the eight Member Towns. Communities that contribute to water quality exceedances upstream of Hartford are under similar regulatory mandates.*

- d) "...what is the legality of a municipality taking a certain position when a referendum is upcoming and distributing a card that asks for support yes on that referendum as opposed to a neutral position after presenting all the data?"

***District Response to 5d:*** *There is no public referendum on the District's submittal of its Integrated Plan and LTCP Update to address the CSO regulatory mandates. The District is submitting its LTCP Update, including the Integrated Plan, because it believes that integrated planning is the most cost effective and practical way for the District to proceed in meeting its regulatory requirements while addressing the needs of its aging water and sewer system. The District is seeking public support and has attended many meetings open to the public to provide information on all issues related to its proposed Integrated Plan.*

**Public Comment 6 (submitted after public hearing):** From David Jorgensen and Rachel Lutzker Jorgensen, residents of Hartford:

- a) "...Our portion of the river is regularly polluted by the MDC's CSOs and our property is adversely impacted by the CSOs affecting the safety, human health and wellness of my wife, 3 children and father, as well as our ability to use our backyard. The river smells of sewer and toilet waste after some overflows. It becomes unsanitary, odorous and terrible. Trash and debris are left everywhere. The river has severely flooded our property 6 times since we moved here in January 2017. During and after the rainstorms that have become so common over the past few years, the water has risen by 5-10 feet from its normal height, covered half of our yard, backed up our drainage and sewer systems and caused erosion that resulted in the loss of multiple 100+ foot trees and 5-10 feet of our property along the riverbank. These trees then clog the river, catching trash and debris from upstream, creating even more flooding and pollution..."

***District Response to 6a:*** *The District understands that North Branch Park River flooding can adversely impact property owners. However, the North Branch Park River flooding is not an issue that is caused by the District's wastewater collection system or CSOs. Flooding will still impact property owners after the CSO LTCP Update has been completed unless other actions and improvements are undertaken by parties other than the District. It is important to note that two of the four North Branch Park River open channel CSO structures (N-2 and N-4) have backwater gates/valves located on their outfalls to the North Branch Park River, which prevent CSO from exiting the combined sewer system and entering the North Branch Park River during high river levels, as shown in Section 2 of Volume 2.*

*Additionally, CSO regulators N-9 and N-10, which discharge to the North Branch Park River, are projected to be eliminated by 2024, as shown in the implementation schedule figure ES-4 of Volume 3. Furthermore, significant level of control improvements will occur at CSO regulators N-2 and N-4 as the recommended unfolds, including from the Homestead Avenue Interceptor (HAI)*





*Improvements project scheduled for completion by 2032, as well as three Granby Street area separation projects scheduled to be completed by 2030.*

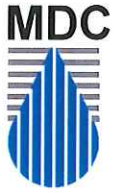
- b) "We understand the MDC is seeking an extension of time from 2029 to complete closures of all CSOs to 2058...This would be unacceptable and a dereliction of the government's obligation to care for its residents' health and safety as well as the fragile ecosystem along the North Branch...We express our full support for all of the points made in Bureau Chief Wingfield's letter dated July 28, 2017 addressed to Mr. Jellison at the MDC...We OPPOSE any extensions of the MDC's compliance and the North Branch of the Park River should absolutely remain a Class A waterway...The reclassification to Class B and the extensions requested by the MDC seem like a deliberate attempt to circumvent Consent Order WC5434."

***District Response to 6b:*** Please see District's response to Public Comment 4b on the rational of utilizing an Integrated Plan, as well as 6a regarding the North Branch Park River. Furthermore, the District is not seeking re-classification of the North Branch Park River with this Integrated Plan and 2018 LTCP Update submission. The District is committed to its Consent Order requirement to eliminate CSOs to the North Branch Park River. However, it is important to note that an annual bacteria loading analysis was performed to investigate upstream and other sources of significant contributors of fecal indicator bacteria to the North Branch Park River, and the results confirmed that elimination of CSOs from the North Branch Park River will not eliminate the recreation use impairment in the river; reductions in these other sources is also required to accomplish that goal. The recent study concluded that the District's CSO discharges are only about 27 percent of the annual bacteria loading to the North Branch Park River, with the remaining 73 percent originating from other upstream sources.

- c) "The extensions for compliance with Consent Order WC5434 should be eliminated especially since progress over the past 12 years by the MDC has been so limited. We request that the terms of the 12-year-old Consent Order WC5434 be fully implemented within the next twelve (12) months..."

***District Response to 6c:*** The District acknowledges the desire to reduce CSOs in a timely manner and has demonstrated its commitment to addressing this problem by reducing typical year CSO volume by over 500 million gallons to date, which is more than a 50 percent reduction in CSO volume since project inception in 2006. This was achieved by spending more than \$150 million per year on Clean Water Projects over the last 6 years, which is \$60 million more than the \$90 million average necessary to meet Consent Order/Consent Decrease compliance. However, this continued level of spending is not sustainable.

What is charted in the Integrated Plan is a fiscally sustainable methodology to prioritize projects that attain CSO reduction while also renewing existing and failing assets. As shown in Section 4 and Section 5 of Volume 3, a 40-year plan is necessary. The current expenditure rate to address the District's aging infrastructure, SSOs, CSOs, and other regulatory obligations is not sustainable and will place an unreasonable burden on our ratepayers. The Integrated Plan is the District's approach to balance these goals. A twelve-month period would not be possible nor practical.



**Public Comment 7 (submitted after public hearing):** From Mary Rickel Pelletier, resident in Hartford

- a) "There is considerable opportunity for design development of large scale green infrastructure features...The 2010 North Branch Park River Watershed Management Plan, which was not even mentioned by MDC/CDM in the 2018 LTCP Update, outlined a number of site specific green infrastructure opportunities along the North Branch Park River. Due to limited funding for green infrastructure initiatives, few of the project proposals have been implemented from the 2010 North Branch Park River Watershed Management Plan – yet a number of the project proposals are still relevant, and so ought to be referenced in the MDC/CDM 2018 LTCP Update..."

**District Response to 7a:** *As noted in the Executive Summary of Volume 2 (LTCP Update), the District is a proponent of green infrastructure where it is appropriate and cost-effective to remove stormwater from our sewer system as a means of CSO Reduction or control. The 2010 North Branch Park River Watershed Management Plan included many recommendations for improvements unrelated to the combined sewer system which, like flooding of the North Branch Park River, is not included in this CSO LTCP Update and not the responsibility of the District.*

*The 2010 report also includes a discussion on green infrastructure for CSO control. The District is open to contributing to the planning and construction of those green infrastructure projects that are cost-effective and will provide overall benefit to the Clean Water Project as opportunities become available. However, because of the District's required goal from the CTDEEP of complete elimination of CSO to North Branch Park River, and 1-year level of control in other areas, it is difficult for green infrastructure to be part of the solution as it typically cannot meet these high levels of CSO control. Additionally, it is important to note that as a sewer and water utility, the District does not intend to take responsibility for the maintenance of green infrastructure projects. This is because the District, as a utility provider, does not own the property within the right-of-way, and thus another entity must accept ownership and the responsibility for maintaining the new infrastructure. To date, the District has not received overwhelming interest from municipalities to assume ownership and maintenance of the green infrastructure, which has made it difficult for the District to incorporate large-scale green infrastructure projects.*

- b) "MDC needs to explore a paradigm shift towards the development of new streams of revenue as well as an integrative approach to infrastructure planning – so all MDC stakeholders, in voting Member Towns, and the greater Hartford metropolitan area can benefit...The MDC and CT DEEP ought to consider a separate fund for an innovative approach to system updates for both the North Branch watershed and Gully Brook."

**District Response to 7b:** *The District is proposing to use an integrated approach to its internal infrastructure planning, including its sewer, water, hydroelectric and facilities infrastructure requirements. The District must constantly prioritize projects based on available funding and the necessity of the project. The Integrated Plan seeks to allow the District to consider the existing and future expenses of maintaining and repairing its existing infrastructure against the substantial costs associated with meeting the regulatory requirements of the Consent Order and*





*Consent Decree. The District is constantly investigating and considering possible additional streams of revenue including hydroelectric, solar, wind and incineration, as well as areas where expenses can be avoided.*

- c) "The MDC ought to develop recommendations for integration of green infrastructure that can be implemented in planning and development projects throughout The District. Of the project areas reviewed for green infrastructure features, Keney Park Improvements (10.7.4) is especially interesting. However, surprisingly, the approach taken does not seem to focus on the Gully Brook watershed. Moreover, The District and area municipalities ought to develop a more systemic approach to planning green infrastructure features in all area parks..."

***District Response to 7c:*** Please see District's response to Public Comment 7a. Also reference Section 11 of Volume 2 for discussion on green infrastructure alternatives evaluated in the Gully Brook drainage area.

- d) "Extension of the deadline to reduce combined sewage overflows beyond 2029, especially overflows into the North Branch Park River, is unacceptable. Recent flooding and sewage overflows into the North Branch Park River have adversely impacted property owners..."

***District Response to 7d:*** Please see District's response to Public Comment 6a.

- e) "MDC needs to address water quality issues, not seek re-classification of the North Branch."

***District Response to 7e:*** Please see District's response to Public Comment 6b.

- f) "Outreach – and collaboration towards comprehensive project goals need to be improved...I have not received any notifications from the MDC about meetings – or even notification that the LTCP update had been released...it would be appropriate and genuinely inclusive of The District to send me routine notifications about meetings and documents releases."

***District Response to 7f:*** The District acknowledges and appreciates your feedback. Please see District's response to Public Comment 4d on the public engagement performed. Regarding notifications of the LTCP Update, the District provided several methods of notifying the public, including a bill insert mailed to approximately 100,000 District customers, as well as notifications through social media and online bill paying.

**Public Comment 8 (submitted after public hearing):** From Patrick Higgins

- a) "...I would like to voice my concern for managing water. While places like California suffer from droughts and fire, Connecticut will be equally exposed in the future as it relates to climate change...To effectively manage our waterways, and open up the possibility of uncovering the Park River, we need more porous pavement and other forms of green infrastructure to help clean our water and limit the amount of runoff that contributes to polluted waters and flooding."



**District Response to 8a:** Please see District's response to Public Comment 7a. Also, note that the Park River and any modifications relating to the Park River are ultimately under the responsibility and authority of the City of Hartford since they own, operate and maintain the flood control systems in Hartford. Uncovering of the Park River would fall under the purview of the City of Hartford and the Army Corps of Engineers, as opposed to the District.

**Public Comment 9 (submitted before public hearing):** From Christina and Paul Belogour

- a) "...we very much oppose the plan to delay Connecticut River cleanup from Sewage. If there were more awareness of this issue I cannot imagine anyone not opposing a delay. We are one of many businesses that depend on clean water."

**District Response to 9a:** Please see District response to Public Comment 3b and 4b for discussion of the Integrated Plan schedule and rationale behind the recommended schedule.

**Public Comment 10 (written comment submitted during public hearing):** Richard Heldmann, resident of Hartford

- a) "I support scenario 2A. Sure all of the options/plans mean increased fees to home owner, none of the plans/options are desirable, but doing nothing is much worse."

**District Response to 10a:** The District appreciates and acknowledges your feedback.

**Public Comment 11 (submitted after public hearing):** From Michael and Gwen O'Connell, resident of Hartford

- a) Public comment has similar remarks detailed in Public Comment 6 from David Jorgensen and Rachel Lutzker Jorgensen, residents in Hartford.

**District Response to 11a:** Please see District response to Public Comment 6.

**Public Comment 12 (submitted after public hearing):** David M. Klein, resident of Hartford:

- a) Public comment has similar remarks detailed in Public Comment 6 from David Jorgensen and Rachel Lutzker Jorgensen, residents in Hartford.

**District Response to 12a:** Please see District response to Public Comment 6.

**Public Comment 13 (submitted after public hearing):** Kenneth B. Lerman, resident of Hartford:

- a) Public comment has similar remarks detailed in Public Comment 6 from David Jorgensen and Rachel Lutzker Jorgensen, residents in Hartford.

**District Response to 13a:** Please see District response to Public Comment 6.





**Public Comment 14 (submitted after public hearing):** Marcia Lazowski, resident of Hartford:

- a) *Public comment has similar remarks detailed in Public Comment 6 from David Jorgensen and Rachel Lutzker Jorgensen, residents in Hartford.*

***District Response to 14a:*** *Please see District response to Public Comment 6.*

**Public Comment 15 (submitted after public hearing):** From Donna Swarr, resident of Hartford:

- a) *"...I lived through the 3-4 years of disruption on my street, one of the equipment locations was at the corner of Shultas and Wethersfield...those residents did warn us about the nightmare we were about to embark on. Midnight to 6 am jackhammering just 500 ft from my front door on Wethersfield Ave...We were informed that residents on Wethersfield Ave were made aware of this - but you never thought about any of the multitude of side street residents..."*

***District Response to 15a:*** *No further sewer separation work is recommended for Wethersfield Avenue area. The move towards smaller and less concurrent construction projects in other areas of the city where sewer separation is recommended should help mitigate these disruptive issues elsewhere. The remaining Franklin Avenue drainage area CSOs will all be addressed by the South Hartford Conveyance and Storage Tunnel project, which is anticipated to be completed in 2023.*

- b) *"I am also keenly aware of your third engineering design, to vent the sewage tunnel under the city. You have torn up the front of Columbus Park and don't plan to fix it for years – our residents lost 2 tennis courts. Many locations along Maple and Franklin Ave have 10 foot high chain link fences around them – ugly!"*

***District Response to 15b:*** *The District acknowledges your feedback. The District ensures any streetscape disturbed during the project will be restored in full at a minimum.*

- c) *"The very title of this project is irritating. It is just your 4th attempt to solve your ineptitude at separating the two streams. No wonder you are asking for 30 more years, you have absolutely no idea what you are doing. I consider it an absolute waste of my precious time reviewing your engineering proposal."*

***District Response to 15c:*** *The District acknowledges your feedback. Please see District response to Public Comment 3b and 4b for discussion of the Integrated Plan schedule and rationale behind the recommended schedule.*

**Public Comment 16 (submitted after public hearing):** From Anthony Cherolis, from Center for Latino Progress:

- a) *"Hartford (and the region) is at a loss to resolve several issues such as concentrated poverty, increasing income inequity, and an inability to fund critical infrastructure maintenance and investment."*



***District Response to 16a:*** *The District acknowledges and understands your feedback. As detailed in the District's response to Public Comment 1e, the Integrated Plan is intended to balance spending that meets the District operations goals, regulatory compliance burden, its role as a steward of the environment, and fiduciary responsibility to the ratepayers.*

- b) "... the efforts would be even more impactful (and cost effective) if the plan were modeled after Philadelphia's Green City, Clean Waters CSO program. Please consider making the majority of CSO investments into 'green infrastructure' in the Hartford area. It would positively transform our region, and the State of CT."

***District Response to 16b:*** *Please see District's response to Public Comment 7a.*

- c) "...the Hartford metro's semi-private water utility, the Metropolitan District Commission, has gone whole hog into the deep tunnel storage solution. The neighborhoods with entrenched, multi-generational poverty and crumbling infrastructure are stuck in their unhealthy stasis... The city will remain unable to plant enough trees to keep up with the accelerated losses from climate change. \$280 million is sinking into a four-mile long tunnel that no one will ever see...The MDC's green infrastructure efforts have been anemic, with just \$30k spent on rain barrels in 2018 without funding for education or installation assistance..."

***District Response to 16c:*** *Please see District's response to Public Comment 7a regarding the incorporation of green technology.*

*Also, note that this 2018 LTCP update proposes the use of less tunnels for CSO control than the previous 2012 LTCP Update (revised December 4, 2014). The recommendations detailed in Volume 2 propose projects that renew existing failing infrastructure (water and sewer) through rehab or sewer separation. Sewer separation projects shown in the Granby, Gully Brook, and North Meadows drainage areas would have the additional public benefit of restoring and revitalizing aging streetscape features, which deep storage tunnels would not. The recommended plan only includes a tunnel for the downtown area, where separation or green infrastructure would not be cost effective.*

**Public Comment 17 (submitted after public hearing):** From W. J. Woodin, Jr., resident of Hartford:

- a) "I have learned that MDC is permitted to purposely and knowingly pollute the North Branch of the Hog River with raw sewerage... I am outraged that such a disgusting and unhealthy practice is allowed... Clearly, such pollution poses an enormous threat to all the Goodwin Estate residents... I urge you in the strongest possible terms to take whatever steps are necessary to eliminate this pollution immediately, and I certainly implore the powers that be to vote NO on any extension of permits to allow CSOs..."

***District Response to 17a:*** *The District acknowledges your feedback. Please see District response to Public Comment 3b and 4b for discussion of the Integrated Plan and rationale behind the recommended schedule. Additionally, note that the District's National Pollutant Discharge Elimination System (NPDES) permit allows for CSOs if they follow Best Management Practices*





*(BMPs) that are stated in the permit. The Hartford combined sewer system dates to the mid-19<sup>th</sup> century, which at that point in time, single sewer pipes to convey both storm and sanitary sewer were the engineering standard. Many older cities in the Northeast United States have similar combined sewer systems, especially cities such as Hartford that are located along major rivers.*

**Public Comment 18 (submitted after public hearing):** From Leah Beckett:

- a) "MDC needs to coordinate with stakeholders outside of the water sphere. One example Hartford should look to is London's Olympic Gardens, designed by Hargreaves Associates. Like in the UK, we in Connecticut have an abundance of water that needs to be managed properly. To effectively monitor that, I believe the area should uncover the Park River, use porous pavement in necessary areas, build bioswales and natural areas for birds, and utilize other forms of green infrastructure to help clean our water and limit the amount of runoff that contributes to polluted waters and flooding..."

***District Response to 18a:*** Please see District's response to Public Comment 7a regarding the incorporation of green technology.

*Also, note that the Park River and any associated modifications are ultimately under the responsibility and authority of the City of Hartford since it owns, operates, and maintains the flood control systems in Hartford. Uncovering of the Park River would fall under the purview of the City of Hartford and the Army Corps of Engineers, not the District.*

**Public Comment 19 (submitted after public hearing):** Anna Ferris, resident of Hartford:

- a) "I was very upset to hear of the proposed delay in adhering to the aims of the clean water project for the Park River. Do you extend the timeline for a project that is needed for the safety of the public?"

***District Response to 19a:*** The District appreciates and acknowledges your feedback. Please see District response to Public Comment 3b and 4b for discussion of the Integrated Plan schedule and rationale behind the recommended schedule.

**Public Comment 20 (submitted after public hearing):** William Cronin, resident of Hartford:

- a) "Raw sewage in CSO is spilling into areas behind homes of my neighbors in Hartford's West End. This has been a long-running problem, and it's much bigger than just my neighbors... Yesterday, I learned that there is a move to extend the completion date of the project to fix the problem and extend it by twenty years. To me, this is totally unacceptable, and the request must be denied – in fact, preferably withdrawn. I believe the only responsible action is to put all energy and resources into shortening the time to completion to the shortest period possible. Twelve months sounds good."



***District Response to 20a:*** *The District appreciates and acknowledges your feedback. Please see District response to Public Comment 3b and 4b for discussion of the Integrated Plan and rationale behind the recommended schedule, as well as 6a for a discussion of the schedule of North Branch Park River improvements. A twelve-month period would not be possible nor practical.*

**Public Comment 21 (submitted after public hearing):** Paula Jones, representing Save Our Water CT:

- a) "We understand that the MDC faces many financial challenges and we support using an Integrated Planning approach to prioritize projects that address aging infrastructure in tandem with completing CSO-related projects."

***District Response to 21a:*** *The District appreciates and acknowledges your feedback.*

- b) "The MDC is proposing to extend the timeline for completion of all CSO projects to 2058. The updated Plan is required to address a serious environmental problem within a specified timeframe (by 2029) yet it fails to do so. Moreover, MDC seems to have completely disregarded the most recent correspondence that we've seen regarding DEEP's position...DEEP's letter clearly states that 'MDC's proposal to continue discharging raw sewage into the North Branch of the Park River while extending the final compliance deadline 30 to 40 years is unacceptable'. There's no reason to believe that DEEP has changed its position, so why is the MDC even presenting this scenario?"

***District Response to 21b:*** *The District utilized the USEPA's standard financial assessment approach to determine affordability of sewer, drain, and water capital plans. That assessment approach provides the District an opportunity to review the topic of disparate household income and impacts within the service area, as discussed in Volume 3, Section 5. This assessment was used to develop the 40-year implementation schedule of the Integrated Plan. As documented in Section 6 of Volume 3, substantial CSO reduction will occur throughout the Integrated Plan schedule, achieving intermittent level of controls at various CSO regulators that would not be attained without an Integrated Plan. For additional detail of the schedule of improvements to the North Branch Park River, please see District response to public comment 6a.*

- c) "...MDC outreach has been pretty much confined to Town Councils and town staffs. The most recent presentation to Town Councils emphasized that an Integrated Plan approach (with timeline extended 30 years) would be advantageous to towns because the rate of increase in the Ad Valorem would be lower and less volatile...However, some revenues that would have been raised from the Ad Valorem for sewer maintenance appear to be shifted to the Clean Water Project Charge. Apart from the completely separate question of equity related to a cost shift from a taxpayer base to a ratepayer base, is this kind of cost-shifting permissible?"

***District Response to 21c:*** *Yes, the proposed shift of some costs is permissible and appropriate. The CWP charge must be used to address the requirements of the District's Consent Decree and Consent Order to reduce CSO, SSO and Nitrogen discharges. As noted in Section 6 of Volume 2, the Integrated Plan proposes to repair and replace sewers in the street as part of the solution to reduce CSOs, thus part of the Clean Water Project. Additionally, the inspection of the sewers that*





*identified the necessary repairs was a requirement of the Consent Decree via the requirement to implement a CMOM program. Therefore, use of revenues from the CWP charge is proper.*

- d) "...the MDC has asked Towns to pass resolutions urging DEEP to accept the updated Plan 'as submitted'. It appears to us that the MDC is asking town staff and elected officials for their support in the absence of providing critical information. As a citizen activists group that values transparency, we think this is inappropriate."

***District Response to 21d:*** *The District appreciates and acknowledges your feedback. Please see District response to public comment 4c on rational of incorporating Member Town involvement.*

- e) "There was not adequate time to review the full Plan... How can the "public" be expected to provide thoughtful comment on such a document and under such circumstances?"

***District Response to 21e:*** *Connecticut General Statutes requires that public notice be given a minimum of 10 days before the public hearing, which the District has chosen to increase to 15 days. Furthermore, the Integrated Plan and Long-Term Control Plan 2018 Update was developed with all the stakeholders in mind. The technical approach was developed with the direct assistance and input from the CTDEEP. The technical plan, the schedule, and the financial assessment of affordability was shared with communities before the formal public hearing period in an extensive series of meetings open to the public and workshops that are discussed and documented in Section 6 of Volume 3. The formal public hearing process was initiated on November 27th and took place over a three-week period in compliance with state public hearing requirements. The District must balance the requirements of an open public process with the desire to craft a plan and implementation schedule that meets the obligations of our ratepayers. This open process will continue as we continue to assess the implementation of the Integrated Plan every five years. Note also that this is an update to prior Long-Term Control Plans, which were similarly developed with all stakeholders in mind with a similar timeframe for public review and comment.*

- f) "...we support the MDC's use of an Integrated Planning approach. Although we appreciate the financial strain the MDC is under, we don't support an updated Plan that proposes to extend the timeline for compliance with the Consent Order by 30 years."

***District Response to 21f:*** *The District appreciates and acknowledges your feedback. Please see District response to Public Comment 3b and 4b for discussion of the Integrated Plan schedule and rational behind the recommended schedule.*

**Public Comment 22 (submitted after public hearing):** Alicea Charamut, representing the Connecticut River Conservancy:

- a) "...In 2012 when voters approved this work, we were told the track record of being on time and on budget would continue. This delayed timeline is not what voters approved...The 2018 Long Term Control Plan update does not comply with the current Consent Order. The MDC is required, by legally binding agreement, to complete all CSO-related projects by 2029. The MDC



is proposing to defer completion of 125 of the 152 projects necessary to meet their obligations beyond the 2029 deadline. In the MDC's recommended plan, project completion is extended to 2058 despite the fact that the Connecticut's Department of Energy and Environmental Protection was very clear in a December 26, 2017 correspondence with the MDC that "a thirty or forty-year extension to the current elimination deadline should not be part of MDC's plan when considering the LTCP update."

**District Response to 22a:** *Despite Table ES-2 showing projects ranked 1 through 152, the total number of projects shown is 80, which is the number of sewer projects that make up the CSO LTCP Update (with a complete list of sewer projects demonstrated in Appendix B). Of the 80 CSO projects, 27 will be completed by the end of 2029. These, coupled with previously completed and ongoing CWP projects totaling over \$1.7 billion, will result in more than a 66 percent CSO reduction by 2029 and include elimination of CSO regulators N-9 and N-10. As documented in Section 4 and 5 of Volume 3, a 40-year plan is necessary for both financial and scheduling reasons and to avoid significant city disruption during construction. The implementation schedule uses logic and rationale to prioritize and sequence projects to limit the number of construction projects in any given area and limit the number of similar type of projects being bid at the same time. An example is scheduling of the separation contracts shown in Table ES-2, which was limited to only two contracts at a time and only one in a general area at a time. This will help reduce the potential disruption to any one neighborhood and help ensure competitive bids by avoiding oversaturation of projects, which occurred in 2011 when seven sewer separation contracts were bid during the same month.*

*Please see District response to Public Comment 3b and 4b for additional discussion of the Integrated Plan schedule and rationale behind the recommended schedule.*

- b) "...EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework states, 'Where extended time is necessary to achieve compliance, enforcement orders should provide schedules for CWA requirements that prioritize the most significant human health and environmental needs first.' The current 490 MG typical year discharge will not be reduced by half until after 2038 under the recommended plan...The MDC has completed almost half of the work required for CSO reduction in 15 years. While it may be true that this rate is not sustainable, the proposed plan slows down the rate of progress to an unacceptable pace. The MDC should work more closely and cooperatively with the CT DEEP and include all relevant stakeholders to find a more acceptable alternative to the timeline proposed in the LTCP/IP."

**District Response to 22b:** *The District has prepared an Integrated Plan in conformance with the guidelines set forth by the USEPA. As documented in Section 2 of Volume 3, the ranking and priority of Integrated Plan projects were heavily influenced by their environmental benefits and regulatory compliance, making up a combined 50 percent of the weight associated with each project ranking. This prioritized projects that improved water quality and public safety, reduced SSO/CSOs, and/or achieved regulatory compliance. Projects that scored well in the environmental and/or regulatory categories, while also scoring well in one or more of the other three major categories (infrastructure renewal, asset management, and probable construction cost) generally ranked towards the top of the overall Integrated Plan schedule. CTDEEP was*





*involved and attended 17 workshops to discuss the Integrated Plan, identify projects, and develop and implement a project ranking system. CTDEEP also received MDC CEO reports since September 2017, which included discussion on the development of the Integrated Plan.*

*As documented in Section 6 of Volume 3, substantial CSO reduction will occur throughout the Integrated Plan schedule, achieving intermittent level of controls at various CSO regulators that would not be attained without an Integrated Plan. Unquestionably, the project with the largest CSO reduction achieved is the Downtown Tunnel. This project also represents the largest individual project cost which remains. Without considering the financial impacts, it is simple to suggest that this project should be constructed earlier than proposed. There are several comments submitted that suggested that all work should be completed within twelve months. This is not feasible. The Integrated Plan is intended to provide the data necessary to support a balanced spending program that recognizes the District's system operational goals, significant regulatory compliance burden, its role as a steward of the environment, and fiduciary responsibility that the ratepayer financially support only a capital program that is reasonable and that makes sense. Constructing the Downtown Tunnel earlier would require either the continued postponement of other necessary infrastructure repair projects or require construction of the Downtown Tunnel and infrastructure repair projects at the same time. Completing the two at the same time was evaluated as Scenario 1a in Section 5 of Volume 3, which concludes that such a plan would be highly disruptive to the City and require substantial sewer rate increases, which would be considered by USEPA as too high a burden (over two percent of median household income) for the City of Hartford for several years.*

- c) "...The MDC is making a dangerous assumption in its projections in the Recommended Plan that sewer rehabilitation projects will be eligible for the 50 percent CWF grants. The CWF was not set up to fund sewer rehabilitation projects as they are the responsibility of our communities. The MDC currently receives the lion's share of CWF grants because they have large and beneficial projects in the project pipeline that directly relate to CSO reduction work. There are other communities competing for Clean Water Fund grants and projects directly related to CSO reduction and these projects will take priority for funding...The public should take note that the project costs are in 2018 dollars and many of these projects will not start for twenty to thirty years. These project costs will double or triple by that time. There should be a clearer incorporation of how Clean Water Funding can be applied to future costs that will reduce costs to towns for projects currently eligible for these funds and abandon the effort to use the CWF for ineligible projects."

***District Response to 22c:*** Please see District's response to Public Comment 3c for discussion on project eligibility for CWF. The District acknowledges that project costs are shown in 2018 costs, and projects performed later in the project schedule will cost more due to escalation. Please see District's response to Public Comment 2e for discussion on project costs and escalation.

- d) "While there are some direct comparisons of cost vs. reduction it is impossible reconcile the project schedule with environmental benefits and CSO reduction. There must be better side by side comparisons as exactly when the MDC will meet the requirements of reducing and



eliminating CSOs as required for their recommended plan. In presentations to Members Towns, the information provided focused solely on cost.”

**District Response to 22d:** *Figures ES-4 and ES-5 in Volume 3 address the comments. Figure ES-4 shows in 5-year increments over the implementation period the key projects that are implemented, the aggregate cost of these system improvements, the CSO volume reduction achieved, and the percentage reduction of CSOs from the 2018 Future Baseline Condition (with HWPCF and SHCST). Figure ES-4 also shows when CSOs to the North Branch Park River are eliminated. Figure ES-5 shows the CSO reduction benefits achieved in each of the 5-Year increments including the number of remaining CSO regulators, total volume, and the characteristics of the CSO annual activation frequencies (i.e., time per year activated) including the number of CSOs left in each activation group (1-Month, 3-Month, 6-Month, and 1-Year). Figure ES-6 further simplifies this presentation to show overall progress across the system over each 5-Year increment.*

- e) “MDC has been misleading during this process by only narrowly reaching out to communities about this – not including other non-resident stakeholders (businesses, river-users, etc.) – and by focusing discussion on cost and making it impossible to understand when the CSO work will be completed. Presentations to Board of Commissioners and Town Councils can hardly be considered robust stakeholder engagement...Many of these outreach effort focused primarily on project costs and some presentations erroneously reported that the recommended plan meets the requirements of the Consent Order which is not true as the project schedule does not meet the deadline contained in the order... did not have full access to the content of the plan until November 26th and only given two weeks to review three volumes of material. The MDC formed a Citizen’s Advisory Committee (CAC) in the development of its Long Term Control Plan...MDC should consider utilizing the CAC in developing a more reasonable timeline for the LTCP/IP.”

**District Response to 22e:** *The District acknowledges and appreciates your feedback. Please see District’s response to Public Comment 4c, 4d, and 21e on the time frame of the public hearing and the public engagement involved. The District will consider seeking guidance via a CAC for future referendum purposes.*

- f) “The water quality study commissioned for the North Branch of the Park River concluded that there were other sources of bacteria than the MDC’s CSO discharge. The fact that any stretch of river or stream has multiple sources of bacteria loading is not a novel concept... The impairment due to the direct discharge of sewage to the open channel of the North Branch Park River must be addressed regardless of other contributions.”

**District Response to 22f:** *The water quality study was commissioned to investigate and confirm the annual bacteria load contribution from CSOs to the North Branch Park River. The load was estimated to be approximately 27 percent during the timetable of the study. The District acknowledges that CSO discharges to the North Branch Park River must be addressed and is committed to eliminating them as part of the recommended plan.*





**Public Comment 23 (submitted after public hearing):** Katherine Fielder, representing Save the Sound

- a) "Save the Sound strongly opposes MDC's proposal to extend the deadline for their legal obligation to comply with Consent Order WC-5434 by nearly thirty (30) years (from 2029 to 2058... From July 2018 through the date of this correspondence, MDC has had forty-one (41) CSO events, with at least twelve (12) events discharging more than a million gallons of polluted sewage each (and at least eight (8) discharging amounts in the tens of millions of gallons). The proposed delay will result in continued harm to human health and the environment, and, as DEEP noted in its December 26, 2017 correspondence, "is essentially tantamount to doing nothing" about this critical issue...EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework states, "[w]here extended time is necessary to achieve compliance, enforcement orders should provide schedules for CWA requirements that prioritize the most significant human health and environmental needs first." While the proposed extended timeline attempts to do just that, any extension on the scale of thirty (30) years for significant components of the LTCP shows a disregard for the scale of the problem and a failure to meaningfully work towards compliance with the original project schedule..."

**District Response to 23a:** *Please see District Response to Public Comment 22b regarding the schedule of the recommended plan. Additionally, the District recognizes the number of CSO and SSO events that have occurred this year, which have been larger than recent years due to it being one the wettest years on record in the eastern United States.*

- b) "Save the Sound is also concerned with the public outreach conducted for the Draft Update to the CSO LTCP... Presentations to the Board of Commissioners and Town Councils do not satisfy the requirement of robust stakeholder engagement...stakeholders did not have access to the content of the plan until November 26, less than three weeks prior to the deadline for public comment (December 13). This is not enough time for the public to meaningfully participate and provide comment. Outreach has also been primarily focused on project costs, not allowing for robust discussion on the broad scope of concerns of the public."

**District Response to 23b:** *The District acknowledges and appreciates your feedback. Please see District's response to Public Comment 4c, 4d, and 21e on the time frame of the public hearing and the public engagement involved.*

- c) "Additionally, the cost benefits of the proposed options are not provided in an easily comparable format and do not address the economic costs of chronic water pollution affecting other industries, such as the lobster fishery."

**District Response to 23c:** *Water quality objectives of the CSO LTCP Update are detailed in Section 2 and Section 3 of Volume 2. Improvements to water quality were a substantial part of how projects were ranked as part of the project scoring process. Environmental Impact accounted for 20 percent of each project's score utilized in the Integrated Plan, which includes impacts on water quality and public health and safety. Cost per gallon of CSO (or SSO) removed were also a part of the project scoring criteria, as noted in similar sections of Volume 3, making up 50 percent of the Probable Construction Cost scoring criteria.*



**Public Comment 24 (submitted after public hearing):** Louis W. Burch, representing Citizens Campaign for the Environment

- a) "... MDC has proposed deferring 125 of the 152 projects necessary to meet those obligations well beyond the 2029 deadline, including extension of several projects out to 2058. These changes would unnecessarily delay urgently needed wastewater infrastructure improvements that help protect human health and reduce harmful stormwater pollution affecting our state's waterways, and should therefore not be approved... CCE is opposed to any extension of existing projects out beyond the 2029 deadline, and urges MDC to continue progress on the important work of prioritizing investments into CSO projects in their service area based on the greatest and most pressing environmental and human health needs."

***District Response to 24a:*** Please see District's response to Public Comment 22a.

- b) "...the MDC has offered no direct comparison between the project timeline, project costs and CSO reduction. While updates include some limited comparisons of projected costs vs. reduction of CSO, it is impossible to reconcile the project schedule with environmental benefits and CSO reduction. There must be better side by side comparisons showing exactly when the MDC will meet the requirements of reducing and eliminating CSOs as required under WC-5434."

***District Response to 24b:*** Please see District Response to Public Comment 22d. In addition, note that the District developed and implemented a robust project scoring and ranking system, as noted in Section 2 and 3 of Volume 3. The project scoring process charted a variety of environmental, regulatory, infrastructure, asset management, and cost criteria to rank and prioritize the Integrated Plan projects.

- c) "Volume 1, section 4 (Wastewater Collection System Needs Assessment) puts a disproportionate emphasis on the need to upgrade and modernize pump stations, pipes and other existing infrastructure, while making little reference to green infrastructure solutions, which can save money and help meet the requirements of the Consent Order on an accelerated timeline. CCE views that many of the improvements recommended in Section 4 as routine maintenance projects which MDC is already responsible for, regardless of their requirements under WC-5434. Rather than neglecting problems until there is a failure, the MDC should be conducting asset management on an ongoing basis, which would ensure that inventories of needed investments are maintained and updated, and resources are allocated to allow for ongoing maintenance and repair of systems before they fail. The focus of the LTCP should be to come up with innovate green infrastructure solutions for reducing stormwater runoff by promoting groundwater recharge, not to spend time and resources catching up on overdue improvements to existing infrastructure..."

***District Response to 24c:*** The intent of Section 4 is to focus on the existing wastewater collection system needs and the recommended improvements based on the extensive asset management that the District has already conducted as part of its Capacity, Management, Operations, and Maintenance (CMOM) Program, which also is required as part of its Consent Decree. The District





*agrees that the sewer and water assets should be maintained and updated on continual basis, and systems should be repaired before they fail. An Integrated Plan prioritizes those sewer projects that accomplish multiple benefits, such as asset renewal and CSO reduction, which will be accomplished by addressing the needs detailed in Section 4 of Volume 1.*

*In response to green infrastructure, please see District's comment to Public Response 7a.*

- d) "...the MDC has failed to provide meaningful opportunities for public comment by offering minimal public outreach and a woefully inadequate two week comment period on the proposed changes...Instead of engaging members of the public and/or any community/non-profit groups that may represent them on water protection issues, MDC held a handful of closed-door presentations for local Boards of Commissioners and Town Council members. This can hardly be considered robust stakeholder engagement, as the vast majority of the public which stand to be impacted by these changes have little or no clue that this process is even underway... Additionally, most of the outreach that was conducted on these changes focused primarily on project costs, and not on the human health or environmental quality needs that this plan is intended to address. CCE views water as a public trust resource, and we believe strongly that there should be ample opportunities for meaningful public input on matters that affect the public's water supply, including stormwater management and other wastewater management/water protection issues...MDC should extend the public comment period to solicit additional public comment on the proposed update."

***District Response to 24d:*** *Please see District Response to Public Comment 4c and 4d. Contrary to this suggestion, none of these meetings were "closed door" meetings. These were advertised and open to attend by the public, with the public available to comment, and, in some instances, broadcast on local cable TV. District staff performed robust outreach throughout the development of the recommended plan to engage and notify the public, through means such as newspaper advertisements, mailings, social media, and press releases.*

- e) "In conclusion, CCE believes that the proposed changes to the MDC LTCP are inadequate with respect to offering forward-thinking solutions to MDC's stormwater management challenges, and the process to vet and increase public awareness on the LTCP leaves much to be desired. CCE urges the MDC to take this plan back to the drawing board, and come back with a CSO management plan for the 21st century, with a significant focus on innovative green infrastructure solutions and ample, meaningful opportunities for public engagement."

***District Response to 24e:*** *The District acknowledge and appreciates your feedback. Please see District's response to Public Comment 7a on the topic of incorporation of green technology, and Public Comment 4d on the topic of public engagement. Note that stormwater outside of Hartford, while correlated to CSOs, is not the District's direct responsibility.*

We trust that you will find our public hearing, outreach, and responses to be satisfactory and that final approval from CTDEEP on the Integrated Plan and 2018 LTCP Update is warranted. As we noted above, the District has expended considerable effort, working directly with CTDEEP in a series of workshops, to



develop this Integrated Plan, and to prepare a balanced implementation program to address the many objectives of the stakeholders in this process.

We appreciate your Department's attention to this important plan, and do not hesitate to call or email me with any questions.

Very truly yours,

THE METROPOLITAN DISTRICT

  
Scott W. Jellison, P.E.  
Chief Executive Officer

cc: George Hicks, Rowland Denny, Jennifer Perry, Denise Ruzicka, CTDEEP  
Susan Negrelli and Jason Waterbury, The Metropolitan District  
Joe Laliberte, CDM Smith



**Public Hearing  
The Metropolitan District  
Updated Long-Term Control Plan**

555 Main Street  
Hartford, Connecticut 06103  
Tuesday, December 11, 2018

**Present:** District Chairman William A. DiBella  
Commissioner Avery Buell  
Commissioner Luis Caban  
Commissioner Donald Currey  
Commissioner Gary LeBeau  
Commissioner Richard Vicino  
Scott W. Jellison, Chief Executive Officer  
John M. Zinzarella, Deputy Chief Executive Officer, Business Services  
R. Bartley Halloran, District Counsel  
Christopher R. Stone, Assistant District Counsel  
Susan Negrelli, Director of Engineering  
Tom Tyler, Manager of Water Pollution Control  
Jason Waterbury, Project Manager  
Brendan Fox, Assistant District Counsel  
John S. Mirtle, District Clerk  
Julie McLaughlin, Special Services Administrator  
Nick Salemi, Special Services Administrator  
Joseph Laliberte, CDM Smith

**PUBLIC HEARING ON UPDATED COMBINED SEWER OVERFLOW  
LONG-TERM CONTROL PLAN**

Commissioner Richard Vicino, acting as moderator, called the public hearing to order at 6:01 P.M.

Susan Negrelli, Director of Engineering, delivered opening remarks and introduced Joseph Laliberte of CDM Smith.

At the direction of the Moderator, District Clerk John Mirtle incorporated into the record the hearing notice published in the Hartford Courant on November 26, 2018 and December 5, 2018 and also made available to all Town Clerk's within The Metropolitan District's member municipalities:

**PUBLIC NOTICE**

The Metropolitan District (MDC) will conduct a public hearing on the draft Update to the 2018 Combined Sewer Overflow Long-Term Control Plan (CSO LTCP) in accordance with the requirements of the Connecticut Department of Energy and Environmental Protection (CT DEEP) Clean Water Fund regulations, the Connecticut General Statutes Section 7-247a and applicable MDC governing documents.

The MDC invites residents and property owners in Bloomfield, East Hartford, Hartford, Newington, Rocky Hill, West Hartford, Wethersfield and Windsor and any other interested parties, to attend the public hearing on **Tuesday, December 11, 2018, at 6:00 P.M., at the MDC Training Center**, located at 125 Maxim Road, Hartford, CT.

In the event of inclement weather, a snow date has been scheduled for Wednesday, December 12, 2018, at 6:00 P.M. at the same location. Any cancellation notice will be posted on the MDC website ([www.themdc.org](http://www.themdc.org)) and anywhere school closings are listed.

The CSO LTCP is the planning document for construction of sewer improvements which establishes the overall direction for the MDC's Clean Water Project. This project is being undertaken to comply with enforcement action from both the CT DEEP related to combined sewer overflows and the United States Environmental Protection Agency (EPA) related to sanitary sewer overflows. The CSO LTCP Update of 2018 reflects changes in the overall program from the 2012 LTCP Update (approved by the CT DEEP in 2015). This plan utilizes EPA's Integrated Planning guidelines where the MDC proposes an updated LTCP that incorporates an integrated planning approach to the CWP. Under this approach the overall needs for capital investment in the MDC's water and sanitary sewer system are identified, analyzed and prioritized and thereafter sequenced over the long term so that higher priority projects, both in terms of benefits to the systems and the environment as well as affordability for our customers and member towns, are given priority.

This public hearing will include a presentation showing the progress of the work completed to date, the changes since the 2012 LTCP Update, and the schedule for the remaining work to be completed. The purpose of the hearing is to solicit opinions from the public for consideration prior to finalizing the CSO LTCP before securing final approval from the CT DEEP.

A copy of the CSO LTCP Update will be available for review by the general public at the Office of the District Clerk at MDC Headquarters, 555 Main Street, Hartford, and at Town Clerk offices in Hartford, West Hartford, East Hartford, Windsor, Bloomfield, Newington, Wethersfield, and Rocky Hill. The report may also be accessed electronically through the District's website, [www.themdc.org](http://www.themdc.org).

The deadline to submit public comments is December 13, 2018 at 6:00pm and may be submitted to the District Clerk via email at [DistrictClerk@themdc.com](mailto:DistrictClerk@themdc.com) or via mail at:

The Metropolitan District  
555 Main Street  
Hartford, CT 06103  
Attn: District Clerk



## PRESENTATION ON UPDATED LONG-TERM CONTROL PLAN

*Joseph Laliberte of CDM Smith presented the Updated Long-Term Control Plan.*

### PUBLIC COMMENT PERIOD

Moderator, Commissioner Richard Vicino, opened the floor to any members of the public whom wished to speak relative to the Updated Combined Sewer Overflow Long-Term Control Plan . The following members of the public appeared to be heard:

David Silverstone, Independent Consumer Advocate  
John Gale, Hartford City Council  
Larry Deutsch, Hartford City Council  
Alice Charamut, Connecticut River Conservancy  
Judy Allen, West Hartford Resident

The following written comments were received during the public comment period prior to the adjournment of the public hearing and are hereby incorporated into the record:

Hello:

My name is Marcia Lazowski, my husband Alan Lazowski and I live at 170 Scarborough St in Hartford, Ct. My home's easterly property boundary runs along the middle thread of the North Branch of the Park River (NBPR) for approx. 225 feet. The Metropolitan District Commission's (MDC) Combined Storm and Sewer Overflows (CSOs) directly impact my property. My property is adversely impacted by the CSOs affecting the safety, human health and wellness of my family, as well as my enjoyment of my property. My portion of the river is regularly polluted by the MDC's CSOs. The river smells of sewer and toilet waste after some overflows. It becomes unsanitary, odorous and terrible.

I understand the MDC is seeking an extension of time **from 2029** to complete closures of all CSOs **to 2058**. That's unacceptable. We'll all be dead and never see the benefits of the 2006 Order if it's extended. I express my full support for all of the points made in Bureau Chief Winfield's letter dated July 28, 2017 addressed to Mr. Ellison at the MDC; attached.

I **OPPOSE** any extensions of the MDC's compliance. The North Branch of the Park River should remain a Class A waterbody. The reclassification and extensions requested by the MDC should not be granted. I support the DEEP's position that the North Branch Park River and Wethersfield Cove both be protected from overflows, and that **overflows must be entirely eliminated** as required under Consent Order WC5434. The extensions for compliance with Consent Order WC5434 should be eliminated or at least shortened since progress by MDC has been too limited. I request that the terms of the 12-year-old Consent Order WC5434 be fully implemented hopefully within the next twelve (12) months. The people living along the NBPR have waited long enough.

As a resident along the river, I request the closures of the overflows from the CSOs, and improved water quality of the North Branch Park River, all promised under the 2006 Order, with no more delays.

**CITIZENS  
CAMPAIGN**  
FOR THE ENVIRONMENT



[www.citizenscampaign.org](http://www.citizenscampaign.org)

□ 225A Main Street • Farmingdale, NY 11735

516-390-7150

□ 744 Broadway • Albany, NY 12207

518-772-1862

□ 733 Delaware Road, Box 140 • Buffalo, NY 14223

716-831-3206

□ 2000 Teall Avenue, Suite #204 • Syracuse, NY 13206

315-472-1339

□ 2404 Whitney Avenue, 2nd Fl. • Hamden, CT 06518

203-821-7050

Empowering Communities, Advocating Solutions.

**Metropolitan District Commission  
Long Term Control Plan  
Comments by Louis W. Burch  
Citizens Campaign for the Environment**

**December 13, 2018**

Citizens Campaign for the Environment (CCE) is a non-partisan, non-profit organization that advocates for policies to protect public health and the natural environment. We appreciate the opportunity to submit comments on proposed updates to the Metropolitan District Commission (MDC) Long Term Control Plan (referred to in this document as “the LTCP”).

The purpose of the LTCP is to outline a comprehensive approach towards addressing the region’s Combined Sewer Overflows (CSOs) over the long-term. MDC is required, through a legally binding consent agreement (Water Pollution Control Order No. WC-5434), to complete any scheduled CSO-related projects by the year 2029. These include projects in some of the highest-need urban centers in Connecticut. MDC has proposed deferring 125 of the 152 projects necessary to meet those obligations well beyond the 2029 deadline, including extending several projects out to 2058. These changes would unnecessarily delay urgently needed wastewater infrastructure improvements that help protect human health and reduce harmful stormwater pollution affecting our state’s waterways, and should therefore not be approved.

**Project Timeline**

The Department of Energy and Environmental Protection (DEEP) explicitly stated in a December 2017 correspondence that a thirty or forty-year extension to the current elimination deadline would be detrimental to the state’s water protection goals and should not be approved as part of the plan. Furthermore, EPA’s Integrated Municipal Stormwater and Wastewater Planning Approach Framework states, “where extended time is necessary to achieve compliance, enforcement orders should provide schedules for Clean Water Act requirements that prioritize the most significant human health and environmental needs first.” This affirms that CSO separation projects in high-density population areas are a clear priority. CCE is opposed to any extension of existing projects out beyond the 2029 deadline, and urges MDC to continue progress on the important work of prioritizing investments into CSO projects in their service area based on the greatest and most pressing environmental and human health needs.

In addition to conducting this process in secrecy and delaying key components of the LTCP, the MDC has offered no direct comparison between the project timeline, project costs and CSO reduction. While updates include some limited comparisons of projected costs vs. reduction of CSO, it is impossible to reconcile the project schedule with environmental benefits and CSO reduction. There must be better side by side comparisons showing exactly when the MDC will meet the requirements of reducing and eliminating CSOs as required under WC-5434.



**Advance Green Infrastructure in the LTCP, not Routine Maintenance**

Volume 1, section 4 (Wastewater Collection System Needs Assessment) puts a disproportionate emphasis on the need to upgrade and modernize pump stations, pipes and other existing infrastructure, while making little reference to green infrastructure solutions, which can save money and help meet the requirements of the consent order on an accelerated timeline. CCE views that many of the improvements recommended in section 4 as routine maintenance projects which MDC is already responsible for, regardless of their requirements under WC-5434. Rather than neglecting problems until there is a failure, the MDC should be conducting asset management on an ongoing basis, which would ensure that inventories of needed investments are maintained and updated, and resources are allocated to allow for ongoing maintenance and repair of systems before they fail. The focus of the LTCP should be to come up with innovative green infrastructure solutions for reducing stormwater runoff by promoting groundwater recharge, not to spend time and resources catching up on overdue improvements to existing infrastructure. Numerous communities around the nation are now utilizing green infrastructure in their LTCP's, as it can manage stormwater by absorbing, diverting, or storing rain and snowmelt where it falls. Green infrastructure not only helps to reduce CSOs and protect water quality, it also creates habitat and beautifies communities.

**Public Outreach**

In addition to failing to meet its responsibilities under the consent order in a timely manner, the MDC has failed to provide meaningful opportunities for public comment by offering minimal public outreach and a woefully inadequate two week comment period on the proposed changes. The EPA calls for a process "which opens and maintains channels of communication with relevant community stakeholders in order to give full consideration to the views of others in the planning process," and that parties involved in such planning efforts "should provide appropriate opportunities that allow for meaningful input during the identification, evaluation, and selection of alternatives and other appropriate aspects of plan development." Instead of engaging members of the public and/or any community/non-profit groups that may represent them on water protection issues, MDC held a handful of closed-door presentations for local Boards of Commissioners and Town Council members. This can hardly be considered robust stakeholder engagement, as the vast majority of the public which stand to be impacted by these changes have little or no clue that this process is even underway.

Stakeholder engagement is one of six Plan Elements laid out in EPA's framework for integrated plans. Despite this, stakeholders were not given access to the full content of the plan until November 26<sup>th</sup>, and were left with only two weeks to review three volumes of technical information. Additionally, most of the outreach that was conducted on these changes focused primarily on project costs, and not on the human health or environmental quality needs that this plan is intended to address. CCE views water as a *public trust resource*, and we believe strongly that there should be ample opportunities for meaningful public input on matters that affect the public's water supply, including stormwater management and other wastewater management/water protection issues. The proposed LTCP is woefully inadequate in this respect, and MDC should extend the public comment period in order to solicit additional public comment on the proposed update.

In conclusion, CCE believes that the proposed changes to the MDC LTCP are inadequate with respect to offering forward-thinking solutions to MDC's stormwater management challenges, and the process to vet and increase public awareness on the LTCP leaves much to be desired. CCE urges the MDC to take this plan back to the drawing board, and come back with a CSO management plan for the 21<sup>st</sup> century, with a significant focus on innovative green infrastructure solutions and ample, meaningful opportunities for public engagement.

Thank you for the opportunity to submit comments on this important issue.

To the MDC District Clerk,

In addition to my letter sent earlier today, copied below, I am sending additional comments about the 2018 Long Term Control Plan Update. Note that these additional comments are not a complete review of the 2018 LTCP Update, given the limited time available for citizen review the document details. Nevertheless, for the record, here are supplemental recommendations:

**Green infrastructure opportunities** – There is considerable opportunity for design development of large scale green infrastructure features. While maintenance is a major issue, design is key to minimizing excessive green infrastructure maintenance – and also ensuring that green infrastructure features do not appear wild and weedy within the urban context. Rainbarrel programs, while significant are not necessarily reliable long-term strategy to reduce stormwater runoff. The 2010 North Branch Park River Watershed Management Plan, which was not even mentioned by MDC/CDM in the 2018 LTCP Update outlined a number of site specific green infrastructure opportunities along the North Branch Park River. Due to limited funding for green infrastructure initiatives, few of the project proposals have been implemented from the 2010 North Branch Park River Watershed Management Plan – yet a number of the project proposals are still relevant, and so ought to be referenced in the MDC/CDM 2018 LTCP Update. For example, athletic fields were recommended as a green infrastructure project type in the North Branch Park River Watershed Management Plan. The large, easily measured area underneath athletic fields, ought to be reviewed as opportunities for large volume stormwater storage and infiltration – especially given athletic fields could benefit from design improvements. Area beneath athletic fields have been utilized as large scale stormwater storage areas in other areas of the nation. The MDC Citizens Advisory Committee *Green Infrastructure* sub-committee, which met monthly throughout 2012, and quarterly for several following years, consistently recommended that MDC invest in green infrastructure strategies to complement conventional sewage treatment. It is refreshing that a section on green infrastructure is included in the 2018 LTCP Update – there are now many advanced design strategies from cities around the nation that ought to be incorporated into the update.

**Outreach and effective systemic improvements** – MDC needs to explore a paradigm shift towards the development of new streams of revenue as well as an integrative approach to infrastructure planning – so all MDC stakeholders, in voting member towns, and the greater Hartford metropolitan area can benefit. North Branch Park River watershed is an especially unique opportunity to demonstrate innovation. The MDC and CT DEEP ought to consider a separate fund for an innovative approach to system updates for both the North Branch watershed and Gully Brook.

Text sent previously –

The 2018 Long Term Control Plan Update was released to the public on November 26th 2018. Thus citizens were given ~two weeks to review over 1200 pages of materials about a taxpayer funded project. Hopefully there will expanded debate and discussion regarding the 2018 LTCP Update details in 2019. Understandably, my summary comments, while not comprehensive, identify plan sections that need further development.

**1) How refreshing to see green infrastructure opportunities as well as an integrated planning approach included in this update!** Section 10 highlights very specific stakeholders and project areas. The MDC ought to develop recommendations for integration of green infrastructure that can be implemented in planning and development projects throughout The District. Of the project areas reviewed for green infrastructure features, Keney Park Improvements (10.7.4) is especially interesting. However, surprisingly, the approach taken does not seem to focus on the Gully Brook watershed. Moreover, The District and area municipalities ought to develop a more systemic approach to planning green infrastructure



features in all area parks. A recent study by EPA, Green Infrastructure in Parks: A Guide to Collaboration, Funding, and Community Engagement” – could perhaps be helpful: [https://www.epa.gov/sites/production/files/2017-05/documents/gi\\_parksplaybook\\_2017-05-01\\_508.pdf](https://www.epa.gov/sites/production/files/2017-05/documents/gi_parksplaybook_2017-05-01_508.pdf)

**2) Extension of the deadline to reduce combined sewage overflows beyond 2029, especially overflows into the North Branch Park River, is unacceptable.** Recent flooding and sewage overflows into the North Branch Park River have adversely impacted property owners, which include K-12 schools, the campuses of University of Hartford, UConn School of Law and Hartford Seminary, and the parking lots of the Saint Francis Hospital medical community, as well as private residences. MDC needs to address water quality issues, **not** seek re-classification of the North Branch.

**3) Outreach – and collaboration towards comprehensive project goals need to be improved.** Statements regarding MDC outreach (ES.7 p ES-16) evidently reflect the minimum requirements. I have not received any notifications from the MDC about meetings – or even notification that the LTCP update had been released. Given that I served on the MDC Citizens Advisory Committee between 2004-2014 – and am actively working to implement green infrastructure features to improve water quality along the North Branch Park River – it would be appropriate and genuinely inclusive of The District to send me routine notifications about meetings and documents releases. MDC has made significant improvements to within the Park River regional watershed and the Lower Connecticut River. Nevertheless, due to climate change it is urgent that MDC work with Ct DEEP, citizen stakeholders, scientists and diverse environmental organizations to develop a genuinely innovative, systemic 21st century approach to managing area water resources.

Sincerely,

Mary Rickel Pelletier [maryp@parkwatershed.org](mailto:maryp@parkwatershed.org)

City of Hartford resident since 2000 *and* Founding Director of Park Watershed

We live at 120 Scarborough Street, Hartford and our property runs to the middle of the North Branch of the Park river. We share the concerns that our neighbors have expressed about failure of the MDC to remediate the problems of sewer drains into the river. We support the observations as expressed by our neighbors and copied below:

“We understand the MDC is seeking an extension of time from 2029 to complete closures of all CSOs to 2058, effectively allowing them to put the project on a decades-long hold. This would be unacceptable and a dereliction of the government's obligation to care for its residents' health and safety as well as the fragile ecosystem along the North Branch that is home to deer, bear, coyote, bobcat, wild turkey and dozens of other wildlife species. We express our full support for all of the points made in Bureau Chief Winfield's letter dated July 28, 2017 addressed to Mr. Ellison at the MDC (see attached). We OPPOSE any extensions of the MDC's compliance and the North Branch of the Park River should absolutely remain a Class A waterway. The river is typically 5 feet deep and ranges from 30-50 feet wide as it runs along our property. The reclassification to Class B and the extensions requested by the MDC seem like a deliberate attempt to circumvent Consent Order WC5434. We support the DEEP's position that both the North Branch Park River and Wethersfield Cove be protected from overflows, and that overflows must be entirely eliminated, as required under Consent Order.

The extensions for compliance with Consent Order WC5434 should be eliminated especially since progress over the past 12 years by the MDC has been so limited. We request that the terms of the 12-year-old Consent Order WC5434 be fully implemented within the next twelve (12) months. The people living in North Hartford, Blue Hills and the West End along the NBPR have waited long enough. We do not deserve to have our properties polluted and eroded, nor our yards and basements flooded. We do not live in the 1800s when it was acceptable to dump waste and chemicals into the "Hog River". As property owners, taxpayers and a family who lives on the North Branch, we respectfully request the immediate closure of the overflows from the MDC's CSOs, and the improved water quality of the North Branch Park River promised under the 2006 Consent Order, without further delay."

Sincerely,  
Michael and Gwen O'Connell  
120 Scarborough Street  
Hartford, Ct 06105

Hello,  
I will not be back in Hartford until next week, so I will miss tonight's meeting. In lieu of voicing my opinion in person, I would like to voice my concern for managing the region's water.

MDC needs to coordinate with stakeholders outside of the water sphere. One example Hartford should look to is [London's Olympic Gardens](#), designed by Hargreaves Associates. Like in the UK, we in Connecticut have an abundance of water that needs to be managed properly. To effectively monitor that, I believe the area should uncover the Park River, use porous pavement in necessary areas, build bioswales and natural areas for birds, and utilize other forms of green infrastructure to help clean our water and limit the amount of runoff that contributes to polluted waters and flooding. Not only will this contribute to cleaner water at a cheaper price, but it will also help contribute to the area's revitalization.

Best regards,  
Leah Beckett  
(860) 989-8587  
[leahfbeckett@gmail.com](mailto:leahfbeckett@gmail.com)





Connecticut River  
Conservancy

*Clean water. Healthy habitat. Thriving communities.*

Lower Valley: deKoven House  
27 Washington Street, Middletown, CT 06457  
860.704.0057 · [www.criver.org](http://www.criver.org)

December 13, 2018

The Metropolitan District  
555 Main Street  
Hartford, CT 06103  
Attn: District Clerk

Dear Mr. Jellison,

The MDC and the Connecticut River Conservancy (then the Connecticut River Watershed Council) stood together in educating the public on how crucial it is to invest in the elimination and reduction in raw sewage that flows into the rivers and streams in our community in order to garner support for the Clean Water Project. Rate payers and the general public must remember that this work is not being done because it was forced upon the MDC by CT DEEP and the EPA, but because it has public health and environmental health benefits to our community and downstream communities.

Since this work began in 2004, the CSO volume in a typical year has been reduced by almost half! We are almost there! The Connecticut River Conservancy has always recognized that this work will take decades, that it is expensive, and that plans should be updated periodically based on lessons learned during implementation. However, the MDC should not be delaying the work required to meet public and environmental health standards to the magnitude proposed in their Recommended Plan. This work is important not just for the health of our rivers, but also for the health of our communities and residents here, all those downstream of us, and those who benefit from the health of Long Island Sound. In 2012 when voters approved this work, we were told the track record of being on time and on budget would continue. This delayed timeline is not what voters approved. In fact, CT DEEP explicitly told MDC not to include a delay/extension of the magnitude presented in the Recommended Plan.

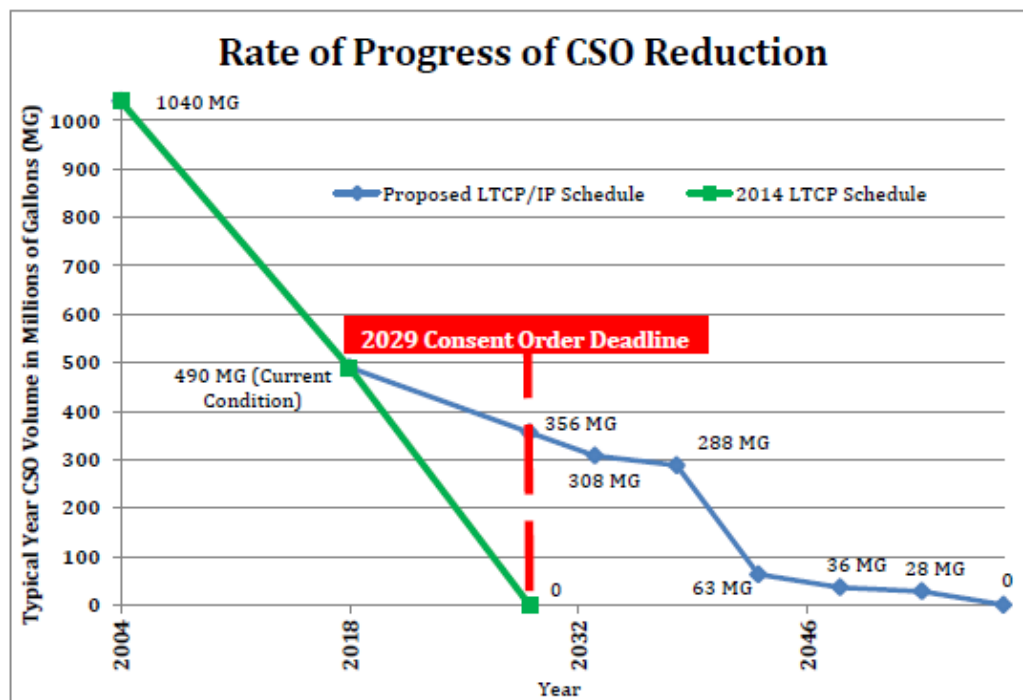
#### Timeline and CSO Reduction Compliance

The 2018 Long Term Control Plan update does not comply with the current consent order. The MDC is required, by legally binding agreement, to complete all CSO-related projects by 2029. The MDC is proposing to defer completion of 125 of the 152 projects necessary to meet their obligations beyond the 2029 deadline. In the MDC's recommended plan, project completion is extended to 2058 despite the fact that the Connecticut's Department of Energy and Environmental Protection was very clear in a December 26, 2017 correspondence with the MDC that "a thirty or forty-year extension to the current elimination deadline should not be part of MDC's plan when considering the LTCP update."

In regard to integrated planning, EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework states, "Where extended time is necessary to achieve compliance, enforcement orders should provide schedules for CWA requirements that prioritize the most significant human health and environmental needs first." The current 490 MG typical year discharge will not be reduced by half until after 2038 under the recommended plan - twenty years from now and ten years after the deadline in the consent order. The MDC will not be in full compliance until 2058.

Headquarters: 15 Bank Row, Greenfield, MA 01301  
413.772.2020 · [www.criver.org](http://www.criver.org)

The MDC has completed almost half of the work required for CSO reduction in 15 years. While it may be true that this rate is not sustainable, the proposed plan slows down the rate of progress to an unacceptable pace.



The MDC should work more closely and cooperatively with the CT DEEP and include all relevant stakeholders to find a more acceptable alternative to the timeline proposed in the LTCP/IP.

#### Paying for CSO Reduction

Clean Water Funds are in place to pay for half of the CSO work through grants, the funds should be spent as intended in a timely manner. The Clean Water Fund (CWF) was established as a way to help pay for capital projects that have a broader public benefit. CSO-related projects are eligible for a 50 percent grant and the remaining project cost is eligible for a low-interest loan (typically 2%). CRC is one of many groups that make up the Clean Water Investment Coalition which advocate for adequate funding for this program each year so that entities like the MDC will have the resources to complete this important work.

The MDC is making a dangerous assumption in its projections in the Recommended Plan that sewer rehabilitation projects will be eligible for the 50 percent CWF grants. The CWF was not set up to fund sewer rehabilitation projects as they are the responsibility of our communities. The MDC currently receives the lion's share of CWF grants because they have large and beneficial projects in the project pipeline that directly relate to CSO reduction work. There are other communities competing for Clean Water Fund grants and projects directly related to CSO reduction and these projects will take priority for funding.



MDC stands to lose tens if not hundreds of millions of grant funds each year.

Delaying will not make the cost of the CSO work go away. It will only get more expensive. The public should take note that project costs are in 2018 dollars and many of these projects will not start for twenty to thirty years. These project costs will double or triple by that time.

There should be a clearer incorporation of how Clean Water Funding can be applied to future costs that will reduce costs to towns for projects currently eligible for these funds and abandon the effort to use the CWF for ineligible projects.

#### Deficiency in Direct Cost/Schedule/Benefits Comparisons

While there are some direct comparisons of cost vs. reduction it is impossible reconcile the project schedule with environmental benefits and CSO reduction. There must be better side by side comparisons as exactly when the MDC will meet the requirements of reducing and eliminating CSOs as required for their recommended plan. In presentations to members towns, the information provided focused solely on cost.

#### Outreach

MDC has been misleading during this process by only narrowly reaching out to communities about this – not including other non-resident stakeholders (businesses, river-users, etc.) – and by focusing discussion on cost and making it impossible to understand when the CSO work will be completed.

Presentations to Board of Commissioners and Town Councils can hardly be considered robust stakeholder engagement. Stakeholder engagement is one of six Plan Elements laid out in EPA's framework for integrated plans. The EPA encourages "a process which opens and maintains channels of communication with relevant community stakeholders in order to give full consideration to of the views of others in the planning process" and that entities utilizing the approach "should provide appropriate opportunities that allow for meaningful input during the identification, evaluation, and selection of alternatives and other appropriate aspects of plan development." Many of these outreach effort focused primarily on project costs and some presentations erroneously reported that the recommended plan meets the requirements of the consent order which is not true as the project schedule does not meet the deadline contained in the order. Furthermore, stakeholders did not have full access to the content of the plan until November 26<sup>th</sup> and only given two weeks to review three volumes of material.

The MDC formed a Citizen's Advisory Committee (CAC) in the development of its Long Term Control Plan. The platform for broader stakeholder engagement through the development of the update and integrated plan already exists. The MDC should consider utilizing the CAC in developing a more reasonable timeline for the LTCP/IP.

#### North Branch Park River Water Quality Study

The water quality study commissioned for the North Branch of the Park River concluded that there were other sources of bacteria than the MDC's CSO discharge. The fact that any stretch of river or stream has multiple sources of bacteria loading is not a novel concept. When pollution sources that impair our waters are identified, we work to eliminate that source. The impairment due to the direct discharge of sewage to the open channel of the North Branch Park River must be addressed regardless of other contributions.

The Connecticut River Conservancy is ready and willing to participate in a process that involves an appropriate range of relevant stakeholders to find a more acceptable solution to reducing Combined Sewer Overflows while meeting other Clean Water Act Requirements that also meets affordability standards for member towns and rate payers.

Sincerely,



Alicea Charamut

Hello,

I am on business and will not be back in Hartford until next week, meaning I will miss tonight's meeting. As I can't make it, I would like to share my opinion via email. I would like to voice my concern for managing water. While places like California suffer from droughts and fire, Connecticut will be equally exposed in the future as it relates to climate change. There is a reason Harvard University is investing its endowment in water-rich land grabs. To effectively manage our waterways, and open up the possibility of uncovering the Park River, we need more porous pavement and other forms of green infrastructure to help clean our water and limit the amount of runoff that contributes to polluted waters and flooding.

Best regards,  
Patrick Higgins

Public Comment on the MDC CSO LTCP - Increase focus on green infrastructure to reduce CSO I have lived in Hartford at 8 Shultas Place for the past 13 years. I do not know where to begin with my comments. Since the very first week in Hartford, I have been very much aware of the project to separate our sewage and water system. I lived through the 3-4 years of disruption on my street, one of the equipment locations was at the corner of Shultas and Wethersfield. It was your second engineering design as the first plan in the North End of the City was a complete disaster. But, those residents did warn us about the nightmare we were about to embark on. Midnight to 6 am jackhammering just 500 ft from my front door on Wethersfield Ave – there wasn't a soul who slept through that. I had texts from my friends and neighbors all night asked what was going on. We were informed that residents on Wethersfield Ave were made aware of this - but you never thought about any of the multitude of side street residents. I am also keenly aware of your third engineering design, to vent the sewage tunnel under the city. You have torn up the front of Columbus Park and don't plan to fix it for years – our residents lost 2 tennis courts. Many locations along Maple and Franklin Ave have 10 foot high chain link fences around them – ugly! The very title of this project is irritating. It is just your 4th attempt to solve your ineptitude at separating the two streams. No wonder you are asking for 30 more years, you have absolutely no idea what you are doing. I consider it an absolute waste of my precious time reviewing your engineering proposal.

Donna Swarr



To Whom it may Concern at the MDC,

Hartford (and the region) is at a loss to resolve several issues such as concentrated poverty, increasing income inequality, and an inability to fund critical infrastructure maintenance and investment. The MDC's goal to reduce Combined Sewer Overflow (CSO) is an important one, but the efforts would be even more impactful (and cost effective) if the plan were modeled after [Philadelphia's Green City, Clean Waters CSO program](#). Please consider making the majority of CSO investments into "green infrastructure" in the Hartford area. It would positively transform our region, and the State of CT.

**More thoughts on this topic** - <http://allfamoustogether.blogspot.com/2018/12/lets-get-wet-greeninfrastructure-ftw.html> Smart cities do not spend money once. When a city or state spends hundreds of millions of dollars, sometimes billions, on infrastructure, public works, or a social program, that investment needs to pay back doubly and triply. For example, the City of Philadelphia evaluated how to manage polluted combined storm sewer overflow into waterways. This evaluation determined that addressing the storm water at the source with green infrastructure was the most cost effective resolution, Green City, Clean Waters. Green infrastructure funding had the second benefit of needed investment in the city's aging transportation infrastructure and buildings. A third benefit was neighborhood "walk-to-work" labor force involvement in the construction projects. The fourth benefit of green infrastructure is the improved health and quality of life in neighborhoods with more trees and green spaces. When considering how to resolve the water contamination issue the city and their water utility thought deeply and holistically. What alternate approach was rejected in Philly? They chose not to excavate deep storage tunnels for combined storm water and sewage. The tunnel alternate would have held millions of gallons of contaminated water until it could be treated later when the rain stopped, putting much more water through the treatment process. The tunnel project would have been more expensive, and did not have any of the benefit multipliers that are built into green infrastructure. This was not an easy decision to evaluate, and it had to be approved at the national level by the US Environmental Protection Agency. *"... rather than spending an estimated \$9.6 billion on a "gray" infrastructure program of ever-larger tunnels, the city [Philadelphia] is investing an estimated \$2.4 billion in public funds — to be augmented by large expenditures from the private sector — to create a citywide mosaic of green stormwater infrastructure."* Source - Yale Environment 360 In addition to being cost effective, green infrastructure incorporates community engagement and education. You cannot have a community garden and rain barrel program without community outreach, education, and local management of the project. Small portions of the investment ensure that residents, children, and future leaders understand the opportunities they have to live in harmony while growing their own food and protecting public resources. This investment in human capital pays into a functioning civil society that gets passed down through generations. Deep storage tunnel projects would have left the public clueless and disconnected from their built environment. Instead the Hartford metro's semi-private water utility, the Metropolitan District Commission, has gone whole hog into the deep tunnel storage solution. The neighborhoods with entrenched, multi-generational poverty and crumbling infrastructure are stuck in their unhealthy stasis. The city will remain unable to plant enough trees to keep up with the accelerated losses from climate change. \$280 million is sinking into a four-mile long tunnel that no one will ever see, except in the continuously increasing water bills across the region. The MDC's green infrastructure efforts have been anemic, with just \$30k spent on rain barrels in 2018 without funding for education or installation assistance. We must learn from our neighbors in Philly and

make sure that public investments of this magnitude truly invest in the Hartford region and our communities.

Let me know if you have any questions.

**Anthony Cherolis**

*Transport Hartford Coordinator*

Center for Latino Progress

95 Park Street, 2nd Fl.

Hartford, CT 06106

P. 860.247.3227 x.20

C. 860.204.2704

Hello:

My home is part of the Allyn Estate, which abuts the middle thread of the North Branch of the Park River (NBPR). The Metropolitan District Commission's (MDC) Combined Storm and Sewer Overflows (CSOs) indirectly impact my property. My property is adversely impacted by the CSOs affecting the safety, human health and wellness of our family and neighbors, as well as my enjoyment of our property. The river is regularly polluted by the MDC's CSOs. The river smells of sewer and toilet waste after some overflows. It becomes unsanitary, odorous and terrible. I understand the MDC is seeking an extension of time **from 2029** to complete closures of all CSOs **to 2058**. That's unacceptable. I express my full support for all of the points made in Bureau Chief Winfield's letter dated July 28, 2017 addressed to Mr. Ellison at the MDC. I **OPPOSE** any extensions of the MDC's compliance. The North Branch of the Park River should remain a Class A waterbody for all to enjoy without reservations. The reclassification and extensions requested by the MDC should not be granted. I support the DEEP's position that the North Branch Park River and Wethersfield Cove both be protected from overflows, and that **overflows must be entirely eliminated** as required under Consent Order WC5434. Progress by MDC has been too limited and thus the extensions for compliance with Consent Order WC5434 should be eliminated or at least shortened since. I request that the terms of the 12-year-old Consent Order WC5434 be fully implemented hopefully within the next twelve (12) months. The people living along the NBPR have waited long enough. As a resident along the river, I request the closures of the overflows from the CSOs, and improved water quality of the North Branch Park River, all promised under the 2006 Order, with no more delays.

Sincerely,  
David M Klein



William J. Cronin  
Ann Policelli Cronin  
60 Goodwin Circle  
Hartford, CT 06105

860 570-1059  
wcronin62@gmail.com  
annpcronin@gmail.com

December 13, 2018

Mr. Scott Jellison, CEO  
Metropolitan District Commission  
555 Main Street  
Hartford, CT 06142

Dear Mr. Jellison,

Raw sewage in CSO is spilling into areas behind homes of my neighbors in Hartford's West End. This has been a long-running problem, and it's much bigger than just my neighbors. The situation is unacceptable on the face of it. The very fact of the problem is an institution level failure of the mission and fundamental responsibility of MDC and its related governmental agencies.

Yesterday, I learned that there is a move to *extend* the completion date of the project to fix the problem and extend it by *twenty years*. To me, this is totally unacceptable, and the request must be denied – in fact, preferably withdrawn.

I believe the only responsible action is to put all energy and resources into *shortening* the time to completion to the shortest period possible. Twelve months sounds good.

Yours truly,



William J. Cronin

I was very upset to hear of the proposed delay in adhering to the aims of the clean water project for the Park River. Do you extend the timeline for a project that is needed for the safety of the public.

Ann M. Ferris  
28 Goodwin Circle  
Hartford, CT 06105  
860-463-6870  
To Whom It May Concern:

We live at 150 Scarborough Street and our home's easterly property boundary runs along the middle thread of the North Branch of the Park River (NBPR) for approx. 260 feet. The Metropolitan District Commission's (MDC) Combined Storm and Sewer Overflows (CSOs) directly impact our property. **Our portion of the river is regularly polluted by the MDC's CSOs and our property is adversely impacted by the CSOs affecting the safety, human health and wellness of my wife, 3 children and father, as well as our ability to use our backyard. The river smells of sewer and toilet waste after some overflows. It becomes unsanitary, odorous and terrible.** Trash and debris are left everywhere. The river has severely flooded our property 6 times since we moved here in January 2017. During and after the rainstorms that have become so common over the past few years, the water has risen by 5-10 feet from its normal height, covered half of our yard, backed up our drainage and sewer systems and caused erosion that resulted in the loss of multiple 100+ foot trees and 5-10 feet of our property along the riverbank. (Please see the attached pictures.) These trees then clog the river, catching trash and debris from upstream, creating even more flooding and pollution. I have personally hiked the length of the North Branch within Hartford city limits and the situation is the same along the entire length.

**We understand the MDC is seeking an extension of time from 2029 to complete closures of all CSOs to 2058, effectively allowing them to put the project on a decades-long hold.** This would be unacceptable and a dereliction of the government's obligation to care for its residents' health and safety as well as the fragile ecosystem along the North Branch that is home to deer, bear, coyote, bobcat, wild turkey and dozens of other wildlife species. We express our full support for all of the points made in Bureau Chief Winfield's letter dated July 28, 2017 addressed to Mr. Ellison at the MDC (see attached).

**We OPPOSE any extensions of the MDC's compliance and the North Branch of the Park River should absolutely remain a Class A waterway.** The river is typically 5 feet deep and ranges from 30-50 feet wide as it runs along our property. The reclassification to Class B and the extensions requested by the MDC seem like a deliberate attempt to circumvent Consent Order WC5434. We support the DEEP's position that both the North Branch Park River and Wethersfield Cove be protected from overflows, and that **overflows must be entirely eliminated**, as required under Consent Order. The extensions for compliance with Consent Order WC5434 should be eliminated especially since progress over the past 12 years by the MDC has been so limited. **We request that the terms of the 12-year-old Consent Order WC5434 be fully implemented within the next twelve (12) months. The people living in North Hartford, Blue Hills and the West End along the NBPR have waited long enough.** We do not deserve to have our properties polluted and eroded, nor our yards and basements flooded. We do not live in the 1800s when it was acceptable to dump waste and chemicals into the "Hog River". **As property owners, taxpayers and a family who lives on the North Branch, we respectfully request the immediate closure of the overflows from the MDC's CSOs, and the improved water quality of the North Branch Park River promised under the 2006 Consent Order, without further delay.**

Sincerely,  
David Jorgensen and Rachel Lutzker Jorgensen  
150 Scarborough St



Hartford, CT 06105  
To Those Concerned:

I have just learned that MDC is permitted to purposely and knowingly pollute the North Branch of the Hog River with raw sewage. I am outraged that such a disgusting and unhealthy practice is allowed .... we might as well live in the *favelas* of Rio de Janeiro or Mexico City! The Goodwin Estate complex is bordered by at least 1000 feet of the Hog River to the west and north. Clearly, such pollution poses an enormous threat to all the Goodwin Estate residents, a number of whom are vulnerable small children. Do you not care that our health and our very lives are threatened by such a horrible practice? I urge you in the strongest possible terms to take whatever steps are necessary to eliminate this pollution immediately, and I certainly implore the powers that be to vote **NO** on any extension of permits to allow CSOs. We cannot afford to wait another forty-plus years eliminate these horrors.

Sincerely,

W. J. Woodin, Jr.  
58 Goodwin Circle  
Hartford, CT 06105  
860.308.2614



12/11/2018



**I SUPPORT**



**the MDC's Long Term Control Plan and Integrated Plan**

Name: RICHARD HELDMANN Email: RJHELDMANU@GMAIL.COM

Address: 36 Alden Street Hartford

Comments: I support scenario 2A. Sure all of the options/plans mean increased fees to home owners, none of the plans/options are desirable, but doing nothing is much worse. Good presentation tonight. Thanks

All public comments must be received by the MDC's District Clerk no later than **6:00 PM, Thursday, December 13, 2018**.  
The Metropolitan District, 555 Main Street Hartford, CT 06103. Districtclerk@themdc.com

## Comment on draft Update to the 2018 Combined Sewer Overflow Long-Term Control Plan (CSO LTCP)



On behalf of our supporters across the state, Save Our Water CT appreciates the opportunity to comment on the Metropolitan District Commission's (MDC's) draft update to the 2018 CSO LTCP. While the project most visibly affects residents in communities served by the MDC, CSOs directly impact Connecticut residents beyond the MDC's footprint in a number of ways (e.g. degraded water quality with the resulting environmental and public health impacts, tax burden to help fund cleanup).

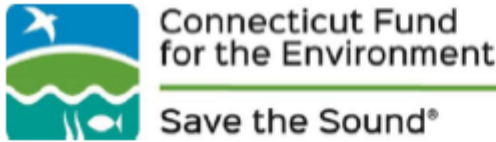
We understand that the MDC faces many financial challenges and we support using an Integrated Planning approach to prioritize projects that address aging infrastructure in tandem with completing CSO-related projects. However, we cannot support the LTCP as submitted for several reasons, including:

- **The MDC is proposing to extend the timeline for completion of all CSO projects to 2058.** The updated Plan is required to address a serious environmental problem within a specified timeframe (by 2029) yet it fails to do so. Moreover, MDC seems to have completely disregarded the most recent correspondence that we've seen regarding DEEP's position (letter dated 12/26/2017 responding to an MDC letter of 9/18/2017). DEEP's letter clearly states that "MDC's proposal to continue discharging raw sewage into the North Branch of the Park River while extending the final compliance deadline 30 to 40 years is unacceptable." There's no reason to believe that DEEP has changed its position, so why is the MDC even presenting this scenario?
- **Stakeholder outreach was very limited in scope.** MDC outreach has been pretty much confined to Town Councils and town staffs. The most recent presentation to Town Councils emphasized that an Integrated Plan approach (with timeline extended 30 years) would be advantageous to towns because the rate of increase in the Ad Valorem would be lower and less volatile. Obviously this is attractive to town staffs and elected officials for budgets and planning. However, some revenues that would have been raised from the Ad Valorem for sewer maintenance appear to be shifted to the Clean Water Project Charge. Apart from the completely separate question of equity related to a cost shift from a taxpayer base to a ratepayer base, is this kind of cost-shifting permissible? Following this presentation, the MDC has asked Towns to pass resolutions urging DEEP to accept the updated Plan "as submitted." It appears to us that the MDC is asking town staff and elected officials for their support in the absence of providing critical information. As a citizen activists group that values transparency, we think this is inappropriate.
- **There was not adequate time to review the full Plan.** The full content of the Plan – three volumes totaling 1,169 pages, including Appendices, was not available (online) until November 26<sup>th</sup>. How can the "public" be expected to provide thoughtful comment on such a document and under such circumstances?

To conclude, we support the MDC's use of an Integrated Planning approach. Although we appreciate the financial strain the MDC is under, we don't support an updated Plan that proposes to extend the timeline for compliance with the Consent Order by 30 years.

SAVE OUR WATER CT Steering Committee  
submitted by Paula Jones  
December 12, 2018





*Via U.S. Mail and Electronic Mail*

December 12, 2018

The Metropolitan District  
555 Main Street  
Hartford, CT 06103  
Attn: District Clerk

**RE: Save the Sound's Comments on MDC's Draft Update to the 2018 CSO LTCP**

To whom it may concern:

Save the Sound, a program of Connecticut Fund for the Environment, Inc. (CFE) dedicated to protecting and restoring the waters of Long Island Sound, respectfully submits the following comments in response to the Draft Update to the 2018 Combined Sewer Overflow Long-Term Control Plan (CSO LTCP) for the Metropolitan District (MDC). Save the Sound strongly opposes MDC's proposal to extend the deadline for their legal obligation to comply with Consent Order WC-5434 by nearly thirty (30) years (from 2029 to 2058), which requires, among other things, that MDC complete all combined sewer overflow (CSO) projects by 2029. This proposed extension nearly doubles the original timeline developed after protracted planning, public involvement, and legal procedures – and decades of stalled momentum towards a resolution to the issue of CSOs.

The requirement that MDC eliminate its CSOs is one of great urgency. As the Department of Energy and Environmental Protection (DEEP) noted in a December 26, 2017 correspondence, "a thirty or forty-year extension to the current elimination deadline should not be part of MDC's plan when considering the LTCP update." Nonetheless, MDC has proposed such extensions in the Draft Update to the 2018 CSO LTCP. Combined sewers are vestiges of antique sewage disposal infrastructure, and their overflows contribute to unacceptable levels of debris, fecal bacteria, and nitrogen in Connecticut waterways and Long Island Sound. The fecal bacteria in raw sewage poses a serious threat to public health, while the high nitrogen loads in wastewater trigger algae blooms and low oxygen dead zones where fish cannot survive. In addition, sediments in low oxygen zones can release chemicals such as hydrogen sulfide, which is toxic to eel grass, and manganese, a neurotoxin recently theorized to cause blindness in lobsters and may be linked to shell disease through endocrine disruption. There are many other pollutants, such as microfibers, which can be somewhat mitigated in sewage treatment plants, but not when discharged via CSO events.



Connecticut Fund  
for the Environment

Save the Sound®

The problem of CSOs has long been known, with the then Department of Environmental Protection's (now DEEP) involvement on the issue beginning as early as 1990 with its publication of the *Combined Sewer Overflow Strategy, May 1990*. Over the following decades, both DEEP and MDC have published numerous iterations of plans to eliminate CSOs. All the while, MDC has continued to discharge polluted sewage during storm events through its outdated infrastructure. From July 2018 through the date of this correspondence, MDC has had forty-one (41) CSO events, with at least twelve (12) events discharging more than a million gallons of polluted sewage each (and at least eight (8) discharging amounts in the tens of millions of gallons). The proposed delay will result in continued harm to human health and the environment, and, as DEEP noted in its December 26, 2017 correspondence, "is essentially tantamount to doing nothing" about this critical issue.

EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework states, "[w]here extended time is necessary to achieve compliance, enforcement orders should provide schedules for CWA requirements that prioritize the most significant human health and environmental needs first." While the proposed extended timeline attempts to do just that, any extension on the scale of thirty (30) years for significant components of the LTCP shows a disregard for the scale of the problem and a failure to meaningfully work towards compliance with the original project schedule. Further, by ignoring its legal obligations, MDC is subjecting itself to liability under the Clean Water Act.

Save the Sound is also concerned with the public outreach conducted for the Draft Update to the CSO LTCP, especially in light of the significant changes proposed for the project schedule. Presentations to the Board of Commissioners and Town Councils do not satisfy the requirement of robust stakeholder engagement. The EPA encourages "a process which opens and maintains channels of communication with relevant community stakeholders in order to give full consideration to of the views of others in the planning process" and that entities utilizing the approach "should provide appropriate opportunities that allow for meaningful input during the identification, evaluation, and selection of alternatives and other appropriate aspects of plan development." However, stakeholders did not have access to the content of the plan until November 26, less than three weeks prior to the deadline for public comment (December 13). This is not sufficient time for the public to meaningfully participate and provide comment. Outreach has also been primarily focused on project costs, not allowing for robust discussion on the broad scope of concerns of the public. Additionally, the cost benefits of the proposed options are not provided in an easily comparable format and do not address the economic costs of chronic water pollution affecting other industries, such as the lobster fishery.

Save the Sound strongly encourages MDC to not abrogate its legal obligations to comply with prior deadlines and public outreach requirements. Any further delay in eliminating CSOs will only extend the already unacceptable harm to the environment and public health.

Respectfully submitted,



Katherine M. Fiedler, Esq.  
Legal Fellow  
CFE/Save the Sound  
900 Chapel Street, Suite 2202  
New Haven, CT 06510  
(203) 787-0646 ext. 108  
[kfiedler@ctenvironment.org](mailto:kfiedler@ctenvironment.org)



Soundkeeper Bill Lucey  
CFE/Save the Sound  
900 Chapel Street, Suite 2202  
New Haven, CT 06510  
(203) 787-0646 ext. 129  
[blucey@savethesound.org](mailto:blucey@savethesound.org)

We just wanted to state in writing that we very much oppose the plan to delay Connecticut River cleanup from Sewage. If there were more awareness of this issue I cannot imagine anyone not opposing a delay. We are one of many businesses that depend on clean water.

Sincerely,  
Christina & Paul Belogour, owners  
Norm's Marina on the Connecticut in Hinsdale NH

My home's easterly property boundary runs along the middle thread of the North Branch of the Park River (NBPR) for approx. 225 feet. The Metropolitan District Commission's (MDC) Combined Storm and Sewer Overflows (CSOs) directly impact my property. My property is adversely impacted by the CSOs affecting the safety, human health and wellness of my family, as well as my enjoyment of my property. My portion of the river is regularly polluted by the MDC's CSOs. The river smells of sewer and toilet waste after some overflows. It becomes unsanitary, odorous and terrible. I understand the MDC is seeking an extension of time **from 2029** to complete closures of all CSOs **to 2058**. That's unacceptable. We'll all be dead and never see the benefits of the 2006 Order if it's extended. I express my full support for all of the points made in Bureau Chief Winfield's letter dated July 28, 2017 addressed to Mr. Ellison at the MDC; attached. I **OPPOSE** any extensions of the MDC's compliance. The North Branch of the Park River should remain a Class A waterbody. The reclassification and extensions requested by the MDC should not be granted. I support the DEEP's position that the North Branch Park River and Wethersfield Cove both be protected from overflows, and that **overflows must be entirely eliminated** as required under Consent Order WC5434. The extensions for compliance with Consent Order WC5434 should be eliminated or at least shortened since progress by MDC has been too limited. I request that the terms of the 12-year-



old Consent Order WC5434 be fully implemented hopefully within the next twelve (12) months. The people living along the NBPR have waited long enough.

As a resident along the river, I request the closures of the overflows from the CSOs, and improved water quality of the North Branch Park River, all promised under the 2006 Order, with no more delays.

Sincerely,  
Kenneth B. Lerman

The hearing was adjourned at 7:46 P.M.

ATTEST:

John S. Mirtle, Esq.  
District Clerk

METROPOLITAN DISTRICT COMMISSION

555 Main Street

Hartford, Connecticut 06103

PUBLIC HEARING  
MDC Training Center  
125 Maxim Road  
Hartford, Connecticut

Tuesday, December 11, 2018

Public Comments to the

COMBINED SEWER OVERFLOW LONG-TERM CONTROL PLAN  
(CSO LTCP)

Held Before:

RICHARD VICINO, Commissioner  
CHRIS STONE, MDC Assistant District Counsel  
SUSAN NEGRELLI, MDC Director of Engineering  
JOHN MIRTLE, MDC District Clerk

JOE LALIBERTE, Project Manager CDM/Smith

(Transcription from Electronic Sound Recording.)

BRANDON LEGAL TECH, LLC  
100 Pearl Street - 14<sup>th</sup> Floor  
Hartford, CT 06103  
860.528.2244  
www.BrandonLT.com

1 (Excerpt from Hearing: Public Comments Only.)

2  
3 MR. STONE: My name is Chris Stone, I'm an  
4 Assistance District Counsel. I'm taking over  
5 for John Mirtle. And we have a list of several  
6 people who have signed up to provide testimony  
7 or comment.

8 The first on the list is David  
9 Silverstone, the independent consumer advocate  
10 for the MDC. And I remind everyone that we're  
11 going to try to limit to 3 minutes. Obviously  
12 I'm not going to interrupt you if you're in the  
13 middle of a thought, so but please be patient  
14 with me and I'll try to be patient with you.

15 MR. SILVERSTONE: Thank you. And  
16 Commissioner, good evening.

17 As was stated earlier we've had the plan  
18 since for the last couple of weeks so my  
19 comments this evening are going to be  
20 preliminary and rather broad-brushed until I've  
21 had a chance to spend a little more time with  
22 the plan.

23 Let me state at the outset that I  
24 appreciate the gravity of the environmental  
25 issues at play here. I think there are other



1 people who will focus on that. I want to focus  
2 on the economic issues related to this plan and  
3 to the previous long-term control plan and  
4 especially the economic impact on customers.

5 While there was some talk of the need for  
6 capital improvements to the water system most  
7 of the focus by that presentation was on the  
8 sewer system. I think it's critical that we  
9 look at the sewer and water capital needs  
10 together.

11 The vast majority of customers are both  
12 sewer customers and water customers. They look  
13 upon the bill as one entity and they might call  
14 it the water bill but it's really the water and  
15 sewer bill. So just like we don't separate our  
16 electric bill into the portion of the bill that  
17 went to lights and the portion that went to the  
18 oven or the gas heating bill that went to the  
19 heat versus the hot water, we really need to  
20 look at the -- particularly with regard to  
21 affordability with regard to both water and  
22 sewer.

23 There's been discussion this evening about  
24 the need for sewer infrastructure improvements.  
25 There is talk in the integrated plan of the

1           need for water capital improvements as well.

2           Let me spend a little time on that. But both  
3           of those systems, both the water system and the  
4           sewer infrastructure system need significant  
5           capital improvements without regard to the  
6           long-term control plan.

7           We can talk about how we got here, whether  
8           we spent enough money in years past, whether  
9           it's just natural evolution of a water and  
10          sewer system that saw explosive growth in the  
11          '50s, but nevertheless here we are. And these  
12          capital improvements to both the water and the  
13          sewer side, as was mentioned earlier, really  
14          have several purposes. They obviously provide  
15          water and sewer service on a 24/7 basis;  
16          promote water conservation, eliminating leaks,  
17          eliminating broken pipes, reduce the I&I  
18          problem that was discussed at significant  
19          length which currently overwhelms the treatment  
20          plant on rainy days.

21          I just want to emphasize one number just  
22          as by way of example. As the chart showed  
23          earlier West Hartford, which is just one of the  
24          towns, happens to be the one I live in but just  
25          one, dry day, 8 million gallons sewage to the

1 treatment plant; wet day, 64 million gallons.  
2 That's a factor of 8. So obviously we have to  
3 do something to reduce that I&I problem.

4 And again, as mentioned earlier, we need  
5 to reduce the amount we spend, some would say  
6 waste in a sense, on O&M on emergency repairs.  
7 There's nothing worse or more expensive than  
8 fixing a water pipe or a sewer pipe on  
9 Christmas Eve and Christmas Day. It's not good  
10 for employees, it's not good for customers, not  
11 good for the bottom line. So we've got to  
12 address these infrastructure problems if we're  
13 going to eliminate those kinds of events.

14 If our goal is to reduce the overall  
15 adverse economic environmental impacts we need  
16 to implement the long-term control plan on an  
17 integrated basis with these water and sewer  
18 infrastructure capital improvements, and I want  
19 to emphasize water and sewer.

20 I do have to say though that even with the  
21 integrated plan and the savings that will  
22 result from that, and even with the 40-year  
23 time arising the plan exceeds the ability of  
24 customers to pay. I don't think it's any more  
25 complicated than that. It's projecting 4



1 percent annual increase in sewer rates, 5.6  
2 annual increase in water rates over a 20-year  
3 period. Those numbers are not sustainable.

4 We are not in a situation where we have  
5 cost of living increases at anything near that  
6 level nor anything near that level projected.  
7 So those kinds of increases and, you know, over  
8 20 years of 4 percent increase essentially  
9 doubles the bill.

10 I have to say that those numbers which I  
11 took out of Volume 3, even those numbers I  
12 think are understated. Let me just give you a  
13 couple of quick examples.

14 The chart in Volume 3, page -- Section 5,  
15 page 9, attempts to calculate the projected  
16 residential burden from the sewer activity and  
17 it translates, it tries to translate the ad  
18 valorem impact on individual residential units.  
19 It does not mention the customer, the sewer  
20 customer service charge which as of January 1  
21 we know as of last night, last night's action,  
22 will increase to \$72 a year.

23 The methodology used to calculate the  
24 residential portion of the ad valorem seems to  
25 ignore this customer service charge. Hence the

1 total burden as stated in that calculation  
2 understates the burden on residential customers  
3 by on the order of 13 percent in year one.  
4 That's not an insignificant number. So that  
5 just -- I'm not really being critical in the  
6 sense that that's, you know, in the whole scope  
7 of what's going on \$72 a year might not sound  
8 like much, but I think it understates the  
9 burden.

10 Further, the median household income  
11 benchmark is terribly misleading and I  
12 recognize that that's accepted by various  
13 regulatory agencies. We live in an incredibly  
14 disparate region. So when you figure median  
15 household income the impact on people on large  
16 portions of the population throughout the  
17 region but particularly in Hartford and  
18 probably East Hartford is very significant and  
19 is well beyond any kind of ability to pay,  
20 again when you consider water and sewer.

21 If the entire MDC service area were  
22 Hartford and East Hartford and we were looking  
23 at the kinds of burdens and the median  
24 household income in those two communities it is  
25 unlikely that any reasonable person would

1 consider that that was an affordable amount to  
2 pay over these 20 or 40-year periods. So I  
3 think there's a serious affordability issue.

4 MR. STONE: (Unintelligible.)

5 MR. SILVERSTONE: Sure. Getting to the  
6 end.

7 I also want to mention that this isn't  
8 just a residential problem. Businesses, large  
9 and small will also be adversely and  
10 substantially impacted. Those businesses  
11 subject to the sewer user charge, for example,  
12 large apartment complexes, large condo  
13 complexes and undoubtedly others, are going to  
14 realize a very significant increase. Those  
15 customers, for example, just between 2018 and  
16 2019 are going to see an increase of over 30  
17 percent in the sewer user charge going from  
18 3.37 to 4.64 per CCF. I don't know that that  
19 was calculated in the calculations given.

20 So I think it's not just a burden on  
21 residential but it's also a burden on  
22 businesses.

23 And lastly let me just make this comment,  
24 apart from the foregoing there appears to be an  
25 effort to shift the cost from the ad valorem



1 charge to individual bills by the customer --  
2 by the CWP charge. There seems to be an  
3 underlying assumption that whether the  
4 customers pay through the ad valorem or pay the  
5 CWP charge on their individual bill, that  
6 there's really no difference. Let me suggest  
7 to you that's not a reasonable assumption.

8 In addition to very obvious things --

9 MR. STONE: David, let's wrap up.

10 MR. SILVERSTONE: I'm trying.

11 In addition to very obvious things like  
12 collection costs, the need for working capital  
13 and so on, probably most importantly is the  
14 incidents of the tax is not the same as  
15 individual bills.

16 So I think there are serious issues that  
17 need to be addressed. We do have to accept the  
18 integrated plan --

19 MR. STONE: Excuse me, Councilor? You're  
20 on the list. Do you want to --

21 FEMALE SPEAKER: (Unintelligible.)

22 MR. STONE: Okay. Fair enough. Thank  
23 you.

24 MR. SILVERSTONE: We do have to address  
25 this affordability issue.

1 MR. STONE: Thank you very much, David.

2 MR. SILVERSTONE: Thank you.

3 MR. STONE: Councilor John Gale.

4 COUNCILOR GALE: Thank you very much and  
5 thank you for the presentation. John Gale from  
6 the Hartford City Council.

7 Couple of comments this evening. First,  
8 let me thank the MDC as a fisherman and a  
9 boater and a bather. I've witnessed the  
10 dramatic improvements during my lifetime to the  
11 Connecticut River and to Long Island Sound and  
12 I'm terribly grateful for all of that and happy  
13 to see that we're continuing to improve that.

14 One of the things that certainly annoyed  
15 me the most with the sewer separation project  
16 was the fact that we saw so much of the dollars  
17 or at least I saw what seemed like so much of  
18 the dollars being paid to contractors that were  
19 not from central Connecticut. And so one of  
20 the things that I would like to see the MDC  
21 look at is the ability to incorporate community  
22 benefits -- I'll use that term -- to try to get  
23 more of the dollars that are spent. I've heard  
24 some very large dollars thrown around here  
25 tonight. 3.1 billion I think.

1           Now, I understand we may not have a local  
2 contractor who can did a tunnel but we  
3 certainly have local contractors who can dig  
4 sewers in the streets and do this type of  
5 repair work. I also understand that some of  
6 our dollars coming from the federal and the  
7 state government may prohibit us from doing  
8 that but the ad valorem it strikes me is at  
9 least half of the cost of this throughout on  
10 all of the different scenarios that you've  
11 shown us. And the ad valorem is being raised  
12 from the towns and so I would think that the  
13 towns could all get together and agree, the 8  
14 member towns, that they want a community  
15 benefit.

16           So I would strongly encourage the MDC and  
17 I'm certainly not going to be the only one to  
18 mention that, that you rally the towns to  
19 create a community benefits agreement that  
20 somehow helps us spend the money within our 8  
21 towns and put it back into our community.

22           I also want to mention the use of green  
23 technology. It's been touched on in little  
24 bits. 87 rain barrels I don't think is really  
25 a significant approach to green technology.



1 From the presentation it appears that the  
2 inflow problem is substantial and I would  
3 encourage the MDC to continue to look at ways  
4 to encourage the homeowner not to discharge  
5 their water, not to discharge water into the  
6 sewer system. Whatever it is, combined or  
7 separated, it would appear that long term there  
8 is tremendous benefits from just getting the  
9 water out of the system completely and getting  
10 it back into the ground where it was originally  
11 going to fall.

12 The last two things I want to mention are  
13 just I've listened to this presentation  
14 tonight. I had the benefit of a separate  
15 presentation. I had the opportunity to ask a  
16 lot of questions. I feel like I'm fairly  
17 knowledgeable but I still think there could be  
18 better explanations for why a larger treatment  
19 plant wouldn't have done the job. You know,  
20 there's lots of options, you've built a holding  
21 tank to hold more water, you've talked about  
22 sewer separation so that we don't get as much  
23 stormwater needing to be treated, but we  
24 haven't really talked about a third alternative  
25 which is just simply building a bigger plant to

1 deal with all of this water. I know you  
2 mentioned it but I just say a better  
3 explanation as to why that's not a reasonable  
4 alternative.

5 And the last thing is I'm still -- I heard  
6 cost savings by going to a 40-year plan. I saw  
7 graphs that showed a reduction in expenses if  
8 we did a 40-year plan, and yet at the end the  
9 40-year plan cost me more. So I'm sure there's  
10 a reasonable explanation. I'm just encouraging  
11 you to do a little bit better in presenting  
12 that because I'm still not understanding it  
13 despite all the times that you've tried. Maybe  
14 it's just me being dense but thank you.

15 MR. STONE: Thank you, Councilor.

16 Alicea Charamut.

17 MS. CHARAMUT: Can you hear me? I can't  
18 bend over.

19 Alicea Charamut, Connecticut River  
20 Conservancy. I reside at 56 Francis Avenue in  
21 Newington.

22 And I want to say first of all that I  
23 appreciate that in the 15 years since the Clean  
24 Water Project was initiated that we have  
25 reduced the volume of sewage by half. This is

1           wonderful and I appreciate that it has gone at  
2           such a fast pace.

3           However, we can't come to a screeching  
4           halt. Right now as it stands and this is I  
5           think a lot of -- the environmental benefits  
6           have been downplayed in a lot of the  
7           presentations that have been given. And with  
8           the pace that the MDC has been going at which  
9           has been great and we've seen the benefits, I  
10          myself, I am an angler, I'm a rower, I'm a  
11          paddler. I'm on the Connecticut River, you  
12          know, an enviable amount of time during field  
13          season, so I very much appreciate that. But we  
14          can't slow down to the pace that is being  
15          proposed.

16          The second thing I'd like to address is  
17          that the last number I have is that \$430  
18          million in Clean Water Fund grants. Grants,  
19          money that the MDC does not have to pay back  
20          for CSO reduction has been given to the MDC by  
21          the state through Clean Water Funds.

22          Now, that number is higher because I have  
23          an old number. I'm expecting, I think it's  
24          probably more like \$500 million.

25          Now the proposal to try to have sewer



1 rehabilitation considered for Clean Water Funds  
2 or to try to apply for Clean Water Funds for  
3 sewer rehabilitation projects is going to  
4 reduce that piece of the pie significantly. I  
5 guaranty it. And that money, the Clean Water  
6 Fund money was set up so that all of the  
7 stakeholders are sharing the cost of this, not  
8 just member towns, not just ratepayers, because  
9 people who make their living on Long Island  
10 Sound benefit from this project. People in  
11 downstream communities benefit from this  
12 project and they don't pay into it directly  
13 like we do. That's what the Clean Water Funds  
14 are for; not to support work that communities  
15 should have been doing all along.

16 And how the Clean Water Fund works is that  
17 communities that have CSO work, they submit  
18 projects and the projects are ranked. If the  
19 projects do not directly relate to CSO work  
20 they will be ranked -- they won't be ranked as  
21 high. Right now MDC gets the lion's share of  
22 Clean Water Fund grant money. That is not  
23 going to continue if they try to have sewer  
24 rehabilitation projects considered for the  
25 Clean Water Funds. And I think that's a very

1 dangerous prospect to be presenting as a cost  
2 reduction in this plan. Thank you.

3 MR. STONE: Thank you very much.

4 Judy Allen.

5 MS. ALLEN: I'm Judy Allen from West  
6 Hartford. And while I'm a member of Save Our  
7 Water Connecticut, these comments are my own.  
8 Save Our Water will be submitting written  
9 comments.

10 For over a year I have listened to  
11 information presented to Commissioners in  
12 anticipation of submitting this required  
13 updated long-term control plan. What has  
14 evolved concerns me greatly. My understanding  
15 of an updated plan is that it should contain a  
16 description of progress made toward meeting  
17 goals of the consent order, a description of  
18 the work still to be done, a proposal for how  
19 the work will be done and when. It should also  
20 include financial information.

21 When looking at your last updated plan  
22 these elements appear to be included and  
23 presented in a way that those elements can be  
24 identified, and it's under 250 pages.

25 But this plan's description of goals met,

1           those to be accomplished, how the goals will be  
2           met and when are all mixed together with an  
3           assessment of the separate needs of the general  
4           sewer infrastructure.

5           In this draft it's not possible to clearly  
6           see the elements needed to meet the  
7           requirements of an updated long-term control  
8           plan. This draft was developed backwards.  
9           Financial needs were identified for both the  
10          Clean Water Project and ongoing sewer capital  
11          improvement projects, then the length of time  
12          needed to meet those needs was determined and  
13          only after that were the requirements of the  
14          consent order plugged in. This draft would  
15          extend the completion of required projects out  
16          another 40 years from a public and  
17          environmental health standpoint that's  
18          unacceptable.

19          I have no objection to an integrated plan  
20          that provides financial relief to customers as  
21          long as it complies with the intent of the  
22          consent order, but this plan does not do that.  
23          Clearly you anticipated problems with this  
24          draft as evidenced by the enormous efforts to  
25          sell it to member towns by stressing only



1 financial benefits.

2 As an MDC customer, a ratepayer, this  
3 makes me angry. The time and money spent on  
4 this plan rather than what is required comes  
5 out of my pocket. I don't believe DEEP will or  
6 should accept this submission. Stakeholder  
7 involvement by environmental groups, customers  
8 and member towns was absent during the  
9 development of this draft. What's been  
10 presented is public involvement after the  
11 development of the draft.

12 I expect that going forward you will  
13 involve stakeholders in developing both a long-  
14 term control plan and an integrated plan that  
15 are acceptable. Thank you.

16 MR. STONE: Thank you, Judy.

17 Larry Deutsch.

18 COUNCILOR DEUTSCH: If you don't mind, I  
19 try to make it a practice of not turning my  
20 back on an audience and we try to address both  
21 at the same time whenever we can.

22 I'll try to get to one of the aspects I  
23 don't think has really been mentioned very much  
24 and that is -- and then I guess there are some  
25 others and maybe I'll skip the last. One of

1           them is seeing the Clean Water Project whether  
2           it be for sewer separation or emphasizing  
3           tunnels as a Public Works project, to seeking  
4           the whole effort as projects have been seen  
5           historically as Public Works projects which  
6           support local employment.

7           Now, Councilwoman Bermudez would have  
8           referred to that and she far more articulate  
9           than I, Councilman Gale has done so, the  
10          comment has been that the contractors have  
11          largely not been within the city or within the  
12          region and subsequently the creation of jobs in  
13          the locality involved in this project has been  
14          small. The anecdotal comment is of Hartford  
15          residents, whether in the North End or the  
16          South End, that the people working on our  
17          streets don't look like us. So I might as well  
18          relate that and say that it may relate also to  
19          affordability for charges on Hartford residents  
20          if indeed they have good jobs through this  
21          project.

22          So that has been suggested and I would  
23          like to emphasize, and then to ask as a  
24          question and this is the question that I think  
25          you're seeking and I would very much like a

1 written reply. What exactly will be the  
2 renewed effort to encourage and gain local  
3 employment through training and then employment  
4 ongoing throughout the length of the project so  
5 that the same observations don't continue to be  
6 made for the next 11 or 40 years?

7 And as an example when Balthazar was a  
8 major contractor people commented on that. The  
9 Commissioners must know that, and I must as a  
10 voter's representative emphasized that, that  
11 they are not getting the jobs. And so that I  
12 think is one major comment. It's seen in the  
13 data as MWBE, minority women employment and so  
14 on.

15 And when you mention the smaller  
16 contracts, this is very interesting and  
17 hopefully praiseworthy that among those smaller  
18 contracts many will go to local firms and if  
19 they need training in technology then perhaps  
20 it should be given. Again, with the increase  
21 in jobs you would think that the rates might be  
22 more, somewhat more affordable.

23 So that's the first and to me the most  
24 crucial comment in this context.

25 The next one is people ask in the same way

1           that the City of Hartford and West Haven and  
2           some others are being monitored by the  
3           Municipal Accountability Control Board, we all  
4           know that MDC is also technically a  
5           municipality and the question raised is exactly  
6           who monitors, oversees and audits the MDC  
7           itself in terms of the efficiency of these  
8           contracts, the opportunity for local  
9           employment, the actual success beyond the goals  
10          and what are called the good faith efforts.

11                 MR. STONE:   (Unintelligible.)

12                 MR. DEUTSCH:  Well, I'm coming to it yes,  
13                 of course.

14                 MR. STONE:  Thank you.

15                 MR. DEUTCH:  So that therefore the  
16                 question and I do ask as a question is exactly  
17                 who is charged with monitoring and oversight of  
18                 the MDC itself, and then oversight of the  
19                 monitors so that the public --

20                 UNKNOWN SPEAKER:  (Unintelligible.)

21                 COUNCILOR DEUTSCH:  Good.  So the public  
22                 is assured that that's being done.

23                 My next question is a simple one I've  
24                 raised before, is many people find that the  
25                 benefit of the sewer separation project, the



1 reduction on the CSO, accrues not so much to  
2 them directly in Hartford but to the downriver  
3 towns, Old Saybrook, Essex and some others that  
4 raise that question now and then and it seems  
5 that it's sluffed off as if it's waste. But on  
6 the other hand how can the City of Hartford or  
7 the 8 member towns benefit from real  
8 contributions from downriver towns, let alone  
9 the whole state? And we also haven't mentioned  
10 grants from the federal government which of  
11 course Congressman Larson and all of our  
12 congressional representatives might support.

13 And I think the last thing --

14 MR. STONE: Thank you very much,  
15 Councilor.

16 COUNCILOR DEUTCH: The last question is we  
17 see how we've been handed --

18 MR. STONE: Councilor --

19 COUNCILOR DEUTSCH: Yeah, I understand.  
20 We see what we've been handed advocacy for this  
21 position in terms of an upcoming referendum and  
22 I'd just like to ask the question what is the  
23 legality of a municipality taking a certain  
24 position when a referendum is upcoming and  
25 distributing a card that asks for support yes

1 on that referendum as opposed to a neutral  
2 position after presenting all the data.

3 MR. STONE: Thank you, Councilor.

4 COUNCILOR DEUTSCH: So we'd like answers  
5 to those questions.

6 MR. STONE: Thank you, Councilor.

7 COUNCILOR DEUTSCH: Thank you. I look  
8 forward to seeing them.

9 MR. STONE: We look forward to answering  
10 your questions.

11 COUNCILOR DEUTSCH: Good. Thank you.

12 MR. STONE: David Keys.

13 MR. KEYS: I think I'm going to pass.

14 MR. STONE: Okay, David. All right.  
15 Thanks.

16 That is all of the sign-ups for speaking  
17 tonight. Is there anyone else in the audience  
18 that would like to say anything?

19 Seeing none, I'll turn it back over to the  
20 Chairman, Commissioner Vicino.

21 COMMISSIONER VICINO: Thank you very much  
22 for joining us tonight and participating. We  
23 have until Thursday, December 13<sup>th</sup> for any  
24 further written comments at -- what's the  
25 timeline?

1 UNKNOWN SPEAKER: 6:00 p.m.

2 COMMISSIONER VICINO: 6:00 p.m. That  
3 would be directed to the MDC. And I think  
4 nothing else in order we'll have an adjourn.  
5 Thank you very much again.

6 (Proceedings concluded.)

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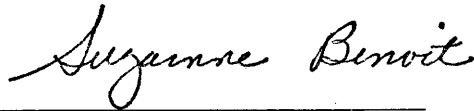
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CERTIFICATE

I hereby certify that the foregoing 24 pages are a complete and accurate transcription to the best of my ability of the Public Hearing Comments.re: Combined Sewer Overflow Long-Term Control Plan (CSO LTCP), held at the MDC Training Center, 125 Maxim Road, Hartford, Connecticut on December 11, 2018.



Suzanne Benoit, Transcriber

Date: 12/13/18