



PERMITS FOR LARGE-SCALE WATER BOTTLING

GOAL FOR 2017 SESSION

It is critical that our Legislature and Governor act now to protect Connecticut's water supply from out-of-state corporate profiteers. Water is arguably the most valuable life-sustaining resource we have, yet we find ourselves needing to **fight to keep our taxpayer-funded, high-quality water in our own state**. Connecticut is wide open for out of state for-profit water bottling companies to successfully exploit CT's lack of regulatory protections.

If legislative action is postponed or not taken, out-of-state water bottling companies (water "super users") will be able to continue paying less for our water than area rate-payers, avoid contributing to our infrastructure costs, and sell it nationwide for their own corporate profit. Under current law, only the State Legislature can remedy this situation.

WHY IS OUR PUBLIC WATER SUPPLY AT RISK?

Connecticut does not yet have a comprehensive plan for managing our water resources. Although a State Water Plan is in development, we currently have no statewide regulatory framework for balancing the local demand on our public water supply with the need for economic development, the desire for recreation, and the health of our ecosystem. This lack of planned regulation opened the door in 2015 for the Metropolitan District Commission (MDC) and the Bloomfield Town Council to enter a deal with California-based Niagara Bottling Co. to sell, bottle and export our water.

This questionable arrangement to sell 1.8 million gallons per day of our public water for private profit to a multinational corporation was executed without citizen knowledge or consent. The deal incentivized the bottling company with a \$4.9 million municipal tax credit, afforded them unprecedented volume rate discounts, and exempted them from financial responsibility for infrastructure improvements as required under the federal Clean Water Act. Moreover, the MDC simultaneously raised rates for household customers, and made no provisions for prioritizing Connecticut consumers' supply in times of drought.

In addition to their forecasted 1.8-million-gallon withdrawal per day, an amount which is equivalent to the present-day diversion of all current MDC industrial users combined, Niagara Bottling Co. has indicated plans to tap and sell water from an undisclosed number of Connecticut springs. This process of drawing from springs or ground aquifers can deplete well fields, collapse private wells, dry up local rivers and further jeopardize our residential water supply.

It must be understood that **Connecticut does not have an endless supply of water; our state is vulnerable to drought.** Per the U.S. Drought Monitor, 69% - 89% of Connecticut has been

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Protect Connecticut's water supply from corporate profiteers.



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classified as experiencing Severe and/or Extreme Drought each consecutive month since September 2016. Yet, current law does not allow the Commissioner of Public Health to declare a mandatory restriction on water usage until a reservoir has been depleted down to 10% of its capacity. Even at this frightening level, **loopholes in state regulations** still allow for-profit bottling corporations to continue extracting water with few restrictions.

Further complicating the fight to protect our water are antiquated regulations governing the permitting of “**diversions**” which are withdrawals of water from surface and ground water sources. Connecticut’s Water Diversion Policy Act of 1982 requires that consumers taking more than 50,000 gallons per day must obtain a permit from the Department of Energy and Environmental Protection. However, the Act allowed all previously existing diversions to be grandfathered, and the customer would hold the rights to take up to the maximum amount they were “registered” for regardless of their current consumption, also without the need to obtain a new permit. **It is estimated that the total grandfathered water registrations currently held by customers and water utilities exceed the total amount of water in our state.** This is an unsustainable situation that must be corrected to address our present and future water needs in Connecticut.

Grandfathered diversions are jeopardizing water conservation efforts. Registration information was collected but not properly vetted. This has led to questionable claims by the utilities regarding the boundaries of their water rights, their system’s capacity in terms of available water, excess capacity and safe yield, as well as the environmental impact of their diversions.

Diversion permitting regulations should be amended to require a permit for the expansion of grandfathered water rights provided to a public water supplier, so it cannot unilaterally make decisions that may jeopardize the long-term future of our water resources.

WHAT NEEDS TO BE DONE NOW?

Substantive legislative reforms must pass now to address the shortcomings of our state’s water management policies. Legal protections are necessary to safeguard CT residents against the effects of continuing drought conditions, supply uncertainties, and corporate exploitation of our life-sustaining natural resource.

Legislation is being proposed to:

- Prohibit special discounts for high-volume users and exporters of CT water.
- Ensure that federally required Clean Water Project charges to fund infrastructure repairs and improvements are not waived for corporate water bottlers.
- Protect access to drinking water during times of drought by applying mandatory restrictions to all types of diversions, not only those for residential customers.
- Close loopholes in current regulations by requiring a permit for new diversions of 50,000 gallons of water per day or more, regardless of existing grandfathered registration or how it is transported.

Our goal is to ensure enough potable water is available to meet the needs of the citizens of Connecticut, its environment, agriculture, recreation, and businesses now and in the future.

For more information, visit:

SAVE OUR WATER

www.saveourwaterct.org