



Connecticut Association of Golf Course Superintendents, Inc.



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Written Testimony of
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Member, Water Planning Council's Science & Technology Committee

State Water Plan

Public Hearing – April 17, 2018
Energy & Technology Committee
Environment Committee
Planning & Development Committee
Public Health Committee

Chairs, Ranking Members and distinguished members of the Energy & Technology, Environment, Planning & Development and Public Health Committees, my name is Peter Gorman and I'm the vice president of the Connecticut Association of Golf Course Superintendents (golf course superintendents) and I served as a member of the Water Planning Council's Science & Technical Workgroup. Thank you for affording me this opportunity to offer testimony on behalf of golf course superintendents on the State Water Plan and our opposition to the inclusion of the Public Trust Doctrine language.

The state legislature instructed the Water Planning Council to develop a plan that balanced water rights for all uses, public and private, including public health and safety, economic development, recreation, and ecological needs. The planning process was thorough, transparent, and most importantly inclusive of a wide variety of viewpoints. Over the course of four years representatives from various government, industry, and environmental organizations worked together to develop a plan that would serve as the foundation for water planning in Connecticut.

The Public Trust Doctrine has been applied to water in Connecticut in the past, but at no point during the development of the State Water Plan was the concept identified as a fundamental theme of the plan. Public Trust was not included in the legislation that mandated the development, nor was it mentioned during the two years of work group meetings and public hearings, or in the final draft that was released for public comment.

The last-minute inclusion of the Public Trust Doctrine language prevents thorough examination of how this language will impact the implementation of the State Water Plan once it is approved. Traditionally the concept has been applied as a matter of judicial review, which allows a focused interpretation of its application to specific situations. Including the principle at the legislative and regulatory levels creates opportunity for broad interpretation and application of the Public Trust Doctrine.

The application of the Public Trust Doctrine is not consistent with the language in the original mandate that requires the State Water Plan to balance the interests of **all** water users. Organizations that oppose registered and permitted diversions will use the Public Trust Doctrine to challenge and revoke allocations utilized by public water supply and private industry before their true impact on the watershed has been identified. Many of these businesses, including golf courses, have invested millions of dollars to develop, maintain, and operate in accordance with the rights granted to them by DEEP.

Golf courses are small businesses that provide much needed jobs, healthy recreational opportunities, and venues for charitable fundraisers throughout the state. Golf course superintendents are stewards of the environment, and the landscapes they manage provide numerous benefits to their communities related to groundwater recharge and improving water quality. Providing the desired playing conditions requires effective water management, and golf courses have invested millions of dollars in modern irrigation control systems to ensure water is applied efficiently and judiciously. Irrigation decisions are based on numerous daily measurements of soil moisture, atmospheric conditions, and weather forecasts. Cultural programs are designed and implemented to maximize water infiltration and minimize runoff.

From the very beginning, the golf industry has supported and participated in the development of the State Water Plan. We have promoted the plan to our members and invited representatives from the Water Planning Council to introduce the Plan to industry representatives. We have openly supported the Plan at public hearings and have voluntarily developed Best Management Practices that are consistent with the spirit of the legislation. We are working with various state agencies, including DEEP and UConn to develop strategies that will improve water management and expand conservation and drought management efforts throughout the industry, which reflects the core principles of the State Water Plan.

In keeping with state statute and the original intent of Public Act 14-163, the golf course superintendents encourage lawmakers to remove references to the Public Trust Doctrine in the State Water Plan.

Respectfully submitted,

Peter Gorman

Vice President

Connecticut Association of Golf Course Superintendents