



Understanding the Proposed Diversion Regulation Change

Connecticut's Department of Energy and Environmental Protection (DEEP) has proposed a change in the regulations governing the withdrawal of large volumes of water from the ground or waterways in order to better protect critical water resources and ecological habitat. The proposed regulatory change to the water diversion regulations will require a permit for the expansion of "grandfathered" water rights provided to public water suppliers. This document is intended to provide background on the proposed regulation change and why it is critical to protecting our natural resources.



These photos show two views of the same stream taken on August 1, 2016, above the registered diversion (on the left) and in the vicinity of the registered diversion (on the right).



What is a diversion?

A diversion is essentially a withdrawal of water from surface waters (rivers, streams, lakes) or from the ground. Some examples of diversions include: wells withdrawing water from the ground to supply public drinking water, pumping water from a pond for golf course irrigation, or withdrawing water from a stream to cool industrial machinery.

How are diversions regulated in Connecticut?

Connecticut's Water Diversion Policy Act of 1982 set standards for the withdrawal of surface water and ground water. The Act allowed water to be withdrawn under two scenarios:

1. New withdrawals of more than 50,000 gallons per day (gpd) are required to obtain a permit from DEEP. The permitting process evaluates the impacts of the proposed withdrawal, requires steps to minimize those impacts, and provides opportunity for public input.
2. Existing withdrawals were "grandfathered" through a registration process. Grandfathered (registered) users were allowed to continue their water withdrawal without obtaining a DEEP permit and without studying of the impact of the withdrawal. The information registered included the location, capacity, frequency, and rate of withdrawal, a description of the water use and (for public water suppliers) the area served by the water system.

A grandfathered diversion can be used forever. However, if the diverter wants to modify the withdrawal with respect to any of the information registered (like the type of water use, for example), then a diversion permit is needed. This concept is similar to building codes: If you buy a house which has an electrical system that doesn't meet current building codes, it can be used as is. But if you make any modifications to the electrical system, you would need to bring everything up to code.

50,000 gallons is equivalent to



X 10,

Or enough for 125 households for a day!