



State of Rhode Island and Providence Plantations
Water Resources Board
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Providence, RI 02903
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MINUTES OF BOARD MEETING # 451
June 13, 2006

Members Present:

Daniel W. Varin, Chairman
William Penn, V. Chairman
Robert Griffith
June Swallow*
Jon Schock
William Stamp, III
Dr. Michael Sullivan
Ian Morrison
William Parsons

Members Absent:

Frank Perry

*Member designee

Staff Present:

Juan Mariscal
Kathleen Crawley
Beverly O'Keefe
William Rivero
Elaine Maguire
Rob Christina
Romeo Mendes
Tracy Shields
Navy Bhada

Guests:

Alicia Good, DEM
James Campbell, USGS
Greg Granato, USGS
Harold Ward, Coalition for Water Security
Evan Matthews, Quonset Development Corporation
Theresa Cox

1. CALL TO ORDER

With a quorum present, Chairman Varin called the meeting to order at 12:10 P.M. The Chairman welcomed the Board's new CFO Navy Law Bhada.

2. APPROVAL OF MINUTES:

Mr. Penn moved approval of the minutes of the May meeting with a second by Mr. Stamp. Ms. Swallow requested that these minutes correctly reflect that she is the chairperson of the CEO Committee. With that correction, the motion carried unanimously.

3. CHIEF BUSINESS OFFICER'S REPORT

Mr. Penn moved approval with a second by Mr. Schock. The motion was approved unanimously.

4. CHAIRMAN'S REMARKS

Chairman Varin noted that at the last Board meeting, the Board voted to support companion house and senate bills on tampering with hydrants, and letters of support were sent to the sponsors of those bills and the chairperson of each committee. The Chairman attended a conference sponsored by the City of Providence on June 5; it was held at Brown University. It was on the topic of "Introduction to Dynamic Planning—the New Method of Planning."

Chairman Varin provided copies of an editorial which had been in this morning's *Providence Journal* (entitled, "Ocean State can't ignore water issues," and written by Jack Partridge, Sr. partner at Partridge, Snow & Hahn). The Chairman also received a call this morning from the Governor's Office informing him that his confirmation hearing was scheduled for tomorrow afternoon. (There was the possibility that Mr. Morrison would also be receiving this call today.)

5. GENERAL MANAGER'S REPORT

Mr. Mariscal noted that most of the activities of the staff will come out in the committee reports and attest to the fact that everyone is very busy. But, he wanted to mention also that Phase VI of the selective cutting program has been completed down in Big River. The National Guard has been involved in demolition work and training exercises, as well as the State Police's SWAT team has also done some training in the vacated houses before the Guard demolished them. The lead inspections have all been completed and we have notified and requested vendor quotes for costs to replace the windows in Greenwich Village Nursery School, which is a high priority for us. We continue to work with DEM on the restoration of the Management Area and in a number of different areas. We are in the process of putting our capital budget narrative and program together, which the members will see at the next Board meeting. Also, at the request of the State's Controller's Office, Mr. Mendes met with DEM representatives to help them assess values of DEM controlled drinking water infrastructure with some of the state-owned properties. We are also working in earnest on the RFQ/P for the Big River water development project. As you know, the Village of Shannock was here a few months ago requesting our assistance. We have been working to address their issues and concerns; we did send a letter to the USDA, who is holding money to fund Shannock's projects. We received a response stating that the funds would be held until mid-August at which time they would expect a report from us or meet with us to determine where to go next. This is moving ahead, but there are a lot of issues involved including property acquisition, which can take longer than anyone wants.

Mr. Mariscal noted that at Enclosure 19, Mr. Riverson put together his monthly update on the watershed protection program, and a quick review of that shows that 98.76 percent of all the monies available for that program have all been committed or completed. There are suppliers that are having some difficulties, but they should have alternate program requests in by the end of this month.

6. COMMITTEE REPORTS AND ACTION ITEMS RESULTING

A. Public Drinking Water Protection Committee—Chair Robert Griffith

(1) Water Supply Systems Management Plans (WSSMP):

a. Town of Lincoln Water Division – WSSMP 30-Month Interim Report - Request for Approval

Mr. Griffith explained that there were no comments or findings regarding this interim report and it meets requirements; therefore, he moved approval. Mr. Stamp seconded, and this motion carried unanimously.

b. North Tiverton Fire District – WSSMP 30-Month Interim Report – Request for Action

Mr. Griffith noted that North Tiverton Fire District's WSSMP was submitted on October 9, 2002 with several subject to items which needed to be addressed. The District failed to do that and after review of that failure in November, the Committee recommended a notice of deficiency be issued. A meeting was held with the District and its consultant to try to provide some guidance. The District then submitted an amended report, which ultimately raised more questions than it answered. The District subsequently submitted further reports and reviews and comments by Statewide Planning and DEM noted serious deficiencies with regard to coordination consistency, demand management and non-account water. Some of this has been the result of changing management of water supply in North Tiverton, where the North Tiverton Fire District took over portions of the Tiverton Fire District. There are ongoing questions of disputed service areas between them and Stone Bridge which was also discussed with Mr. Ray Morin, Chairman of the North Tiverton Fire District. After extensive discussion, the Committee recommends that the North Tiverton Fire District be found in noncompliance with the requirement and directed to prepare a new 5-year plan from scratch and directed to submit that plan within 1 year—not later than May 29, 2007. The recommendation is further that the North Tiverton Fire District be directed to satisfactorily answer all the subject to comments and deficiencies already identified. The District has agreed to these terms, and staff will attempt to assist them in resolving some of the service area questions.

Mr. Penn asked what non-compliance meant, and Mr. Griffith responded that the District is not in compliance with the regulations regarding the preparation and maintenance of a water system supply management plan, and it does have implications for the District in terms of applications for watershed protection program monies and other monies that are available from the Water Resources Board, and the District is fully aware of this. Mr. Stamp added that this solution would also ultimately save the District some time and paperwork.

Mr. Schock wondered if the time allowed was too generous. Mr. Griffith noted that typically a year is allowed for a 30-month update. Chairman Varin pointed out that although typically this information was readily available, it did not appear to be in this case. Dr. Sullivan asked if there would be any value to requesting a 6-month update as opposed to giving an entire year. Chairman Varin noted going through the process of finding and hiring a consultant would take several months.

Ms. O'Keefe explained that much of the problem was that North Tiverton Fire District had acquired the Tiverton Water Authority, and the service boundaries, the infrastructure, the fiscal assets that were gained were unknown. Our water systems supply management plan requires that we have a basic foundation of what the water supplier owns.

Mr. Morrison noted his belief that all this should be documented and he wondered if the District's fundamental problem was staffing. Should the Board also direct the District to put together a team that can deal with this in order avoid another postponement of submission of the plan.

Mr. Griffith noted that it did not appear to be so much a staffing problem as it was an attempt to do the 5-year report without adequate information regarding the acquisition of the Tiverton Water System. The attempt to splice the Tiverton Water System plan into the District's existing plan was problematic. However, there are jurisdictional issues between Stone Bridge and the new organization and it has to do with revenue issues: who gets the money from the hookups? They have more of a challenge than they realized, but they now understand that the update cannot be cheaply done. Mr. Griffith noted his sense that in discussions with the Chairman of the District that it was willing to do a full update—they just need someone's assistance in resolving the jurisdictional issues with Stone Bridge, and this probably cannot be done within 6 months—a year would probably be required.

Mr. Morrison asked if a timeline with milestones would be doable. Mr. Griffith had no reservations about requesting this. Mr. Stamp asked if the Board should pursue this as it has with Bristol County Water Authority and request Board meeting updates. This would provide the opportunity to monitor and open lines of communications.

Chairman Varin noted that with the establishment of the timelines for this project, include periodic Board updates—not necessarily monthly, but probably quarterly. Dr. Sullivan noted his preference to not let the reporting go beyond quarterly.

Mr. Griffith moved that North Tiverton Fire District be found in noncompliance with PDWP requirements to have a 30-month interim report prepared and be directed to submit to the Board no later than May 29, 2007 a new 5-year plan that specifically addresses all previously identified subject to comments and deficiencies by the Board and review agencies. Ms. Swallow seconded and this motion carried unanimously.

c. Emergency Interconnection Program:

- (1) Town of South Kingstown Invoice #1 – South Kingstown to United Water Rhode Island Interconnection – (Commodore Perry Memorial Highway in South Kingstown to United Water Rhode Island at Old Post Road). Amount Billed \$37,908.35; Recommended Payment: \$37,908.35. Request for Approval

Mr. Griffith noted that this was a request to approve a reimbursement to South Kingstown in the amount of \$37,908.35 for a connection between South Kingstown and United Water Rhode Island. The work has been completed, the documentation is received and he moved approval of this reimbursement. Mr. Stamp seconded and the motion carried with Mr. Schock recusing himself.

(2) Lincoln Emergency Interconnection with Woonsocket. Request for Approval of Eligibility

Mr. Griffith explained that this is a request for eligibility for this interconnection between Lincoln and Woonsocket. Lincoln was approved for a 50 percent reimbursement grant in 2000. The Commission was encouraged to apply for a further reimbursement grant to clean and line tuberculated mains. The preliminary estimate for this cleaning and lining is \$253,000, which may go higher if investigations reveal that replacement of certain sections is necessary. Mr. Griffith moved approval of eligibility of this project for 50 percent reimbursement. Ms. Swallow seconded noting that the CEO Committee concurred with this recommendation.

Mr. Schock asked about available funding. He asked if there was bond authorization to move forward with a bond sale for more interconnection funding. Ms. Crawley noted that there were funds remaining from a previous bond issue, as well as a 2004 authorization for \$5 million in new bonding, and some of those proceeds have been issued. So there is funding available. This answered Mr. Schock's inquiry.

(3) Portsmouth Emergency Interconnection with Stone Bridge via new Sakonnet Bridge. Request for Approval of Eligibility

Mr. Griffith noted that this was again a request for eligibility under the emergency interconnection program between Stone Bridge and Portsmouth via the new Sakonnet Bridge. This was brought to the Board by both Portsmouth and the Fire District. They have asked DOT that the new bridge be designed to accommodate a water line between the 2 communities, and DOT indicated that a utility corridor is to be provided on the proposed structure, but that it would be the water purveyor's responsibility to provide the design and construction funds for required approaches through the abutment walls and hangers, etc., on the bridge. The estimates vary significantly, and this is somewhat problematic. Portsmouth is between \$10,000 and \$100,000 respectively having to do with how the water main is physically put across the bridge. Portsmouth is aware that they will only be reimbursed 50 percent, and they accept this condition. The timing of this has to do with DOT scheduling, which requires that both the Board and Portsmouth must commit to this in advance so that DOT can do their portion of the design in advance. Mr. Griffith moved that this project be approved for 50 percent reimbursement grant, so that the respective agencies can make their plans accordingly. Mr. Stamp seconded, and noted that the size of the pipe would be a factor in the ultimate cost. Ms. Swallow noted the concurrence of the CEO Committee and the motion carried unanimously.

B. Property Committee—Chair Frank Perry

It was noted that the Property Committee had not met; however, Ms. Maguire explained that there had been an ongoing incident in the Big River Management Area. There is an individual who is missing and there is an ongoing investigation with the State Police, DEM Enforcement and the Sheriffs. Ms. Maguire explained that the missing individual's wife was present and wished to address the Board. Ms. Theresa Cox then thanked the Board for allowing her to speak, and she wished to apologize for her husband who had a long history of mental illness suffering from depression. He left a note stating he was taking his life and did so in the Management Area because he loved it and enjoyed the woods. This area is fairly close to our home and this is where he chose to take his life. The search is now at day 11 and the search is now in a recovery rather than rescue mode. Unfortunately, the resources that the State has to offer are exhausted. The State Police will allow 1 or 2 more days to allow cadaver dogs to go in and look. We are very lucky to have a small voluntary group from the Sheriffs Department who has been assisting in the search. The search so far has encompassed only about 1 mile from where the car was found.

Ms. Cox explained that the National Guard had assisted in the early days of the investigation as well. She was asking the Board for any additional resources it might have available. She thanked the Board for listening and said a special thank you to Ms. Maguire for all her efforts in this regard.

Chairman Varin offered the Board's sympathy, but was unsure what more the Board could do. He noted he would get together with the staff and see whether or not there was anything more the Board could do. Mr. Griffith suggested contacting some of the organizations which the Board has made the Management Area available to and request that they put together a volunteer group to assist with the search. Dr. Sullivan noted that DEM would also cooperate and coordinate volunteer operations.

C. Finance Committee—Chair William Penn

- (1) B & E Consulting Water Quality Protection Charge Audits of Kingston Water Department, North Kingstown Water Department, South Kingstown Water Department and East Providence Water Department. Requested Amount: \$10,000.00; Recommended Payment: \$10,000.00. Request for Approval

Mr. Penn explained that this was a request for payment and that B & E Consulting had completed the second round of audits for 4 water districts: Kingston Water Department; North Kingstown Water Department; South Kingstown Water Department and the East Providence Water Department. The fee is \$10,000, which has been earned 7 times over by doing the East Providence audit which shows the Board is owed \$70,000. Mr. Penn moved approval with a second by Mr. Schock, and the motion carried unanimously.

Chairman Varin noted that this is a standard fee for each audit and the auditor is doing them all on a schedule of 8 one year and 7 the following year.

D. Construction, Engineering and Operations Committee—Chair June Swallow

Ms. Swallow stated this committee had met, and both of the action items had already been addressed under the Public Drinking Water Protection Committee's items.

E. Legislative Committee—Chair Daniel W. Varin

Chairman Varin stated the membership had an update provided by Mr. Riverso regarding the bills in which the Board was interested. There was no new legislation.

Mr. Mariscal noted that the Separation of Powers legislation has made its way through the legislature—it was passed by both the Senate and the House and was transmitted to the Governor on June 8 (last week). This legislation expands the Board from 10 members to 15 members and also places 2 agencies that are on the Board right now (Economic Development Corporation and Department of Administration) as non-voting members. It also requires the Water Resources Board to submit an extensive report on its activities within 90 days of the close of the fiscal year. This might be in addition to the annual report which is typically produced in the January timeframe. It also requires the water suppliers to submit annual reports to the legislature as well.

Chairman Varin noted that the Governor vetoed a similar bill last year

F. Strategic Committee—Chair Daniel W. Varin

Chairman Varin noted that this committee had not met.

G. The "Big" Ad Hoc Committee—Chair Jon Schock

Mr. Penn noted that this committee had met and discussed the RFQ in great detail, and there is another meeting scheduled for next Monday (June 19). They are hoping to have a final draft completed then so it can be issued by the end of June or July.

Mr. Mariscal explained that he was unsure what the Department of Administration's timeframe would be, but it would be brought before the Board at the next Board meeting (July).

Chairman Varin noted that financing had been made available. However, Mr. Mariscal stated that with respect to finances the answer was always “yes and no.” The Budget Office did submit an amendment that resulted in \$250,000 being made available for this project, but in speaking with the House Finance Committee staff it was explained that this would be treated as a new request. Unsure of what this actually meant, Mr. Mariscal believed it at least was step in the right direction.

7. NEW BUSINESS

8. OTHER BUSINESS

(1) Shad Factory Briefing—Pasquale DeLise, Executive Direct, Bristol County Water Authority

Chairman Varin explained that Mr. DeLise was not here and Mr. Mariscal noted that he had called to explain that he was ill and would be unable to attend today’s meeting. Mr. Mariscal was able to report that he and Mr. Mendes had attended a meeting with Mr. DeLise and Bristol County’s engineers, Weston & Sampson and Maguire Group. They have been having difficulties with the operation of the upgraded treatment facility, and they have indicated that they cannot consistently meet the new performance standards for the treatment facility. They have had full scale pilot testing of the plant done, they have had some reports done by Weston & Sampson, and Maguire Group was the original engineer who conceptualized and defined the design of the plans with the Water Resources Board. Now in an effort to understand why the plant isn’t operating up to standards, they have requested proposals from the 2 companies which total about \$25,000 to determine what further work might need to be done, and they have passed those onto us for our review with the expectation that we will bring it to the next Board meeting for funding approval. This is being reviewed now by staff.

Mr. Schock questioned why the original engineering consultant wasn’t just being told to fix it. Ms. Swallow noted that Mr. DeLise had stated last summer that the plant wouldn’t meet requirements. She noted that the plant is in compliance and that the documentation authenticating the problem had been requested but never produced. Mr. Mariscal stated he had noted this as well when BCWA presented them with the request to do additional work—there was no explanation of how we got here and what the assessment of the problem actually is. They have certainly had both firms in to do additional testing, but there is nothing which states what the problem is and defining the reason for the problem and how to move forward. Despite BCWA’s expectations, Mr. Mariscal expects there will be additional discussions with him, Mr. Mendes and Mr. DeLise before any request for additional funding were brought to the Board.

Chairman Varin noted that the Board had a fixed amount of money to complete this project and any additional work would have to fit into that legislatively established limit—unless BCWA wished to pay for the work itself.

(2) Coalition for Water Security’s Petition

Mr. Mariscal wanted to give a little background as to what has been happening over the last 20 years. He explained that his presentation gave a lot of background with respect to the Hunt River and that the work had been done in conjunction with the USGS. This was necessary before taking any action on the petition or taking any action on any activity associated with water suppliers who operate in that area. (Presentation attached hereto and by reference hereby made a part hereof.). In his presentation, Mr. Mariscal provided the following recommendations for consideration by the Board:

- Refer the issue to Public Drinking Water Protection Committee for review, advice, recommendations to the WRB with input from the public through hearings and/or other forums
- Establish a Goal for 20% Reduction of Peak Summertime Water Usage
- Establish August, 2005 conditions “interim worst-case” baseline
- Two Phase Implementation Plan
- Phase I: Immediate Implementation by Suppliers and WRB
 - Observe & Plan
 - With WRB Assistance
 - Create Hunt River Watershed Association to establish local stewards of the Hunt River

- Wellhead Protection Plan Implementation
 - Resurrect the Wellhead Protection Area Plan Committee
 - Work with communities to Implement Plan
- Public Information & Education
 - On-Going efforts with NK now
- WSSMP Demand Management Programs
 - Evaluate More Frequent Meter Readings
 - Evaluate Seasonal Water Rates
 - Pursue Enforcement of WSSMP with PUC
- Phase II: Development and Implementation of HAP Water Management Plan
 - by WRB and Suppliers
 - by March, 2007.

In addition, Mr. Mariscal explained that the Coalition for Water Security had petitioned the Board to identify the Hunt River as being threatened. He noted that, at this time, no clear definition of safe yield for the Hunt River Aquifer or the HAP Aquifer and, as a result, additional research is needed to response to the Coalition's petition.

Mr. Griffith accepted the referral of this to the Public Drinking Water Committee. He added that he is concerned that we are falling behind in our schedule to develop a water allocation plan. With every one of these additional legitimate tasks that we take on, the Board is pushing perhaps the most important task on our agenda further and further away. He does not have an answer for this dilemma, but the Board must be aware of it. In structuring this guidance of referring to the Public Drinking Water Protection Committee, he wants the General Manager to focus on what kind of staff support will be necessary and to solicit outside staff support wherever possible bearing in mind there are no funds attached—depending solely on voluntary outside staff support. The expertise associated with this is going to rest largely with USGS, which is also grappling with budgetary issues. This is a very difficult challenge. The comments about public education are very important, and the recommendation for input from public hearings is an opportunity to educate at the local level, so that when we solicit input from public and other forums we also have a message to give them. Mr. Griffith noted his dismay at driving around northern Rhode Island in the past two weeks and seeing the number of people who know that the drought is over and now have in-ground sprinkler systems going in a pouring rain. This illustrates the public education challenge and we should use the information gathering as a way to get our message out. He noted his pleasure that staff had made contact with local media because they are some of our best allies.

Mr. Griffith also noted that he was familiar with the Ipswich River (a seriously depleted river) in Essex County, Massachusetts. He wondered if we were approaching that situation with the Hunt, and noted if we were, we have a very good case study from which to draw information and to which to point to tell our story. He believed we should solicit information from Massachusetts, particularly to determine to what degree we are approaching that situation.

Mr. Schock wasn't sure if the Ipswich River situation was truly applicable because he believed that a year or so ago someone had made a presentation to the Board showing where there were times that the Ipswich River had no flow even if withdrawals would not occur.

Mr. Griffith explained that he was also unsure if the Hunt was in a similar situation. He mentioned also that the Ipswich had salt water intrusion further and further upstream.

Mr. Schock noted that Mr. Griffith's first comment was well taken that all of this is truly a water allocation issue. While he acknowledged the importance of the HAP, he did not want it to distract from water allocation efforts as a whole. The efforts should be directed to the entire state and not just one area within the state.

Mr. Mariscal responded that on a daily basis, other things get in the way of achieving those priorities. Given the resources that we have—we simply don't have all the resources that we need to get the job done. Quoting another agency director to the House Finance Committee, he added that we are over tasked for the people and resources that we have.

Mr. Schock added that the Coalition's point is well taken, but the level of effort to make this presentation is taking us away from statewide water allocation effort.

Chairman Varin noted that to a degree it was, but it was also helping the Board establish the need for a statewide water allocation. This may be the highest priority place to set up and run this program, but several others are close behind.

Mr. Griffith stated that he believed the Board was at the point where we have the information to make some broad determinations for what should constitute an allocation plan. He believed that the Board had the majority of information needed to hammer out some principals and guidelines, understanding that the devil is in the details. But then moving forward, apply them to this specific case first—not the other way around. We need to generalize first and then get specific.

Chairman Varin agreed that the Board had sufficient data to make at least first level determinations, but he also agreed with what Mr. Griffith had said about hammering out the specifics which will take time, and time is very hard to find.

Mr. Griffith stated that he believed that staff had the wherewithal to provide a rough draft in the next couple of months. We can then use that as the basis to take this on the road. PDWP can hold some preliminary meetings in the HAP area to get further input and reaction. But once we begin to deliberate around some general principals and establish guidelines from those general principals, the proverbial "stuff" will hit the fan because people will start to realize that a water allocation program for Rhode Island will affect them directly. Then we won't have to worry about the details because they will manifest themselves.

Ms. Good added that a statewide water allocation plan is necessary and she agreed with Mr. Griffith that some general principals are needed. But to actually implement it, we will be going watershed by watershed. This is truly our priority watershed for many different reasons, so why not start here?

Mr. Griffith agreed with Ms. Good, but thought it was necessary to begin with first principals and take those first principals and apply them to the HAP. We will see exactly what level of response—pushback or acceptance—we will get. This is where the level of usage in terms of both commercial and residential is creating immediate problems. Referencing comments made by Mr. Stamp, Mr. Griffith noted we are going to have to join on the issue of who owns the water. When we make a determination on who owns the water, he suspects it will not be resolved until it is decided by the Supreme Court. But, we must do that because it will determine our future course of action. If we cannot resolve that question, then we cannot really resolve—except on an individual, case by case basis—whether we can step in and tell someone you are using too much stop. This includes individuals on private wells drawing from the same aquifer as public suppliers. Mr. Griffith noted his belief that the Board cannot responsibly put this decision off any longer.

Mr. Stamp noted his understanding that this is a course of action which may be necessary to find a solution, but he wanted to mention the delicacy of agriculture in use of water. He is here as a member of the agricultural community and to look out for that interest. He does not want to get into a situation that some bureaucracies get into which we see at this table in trying to answer questions on owning water and owning water supplies and having to go through that kind of paperwork in order to make a decision on whether I apply water to my crops or not. That is the concern of every agricultural entrepreneur because the decisions that are made for the viability of our operations sometimes have to be diligent to the minute, and if that isn't allowed, that jeopardizes those entrepreneurs.

Mr. Griffith noted the Board's understanding of and respect for the level of Mr. Stamp's commitment to his constituency. Mr. Griffith referenced an article in yesterday's *Christian Science Monitor* about the number of states which are now deciding whether or not or how to regulate bottlers who have private wells and are taking water, i.e., Maine is considering how much water Poland Springs can withdraw and resell. They have their own wells. It's supply and demand, but demand for bottled water is so high that many states that have ongoing bottling activity are concerned that the water is being transferred out of basin and is unavailable for local users. Mr. Stamp noted that there is free market allocation in this respect. If people are willing to pay \$2 a bottle, they may be willing to pay a little more for utilities to work on transforming the whole distribution system and usage.

Ms. Good added that looking at these principals and getting at ownership is fine, but in the meantime, we may be able to get some management schemes together that people can do voluntarily. She noted her agreement with Mr. Stamp that there is a need for a reliable, sustainable source of water and we need to find a way to manage the resource within each watershed so the users can have it. In this watershed maybe there is a way we can at least take some interim steps.

Mr. Griffith agreed that the public can be shown that there are interim steps and that we do not have to take draconian moves, but they ought to be identified as an option if we are unable to get our arms around this in the interim.

Chairman Varin noted that Mr. Mariscal had presented some recommendations, and to the extent that we can, we will provide all the staff work that we can. Mr. Griffith has volunteered to accept the primary recommendation that his committee will take the lead. Mr. Griffith suggested since there was no apparent need for the drought steering committee in the immediate future that we also consider welcoming any members of the Board and immediate interested public to convene an extraordinary session of the Public Drinking Watershed Protection Committee in the next couple of weeks if staff can accommodate this schedule to get started.

Mr. Ward thanked the staff for taking the petition the Coalition submitted seriously. Our belief is that allocation will have to be done on a watershed by watershed basis. While there maybe wide guidelines for that, they will get interpreted depending on what is happening in the watershed. The Coalition's belief is that this watershed is a good case study. Mr. Ward offered the help of the Coalition's assistance on allocation.

Mr. Griffith thanked Mr. Ward for the offer of assistance and wanted to add that there is another practical matter here as well. With the Statewide Planning Program, the Water Resources Board staff will be working to update the state guide plan on water supply management and actually folding 3 state guide plan elements together over the course of the coming work year. All 3 of these things are very much related and rather than duplicating effort this will concentrate and maximize resources if it's done in the right way.

Chairman Varin noted that the allocation program and its implementation is really the core of the forthcoming plan, but we cannot start to act like we are using it until we put it on paper and know what it is—the principals and they will vary from watershed to watershed.

9. RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

With no objection, Chairman Varin recessed the Board for Board Corporate business at 2:05 p.m.

10. RETURN FROM BOARD CORPORATE BUSINESS

At 2:15 p.m., the Board returned from Board Corporate business.

11. ADJOURNMENT

On a motion by Mr. Schock, seconded by Mr. Stamp, the Board unanimously voted to adjourn at 2:15 p.m.

Respectfully Submitted,

Tracy Shields
Personnel Aide

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The Hunt for Water !

**Rhode Island Water Resources Board
Legislative Authority**

- **RIGL 46-15-1: Legislative Declaration**
- (6) “It shall be the duty of the water resources board to regulate:
 - the proper development,
 - protection,
 - conservation and
 - use of the water resources of the state.”

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**Rhode Island Water Resources Board
Legislative Declaration**

- **RIGL 46-15.7**
- **Management of the Withdrawal & Use of the Waters of the State**
- (4) **The Water Resources Board is the state agency which manages the withdrawal and use of the waters of the state of Rhode Island**
**Rhode Island Water Resources Board
Water Supply System Management Plans**
- **Legal Authority: RIGL 46-15.3-1.1**
 - “To insure that water supply system management plans are prepared, maintained and carried out by each” water supply agency.
 - “Plans and their execution (shall) achieve effective and efficient conservation, development, utilization and protection of this finite natural resource.”
-
- **Average Future Withdrawals: 12.6 mgd**
 - Based on water suppliers pumping equipment capacity
- **Maximum Daily Pumping Rates: 14.5**
 - i.e. size of maximum pump capacity
- **“Maximum Safe Yield” of 13.3 mgd**
- **“Hunt River and its associated wetlands could be significantly affected by a pumping rate of 13.3 mgd”**

Hunt River Pumping, MGD

- **Hunt River: Low Flow**
- **1941 - 2004**

● **2005 River Flows**

● **25th Percentile
Hunt River Streamflow**

● **2005**

Overseeing Body: RI Water Resources Board
Public Body: RI Water Resources Board

- **July: 2.2 - 14 cfs**
- **August 1- 29: 1.1 - 4.5 cfs**
- **August 30: 100 cfs; August 31: 70 cfs**
- **September: 3.2 - 50 cfs**
- **Management Model Options Evaluated**
 - **Reduce withdrawals each month by 20% from May - August**
 - **Eliminate KCWA withdrawals**
 - **Varying Combinations of Above**

HAP Aquifer:

August 2005 Withdrawals

Water Use & Availability Study

Water Use & Availability Study

2006

Petition By Coalition For Water Security

- **Requests WRB to identify the Hunt River as**
 - **“Water source where existing uses and users are shown to have reached to threaten to approach or exceed the safe yield of the source.” RIGL 46-15-7-C**
 - **RIGL 46-15-7-2(3) Safe Yield defined**
 - **CWS asserts “adverse effects” include “nearly halting the river that contains fluvial dependent aquatic species”**

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Significant Observations

- **For the Hunt River, the safe yield has not been defined at this time.**
- **River flows have been documented as very low and/or non-existent for periods of time**
- **Minimal documentation exists on impacts to the River, at this time.**

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Significant Observations

- **July & August, 2005**
 - **Low Precipitation**
 - **High Groundwater Withdrawals**
 - **Low or No Streamflow**

Significant Observations

- **Water Suppliers**
 - **Claims of Pump Capacity as “Right To Pump”**
 - **KCWA Only Supplier with Alternative Out-Of-Basin Sources**
 - **QDC Usage does NOT Vary Significantly in Recent Years or Seasonally**
- **Water Use**
 - **Peak Usage Appears to be related to Outdoor Water Use, specifically excessive lawn irrigation (approximately doubles)**

Significant Observations

Overseeing Body: RI Water Resources Board
Public Body: RI Water Resources Board

- **Withdrawal Management**

- **USGS Optimization Report (2001)**

- **Possible reconfiguration of well pumping from the Annaquatucket and Pettaquamscutt**

- **Could result in additional flow to the Hunt and**

- **Could result in more Total Water Withdrawals from the HAP**

- Recommendations: Guidance**

- **Refer to Public Drinking Water Protection Committee**

- **for review, advice, recommendations to the WRB**

- **with input from the public through hearings and/or other forums**

- **Establish a Goal for 20% Reduction of Peak Summertime Water Usage**

- **August, 2005 conditions “interim worst-case” baseline**

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- Recommendations**

- **Two Phase Implementation Plan**

- **Phase I: Immediate Implementation by Suppliers and WRB**

- **Phase II: Development and Implementation of HAP Water Management Plan by WRB and Suppliers by March, 2007**

- Recommendations: Phase I**

- **Observe & Plan**

- **With WRB Assistance**

- **Create Hunt River Watershed Association**

- **Establish local stewards of the Hunt River**

- **Wellhead Protection Plan Implementation**

- **Resurrect the Wellhead Protection Area Plan Committee**

- **Work with communities to Implement Plan**

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- Recommendations: Phase I**

- **Implementation**

- **Public Information & Education**

- **On-Going efforts with NK now**

- **WSSMP Demand Management Programs**

- **Evaluate More Frequent Meter Readings**

- **Evaluate Seasonal Water Rates**

- **Pursue Enforcement of WSSMP with PUC**

- Recommendations: Phase II**