



**State of Rhode Island and Providence Plantations
Water Resources Board**

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RHODE ISLAND WATER RESOURCES BOARD

MEETING #495

Thursday, January 21, 2010 @ 1:00 PM

Minutes

Members Present

William Penn, Chairman
Pam Marchand, Vice Chair
Samuel Kitchell
Allan Klepper
Harold Ward
Jon Schock
Alicia Good*
William Parsons*
Kevin Flynn

Staff Present

Kenneth J. Burke, General Manager
Kathleen Crawley, Staff Director
Romeo Mendes, Supervising Engineer
Peter Duhamel, Principal Planner
Emily J. Cousineau, Implementation Aide

*Member Designees

Members Absent

William Stamp, III
Ronnie Gibson
Jesse Rodrigues
June Swallow*

Guests Present

Albert Bettencourt, RI Farm Bureau
Henry Meyer, KWD
Charlie Donovan, House Policy / Oversight
Ames Colt, RI BRWCT
Jessica Pagan, Brown Univ. graduate student

CALL TO ORDER

Chairman Penn called the meeting to order at 1:04pm, noting that a quorum was present.

APPROVAL OF MINUTES:

Motion by Mr. Klepper, second by Ms. Marchand, to approve the minutes of the Board Meeting # 494 dated December 21, 2009. The vote in favor was unanimous. The motion carried.

CHAIRMAN'S REPORT

Mr. Penn noted that the Board's 2009 Annual Report had been published and distributed. The General Manager, with the aid of the staff and colleagues at USGS, was able to print over 200, full-color copies, professionally designed, for less than \$400. Mr. Penn referred to Mr. Ward's suggestion to remind suppliers of new legislative requirements. These include automatic metering, a rate stabilization fund, and etcetera. Suppliers must also be made aware of deadlines for compliance.

Mr. Penn discussed the MBIA guaranteed investment contract held by the Board. Triggered by a drop in MBIA's rating, the holding company chose to collateralize. The current collateral percentage is 113%, which is 8% above the 105% requirement. Mr. Penn explained that this is positive for the Board, but that he plans to monitor the collateral reports and insure that the rate does not drop below 105%.

FINANCIAL REPORT

Chief Business Officer's Report

Motion by Mr. Penn, second by Mr. Schock, to approve the Chief Business Officer's Report for December 2009. The vote in favor was unanimous. The motion carried.

(1:07pm – Mr. Albert Bettencourt enters)

GENERAL MANAGER'S REPORT

Mr. Burke reported that he is working with parallel interests in the state, such as the State Properties Committee, that have similar programs as those of the Board. The Legislation & Policy Committee will talk about these at a meeting on Friday, January 22nd.

Mr. Penn added that the preliminary business plan for well development would be discussed at the next Board meeting. The water quality has proven to be very good and will require less treatment costs.

Mr. Flynn commented that he toured the Management Area with Mr. Burke. Many of the houses seem viable to be moved off site and converted into affordable housing. The housing staff at State Properties will be talking to nonprofits and other organizations about the effort. At least two-thirds of the properties look viable.

COMMITTEE REPORTS AND ACTION ITEMS

Allocation Committee - Allocation Program status update

Mr. Ward presented the Board with the beginnings of draft regulations. He noted the need to set targets based on efficiency of use. Rule number eight will talk about registration and reporting. Ms. Good added that numbers for the stream-flow depletion methodology are being worked out; the committee will soon have a comprehensive explanation of the method. Mr. Ward stated that the rules will define options for users in how to meet regulation requirements. The law was carefully worded to avoid law enforcement as an immediate response. Furthermore, the committee still has to define "water availability". The Board needs to know how much water is being used in order to calculate how much can be allocated. Users will be asked to report or estimate their usage.

Mr. Bettencourt stated that the Farm Bureau would not support that, especially not for private wells. The Bureau will oppose regulations that control private wells and ponds.

Mr. Penn noted that the Bureau's concerns would be addressed during the public vetting process.

Mr. Burke added his intent to respect the Farm Bureau and work with their interests in mind. Mr. Meyer mentioned that page eight addresses state farmers and that the supplier would do the reporting, not the actual farm.

Mr. Ward concluded that a great deal of work is still needed on the regulations, but that he is pleased with the progress thus far.

RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Mr. Flynn, second by Ms. Good, to recess the Board meeting and start the Board Corporate meeting at 1:35pm. The vote in favor was unanimous. The motion carried.

RETURN FROM BOARD CORPORATE BUSINESS

The Board returned from Board Corporate business at 1:37pm.

OTHER BUSINESS

Mr. Penn asked to reschedule the February Board Meeting to adjust around President's Day. The members present agreed to meet on Friday, February 26th, at 1:00pm. The Finance Committee will meet at noon on the same day.

Mr. Meyer addressed the Board concerning water re-use and recycling. He presented a handout and spoke on the University of New Hampshire's efforts. He urged the Board to consider this as part of the State Guide Plan.

Ms. Good noted that the DEM web site has guidelines for water reuse and the EPA standards. DEM wants to encourage citizens to reuse and recycle as much as possible.

Mr. Penn stated that the Board would try to advocate Mr. Meyer's topic.

ADJOURNMENT

Motion by Mr. Flynn, second by Ms. Good, to adjourn the Board meeting. The vote in favor was unanimous. The motion carried and the meeting adjourned at 1:46pm.

Respectfully Submitted,



Emily J. Cousineau
WRB Implementation Aide

The meeting place is accessible to the handicapped in conformance with RIGL 42-46-2. Individuals requesting interpreter services for the hearing impaired must notify the Board office at tel. 222-1450/TDD 2221454, at least 72 hours in advance of the meeting date. If requested, tapes of the meeting will be made available.

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