



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

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RHODE ISLAND WATER RESOURCES BOARD MEETING #512

Monday, May 16, 2011 @ 1:00 PM

RI Economic Development Corporation

315 Iron Horse Way, Suite 101

Providence, RI 02908

MINUTES

Members Present

William Penn – Chairman
Pamela Marchand – Vice Chair
Michael DeFrancesco
Ronnie Gibson
Alicia Good*
Nancy Hess*
Jon Schock
June Swallow*
Harold Ward

Staff Present

Kenneth J. Burke, P.E., General Manager
Emily J. Cousineau, Implementation Aide

Members Absent

Thomas Boving
Samuel Kitchell
Susan Licardi
Jesse Rodrigues
William Stamp III
Keith Stokes

Guests Present

Gary Morse, Operation Clean Government
Henry Meyer, Kingston Water District
Jane Austin, Save the Bay
Bill Harritos, Quonset Development Corporation
Tricia K. Jedele, Conservation Law Foundation

CALL TO ORDER

Chairman Penn called the meeting to order at 1:28pm, noting that a quorum was present.

APPROVAL OF MINUTES

Motion by Mr. Schock, second by Ms. Marchand to approve the minutes of the April 18, 2011 Board Meeting (#511). The vote in favor was unanimous. The motion carried.

CHAIRMAN'S REPORT & PUBLIC COMMENT

Chairman Penn noted that public comments had been reviewed concerning the draft rule for major water suppliers, recently vetted in March. The proposed final draft would be discussed as a later agenda item. Mr. Penn also stated that the June meeting would include discussion of the Big River Well Development Program.

Public Comment

Mr. Henry Meyer – self – Mr. Meyer distributed a news article to the Board. He emphasized the importance of public education with regards to the proposed WU&E rules. He noted that the public may react negatively to increased water rates resulting from supplier efforts to reach conservation targets.

Ms. Tricia Jedele – CLF – Ms. Jedele asked about elements in the draft rule to be discussed. She opined that the enforcement element had been weakened regarding conservation targets. Ms. Jedele voiced concern for the rule's effectiveness, given the new language. Chairman Penn noted that the staff

had worked closely with suppliers and the public to incorporate all comments received during the 30-day comment period. The content had also been vetted with the Board's attorney. Mr. Penn further stated that the Board would be discussing the matter in detail as agenda item 6-A.

FINANCIAL REPORTS

Chief Business Officer's Report

Motion by Mr. Penn, second by Mr. Schock to approve the Chief Business Officer's Report for April 2011. The vote in favor was unanimous, the motion carried.

GENERAL MANAGER'S REPORT

Chairman Penn asked the Board for any comments concerning the Mr. Burke's Report. Mr. Ward questioned the opinion from the DOA Legal staff that the WRB had no options for enforcing WSSMP compliance over United Water. Mr. Burke stated that the PUC had been notified, but that the current law does not allow any further action. The regulations are currently being rewritten to address this, as well as similar problems.

COMMITTEE REPORTS AND ACTION ITEMS:

Legislation and Policy Committee

Motion by Mr. Ward, second by Ms. Good to approve the Water Use and Efficiency Rules for Major Water Suppliers as amended and with the language of Section 6.1 to remain as submitted for public hearing. The following roll call vote was taken:

Mr. Schock – nay

Mr. Gibson – aye

Mr. Ward – aye

Ms. Good – aye

Ms. Hess – aye

Mr. DeFrancesco – aye

Ms. Marchand – nay

Mr. Penn – nay

The vote was five (5) in favor, three (3) against. The motion carried.

Discussion:

Ms. Marchand stated that the committee had reviewed and discussed changes to the draft rules as related to public comments received. Mr. Burke explained these changes to the Board. He noted that the Enforcement section had not been reconciled and the Board was being presented with two amended versions. Additionally, the Board could opt not to change the section from what was vetted at public hearing. Ms. Marchand added that the disagreement concerned what actions the Board would take when a supplier was found to be in non-compliance.

(2:12 pm – Ms. Swallow departs)

BOARD FOR BOARD CORPORATE BUSINESS

Motion by Mr. DeFrancesco, second by Ms. Marchand to defer Board Corporate business until the June Board meeting. The vote in favor was unanimous. The motion carried.

Discussion

A quorum of the Board was no longer present in order to open a meeting of Board Corporate.

ADJOURNMENT

Motion by Mr. Schock, second by Mr. Gibson to adjourn the meeting. The vote in favor was unanimous. The motion carried and the Board adjourned at 2:34pm.

Respectfully Submitted,



Emily J. Cousineau
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.