



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

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**RHODE ISLAND WATER RESOURCES BOARD
Legislation and Regulations Committee
November 6, 2007**

Minutes

Members Present:

Daniel W. Varin, Chairman
Pamela Marchand, P.E.
Robert Griffith
Harold Ward

Staff Present:

Juan Mariscal, P.E.
Kathleen Crawley
Beverly O'Keefe

Members Absent:

Henry Meyer, President RI Water Works Assoc.

Guests

Sandra Whitehouse, House Policy Advisor
Carissa Richard-Providence Water
John Faille, Lincoln Water Department

Call to Order

Chairman Varin called the meeting to order at 9:05 and distributed a list of topics for discussion (attached).

Items for Discussion and Action (2008 Legislative Proposals)

Discussion centered on a memorandum distributed by Mr. Varin (attached) and included the following four broad topic areas:

Financial Management

- IFR Replacement Reserve 20%
- Revenue Stabilization 5%
- Enterprise Funding (see legislation & WSSMP regulations)

Water System Supply Management Plans (WSSMP)

- Eliminate 30 months reports
- Enforcement Clarification
- Annual Reporting

Reorganization

- All members vote
- No support
 - The proposed reorganization could be overruled by DOH and/or DEM
 - Siting Board doesn't have final say
 - Implementation/Startup issues – creation of rules, regulations, procedures

- Administrative structure confusing and not well defined (WRB reporting to DOP which reports to the State Planning Council within DOA)
- Some elements good
 - Implementation Plan – 5 years prepare & adopt
 - General Manager, member of SPC. There was discussion as to whether the member should be the General Manager or the Chairman.

Streamflow Standards

- Support but defer to the RI Department of Environmental Management for development

The priorities

- WRB structure
- Minimize demand
- Provide supply
- Water Supply System Management Plan
- Municipal/Water Supplier financial and other management controls

Other Business and Adjournment

The committee adjourned and agreed to continue the discussion in the meeting scheduled for November 7, 2007.

Respectfully Submitted,

Kathleen Crawley
Staff Director

RHODE ISLAND WATER RESOURCES BOARD

MEMORANDUM

To: Legislation and Regulations Committee

Subject: Topics for Consideration and Comment on Proposed Legislation

Date: November 6 and 7, 2007

This list of items was prepared by an ad hoc committee that held several meetings in September and October. Some were drawn from bills filed in the 2007 General Assembly session and others are proposals that the Board may want to support or oppose in the 2008 session. They are not listed in any order of priority or importance.

Water suppliers need funding to support more than \$805 million in improvements. Some questions are:

Grants, loans, or both

Designate of water suppliers as enterprise funds; require establishment of restricted reserve accounts

Authorize or require suppliers to add a surcharge (\$0.01 or 0.02 per 100 gallons) to fund reserve accounts. Limit use of funds to capital improvements.

Water suppliers need stable funding to cope with changing weather, purchase of water from other sources, and other fluctuations in revenues.

Require establishment and funding of revenue stabilization accounts.

Water Supply System Management Plans:

Require monthly recording and quarterly reporting of use by quantity and category.

Eliminate 30-Month Reports

Enforce compliance with reporting and other requirements of rules.

Withhold any funding by WRB and WRB/C to enforce compliance.

Cooperate with the Planning Division to prepare a new element of the State Guide Plan replacing current elements 721, 722, and 723.

Utilize water atlas prepared by USGS and WRB

Include water allocation data by watersheds and municipalities

Prepare a separate short-term plan of improvements. Combine with priority list by DOH?

Address the problems of the Central Region and three water supply agencies serving this region.

Require suppliers to pool funds to augment supplies.

Use revenue bonds to finance development of Big River Groundwater Phase I

Accelerate initial RFQ/P by reallocating funds in budgets for 2008 and 2009

Require preparation and adoption of stream flow standards by RI DEM by date certain

Utilize in water allocation procedure

Reduce Peak Demand

- Require increased rates in peak periods
- Conduct continuing information and education programs
- Increase penalties for violation of emergency restrictions

Set standards by statute for non-account/non-revenue water

Set standards by statute for residential water use and water losses

Bill water supply and waste water treatment and disposal on the same bill

Divide the current Water Resources Board into three boards

- Staff required to support additional boards
- Number of overlapping members
- Existing WRB would become planning (only) agency. WRB has carried out several construction projects: PWSB service to North Providence, Richmond water system, North Smithfield service area.
- Make the General Manager of WRB a member of the State Planning Council

Make all members of board(s) voting members

Establish new statewide surcharge for major investments by WRB/C or successor.

Establish a grant program for small water suppliers from State Revolving Fund

DOH strongly objects

Establish density standards by statute to define a "public water supply system"

Standards in 2007 bills are incorrect

- Require 60,000 SF per DU for development with on-site water supply and conventional septic systems.
- Require 15, 000 SF per DU for development served by public water system but with conventional septic system.
- Permit use of advanced/innovative waste water treatment and disposal systems only when managed and maintained by a central entity.

Present proposed legislation on one bill or several bills, each focusing on related topics.

Other topics?