

Rhode Island Water Resources Board

Water Management System Implementation Team

Meeting Minutes

Thursday, May 6, 2004

Action Items:

Define watersheds, water budgets (methodology), stressed basins, priority uses (will vary).

Maintain necessary data and data systems, and provide information in an understandable format.

Assist local decision makers with technical information, education, and training.

Mandate provisions for CCPs, Zoning, Land Development regulations, WSSMP regulations, etc.

Address new withdrawals (track new uses, manage “significant” withdrawals).

Develop technical assistance for “significant projects” in cooperation with: 1) Growth Council, 2) Governor’s Bay Planning Commission; RI Rivers Council, etc.

1. Welcome

Mrs. Kathy Crawley called the meeting to order at 9:15 a.m. She opened the meeting by thanking participants (Attachment A) for agreeing to participate on the Implementation Team, Phase II of developing a water management system for Rhode Island. After brief introductions by all participants, she turned the meeting over to Mr. Juan Mariscal.

2. Review of WRB-Approved Recommendations

Mr. Mariscal greeted participants and reviewed the meeting materials. Each member of the Implementation Team received a binder “Rhode Island Water Management System Phase II – Implementation” that contains detailed information developed by the Water Allocation Program Advisory Committee and subsequent Water Resources Board (WRB) action taken on the recommendations developed by the committee. He encouraged participants to review the materials prior to the next meeting.

Ms. Crawley reviewed the 6 summary recommendations submitted and approved at the March and April 2004 Board meetings. These 6 recommendations and guidance from the Water Rights Committee will form the Board-approved framework for the work of the Implementation Team.

3. Water Use & Availability Studies

Ms. Crawley noted the expansion of the water use data reporting system was one of the six summary recommendations approved by the Board, and that the WRB has made substantial progress with basin studies and other data collection efforts. She introduced Mr. Jim Campbell, Sub-District Chief, USGS Water Resources Division, and asked him to briefly review WRB/USGS current and completed water use to availability projects.

Mr. Campbell used a power point presentation to briefly review the water use and availability projects. He stated project objectives are to populate the NEWUDS database with existing and estimated water use data, determination of water availability during an average period of no recharge (June-September), and development of a water budget based on current water demands. He discussed examples of the types of data available, and explained the water availability calculations are based on streamflow (a long term average) to create a ratio of water withdrawal to water availability.

Break: 9:55 am – 10:10 a.m.

4. Establishing Tasks and Priorities

Ms. Crawley reconvened the meeting and asked Mr. Mariscal to discuss the mission, top priorities, and three program elements that will guide the Implementation Team, referring to materials located in Section 1 of the binder. He noted that Phase II would encompass a 9-month timeframe for the Implementation Team to implement and report to the WRB. He also referred to a proposed 16-month implementation schedule

that is to be used to generate discussion. Mr. Mariscal asked Mr. Dan Varin, Chairman of the WRB, to discuss the Water Management Framework.

Mr. Varin referred participants to the “Water Management System Elliptical Flow Chart” (Attachment B) developed by Mr. Mariscal, noting that the chart provides a snapshot of a program that he has found difficult to describe over the years. He stated that the full implementation of a water management system will require people and resources to translate hydrologic data that municipal planners can use in their local comprehensive plans and land use decisions. Mr. Varin is hopeful one of the outcomes of developing this system will be to put information and instructions in the state guide plan, similar to the current affordable housing process, so that “new uses” in communities will be able to demonstrate water availability. This will lead to an improved land-use decision-making process so that communities will know what the priorities are.

Mr. Mariscal thanked Mr. Varin for his encouraging word, and enjoined participants to begin the “implementation” process.

5. Implementation Team Responsibilities and Assignments

Mr. Mariscal asked participants to refer to the handout entitled “Some Questions for Possible Discussion,” and opened the meeting for discussion. Questions and discussion included:

Question: Is this a change from an allocation to a management system? Will management remain at the local level? What is WRB’s role?

Response: WRM/USGS/URI will provide water budgets and deal with the priority levels – providing technical assistance.

Question: Does this mean the work will be conducted within a watershed and not the local municipality?

Response: The watershed

Question: What will be the feedback to the Statewide Planning Program?” A phrase such as “based on documented water resources” be included in SPP instructions.

Question: Let’s get down to a real example – How would this be implemented by a developer in West Warwick? How is “local” defined – local plan, local regulations? Who is the “central authority” to make the decisions?

Recommendation: I think the issue is “water management.” The state and municipality needs to think about water and waste water management when making land use decisions. The supply issue is important. We will need to “educate and inform” locals about this resource and provide adequate information in the state guide plan. I think the major effort should be on educating local municipalities.

Question: Based on the discussion, is this the paradigm?

Response: This is not an easy task but this is the governmental decision-making structure in Rhode Island. We have to work within the existing structure.

Statement: The Rivers Council and the Watershed Council are empowered to educate and coordinate. Our staff cannot do more work.

Response: WRB staff is working to their limits also but this work is important.

Question: I’m hearing a “mandatory” element, and I’m wondering if the WRB is looking for a recommendation on this? Is the question the education of local municipalities or the development of a system of mandates? What is the preference?

Response: Education needs to be formulated. We must answer every question you have to develop the system. We must develop a management system where using a tool will be mandated but local decision-making will prevail.

Statement: I agree that education and technical assistance must be provided to the towns.

Statement: It will be important to avoid “hostages to water.”

Statement: The staff will need to determine how to assist the locals to implement this program

but I note that local boards have a high turnover rate and there is less commitment and sometimes a lack of knowledge. We will need to look at the relationship between SPP and WRB.

Question: This program will require a paid consultant to implement and assist in the local comp plan process. There will be learning curve problems. How do we manage water? This is the real question.

Response: We will go to the General Assembly and ask for financial assistance to support the communities. The education of local officials will be a priority. Education will include understanding of the system, and how to apply the system. There will be concurrent and continuous education. A secondary problem is that new people are not entering into the state system, and we are losing the corporate knowledge that is needed to implement this type of system.

Moderator: Do we have a directive to fill in the chart? Our expectation is that we will begin to fill in the chart.

Question: Will decisions be made before 5 years? Some things need to happen sooner.

Question: I think the “budget” is the key. Maybe we need to deal with what is happening now.

Is this system sufficient? Probably not as there is probably a different process for certain projects of certain significance.

Response: Will the threshold be driven by local or state? We need to develop information for water budgets – interim water budgets. We need to figure out how to do this. I think even 8 months will not be sufficient time to figure this out. The update of the state guide plan will take time and will need language to be used at a later date. Andy’s points are good – the process of the late WAPAC worked well where folks responded back to staff on discussion, points were reevaluated and then included in the next agenda. This is the process that this group should use. Participants are asked to refer to the list of questions, especially the main headings, and respond back to staff via emails or phone calls.

Statement: I recommend that a simplified message be sent out now that includes water as an economic driver and a quality of life issue.

6. Adjournment

Mr. Varin thanked everyone for participating. He noted that the days of “finding water” on an ad hoc basis are gone, and that it is the job of the Implementation Team to tell us how to develop a water management system for Rhode Island. He strongly encouraged everyone to contact staff with questions, concerns, and recommendations. He stated his appreciation for everyone’s participation in the invention of a process.

The next meeting is scheduled for Thursday, June 3, 2004.