

Flow Allocation Policy Position

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The Rhode Island Water Works Association (RIWWA), a group of municipal and private water suppliers, consultants, and vendors recognizes that potable water is a finite resource in the State of Rhode Island and supports the development of a Flow Allocation Policy for the State.

RIWWA acknowledges that comprehensive flow allocation leads to regulation and enforcement, but urges that a number of fundamental concepts and objectives be incorporated into policy development and the consequent legislation and regulation as a result of said policy.

RIWWA further acknowledges that prioritization and ranking of water allocation will be difficult and controversial tasks, which must be performed to assure fair and equitable use to all, and therefore pledges to participate in this process in an open and inclusive manner.

The following concepts and objectives express RIWWA's concerns and recommendations:

- **Historical Data:** Sufficient stream flow data shall be developed and centrally maintained in order to generate technically sound findings upon which to promulgate fair and equitable regulations.
- **Watershed:** Analysis shall be based on the physical constraints of each watershed regardless of municipal, local, state, jurisdictional, political or regulatory boundaries.
- **Stream Flow Methodology:** The methodology to determine available stream flow must be intra, as well as, inter watershed sensitive, and shall be watershed specific and consider water system specific needs and demands. Stream flow analysis shall recognize and grandfather existing out of basin transfers and sub basin transfers.
- **Public Utilities Commission:** The State Public Utilities Commission (PUC) shall be an active participant in the development of the flow allocation policy to ensure fair and equitable water rates which are expected to be imposed based on implementation of regulations arising from legislation and policy.

- **Competing Users:** All water users within a given watershed, including but not limited to, governmental, industrial, commercial, residential, and environmental water demands shall have fair and reasonable access to the available water within the watershed and shall not reduce existing safe yields for public water supply. It is important to note that Water Supply Policies for Rhode Island, Section P-1 of the State Guide Plan Element 721, Report Number 61, identifies the importance of public water supply. To wit, “P-1 Water for drinking and the sustenance of life shall be the priority use while striving to protect other uses and considering public health, safety and the overall economic well-being of the state.”
- **Water Allocation Hierarchy:** Ranking and prioritizing of the many existing and projected water withdrawals, uses, and users within any given watershed shall give priority to existing withdrawals and uses and shall not reduce existing safe yields for public water supply. Ranking and prioritization shall be done by categories of users, shall prevent and/or minimize major shifts in uses upon which users are currently relying on and have become historically dependent on, and which, if significantly altered, would lead to adverse living conditions as well as negative economic impacts on the State’s population and potable water supplies.
- **New Source of Supply:** In order to ensure a continuous and uninterrupted source of potable water for the citizens of Rhode Island, it is recognized that investigations for new sources of surface and groundwater supply be an ongoing effort throughout the State. This ongoing investigation needs to be performed independent of municipal, local, state, jurisdictional, political or regulatory boundaries.
- **State Authority for Water Allocation:** In accordance with RI General Law 46-15.7, Section (b), (4) and 46-15-1, Section 6, the RI Water Resources Board is responsible for water allocation in the State of Rhode Island.

46-15.7 (b) (4): “The water resources board is the state agency which manages the withdrawal and use of the waters of the state of Rhode Island.”

46-15-1 (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.”