WATER RESOURCES MANAGEMENT

Policy and Legislative Concept Proposal

Adopted by the Water Resources Board

November 16, 2018

FY 2020 LEGISLATIVE OBJECTIVES:

Lay the administrative framework to ensure that sufficient water is available to meet the current and future water needs:

- Retain the statewide coordinating entity, regulatory, strategic planning, and investment functions to ensure long term sufficiency of water;
- Address membership, strengthen and focus mission, formalize the strategic planning function;
- Ensure adequate staff, resources, and data to support the Board and Bureau functions;
- Secure sustainable, dedicated funding support to achieve mission.

MANDATE

The proper development, protection, conservation, and use of Rhode Island's water resources is essential to the health, safety and welfare of the general public and to the continued growth and economic development of the state.

The State's mission is to protect the public's interest in water resources by ensuring reliability, supply redundancy and resiliency.

NEED FOR COORDINATION

In 1967 the legislature broadened the authorities of the Water Resources Coordinating Board and renamed it the Water Resources Board. An article in the Providence Evening Bulletin that year stated simply that *the board's function is to see that all parts of the state are supplied with sufficient water.*

Water resource sufficiency is the unique role of the Water Resources Board, as opposed to the functions and policy overseen by the Departments of Health (DOH), Environmental Management (DEM), and other executive state agencies. This charge requires orchestration and coordination to strike the right balance between conservation, protection, development and use of the state's water resources. The Board structure should ensure a platform for collaboration and coordination among state agencies and stakeholder involvement in developing and implementing water resource policy and programs.

The need for coordination is even more relevant today than it was in the 60's. Why? Aging infrastructure, many entities involved, development, areas of resource stress, variations in sufficiency, complacence, climate change, lack of understanding/ongoing need to educate about water.

NEAR TERM PRIORITIES: FY 2020 LEGISLATIVE INITIATIVE

Summary

The proposed initiative is to create a Water Resources Management Bureau (Bureau) within the Division of Public Utilities and Carriers (Division). The Bureau would staff the Water Resources Board to prepare a State Water Action Strategy and prioritize legislative mandates and programs.

The membership of the Water Resources Board would be modified to add the Administrator of the Division of Public Utilities and Carriers who would serve as Chairperson of the Board.

The Board and the Bureau would work with private and public stakeholders to increase the reliability and security of the state's water supplies. The core functions include:

- Developing, administering, and monitoring a variety of programs designed to promote water use efficiency, sustainable water resources, and redundant and new water supplies;
- Offering technical assistance and funding opportunities for water suppliers and municipalities;
- Providing policy expertise and support related to strategic water supply planning and water resiliency and security;
- Leveraging, coordinating, and aligning inter-agency, public-private, regional, and federal efforts to coordinate water resource management goals.
- Providing a consistent and on-going source of information about water necessary to support decision making.

Proposed Statutory Changes for FY2020:

1. Amend the Board membership to add the Administrator of the Division of Public Utilities and Carriers who would serve as Chairperson of the Board. Reduce the size of the board from fifteen (15) members to thirteen (13) members and address the quorum requirement. The thirteen (13) member board would consist of five agency members and eight (8) public members.
2. Add a statutory mandate for a data-driven strategic water action plan- shapes investment strategy, Bureau budget and programs. Provides a vehicle for on-going water education.
3. Establish a Bureau within the DPUC. This reduces the overall staffing needs of the agency (compared to a standalone agency) for administrative (clerical, finance, IT), policy, and regulatory support, as well as technical collaboration from existing DPUC staff.
4. Eliminate sections of statute related to the WRB Corporate.
5. Retain the existing statutory functions with overall policy authorities vested in the Board and program and support functions and implementation vested in the Bureau.
    a. Ability to establish and lease water supply facilities (RI Gen. Laws §46-15.1-4).
    b. Regulatory oversight of expansions, pipe-sizing, out of state sales (RI Gen. Laws §46-15-2-6).
    c. WSSMPs, water quality protection, and surcharges (RI Gen. Laws §46-15.3).
    d. Water Facilities Assistance Program (RI Gen. Laws §46-15.2).
    e. Inventory of state water resources and related regulation (RI Gen. Laws §46-15.7).
    f. Water efficiency (RI Gen. Laws §46-15.8).
6. Formalize the shift of day to day responsibility (tenant leases, vacant structure demolitions, etc.) for administration of the Big River Management Area property to the Department of Administration, Division of Capital Asset Management and Maintenance. The Board should retain responsibilities for developing a water supply, adopting a land use/asset management plan, and decision-making responsibility over proposals to change the use of the land.

7. A funding solution which addresses:
    a. Water supply funds going into the general fund.
    b. Spreading of costs to all suppliers equitably.

Staffing

1. Retain 2 existing FTEs and add technical staff to support the Board and Bureau programs.
    a. SENIOR LEGAL COUNSEL (Class Code: 02992100) - GRADE 34A
    b. PROGRAMMING SERVICES OFFICER (Class Code: 02590600) - GRADE 31A
    c. PUBLIC UTILITIES ENGINEERING SPECIALIST II (Class Code: 02776500) - Grade 28A
    d. DATA POSITION-TBD