

2014 -- S 2615

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LC004530
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO WATERS AND NAVIGATION - DRINKING WATER SUPPLY SYSTEM
PROTECTION

Introduced By: Senator V. Susan Sosnowski

Date Introduced: March 04, 2014

Referred To: Senate Judiciary

(by request)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 46-15.3-11 of the General Laws in Chapter 46-15.3 entitled "Public
2 Drinking Water Supply System Protection" is hereby amended to read as follows:

3 ~~**46-15.3-11. Disbursements from the funds. — Use of funds. --**~~ (a) ~~Only suppliers which~~
4 ~~withdraw water from wells, reservoirs, springs, or other original sources of potable water shall be~~
5 ~~entitled to disbursements from the first of the two (2) mentioned funds created under section 46-~~
6 ~~15.3-10 administered by the water resources board. From amounts available from bond proceeds~~
7 ~~held by the water resources board, that board shall disburse to each supplier contributing to the~~
8 ~~fund a proportional amount based upon each supplier's pro rata withdrawal of water by volume~~
9 ~~from wells, reservoirs, springs, or other original sources of water averaged over the three (3)~~
10 ~~calendar years preceding disbursement as determined by the water resources board.~~ Suppliers
11 shall be required to expend ~~this money~~ proceeds from bonds supported by these funds as follows:

12 (1) Not less than fifty-five percent (55%) shall be spent for acquisition of land or rights
13 in land or physical improvements to acquired land required to protect the quality of raw water of
14 the water supply system. Expenditures for maintenance, administration, and payment of taxes on
15 land acquired under this chapter shall be included within this subdivision.

16 (2) Any remaining funds may be used for any eligible expenditures as defined in section
17 46-15.3-4.

18 (b) The city of Providence shall make expenditures from amounts available in the fund

1 held by the city of Providence based on the same formula as in subdivisions (a)(1) and (a)(2)
2 above; provided, however, the city of Providence shall be exempt from participating in the use of
3 an alternate deicing mixture within the Scituate watershed unless drinking water supply sodium
4 levels exceed fifteen (15) ppm (parts per million) for three (3) consecutive years or seventeen
5 (17) ppm (parts per million) for one year. The city of Providence will monitor sodium levels and
6 report sodium testing results to the Rhode Island department of health and the public on a yearly
7 basis. If drinking water supply sodium levels exceed fifteen (15) ppm for three (3) consecutive
8 years or seventeen (17) ppm for one year, the city of Providence shall immediately participate in
9 the use of an alternative deicing mixture within the Scituate watershed. In December of 2008, the
10 city of Providence will provide a three (3) year report to the Rhode Island department of
11 environmental management, the general assembly and the public. Every three (3) years, the city
12 of Providence will submit a report to the general assembly on monitoring data for sodium levels
13 within the Scituate watershed. This report will include monitoring data from the previous three
14 (3) year period.

15 (c) In making decisions about the expenditure of money under the provisions of this
16 chapter, suppliers shall take into account the following factors:

17 (1) The likelihood of development of the specific parcel proposed for acquisition;

18 (2) The existing land uses, as well as the likelihood of development, in the watershed;

19 (3) The potential threat to public drinking water sources posed by development in the
20 watershed including, but not limited to, the intensity of development, the types of land uses,
21 proximity to reservoirs and/or well heads, and the buffering and filtration capacity of the natural
22 systems;

23 (4) Whether alternative protection measures are available and/or have been attempted,
24 including local land use regulations;

25 (5) The number of persons who presently depend on the sources for their drinking water,
26 as well as the number of persons who may depend on it in the future;

27 (6) The anticipated cost of the parcel proposed to be purchased, and whether less than a
28 fee interest may be acquired which would reduce the cost significantly while still providing
29 protection to the source;

30 (7) Other cost effectiveness considerations, including whether protection of the source
31 can be provided by the construction of physical improvements;

32 (8) Whether acquisition of the specific parcel, and the protection of the watershed of
33 which it is a part, is consistent with other planning considerations;

34 (9) Proposed management techniques for the parcel proposed to be acquired which will

1 maximize its capacity to protect the source.

2 (d) The costs of issuance of notes and bonds authorized by section 46-15.3-10 may be
3 payable from any monies in the water quality protection funds.

4 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

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1 This act would amend the procedure for the disbursement of water quality protection
2 funds to water suppliers pursuant to the "Public Drinking Water Supply System Protection Act of
3 1997."

4 This act would take effect upon passage.

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