JOINT MONTHLY MEETING OF THE
NEW SHOREHAM SEWER COMMISSION and BOARD OF WATER COMMISSIONERS

December 13, 2007 Minutes

Present were members Ann Cunningham, Frank Leslie, Cliff McGinnes, Rally Migliaccio, Howie Rice, and District Clerk Janet Ziegler.
Absent were members Steve McQueeny and Don Thimble

Also present were Public Works Director Nancy Dodge, Superintendents Ray Boucher and Dave Simmons and First Warden Kim Gaffett, and Department of Environmental Management (DEM)'s Water Resources Deputy Chief Elizabeth Scott.
Absent were Finance Director Amy Lewis and Counsel Elliot Taubman.

C. McGinnes called the meeting to order at 12:30 P.M.

Informal Review & Request for Input on Draft Report:
Total Phosphorus TMDL (Total Maximum Daily Load) for SANDS POND
New Shoreham, Block Island, Rhode Island
August 2006 draft prepared by RI DEM, Office of Water Resources

Deputy Chief Elizabeth Scott summarized the Federal Clean Water Act as it pertained to the requirement of States to perform a state-wide assessment of its waters. Waters in Category 1 (clean water) through Category 4 (polluted, but with activity to resolve) are reported according to the Act's Sections 303(b). Category 5 waters, including Sands Pond, have one or more pollutant violations and have no pollution control plan (TMDL). The Environmental Protection Agency (EPA) requires TMDLs for water bodies in this category to restore water quality.

Sands Pond is called a Kettle hole pond, by the US Geological Survey; there is no direct inflow, surface outflow is negligible and the major water sources are precipitation and ground flow. It is a class 'AA' waterbody under DEM's Water Quality Regulations with designated uses as an existing, or proposed, drinking water supply, fish and wildlife habitat and some recreation use. Because Sands Pond is designated as a public drinking supply water, it is also designated as a Special Resource Protection Water (SRPW) and is afforded special protections under Rule 18, *Antidegradation of Water Quality Standards.*

Sands Pond was initially identified in the State's 303(d) list in 1998 as impaired by excess algal growth, taste and odor and turbidity. After additional testing by DEM in 2001, phosphorus was added to the list.

The only apparent remedial measure available to improve Sands Pond's water quality is to control the water column phosphorus by reducing phosphorus release from the sediments. Potential controls include dredging, capping or alum treatment. A reduction of total phosphorus in the water column would reduce chlorophyll levels, an indicator of algae biomass, and a reduction of biomass would reduce turbidity to acceptable levels.

After a detailed PowerPoint presentation and discussion of scientific findings, E. Scott asked for local knowledge input to identify potential pollution sources in the watershed and inquired as to the future use plans and goals for the Pond.

(H. Rice leaves at 1:00 PM)

Potential funding sources for remediation could come from Federal non-point source grants or from the RI State Revolving Loan fund.

There was general agreement that the presence of a large Canada geese population was the major contributor of the phosphorus problem. E. Scott said that an interim means to manage the present flock would involve addling eggs, but it requires a commitment of time and is not always easy to do. As a result, some communities enlist volunteers or hire companies (for example, Wildlife Services of Massachusetts) that specialize in nuisance wildlife problems.

Responding to a question from N. Dodge regarding responsibility for the pond quality, E. Scott responded that DEM is likely not to take action on the water quality. The Pond has multiple owners, none of which are the Town. If the impairments were a result of wastewater or storm water, then DEM would have authority to require action.

E. Scott suggested that the Town could have an alum treatment overlay performed on the Pond and hire a bird reduction firm for several years, then access what the quantitative results were. The EPA does not usually permit a water classification to be down-graded. The current high water levels may have a dilution effect on the quantitative constituents.

It was noted that the Pond's buffer zone is disappearing; landscaped lawns to the water's edge are a great encouragement for geese population. E. Scott said that DEM would work with the Town to limit adjacent property used for farming or housing livestock; an initial step for the Town to take would be owner education and public awareness. The DEM web site has literature that could be downloaded and mailed out.

K. Gaffett summarized the general feeling that the Town's responsibility was to be good stewards and not to allow the Pond to degrade any further. If there was no imperative to act immediately, then smaller projects could be undertaken every year to improve the water quality. The least expensive projects are reduction (control) of the geese population and alum treatment.

Noted was that two other Block Island ponds, Trim's Pond and Great Salt Pond, were added to DEM's list of impaired waters. Recent data indicates improvement in the Trim's Pond area.

E. Scott said that DEM will hold a formal Public Review, to be announced, on the TMDL for Sands Pond and may incorporate some to today's comments in their final report.

The meeting adjourned at 2:00 PM.

Respectfully submitted, Janet Ziegler
District Clerk

Approved: January 8, 2008