

**TOWN OF RYE - SELECT BOARD
MEETING**

**Wednesday, July 6, 2022 – 9:00 a.m.
Rye Water District Office – 60 Sagamore Road**

Selectmen Present: Chair Bill Epperson, Phil Winslow, Tom King

Water Commissioners Present: Chair Art Ditto, Ralph Hickson, Scott Marion

Others Present:

**Arik Jones, Superintendent
Dyana Ledger, Business Manager
Resident Tom Mack**

A quorum of the Rye Select Board will attend the Rye Water District meeting at 9:00 a.m. on Wednesday, July 6, 2022, at the Rye Water District Office, 60 Sagamore Road, Rye, NH. Hence, per RSA Chapter 91-A this will be a “meeting” of the Select Board.

The meeting of the Rye Select Board was called to order at 9:02 a.m. by Vice-Chair Phil Winslow. The Water District Commissioners opened their meeting at 9:02 a.m.

The Commissioners asked Water District Superintendent Arik Jones to review his monthly report and data charts, as Selectman Epperson was not yet present for the meeting.

Note: *Selectman Bill Epperson arrived at the meeting at 9:25 a.m.*

- **Discussion with the Rye Water District Commissioners**

Bill Epperson, chair of the Rye Select Board, noted that the Selectmen would like to discuss the ability to supply water, specifically to the Route 1 development: Washington Road, Hector’s site, Benchmark, Airfield Drive and the proposed development for the Ciborowski property. It’s important to have a deep understanding of what the District’s water situation truly is for any development moving forward. He pointed out that his tenor on the planning board over the last ten years has been focused on water. He is nervous that they aren’t doing the citizens of Rye any justice by expanding development without the adequate water to supply. It’s not fair to sacrifice the well-being of the people of Rye on the alter of development.

Chair Ditto stated that the District is at capacity right now and can’t supply any more water. If the Ciborowski development asks if Rye Water District can supply them with water, the answer is going to be “no”. Also, it is probably going to get worse before it gets better. Cedar Run well has high manganese and the standards have been changed. In January 2023, the standard will go

from 0.84 down to 0.3. Cedar Run has seen manganese levels above 0.3 and is basically out of compliance.

Selectman Epperson asked if the District will be looking at some sort of treatment to bring it into compliance.

Chair Ditto replied that treatment is just one component. The District was looking at blending the water between the Cedar Run, Bailey and Garland wells. However, there is a change in the PFAS standard coming up. Right now, the health advisory has been changed from a total of 7ppt for PFOA/PFOS down to basically zero. The next step in the process is that the EPA will establish maximum contamination level (MCL) goals. Once they establish that number, they will actually establish an MCL. The timeframe for that is probably by the end of the year. The MCL will probably be at, or lower than, what is being seen in the water. This will drive the District to have to build a treatment plant to treat the PFAS. The iron and manganese could be treated, as well. He pointed out that there is no sense in focusing on treatment for the Cedar Run well while building a treatment plant. There will be a time period where the District will be hurting for water. It will probably put a restriction on the whole system. He commented this is the long answer to the question about the Ciborowski development. The District will not be able to provide the water.

Selectman Epperson stated that he appreciates the answer because it's something he can get his "hands on". It's not possible to supply water to Ciborowski based on the eighty units they want to put in because it's not available. In any circumstance, a treatment plant is going to be necessary anyways.

The Commissioners confirmed.

Referring to future development on Route 1, Superintendent Jones stated that without another supply source and water storage tank in that area, the District cannot supply the water, even without the pending treatment issues.

Selectman Epperson noted that the Select Board had a meeting with the City of Portsmouth about the sewer implications along Route 1. The possibility of running the sewer line along with a water line came up. He pointed out there are a lot of issues along Route 1, as far as the sewer is concerned; such as, future capacity issues. He thinks that the Select Board and the District will need to have a serious conversation about how to get the treatment plant moving forward.

Superintendent Jones pointed out that the treatment plant will provide a higher quality of water to the system, but not more water.

Commissioner Hickson stated that a number of years ago, the District recognized there was an issue with iron and manganese. The District has a shelf design for an iron and manganese treatment plant, but it was never brought forward because there was no requirement. There was no justification at that point for a six million dollar treatment plant. The new regulations that are coming out now are going to drive the District to do something.

Chair Ditto noted that they will have to revisit the treatment plant design because it's not designed to treat PFAS. The original design was done back in 2012, so the cost estimate to build the plant has probably gone up significantly. Unfortunately, it's not going to happen overnight. Referring to the point about volume, he explained that a day tank is needed. When there is a high demand, such as in the morning, the day tank will help feed the supply surge. When the demand drops off, the tank is filled for the next surge. He pointed out that the tank at Breakfast Hill is a pressure tank, not a volume tank. The two tanks on Washington Road are supply tanks. He reiterated that even if a treatment plant is put into place, the District still does not have the capacity. In regards to Route 1, he talked to Brian Goetz about running the sewer and water lines down the corridor at the same time. Assuming that the City of Portsmouth has the water supply, Rye Water District could purchase the water for that section of the town. This would be ideal for the District and it has been considered. However, it's a big cost to run a water line in that area. The question is whether there's really a problem, other than excessive irrigation. The District has sufficient water to meet domestic demands.

In regards to the volume of water, Superintendent Jones noted that between 2:00 a.m. until noon, the tank levels are low and that is because of irrigation. Getting control of the usage during that period of time is extremely critical.

Selectman Winslow asked how many District customers are seasonal.

Superintendent Jones noted that the District has about sixty seasonal customers. However, the seasonal users have a small window of usage. There are other factors that drive the usage during that particular window of time, which is irrigation.

Selectman Epperson commented there have been conversations about limiting irrigation or mandatory restrictions on irrigation systems. He's been told that it's out of the Select Board's purview, unless a drought has been declared. However, the Water District can do it. He suggested that the District think about how to do this. The Select Board will support it.

Chair Ditto replied they have been working on it. The Commission has come up with an interim lawn watering policy for the time being, until a process can be established. He continued that in 2019, the Commission developed requirements for standalone irrigation, which means that it has its own meter. These requirements were taken from DES's guidance on how to manage land development for water. Right now, the planning board is working on Land Development Regulations (LDR). Basically, the District's requirements parallel the LDR amendments. This all needs to be morphed into something for residential. In order to get to the residential systems, there has to be some way to track it with the ability to enforce. This goes back to developing an ordinance. He noted that the Commission has drafted an ordinance to give to the Rules and Regulations Committee. The ordinance would require irrigation systems to have permits and be built in accordance with Rye Water District's regulations. This will be for new systems, but it will be difficult to make it retroactive for the systems already in place. How to implement it will have to be considered.

Selectman Epperson stated that right now, there is a convergence of concerns and they now have the opportunity to make an impact. From his perspective, he's in total support of what the Water District is trying to do with mitigating water usage.

Referring to the treatment plant, Selectman Winslow asked if the District's engineers are working on looking for funding.

Chair Ditto noted that every time there is a chance to submit projects to the State, the treatment plant is submitted, but it doesn't make the cut. The District will continue to look for funding through the State's revolving loan fund. As far as grants go, there are going to be a lot of communities in the same boat as Rye, as the PFAS issue is a countrywide issue. Hopefully, there will be some kind of funding mechanism to do this. In regards to irrigation systems, the Commissioners will be submitting to the Rules and Regulations Committee a proposed town ordinance. The responsibility and requirements will revert back to the Water District. There will be no demand on the building department. The Water District would just like to have the ability to know when systems are being installed by requiring a permit and for the systems to be installed in accordance with the Rye Water District's policy for irrigation systems. The town can keep the building permit fee. Once the Water District is notified of the permit, the applicant will come to the District to seek the guidance. The District will have the responsibility of doing the inspections on installation.

Selectman Epperson asked if there has been further thought given to interconnections with Portsmouth and Aquarion Water.

Superintendent Jones noted that the District already has an interconnect with Portsmouth. At this point in time, a door has closed on making an interconnect agreement with Aquarion Water. However, the pipes for interconnection are very close together.

Chair Ditto explained that the interconnection with Portsmouth is for emergency use. The District doesn't have an interconnect for purchasing water. The only area where the District purchases water from Portsmouth is for Wentworth Road. If there was an interconnect with Aquarion, it would be for emergency use only. Interconnections for the purchase of water is a separate action. He pointed out that the Seacoast Water Commission is working on more interconnections for emergency use.

There was some discussion about how the District is going to try to control the irrigation usage in the short-term.

Discussion with the Water District Commissioners concluded at 10:28 a.m. Phil Winslow made a motion to adjourn the Select Board Meeting. Tom King seconded the motion. All in favor.

Note: *A full set of Rye Water District meeting minutes may be viewed under the Water District's page on the Town's website or on the District's website: ryewaterdistrict.com*

Respectfully Submitted, Dyana F. Ledger