

THE CITY OF NEWPORT

RESOLUTION

OF THE

COUNCIL

No.2025-35

WHEREAS, Easton's Pond is the primary drinking water source for the City of Newport and its water quality is directly related to the health of the surrounding watershed; and

WHEREAS, the watershed of Easton's Pond is one of the most complex of any water utility in the region. It is formed by a combination of residential neighborhoods, municipal and state roadways and infrastructure, and wetlands in close proximity. Because of its complex composition its management and stewardship require a strong partnership with the surrounding community; and

WHEREAS, Easton's Pond is also located adjacent to the Atlantic Ocean, rendering it susceptible to saltwater intrusion, therefore requiring constant investment in the surrounding dams and other infrastructure which protect it; and

WHEREAS, the City has substantial proposed investments in the hardening and raising of the dam surrounding Easton's Pond, including nearly \$50 million in projects; and

WHEREAS, modernization of the City's water treatment infrastructure resulted in the closure of the sediment basin of the water treatment plant located in a residential zone at 100 Bliss Mine Road (also known as "the Sediment Basin at Station One") which includes property abutting Easton's Pond; and

WHEREAS, since its closure, the Sediment Basin at Station One has been used by the City for industrial purposes typically reserved for a city yard, including the disposal of utility excavation debris; and

WHEREAS, in March of 2020 the Coastal Resources Management Council ("CRMC") found that the City of Newport had conducted work at the Sediment Basin at Station One without the requisite approvals, leading the City to enter into an agreement with the CRMC ("Agreement"), which narrowly permitted work contingent on strict adherence to a number of Stipulations ("Stipulations"); and

WHEREAS, among the agreed to Stipulations are express directives that no work outside of that detailed in the Agreement be allowed without additional permitting and that all excavated material be removed from the Sediment Basin at Station One to an upland site or landfill; and

WHEREAS, in November of 2022 the City and CRMC entered into a subsequent agreement for a separate additional work at the Sediment Basin at Station One (henceforth to be combined with the above Agreement and referenced as "Agreements"), wherein an additional set of stipulations were defined, including a requirement that excavated materials be removed from the site and a new express prohibition on the stockpiling of materials on site (to be referred to in combination with the aforementioned "Stipulations" simply as "Stipulations"); and

WHEREAS, the above Stipulations make the dumping or stockpiling of any excavated material on the site inconsistent with the Agreements and protection of surrounding wetlands; and

WHEREAS, in contradiction with the above Agreements and Stipulations, excavated debris related to utility work has been disposed at the Sediment Basin at Station One; and

WHEREAS, the City has not obtained permits for the stockpiling or disposal of excavation debris currently occurring at the Sediment Basin at Station One; and

WHEREAS, in order to protect public health, the storage and disposal of excavated material from utility projects should adhere to high standards and permit requirements, particularly when done so in close proximity to residential neighborhoods and public drinking water supplies. Such practices were clearly expressed to the City in the Agreements and Stipulations related to the removal and stockpiling of excavated material; NOW THEREFORE BE IT


RESOLVED, that the Council requests the City immediately cease the disposal of material at Sediment Basin at Station One; and BE IT FURTHER

RESOLVED, that the Council requests the City provide a full accounting to the Council and residents of activities that have occurred at Station One since its closure, including any remediation that occurred during the original closure of the Sediment Basin at Station One, the date, source and type of any material disposed at the site, and proof of all required permits for activities that have occurred on the site since the Sediment Basin at Station One's closure; and BE IT FURTHER

RESOLVED, that the Council requests the City make public and easily accessible plans and permits relating to future projects affecting Easton's Pond and its watershed and provide residents with a public forum for the discussion and review of such information no less than semi-annually, with a contact assigned to answer questions as they may arise from residents during times between those forums.

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IN COUNCIL
READ AND PASSED
FEBRUARY 26, 2025


LAURA C. SWISTAK, CMC
CITY CLERK