

Aquarion Well 5A located at 480 Central Central - providing water for residents in the Rye Beach Village District (RBVD) and Jenness Beach Village District (JBVD): findings and concerns.

1. Two residents in the Jenness Beach Village District (JBVD) requested that a Wellhead and Aquifer Protection for Aquarion Well 5A located at 480 Central Road be drafted and adopted as part of the Rye Zoning Ordinance, in like manner to the Wellhead and Aquifer Protection for the Rye Water District.
2. Board of Selectmen approved the request at a BOS meeting on March 27, 2017, and agreed to submit the request to the Planning Board "as presented."
3. At the April 11, 2017 Planning Board meeting, Chair Bill Epperson suggested that the letter/request [for a Wellhead/Aquifer Protection] be submitted to the Rules and Regulations Committee for their review.
4. Rules and Regulations Committee met on June 27th to discuss amendments to the Rye Zoning Ordinance for 2018. The request for a Wellhead/Aquifer Protection Ordinance for Well 5A was modified from original request and presented on the Rules and Regulations agenda as "to include the well on Central Road (Aquarion 5A well) to the town's aquifer." At the meeting, Planning and Zoning Administrator, Kim Reed, stated that 'she [was] not certain this [Well 5A] is in the Jenness Beach Village District. They need to keep this in mind moving forward so they do not overstep their jurisdiction" (minutes, p.4).
5. During a joint meeting with the Board of Selectmen and the Commissioners from the JBVD on May 15th, 2017, there was some discussion over jurisdiction in terms of who is responsible to protect the water resources in regards to Well 5A. Chairman Mussleman stated that "he doesn't understand why Aquarion isn't taking action to propose what they want to have happen. The protection of their water source is their responsibility. The Town of Rye and Jenness Beach District can cooperate with them and consider whatever municipal cooperation is required. It is up to Aquarion to tell Rye what they would like for protections for their water source." He then added that "the Jenness Beach Precinct has the authority to deal with water issues. This is part of their charge: trees, water and recreation" (BOS minutes, May 15, 2017).
6. At the joint meeting, Selectman Priscilla Jenness stated that her mother had been the Clerk for the JBVD for 30 years and that she had kept impeccable records, however, records cannot be located according to Randy Crapo, who has been the JBVD Commissioner for the past twenty-years and his wife Deb Crapo, who is both the Clerk and the Treasurer for

the JBVD. Selectman Jenness also stated that she had been a Clerk for the JBVD. (Bill Jenness, former building inspector, was also a Commissioner for the JBVD for 30 years.) Selectman Jenness is an Aquarion customer and lives almost directly across from Well 5A).

7. The Rye Beach Village District Master Plan (1986), which is outdated by 20+ years, provides some (outdated) information regarding the water supply and quality for both the Rye Beach Village District and the Jenness Beach Village District. <https://www.gpo.gov/fdsys/pkg/CZIC-hd211-n4-r94-1986/html/CZIC-hd211-n4-r94-1986.htm> While the Rye Beach Village District has its own Planning Board and Zoning Board, including its own Master Plan and Zoning Ordinance, the Jenness Beach Village District has no such powers/jurisdiction and depends on the Town of Rye for both its Planning and Zoning, thereby the request to the Town of Rye to enact protection for Well 5A located in the JBVD.

8. At a JBVD Annual Meeting (April 2016), a motion was made to create a "Water Safety Committee" resulting from concerns regarding water issues voiced by residents at the meeting. Aside from a site walk on July 2016 at the site of Well 5A, there was no further action taken by the JBVD Commissioners despite request to follow through by members of the "Water Safety Committee." In other words, JBVD Commissioner, Randy Crapo and Clerk/Treasurer Deb Crapo, as well Aquarion Operation Manager, Carl McMorran, have been made aware of the need for a Wellhead/Aquifer Protection Ordinance, but did not follow through following the site walk at the site of Well 5A (July 2016).

9. The Rye Master Plan (2013), which was "technically" updated fairly recently, yet the latest Visioning Sessions for the Natural Resources Chapter dates from 2002-2004, states that " 75% of the town is supplied by the Rye Water District by a system of wells located near Garland Road" (Chapter 6, p. 65) and is silent in regards to Aquarion and Well 5A — no protection and no planning.

10. Given the lack of actions, confusion over jurisdiction, inadequate responses from the JBVD Commissioners, Town of Rye, and Aquarion, the following information has been compiled and provided here/above as well as a Google earth mapping of the 400 ft radius of Well 5A on 480 Central Road. According to DES/NH Wellhead Protection Basics, a "Sanitary Protective Radius" is a 75-400 foot radius around the well that under current law *must* be controlled by the water supplier through ownership or easements. The extent of the sanitary protective radius depends on the maximum daily amount of water withdrawn from the well." The 400 ft radius should apply to Well 5A given the amount of daily volume of water withdrawn from the

well. [https://www.des.nh.gov/organization/commissioner/pip/publications/wd/documents/wellhead\\_5steps.pdf](https://www.des.nh.gov/organization/commissioner/pip/publications/wd/documents/wellhead_5steps.pdf)

