

From: **School Building Committee** [REDACTED]
To: **Roberta J. Mulholland** [REDACTED]
CC: **Kate Macinanti** [REDACTED] **Chris Spiegel**
Subject: RE: [EXTERNAL] Questions regarding SKSD construction plans and use of \$150 Million Bond
Date: 09.02.2024 20:49:23 (+01:00)
Attachments: Q&A regarding Hazard Field Conversion.pdf (1 page)

Good afternoon Ms. Mullholland,

The SBC's Owners Project Manager Chris Spiegel will be answering questions 2 and 3 below, but I wanted to get back to you regarding question #1 since you mentioned comments I made regarding the land swap and information provided to the community. Councilman Sweet requested similar information recently and I am attaching my response to him. I believe he has already shared this on social media but feel free to share as well. I also recommend you and others visit the following link to the SBC meeting video from March 16, 2023 in which I explained the land swap process in detail to the committee in detail and the potential implications if a swap was not approved by the National Park Service: <https://www.youtube.com/live/UpGF7Mu5yjo?si=ILWnDDhcmDcc44tr&t=2081> We will ensure this information gets put on the SBC website so others have the benefit of viewing it in a central location.

The SBC has done significant due diligence and entertained a myriad of options since planning started in August 2022. Options we have evaluated since that time have included building a new high school at the Curtis Corner Road site, new school at the YMCA site, and renovating the existing facility. The option of renovation was evaluated at several points throughout the process but the data kept bring us back to the conclusion that a new build at the existing Columbia site was our best option. Constructing a new building on the Hazard Site allows the district to keep students in place during construction and minimizes disruption to students and their families. It also provides many other opportunities related to the general site layout.

We understand that the swap poses a complexity in the process which has been discussed among the committee at length and has been communicated in several SBC and Town Council meetings. However, the SBC made an informed decision to recommend the current option and, as I note in the attached document, we feel confident that the land swap will be approved. I contacted RIDEM regarding our plans again last week and they informed me that 4 other communities were undertaking similar swaps due to school construction and that they would provide the help necessary to assist in making a conversion as seamless as possible.

I know Chair Kate Macinanti and the entire SBC is committed to pushing out factual and clear information about the project so the community can make an informed decision in May. Thanks for bringing attention to the fact that this information may not be fully known by the community. I know that Kate and Chris are actively working to enhance the website to add more FAQ's to ensure community members have a central, factual source of information for the proposed project.

Regards,



Luke Murray

Deputy Town Manager / DOAS

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PLEASE NOTE: MY E-MAIL ADDRESS HAS MOVED TO A .GOV DOMAIN. PLEASE UPDATE YOUR ADDRESS BOOK TO REFLECT MY NEW ADDRESS: [REDACTED]

From: [REDACTED] **On Behalf Of** Roberta J. Mulholland
Sent: Monday, January 29, 2024 12:14 AM
To: School Building Committee [REDACTED]
Subject: [EXTERNAL] Questions regarding SKSD construction plans and use of \$150 Million Bond

You don't often get email from [REDACTED]

Dear SBC members and staff.

1. At the SBC meeting on December 7th Luke Murray indicated that if the US National Park Service does not approve the land swap of Hazard Field for the current SKHS building site (once the school is demolished and turned into green fields), the enforcement for violation of the restrictions on Hazard Field would be that the Town of SK will lose the ability to ever receive funding from that Federal source again.

Given that this would burden future SK generations in acquiring federal funds for green and/or recreational uses, what action has the SBC taken to inform the public of such a possibility?

2. Have you discussed the scenario of construction cost overruns preventing the demolition of the current SKHS? What is the current plan to avoid what happened in Newport? How will you safeguard the cost of demolition from being used in the SKHS or athletic complex construction, or any other school district construction or repair?

3. Have you had any discussion of other uses for the current SKHS?

Thank you,

Roberta Mulholland

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Question:

Hazard Field, located next to the existing South Kingstown Highschool, is proposed as the location for the future high school building. Hazard Field has a known conservation restriction due to acceptance of federal funds. How will the Town address this known restriction and what happens if the state or federal government does not agree to release the restriction?

Answer:

The location of the Proposed South Kingstown Highschool was selected by the School Building Committee after reviewing nearly a dozen design alternatives with consideration given to various logistical issues including the likely impact of school construction on students and educational programming. Consideration was also given to the conservation restriction that exists for Hazard Field. The restriction is the result of the Town's acceptance of an improvement grant from the Land and Water Conservation Fund (LWCF) in 1979.

As part of the due diligence process for the school building project Town officials contacted the Rhode Island Department of Environmental Management (RIDEM) to inquire about the process and probability of releasing the current conservation restriction on Hazard Field to accommodate a new school facility. RIDEM forwarded the Town's inquiry to the National Park Service (NPS), which is the federal agency that oversees the LWCF program. Based on feedback received from RIDEM and the NPS we feel confident that the existing restriction on Hazard Field can be removed through a land conversion process pursuant to [36 CFR 59.3\(b\)\(4\)](#) and that the land where the current school facility stands would be eligible to be used as conversion replacement lands. It is important to note South Kingstown is not alone in addressing challenges related to LWCF program restrictions. Pawtucket, Central Falls, Lincoln, and Hopkinton are in the process undertaking similar conversions of LWCF restricted land to accommodate new school construction projects. The conversion process is often used when there is a need to utilize land restricted through the LWCF program for alternate purposes. Town officials have been communicating with RIDEM regarding the proposed conversion of Hazard Field and will submit a formal application for conversion if a school bond is passed in May. RIDEM has been supportive of the Town's efforts to date and we expect that they will help us work through the conversion process.

We have had discussions with RIDEM about potential impacts to the project and/or Town in the unlikely event that the Town's application to convert Hazard Field is denied. When the NPS determines a state has violated or failed to comply with applicable federal law or regulations governing the LWCF program the NPS may withhold payment of federal funds to the state on account of such project, withhold funds for other projects of the state, withhold approval of further projects of the state, and take such other action deemed appropriate under the circumstances until compliance or remedial action has been accomplished by the state to the satisfaction of the NPS. It is our understanding that if the application to convert is not approved the school project could continue to proceed as planned. However, RIDEM may attempt to force compliance with LWCF regulations by restricting the Town's ability to receive funding through grant programs administered by their department or the NPS. The probable outcome would be a compromise measure to correct the non-conformance as RIDEM and NPS have done in other communities throughout the state. This would likely involve the conversion of an alternative parcel of land of similar size and value to Hazard Field to ensure the outcome fulfills the primary of LWCF program of open space preservation.