



**State of Rhode Island and Providence Plantations
Water Resources Board**

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RHODE ISLAND WATER RESOURCES BOARD

MEETING #494

Monday, December 21, 2009 @ 12:00 Noon

MINUTES

Members Present

William Penn, Chairman
Pam Marchand, Vice Chair
Samuel Kitchell
Allan Klepper
William Stamp, III
Harold Ward
Jesse Rodrigues
Jon Schock
Ronnie Gibson
Alicia Good*
Michael Walker*
Kevin Flynn
June Swallow*

Members Absent

Guests Present

Brendan Ennise, PARE Engineering

Staff Present

Kenneth Burke, General Manager
Romeo Mendes, Supervising Engineer
Emily Cousineau, Implementation Aide

*Member Designees

CALL TO ORDER

Chairman Penn called the meeting to order at 12:01pm, noting that a quorum was present.

OPEN CALL FOR EXECUTIVE SESSION IN ACCORDANCE WITH RIGL SECTION 42-46-5(a)(1) for the discussion of job performance and 42-46-5(a)(4) for investigative proceedings regarding allegations of misconduct.

Motion by Mr. Schock, second by Mr. Stamp, to go into Executive Session in accordance with RIGL Section 42-46-5(a)(1) for the discussion of job performance and 42-46-5(a)(4) for investigative proceedings regarding allegations of misconduct.

Chairman Penn called for the vote. The following roll call vote was taken:

Ms. Marchand – yes
Mr. Stamp – yes
Mr. Flynn – yes
Mr. Kitchell – yes
Mr. Gibson – yes

Mr. Klepper – yes
Ms. Swallow – yes
Mr. Ward – yes
Ms. Good – yes
Mr. Rodrigues – yes

Mr. Schock – yes

Mr. Walker - yes

And Chairman Penn voted yes. The motion carried and the Board proceeded into Executive Session at 12:02pm.

RETURN FROM EXECUTIVE SESSION

The Board returned from Executive Session at 12:15pm.

Motion by Mr. Flynn, second by Ms. Swallow, to return from Executive Session with no votes taken.

A roll call vote was taken:

Ms. Marchand – yes

Ms. Swallow – yes

Mr. Stamp – yes

Mr. Ward – yes

Mr. Flynn – yes

Ms. Good – yes

Mr. Kitchell – yes

Mr. Rodrigues – yes

Mr. Gibson – yes

Mr. Schock – yes

Mr. Klepper – yes

Mr. Walker – yes

And Chairman Penn voted yes. The motion carried.

Motion by Mr. Flynn, second by Mr. Rodrigues, to seal the minutes of the Executive Session until such a time that all matters are resolved. The vote in favor was unanimous. The motion carried.

APPROVAL OF MINUTES

Motion by Mr. Stamp, second by Ms. Marchand, to approve the minutes of Board Meeting # 493 dated November 16, 2009, with the addition of Mr. Stamp's name to the attendance list. The vote in favor was unanimous. The motion carried.

CHAIRMAN'S REPORT

Mr. Penn reported on the WRB press release announcing that the production wells in the BRMA were now online. The *Providence Journal* offered a particularly nice write up. Mr. Penn also noted that the mayor of Pawtucket recently announced his support for regionalizing state water supplier systems.

FINANCIAL REPORT

Motion by Mr. Penn, second by Mr. Schock to accept the Chief Business Officer's Report for November 2009. The vote in favor was unanimous. The motion carried.

GENERAL MANAGER'S REPORT

- Big River Management Area
 - Mr. Burke reported that the pump test in the BRMA were nearly complete. Well production has proven to be 30% lower than what was estimated; this is due to a finer sand and gravel mixture below ground. Mr. Burke stated that the initial plan will likely need to be modified, perhaps with the addition of a third, smaller well.
 - The Governor's supplemental budget provides for 100% financing of the Big River Well Project, which will now be drawing all funds from RICAP.

- The information being gathered will help define the level of treatment necessary. Mr. Burke stated that the sale price of the water will reflect the treatment costs and other expenses.
- South County Well Project
 - Mr. Burke reported that he has been authorized to begin negotiations for proposed well sites. He has already initiated talks with Richmond and Block Island.
- Water Supply System Management Plans
 - Principal Planner, Peter Duhamel, has developed many comments on elements of the plans that need to be changed. Mr. Burke stated that the Legislation and Rules Committee will be brought together to review possible changes. The committee could bring this back to the full board in March or April.
 - Mr. Ward asked why some WSSMPs were over due. Mr. Burke explained that certain suppliers have grace periods. In addition, Providence is working to complete a major five-year-update report, while Woonsocket is constructing a new plant that will impact their WSSMP.
 - Ms. Swallow asked why Bristol County is not planning to conduct a tracer study. She commented that the Surface Water Treatment Rule requires this test for a disinfection profile. Mr. Burke stated that he will be meeting with a consultant, the Executive Director of BCWA and his staff members to discuss the matter.

COMMITTEE REPORTS AND ACTION ITEMS:

Allocation Committee – Interim Allocation Program outline

Motion by Mr. Ward, second by Ms. Swallow, to adopt the Interim Allocation Program outline and associated schedule. The vote was 11 in favor and 2 opposed. The motion carried.

Discussion

Mr. Ward stated that committee recommendations had been incorporated into the outline and that he is now bringing it to the full Board for approval. The purpose of the plan is to establish guidelines for setting regulations. The proposed timeline is quite ambitious in order to comply with the new Water Use Efficiency Act. He stated that it will be difficult to craft the new regulations and that the committee will rely on a great amount of feedback from the Board. He also asked how public the Board wants this process to be. Ms. Swallow suggested that the committee create an initial draft of the regulations and then hold workshops.

Mr. Klepper and Mr. Stamp discussed their reservations about regulating water use. Mr. Penn stated that the allocation process may show that, at specific times, water will not be available. The Board will then be able to provide the State with options for infrastructure and resource expansion. Without this plan, the Board would be unable to make recommendations. Mr. Burke concurred that the plan is a tool to help provide solutions when water is scarce or stressed. The goal is to help facilitate efficient water use. He further clarified that the Board is not being asked to sign on to a binding document; rather, the staff needs feedback to go ahead with the plan and policy. The intention is to gain information, which will shape the more permanent regulations.

RECESS OF BOARD FOR BOARD CORPORATE BUSINESS

Motion by Mr. Rodrigues, second by Mr. Stamp, to recess the Board Meeting and start the Board Corporate Meeting at 1:26pm. The vote in favor was unanimous. The motion carried.

RETURN FROM BOARD CORPORATE BUSINESS

The Board returned from Board Corporate business at 1:28pm. No motion was made.

OTHER BUSINESS:

The Board agreed to hold the next meeting on Thursday, January 21st, at 1:00pm.

ADJOURNMENT

Motion by Mr. Stamp, second by Mr. Rodrigues to adjourn the meeting. The vote in favor was unanimous. The motion carried and the meeting adjourned at 1:31pm.

Respectfully Submitted,



Emily J. Cousineau
Implementation Aide

The meeting place is accessible to the handicapped in conformance with RIGL 42-46-2. Individuals requesting interpreter services for the hearing impaired must notify the Board office at tel. 222-1450/TDD 2221454, at least 72 hours in advance of the meeting date. If requested, tapes of the meeting will be made available.