



State of Rhode Island and Providence Plantations
Water Resources Board Corporate
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PUBLIC DRINKING WATER PROTECTION COMMITTEE

MINUTES OF MEETING

November 1, 2005

Members Present:

Robert Griffith
Frank Perry
William Stamp
Elizabeth Scott

Staff Present:

Juan Mariscal
Beverly O'Keefe
William Rivero

Members Absent:

June Swallow

Guests:

Pam Marchand
Carol Larivierre
Lisa Primiano
William Descotea
Pasqual Delise
James Suzman

1. **CALL TO ORDER:** Chairman Griffith called the meeting to order at 12:10 p.m and noted that a quorum was present.
2. **APPROVAL OF MINUTES:** With a motion by Mr. Stamp, seconded by Mr. Perry, the minutes of the October 4, 2005 meeting were approved subject to addressing a minor correction by staff.
3. **ITEMS FOR ACTION:**
 - A. **RI PUBLIC DRINKING WATER PROTECTION PROGRAM - PHASE III:**
 - (1) **CITY OF WOONSOCKET PUBLIC WORKS (WWD) – WATER QUALITY IMPROVEMENT PROJECTS – Vulnerability Assessment Plan; Watershed/Water Supply Security Fencing - Request for Eligibility Approval**

Mr. Griffith introduced the item. Ms. Carol Larivierre, Superintendent of Woonsocket Public Works was introduced. She reported that Vulnerability Assessment Plan is confidential so she did not bring a copy but offered a copy of the invoice. She stated that it has been completed and paid for. Mr. Riverso stated that at this time we are only approving eligibility. Mr. Griffith asked if the fencing was an outcome of the plan results. Ms. Larivierre stated that it was along with a recent sanitary survey conducted by the RIDOH and recommendations by their Watershed Inspector. Ms. Larivierre provided maps. Ms. Scott asked if Woonsocket has had any projects approved for payment or eligibility. Mr. Riverso reported that Woonsocket has come in for eligibility approvals on a few land projects totaling over \$600,000.00. Mr. Stamp stated that we have approved security fencing projects in the past. Ms. Scott asked if we can rightly approve water quality improvement projects prior to the system meeting the minimum watershed protection projects. Mr. Mariscal pointed out that the program status schedule shows that the WWD has had land projects approved for eligibility. Ms. Larivierre reported that a Purchase and Sales agreement has been signed in the amount of \$420,000.00 for one project with work being done on a survey and sight assessment plan. She added that a draft purchase and sales agreement has been prepared for another project. Discussion ensued on appropriateness of approving eligibility of projects prior to expending funds on the minimum 55% requirement for land acquisitions. Mr. Griffith stated that conditions would always remain as to the program requirements and that eligibility approvals pose no conflict towards the additional projects. Staff reported that the full Board voted to extend the program to June 30th 2006. Mr. Griffith stated that both projects meet the threshold for eligibility. WWD proceeded to show maps of the fencing project areas. A motion to approve eligibility was called by Mr. Perry and seconded by Mr. Stamp; the committee approved the motion unanimously.

(2) CITY OF PAWTUCKET - LAND ACQUISITION PROJECT - TOWN OF CUMBERLAND PLAT 57, LOTS 2 AND 22 - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for a Land Acquisition that is within the Diamond Hill Reservoir watershed located in the Town of Cumberland. He described the property as having approximately 44 acres +/- with a highest and best use for single-family homes. He stated that an appraisal has been completed for a value of \$2,000,000.00 and that a negotiated purchase price was set at \$1,200,000.00. He reported that at this time we are only considering eligibility approval but PWSB will be contributing \$400,000.00 to the project. He stated that the PWSB voted to approve \$400,000.00 to acquire the Pratt Property and that it is being accomplished in partnership with the Town of Cumberland and other conservancy groups. He reported that PWSB maintains that this property was slated for development and preserving this property is in keeping with their watershed protection plans as outlined in their Water Supply Systems Management Plans. He stated that Lisa Primiano, our program appraisal supervisor has reviewed and approved the appraisal price. He reported that staff recommends eligibility approval. Mr. Griffith asked if the acquisition was for fee simple or a conservation easement. Mr. Riverso stated that yes the Town of Cumberland will hold fee simple title. Mr. Mariscal asked for clarification regarding the open space and recreation use. Ms. Marchand stated that the only recreation would be a foot path. Mr. Mariscal asked the committee if this type of use would be problematic. Mr. Griffith stated that passive use is not problematic and that active use with restrictions has been allowed in the past. Mr. Stamp asked what

constitutes passive use. Mr. Griffith stated that hiking is one use and that standards are based on definitions from the local community or RIDEM. Mr. Griffith asked if the property borders any waters. Ms. Marchand stated that it doesn't abut the reservoir. She described the water flow direction. Ms. Primiano described the appraisal review and suggested that an addendum be prepared clarifying the six lots not being sold. Discussion ensued regarding the property description and location. Mr. Mariscal asked who would hold title to the property. Ms. Marchand stated that the Town of Cumberland would hold the title with provisions that the property would revert back to the City of Pawtucket should the Town decide for any reason they no longer have interest in the property. A motion to approve eligibility was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

(3) CITY OF PAWTUCKET - LAND ACQUISITION PROJECT IN THE ABBOTT RUN WATERSHED; TOWN OF CUMBERLAND PLAT 23, LOTS 6 & 67 ACREAGE 3.2 +/- ACRES, - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for a Land Acquisition within the PWSB's Abbotts Run Watershed located in the Town of Cumberland. He reported the name of the property as the Howard Road Property and that it is located along the Abbott Run Stream, which is a PWSB water supply source. He described the property having 3.2 acres with a highest and best use for Open Space. He stated that PWSB has purchased this property to provide water supply protection and access for maintenance and maintains that protection of this property is in keeping with their watershed protection plans. He reported that staff recommends eligibility approval. A motion to approve eligibility was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

(4) CITY OF PAWTUCKET - LAND ACQUISITION PROJECT IN THE DIAMOND HILL RESERVOIR WATERSHED; TOWN OF CUMBERLAND MAP 37, LOT 827 AND MAP 40, LOT 16; ACREAGE 23.5 +/- ACRES, - Request for Eligibility Approval –

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for a Land Acquisition within the Diamond Hill Reservoir watershed located in the Town of Cumberland. He reported the name of the property as the Nate Whipple Highway property made up of 23.5 +/- acres with a highest and best use for single user for private use and for open space and/or conservation land open space. He stated that PWSB in partnership with the Cumberland Land Trust, RIDEM Open Space Grant Award Program and other conservancy entities contributed \$10,000.00 towards the purchase of this property and that PWSB retains an option to purchase the property. Staff recommended eligibility approval. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Scott; the committee approved the motion unanimously.

(5) CITY OF PAWTUCKET – WATER QUALITY IMPROVEMENT PROJECT – Engineering and Construction Services for a Replacement Well - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for Engineering and Construction Services for replacement of PWSB's Well #2. He stated that PWSB has engaged Weston & Sampson Engineers to provide the engineering services and reviewed the scope of services. He reported that PWSB maintains that these services should be completed by the end of 2005 at a contracted cost of \$47,000.00 and that the installation phase is scheduled to be completed in the spring of 2006 at an estimated cost of \$300,000.00. He reported that staff recommended eligibility approval. Ms. Scott asked if the Weston & Sampson would be doing the installation. Ms. Marchand reported that the installation services would be going out for bidding. by the end of the year. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Scott; the committee approved the motion unanimously.

**(6) CITY OF PAWTUCKET – WATER QUALITY IMPROVEMENT PROJECT –
Installation of Water Distribution System Security HACH Monitoring Panels -
Request for Eligibility Approval**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for installing HACH Water Distribution System Monitoring panels. He stated that PWSB maintains that these panels would provide 24/7 surveillance of the distribution system which would have a significant impact on the PWSB ability to control water quality in the distribution system. He reported that staff considered this project type to be eligible as part of item #'s 4, 5 and 3 on the approved program project list and recommended eligibility approval. Mr. Stamp asked how far we go on approving these project types which will open up opportunities for other systems to come before us with the same type of projects. Mr. Griffith related that where we draw the line and who empowers us to draw that line in the first place is not clear at this time when you consider that 9/11 opened up a whole new world in the arena of public security and security of public utilities. Also we are still debating on a national level whether federal monies for these kinds of projects should be distributed on a per capita basis or on a vulnerability basis and I do not think that question will be answered any time soon. Ms. Scott reviewed the project type's eligibility as presented stating that this project is more or less a monitoring system and asked for clarification. Ms. Marchand explained that one of the panels will be installed at the tank monitoring the chlorine which will be tied in to the SCADA system which is tied to the treatment facility thus controlling the amount of chlorine put into the system. She stated that security is one reason for this project but the main reason is for water quality monitoring. A detailed explanation ensued. Mr. Stamp stated that certainly this is creating awareness on our part on how far we go and on an individual standpoint it is tough to figure out that line and this is something that the Board or this committee should discuss and try and figure out how far we go. Mr. Mariscal stated that he is reviewing all processes of the agency and is considering do they still make sense. He related that these projects on today's agenda were given a lot of discussion and on this particular project, which was pinpointed under security; he believed it could have been broadened to qualify under other categories. But the basic question of how far do we go and how to shape the list will be reconsidered at some point as he plans to propose to the Board a discussion on the matter before we begin the next phase. Discussion ensued. Mr. Perry stated that this is a new step of technology and because it is new it doesn't fit nicely in one of the categories on the list but still touches many of them. He added that he found this technology

intriguing and believes that this is the kind of thing that everyone tries to do, it is a matter of scale. Further discussion ensued. Ms. Scott stated that this is a great idea and should be done but the question is should the water resources board be paying for this because it is expensive when considering all systems. Mr. Griffith agreed that the value of such a system is evident, secondly regarding concern about precedent, we are operating under a current set of rules and placed in a difficult situation when we are faced with a request for a new project type or new technology that appears to conform to the existing set of rules, I would differ in terms of scale for the system of Pawtucket. He asked for an up or down vote on eligibility and take the discussion to the Board so to inform the Board on what this is and where this will take us into the future. A motion to approve eligibility was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

(7) BRISTOL COUNTY WATER AUTHORITY - LAND ACQUISITION PROJECT IN THE KICKEMUIT RESERVOIR WATERSHED; - Request for Eligibility Acceptance

Mr. Griffith introduced the item. Mr. Riverso reported the project under consideration is for a Land Acquisition that is within the watershed of the Kickemuit Reservoir, which is also a BCWA water supply source. He stated the project is made up of .82 +/- acres with a highest and best use for residential use and an appraisal has been completed placing a value of \$160,000.00 on the property. He added that the BCWA Board has authorized the purchase of this property through the condemnation process and at this time, the BCWA is in negotiations towards purchasing this property. He recommended eligibility acceptance for this project. Mr. Delise provided a clearer map of the project and proceeded to describe the project and its location. Discussion ensued regarding timing consideration and factors that may occur because of an eminent domain purchase. A motion to approve eligibility was called by Ms. Scott and seconded by Mr. Perry; the committee approved the motion unanimously.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

(1) CITY OF PAWTUCKET WATER SUPPLY BOARD (PWSB) – WSSMP 5-YEAR UPDATE - Request for Extension Approval

Mr. Griffith introduced the item. Ms. O’Keefe reported the PWSB WSSMP five-year update due date is May 7, 2006. She stated the PWSB has submitted an extension request to the end of 2007 when the majority of facility and operational changes would be in place. Ms. O’Keefe reported that by statute the Board may give extensions up to one year. She recommended the due date be extended for one year with a revised due date of May 7, 2007. A motion to approve the recommendation was called by Mr. Perry and seconded by Mr. Stamp; the committee approved the motion unanimously.

(2) NORTH TIVERTON FIRE DISTRICT (NTFD) – 30 MONTH INTERIM REPORT - Request for First Notice of Deficiency Approval

Mr. Griffith introduced the item. Ms. O’Keefe reported staff and agency review has been completed on the NTFD 30-month interim report which was submitted June 9, 2005. She stated failed to respond to the “subject to items” identified in the October 9, 2002 Board plan approval letter. She recommended a First Notice of Deficiency letter be forwarded to the NTFD requesting an amendment to the report and that it be filed within 120 days. A motion to approve the recommendation was called by Mr. Stamp and seconded by Ms. Scott; the committee approved the motion unanimously.

(3) SMITHFIELD WATER SUPPLY BOARD (SWSB) – 30 MONTH INTERIM REPORT - Request for First Notice of Deficiency Approval –

Mr. Griffith introduced the item. Ms. O’Keefe reported the SWSB has submitted an extensive 30-month interim report which has been reviewed by agency and staff. SWSB failed to respond to the “subject to items” identified in the September 10, 2002 Board plan approval letter. She recommended a First Notice of Deficiency letter be forwarded to the SWSB requesting an amendment to the report to be filed within 120 days. Mr. Suzman, Water Commissioner of the SWSB, apologized for the oversight and stated that the responses would be forthcoming probably sooner than the 120 days allowed. A motion to approve the recommendation was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

4) ITEMS FOR DISCUSSION:

A. WATER ALLOCATION PROGRAM – Update

Ms. O’Keefe reported staff has continued to work on the framework for the proposed water management system.

B. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update

Ms. O’Keefe reported that rainfall for October was 15.3 inches, the wettest October on record. She reviewed various local rainfalls and reported the Scituate Reservoir level has increased from the reported 70.7% capacity level in October to 90.1% of capacity, an increase of almost 20%.

C. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM - Update

Ms. O’Keefe reported continuing contacts with water suppliers on various matters. Several water suppliers are have stated their intent to submit extension requests for submittal of the Five-Year Plan Update.

1). Harrisville Fire District (HFD) Relationship with Pascoag Utility District (PUD) Regarding Future Water Supply Expansion and Needs – Update

Ms. O’Keefe reported no further progress on negotiations between Pascoag and Harrisville, nor with regionalization efforts. She noted monthly meetings of the respective Boards occurred last week.

D. RI PUBLIC DRINKING WATER PROTECTION PROG. PHASE III – Update

Mr. Riverso reported that three suppliers have completed the program. He added that he hopes to make another major dent on next months agenda as more requests continue to come in. He added that check presentation events have been scheduled for North Kingstown and Westerly.

E. GROUNDWATER PROTECTION/ACQUISITION PROGRAM – Update

Mr. Riverso reported that an appraisal has been engaged for the Charleston wellsite and that he would be taking the general manager out to see the wellsites and their locations.

ADJOURNMENT: On a motion by Mr. Stamp and seconded by Mr. Perry, Chairman Griffith adjourned the meeting at 1:31 p.m.

Respectfully submitted,

Robert Griffith
Chairman

Note: The complete proceedings of this meeting are available on audiotape by request.

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