



State of Rhode Island and Providence Plantations
Water Resources Board Corporate
100 North Main Street, 5th Floor
Providence, RI 02903
(401) 222-2217 ♦ FAX: (401) 222-4707

PUBLIC DRINKING WATER PROTECTION COMMITTEE

MINUTES OF MEETING

December 6, 2005

Members Present:

Robert Griffith
Frank Perry
William Stamp
Elizabeth Scott
June Swallow

Members Absent:

Staff Present:

Juan Mariscal
Kathleen Crawley
Beverly O'Keefe
William Riverso

Guests:

Lucien Masson

- 1. CALL TO ORDER:** Chairman Griffith called the meeting to order at 12:00 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 November 1, 2005 meeting were approved subject to addressing a minor correction by staff.

At this time Ms. Swallow asked the committee to entertain an additional item to the agenda having to do with the next round of WSSMP updates and updating the water quality section in those plans consistent with the methodology used by the RI DOH as of 2003. A motion to approve the additional item to the agenda called by Ms. Swallow and seconded by Mr. Perry; was approved unanimously. Mr. Griffith placed the item on the agenda as Item 4 D.

3. ITEMS FOR ACTION:

A. SUPPLEMENTAL WATER SUPPLY STUDY PHASE II:

(1) Maguire Group Invoice #16 for \$31,091.31 - Request for Approval

Mr. Griffith introduced and reviewed the item. Mr. Mariscal reported that work progress is on track and moving ahead based on recent meetings with Maguire Group and this is a routine invoice. He recommended approval. A motion to approve was made by Mr. Perry and seconded by Mr. Stamp; the committee approved the motion unanimously.

B. GROUNDWATER PROTECTION/ACQUISITION PROGRAM:

(1) CONCEPTUAL APPROVAL OF SITE DEVELOPMENT RIGHTS ACQUISITIONS – Request for Approval

Mr. Griffith introduced the item. Mr. Riverso reported that an agent of the property owner for well sites SNW 1082 and SNW 1085 had contacted Mr. Henry Myer of Kingston Water District and Ms. Lisa Primiano regarding potential sale of the property, who in turn notified staff. He stated that a meeting was held with Mr. Myer and Ms. Primiano to discuss the viability of a transaction of which resulted in a conclusion that a prospect for a deal was feasible and should be followed up on to prepare for the appraisal and negotiation process. Mr. Riverso reported on the property history and location and noted their proximity to the Kingston Water District water lines and that these wellsites would provide additional back-up to their water supply system. He recommended approval to appraise, survey, title search and negotiate the potential simple fee/development rights/conservation easement acquisition for the well sites referenced as SNW 1082 and SNW 1085 and authority to go forward to the State Properties Committee for authorization to proceed with negotiations. He related to the committee that this approval does not obligate the Board to purchase these properties and that the Board and State Properties Committee will approve the projects and expenditures once finalized. Mr. Griffith reviewed the recommendation and action for the committee and related that State Properties Committee will meet on December 20. Mr. Stamp asked for clarification on who conducts the negotiations. Mr. Griffith related that in general final assistance would come from our program legal counsel Mary Kay, Esq. of RIDEM who would present results to the Board and State Properties Committee. Ms. Scott stated that it is commonly known that existing pumping on the Chipuxet is significant with respect to availability, so that the idea of an additional wellfield is not realistic but certainly one of replacement is realistic. Mr. Mariscal stated that based on conversations with Mr. Myer the concept of replacement was raised as a reason to pursue as opposed to back-up. Mr. Griffith stated that staff should take this understanding under advisement as they proceed with their due diligence. Ms. Crawley stated that these wells are part of the recent on-going groundwater modeling where we are looking at all of the Board wells and current pumping in those scenarios. She added that we will have numbers at various given pumping rates to be able to do further evaluations. Ms. Swallow asked if pesticide testing was done. Mr. Riverso stated that he recalls pesticide testing at one of these sites but

would have to check on which one it was and would follow up with Ms. Swallow with the results. He added that in general all the sites tested showed good quality water. A motion to request conceptual approval was called by Ms. Swallow and seconded by Mr. Stamp; the committee approved the motion unanimously.

C. RI PUBLIC DRINKING WATER PROTECTION PROGRAM - PHASE III:

(1) TOWN OF SOUTH KINGSTOWN – WATER SUPPLY PROTECTION PROJECT – Preparation of Water Supply Systems Management Plans - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for preparation of their Water Supply System Management Plan 30-Month Update Report. He stated that eligibility of this project type is set forth in the Rules and Procedures of the Water Quality Protection Charges and this item is classified under the 55% land acquisition segment of funds. He reported that SK intends to use the minimum allocation requirement towards this project. He recommended approval. Mr. Griffith stated that SK understands that their request is limited to 40% of total costs. Discussion ensued regarding classifying this item under the 55% allocation. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

(2) TOWN OF SOUTH KINGSTOWN – WATER QUALITY IMPROVEMENT PROJECT – Water Tank Refurbishment - Request for Eligibility Approval –

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for the refurbishment and painting of the interior and exterior of their South Shore water system water tanks located on Victoria Lane and Mautucket Road in South Kingstown. He stated that SK maintains that a water tank inspection revealed internal paint system blistering in the interior tank on Mautucket Road and that this event had triggered a needed restoration. Mr. Riverso reported that similar projects were approved in the past but that eligibility approvals were relegated to the interior of the tanks. He recommend approval for eligibility for costs associated with the interior refurbishment or painting of the tanks. Mr. Griffith asked for a motion recognizing there are previous concerns and precedent for the interior of the tanks only. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

(3) TOWN OF WESTERLY – WATER QUALITY IMPROVEMENT PROJECT – Elimination of Dead End Water Mains - Request for Eligibility Approval –

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for the elimination of dead end water mains along Wall Street in the Westerly, RI distribution system. He stated that Westerly maintains that eliminating dead ends prevents flow reversal and discolorization of potable water for residents thus

enhancing water quality. He reported further that customers near the dead ends are constantly plagued with stagnant water which has a potential to lead to further quality concerns. He reported that this project type has been approved in the past and is listed as on the Board Corporate approved program project list. He recommended approval. Mr. Perry asked if the project was complete. Mr. Rivero stated yes. Discussion ensued regarding approving projects after they have been completed and when will the Board take up review of the program. Mr. Perry stated that Westerly has brought forward for approval on the same basis as they have on three previous projects. Mr. Griffith stated that these after the fact projects, contracting and reimbursing are not normally acceptable and this is an area we need to tighten up on and revisit our policy. Mr. Mariscal agreed and suggested we could start the discussion of changes to the criteria for the next phase at the next meeting. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion. Mr. Stamp voted no.

D. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

(1) TOWN OF JAMESTOWN WATER DEPARTMENT – WSSMP 5-YEAR UPDATE - Request for Extension Approval

Mr. Griffith introduced the item. Ms. O’Keefe reported the 5-Year Update was due on November 14, 2005. The Town of Jamestown has submitted a request for a one year extension based on tumultuous challenges during the past year. She recommended approval. A motion to approve eligibility was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

E. WATER ALLOCATION PROGRAM:

(1) JAMESTOWN WATER USE AND AVAILABILITY STUDY – Request for Acceptance

Mr. Griffith introduced the item. Ms. Crawley reported that a draft report was forwarded to the Department of Health and Environmental Management for review. She stated that DEM reviewed the study and had no comments but noted the high percentage of inflow and infiltration in the sewer system. She stated that similar to the Block Island study, the report identifies estimated quantities of water with the caveat that they are islands with a freshwater lens that floats on salt water. She added that Ms. Veeger could not make this meeting but would give a full presentation at the Board meeting. She stated that this is one of the basin studies and that six of nine studies have now been completed. Ms. Swallow asked if the report addresses the area of dense development that has private wells and septic systems that is of concern to the Department of Health. Ms. Crawley reported that the study includes the information generally, in terms of quantity of self supply withdrawals. Mr. Mariscal asked if the issues of concern have been outlined by RIDEM and RIDOH. Ms. Swallow related that local representatives have called a meeting with the state agencies to discuss the area of dense development known as Jamestown Shores. Apparently the groundwater is contaminated, private wells are

impacted and there is a need for public water supply to be extended but there is no water to extend. Ms. Scott stated that Jamestown should take a closer look at this area in their in their updated five year WSSMP adding that Jamestown water supply is a crisis waiting to happen. Mr. Griffith asked staff to consult with Ms. Swallow and Ms. Scott regarding language to be added to the one-year extension request letter to Jamestown to specifically indicate their response to that issue of water availability and demands for existing and future use. Ms. Crawley stated that the study does raise serious concerns about Jamestown's ability to handle additional supplies. Mr. Perry stated that the study generalizes the overall amounts available so that those houses [Jamestown Shores] are already considered in her evaluation. Mr. Perry suggested that the report clarify whether the concerns are related to extending supply to existing self supplied homes or adding new supply to new homes, noting that these points may be beyond the scope of the study and we should be careful. Ms. Crawley added that in addition to the public supply capacity issue, the study raises serious concerns about where additional supply could or should happen. Mr. Perry added that unless you are aware of the issues like they are, you don't think in terms of what happens if we take these houses off their private wells and put them on public supply. Ms. Scott stated that we should be asking for an alternative supply analysis from the town as part of their next phase of water supply planning. Ms. Crawley stated that she would follow up with Ms. Veeger to address the issues raised by the committee in the report and her presentation to the Board. Ms. Crawley also informed the committee that there was a limitation on gathering historical data for the report. On a motion by Mr. Perry seconded by Ms. Swallow, the Committee voted to forward the report for Board acceptance, subject to satisfactorily addressing questions raised by the committee.

4)ITEMS FOR DISCUSSION:

A. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update

Ms. O'Keefe reported wet seasonal conditions have continued. She stated the USGS Water Conditions Statement reported October 2005 as the wettest month on record. She added recent snowfall events have added to the overall precipitation level. The National Weather Service Precipitation forecast predicts continued precipitation through December. The Scituate Reservoir water level has risen to 100% capacity. Ms. Swallow asked for clarification on the 2005 annual precipitation levels. Ms. O'Keefe stated the increase in precipitation in September has recaptured the precipitation loss experienced over the summer months. Ms. O'Keefe reported that Rhode Island set 16 high new well levels for October and November. A brief discussion ensued regarding revisiting the drought management system triggers and definitions when the Drought Steering Committee meets in March 2006.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM - Update

Ms. O'Keefe reported the Town of Jamestown and RI Quonset Development Corporation 5-Year Updates were due November 2005. She reported seven suppliers will be

submitting their 5-Year Updates in 2006. Ms. Scott asked for the status on getting the water suppliers to report their water use and demand data on an annual basis. Mr. Mariscal stated this matter will be addressed soon. He stated his plans to set up a meeting with water suppliers to discuss the format of submission among other issues.

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 regionalization negotiations between Pascoag and Harrisville during this last month. Mr. Griffith asked Ms. Swallow her opinion on the updated Safe Drinking Water Act requirements. He wondered if these new requirements would increase regionalization, and perhaps encourage small systems like HFD and PUD to regionalize their water systems. Ms. Swallow did not believe the new requirements would increase regionalization. Mr. Mariscal stated there is increased discussion across the state on the need for regionalization. He noted these discussions will continue and include discussions on Board responsibilities. Discussion ensued on regionalization examples which include legislative and voluntary consolidation through incentives programs

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

Mr. Rivero reported that three suppliers have completed the program, 50% of funds have been reimbursed and that an additional 43% of funds have been committed. He stated that check presentation events took place in Westerly, North Kingstown and Stone Bridge where we were well received. He added that he expects a busy agenda for January and February.

D. WSSMP Five-Year Revisions – Water Quality Protection Component (WQPC) Update [Safe Drinking Water Act (SDWA) and Source Water Assessment Plan (SWAP)]- Update

(This item was taken up before item C)

Ms. Swallow reviewed related history of the plans as it pertains to the water quality protection component of the plans. She stated that RIDOH worked with the Board and changed the water quality protection component of the regulations to read exactly like the SWAP requirement from the SDWA because the SWA’s are a one shot deal so we wanted there to be a revision of the SWA’s for the systems going into the future. She related that the SWA were completed and delivered to the water systems by 2003. Ms. Swallow suggests that when the suppliers do their 5-year updates including their water quality component updates that they revisit and update their SWAP’s. She added that they have been provided with discs and instructions on how to do the updates. She added that she would have her staff inform Board staff on the SWAP development. She stated that we should start relating our expectations to the water suppliers. Ms. Scott asked if it included groundwater protection. Ms. Swallow said yes. A brief discussion ensued. Ms. O’Keefe stated that she was aware of the matter and would be happy to meet with

RIDOH staff to discuss the issues. Mr. Griffith asked if this would require revision of regulations. Ms. Swallow did not believe so and added that her concern is that the water suppliers would submit WQPC's which are much inferior to SWAP plus the wellhead which was done the last time if it is not pointed out. Mr. Griffith stated that staff's should get together and discuss what should be done and how best to accomplish it.

ADJOURNMENT: On a motion by Mr. Stamp and seconded by Ms. Scott, Chairman Griffith adjourned the meeting at 1:27 p.m.

Respectfully submitted,

Robert Griffith
Chairman

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

Z:\Board\COMMITTEES\public drinking water\minutes\2005\Dec 6, 2005.doc