



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

MINUTES OF MEETING

March 7, 2006

Members Present:

Robert Griffith
Frank Perry
June Swallow
William Stamp
Elizabeth Scott

Members Absent:

Staff Present:

Juan Mariscal
Kathleen Crawley
Beverly O'Keefe
William Riverso

Guests:

Frank Raposa
Sue Licardi
Tom Nicholson
Brenden Ennes
Jim Suzman
Tom Wright
Chris Duhomel

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. Perry, seconded by Ms. Swallow, the minutes of the February 7, 2006 meeting were approved.

3. ITEMS FOR ACTION:

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

- (1) **TOWN OF WESTERLY – WATER QUALITY IMPROVEMENT PROJECT – MIOX Study – Requisition #7 for Eligibility and Payment Approval - Requested Amount \$4,053.03; Recommended Payment \$4,053.03 –**

Mr. Griffith introduced the item. Mr. Riverso reported this project had been previously approved by the Board for eligibility back in January 2005 with funding approved up to \$60,150.00, the cost of the pilot phase of the study. He stated in July of 2005, the Board approved a \$56,096.97 payment for this project. A copy of the study is

on file. He reported at this time WWD seeks the balance for reimbursement in the amount of \$4,053.03 for expenses incurred as part of the project to address and incorporate comments received from RIDOH. An amended report has been forwarded to the Board. He recommended approval by the committee and noted that a member of the committee suggested at the time of approval for the balance of payment a presentation be made regarding the results of the study. Mr. Rivero announced that Mr. Thomas Nicholson P. E., of C & E Engineering Consultants would address the committee. Mr. Griffith asked for a motion on the item before proceeding with the presentation. A motion to approve eligibility was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously. Mr. Griffith recognized Mr. Nicholson. Mr. Nicholson introduced himself along with Tom Wright and Chris Duhomel from the Town of Westerly. He proceeded with the presentation highlighting the description, results recommendations and status of the study being on their way to approval. Ms. Swallow confirmed that they are on their way to approval with additional data to be provided. Mr. Griffith recommended that the results of the study be made available for all interested communities.

(2) TOWN OF WESTERLY – WATER SUPPLY PROTECTION PROJECT – Preparation of Water Supply Systems Management Plans – Requisition #8 for Eligibility and Payment Approval – Requested Amount \$463.70; Recommended Payment \$464.69 –

Mr. Griffith introduced the item. Mr. Rivero reported the project under consideration is for preparation of WWD's Water Supply System Management Plan 30-Month Update Report, which was approved by the Board on June 14, 2005. He stated eligibility of this project type is set forth in the program rules and procedures which include a 40% limitation of funding towards the total preparation costs. He reported the total cost for the plan was \$4,400.00 of which WWD is requesting \$463.70 towards this project. Mr. Rivero recommended approval in the amount of \$464.69, which is WWD's remaining account balance and within the 40% R&P program limitation. He noted the correction in the amount was made on the corrected agenda. A motion to approve eligibility was called by Mr. Perry and seconded by Mr. Stamp; the committee approved the motion unanimously.

(3) TOWN OF NORTH KINGSTOWN (NK) – WATER QUALITY IMPROVEMENT PROJECT – Chemical Feed Pumps for Low Service Area Disinfection Pilot Study - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Rivero reported the project under consideration is for the purchase and installation of chemical feed pumps. He stated that NK maintains that due to past fecal coliform bacteria contamination events a Disinfection Pilot Study was initiated, which recommended implementing some form of distribution system disinfectant residual. He reported NK initiated disinfection in July of 2005 by developing and constructing their treatment system to maintain chlorine residual throughout their low service area of their distribution system. This disinfection process included the installation of the chemical feed pumps of which NK maintains adding this process was the most

effective way of resolving the bacteria contamination problem. He reported this project is listed in context as #5 on the program project list for approved type projects and recommended approval. Mr. Perry asked if this project was completed. Mr. Riverso reported it was. A motion to approve eligibility was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

(4) STONE BRIDGE FIRE DISTRICT – WATER SUPPLY PROTECTION PROJECT – Preparation of Water Supply Systems Management Plan Reports – Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported the project under consideration is for preparation of their Water Supply System Management Plan 30-Month Update Report of which eligibility is set forth in the program rules and procedures but limited to 40% of total costs. He stated that SBFD understands the limitation and recommended approval. A motion to approve eligibility was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

(5) STONE BRIDGE FIRE DISTRICT – WATER QUALITY IMPROVEMENT PROJECT – Engineering and Installation of Treatment Plant Storm Water Drainage - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported this project consisted of the installation of approximately 600' of drainage pipe, seven catch basins, a rip rap out flow area and a 10,000 gallon vortex storm water treatment basin. He stated that SBFD maintains this project was under taken in an effort to lessen the impact that impermeable surfaces at the treatment plant will have on Stafford Pond. The site plan drawings show the steep gradient of the access road to the treatment plant and pond. He reported that although listed in context in #1 of the program approved project list, this project type specifically is not listed, thus reverting to #15 on the list for special project consideration. He recommended approval. Ms. Scott asked if this project was in place. Mr. Frank Raposa of SBFD reported it was. A motion to approve eligibility was called by Ms. Scott and seconded by Ms. Swallow; the committee approved the motion unanimously.

(6) STONE BRIDGE FIRE DISTRICT – WATER QUALITY IMPROVEMENT PROJECT – Soil Erosion Prevention to a Water Supply Source - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported the project under consideration is for engineering and Department of Environmental Management application fees associated with a soil erosion prevention project which consisted of using crushed stone and rip rap rock on a section of Stafford Pond's shore line between the Pond and a connecting dirt roadway. He stated SBFD maintains this project was necessary to prevent soil runoff during rain storms and that a permit from RIDEM was required to complete the project. He reported the project type is listed in context in #1 of the program approved project list and recommended approval. Ms. Scott asked if the project was done. Mr. Raposa said yes and briefly described the project emphasizing that the RIDEM permit was required for the

project. Ms. Swallow asked if we have paid permit fees before in the program. Mr. Riverso stated that he could not recall paying for this type of fee. Ms. Scott asked how much the fee was. Mr. Raposa stated that he believes it was approximately \$1000.00. Mr. Griffith asked staff to investigate what the precedent is here and asked for a motion to approve subject to verification of including permit fees in the past. A motion to approve eligibility was called by Ms. Swallow and seconded by Ms. Scott; the committee approved the motion unanimously.

(7) STONE BRIDGE FIRE DISTRICT – WATER QUALITY IMPROVEMENT PROJECT – Monitoring of Water Quality of a Raw Water Supply Source - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported the project under consideration is for a specific type of monitoring program used to monitor the quality of water in Stafford Pond, which is SBFD's sole raw water source supply. He stated the monitoring program is conducted by the University of Rhode Island's Cooperative Extension Watershed Watch Program and consists of monitoring Stafford Pond on a weekly basis for secci dish measurements, dissolved oxygen levels, bacteria levels, algae types and numbers, pH levels, and temperature. He reported that SBFD maintains this program and has been an important asset in assuring safe, aesthetically pleasing drinking water to SBFD customers and that once all data is collected for the year, the data is studied and compiled into a yearly report showing water quality trends and trophic state of the pond which has been a useful tool in determining ways to best protect the Stafford Pond watershed. He reported that a copy of the most recent report is on file. He added that this project type specifically is not listed on the approved project list, thus reverting to #15 on the list for special project consideration and recommended approval. Mr. Perry moved approval, Mr. Stamp seconded. Mr. Griffith asked for discussion on the item. Ms. Scott stated that she supports the Watershed Watch Program monitoring in most of the lakes of the state where that is the only source of data available but does not believe this project is an appropriate use of bond revenue funding to cover what is really an operating expense and recommends non approval. Ms. Swallow agreed that it is not an appropriate expenditure. Mr. Griffith stated that this appears to be an annual expenditure which would make it inappropriate. Mr. Perry stated that he agreed with the comments made and that his motion was made to initiate discussion. The motion to approve eligibility was not carried unanimously.

(8) STONE BRIDGE FIRE DISTRICT – WATER QUALITY IMPROVEMENT PROJECT – Raising, Cleaning and Inspection of Raw Water Intakes - Request for Eligibility Approval

Mr. Griffith introduced the item. Mr. Riverso reported the project under consideration is for the raising, cleaning, silt removal and certified inspection of SBFD's raw water intakes. He stated that in SBFD request letter they state that this action was recommended after an inspection found that their southern intake had sunk into the silt bottom of the pond, which initiated hiring a commercial diving service to raise and support the intake and remove the silt deposits that had accumulated. He reported that SBFD stated that this solution was the most effective way of resolving the problem and while this project type specifically is not

listed on the approved project list, thus reverting to #15 on the list for special project consideration it warrants special consideration and he recommended approval. A motion to approve eligibility was called by Ms. Scott and seconded by Mr. Perry; Mr. Griffith asked for discussion on the item. Mr. Perry noted that the project problem was identified in the Spring of 2002 which is close to the program's beginning of eligibility time period and asked when the work was actually started. Mr. Riverso replied that invoices submitted showed 2005 dates. Mr. Perry stated that when it was paid was not in question but when the work was performed should be checked and that he was concerned regarding timing of the project. He added that we may have to check with Bond Counsel. Mr. Raposa stated that he can get that information to the committee. Mr. Stamp asked what the cost of the project was. Mr. Riverso stated approximately \$10,500.00. Mr. Griffith raised the question whether the cleaning may fall under routine maintenance. Mr. Raposa stated that any routine cleaning would fall under maintenance but this particular time they had to raise the intakes. Mr. Griffith accepted the notion of raising the intakes was not routine maintenance and subsequent inspections and cleaning is and that this request differentiates between one time fixing of the one time problem as opposed to maintaining on a routine basis. He stated that Mr. Perry's concern was valid and suggested to table the item until we can determine the specific timing of the letting of the contract to make sure the work was done within the time frame eligible or take it up with bond counsel to consider eligibility. He requested a motion to table. A motion to table was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously. Mr. Griffith asked staff to come back with a report or a revised recommendation. Mr. Perry stated that there is an importance in getting projects approved for eligibility before they are done and would stress this matter for future phases. Mr. Stamp agreed. Mr. Griffith stated that he agreed and this matter has been discussed before and that we will do more to discourage this in the future. A motion to table was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

(1) STONE BRIDGE FIRE DISTRICT (SFD) – 30-MONTH INTERIM REPORT - Request for Approval

Mr. Griffith introduced the item. Ms. O'Keefe reported the Board approved the SFD WSSMP subject to two items on January 14, 2003. A One-Year Notice letter was mailed to SFD on July 27, 2004 noting the need to include a "Drought Management" section as a new requirement and amendment to the Plan. SFD submitted the Thirty-Month Interim Report on September 21, 2005. She reported staff and agency review has been completed with findings. She stated a Drought Management section was not addressed in the Report but the Emergency Management Section does include a small section on drought in the plan. She stated the "Subject To Item #1" was addressed adequately. She stated "Subject to Item #2" regarding submittal of Tiverton Planning Board Comprehensive Community Plan Letter of Consistency was not included with the Report but was received via fax on March 6, 2006. A formal letter from the Town of Tiverton regarding the matter is forthcoming. Other items were responded to adequately except for submittal of the report

electronically which is a requirement. She recommended approval.

Mr. Frank Raposa, Moderator, Stonebridge Fire District, stated he has been in contact with the Town of Tiverton and should be receiving the Letter of Consistency soon. Ms. Scott stressed the importance of consistency between the WSSMP's and the community comprehensive plans. Mr. Griffith, based on the verbal indications that the letter of consistency is forthcoming, asked for a motion to approve subject to satisfactory finding of consistency with the comprehensive community plan and that staff report back at the next meeting. A motion to approve was called by Mr. Stamp and seconded by Mr. Perry. The committee approved the motion unanimously.

(2) TOWN OF CUMBERLAND (CWD) – WSSMP 5-YEAR UPDATE - Request for Extension Approval

Mr. Griffith introduced the item. Ms. O'Keefe reported the CWD submitted a one-year extension request which was received in this office February 8, 2006 citing the need to complete a Woodard and Curran hydraulic model study as well as portions of the Master Plan. She recommended approval. A motion to approve was called by Mr. Perry and seconded by Mr. Stamp; the committee approved the motion unanimously.

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

Mr. Griffith introduced the item. Ms. O'Keefe reported the Board approved the SWSB Water Supply System Management Plan "subject to" four items on September 10, 2002. She stated an extension request for the 30-Month Interim Report due March 8, 2005 was received, with the Report submitted on June 6, 2005. Staff and agency review noted failure to respond to the four "subject to" items and the Board issued a "Notice of First Deficiency" letter on November 8, 2005 providing an additional 120 day period to respond to and comply with rules and procedures. She reported the SWSB submitted a 30-Month Interim Report Amendment on February 1, 2006 and was distributed for agency review.

Review of the Report reveals adequate responses to the "Subject To" items. The Department of Environmental Management submit an agency review letter requesting explanation for the dramatic increase in the non-account water figure during 2003 and 2004. Ms. O'Keefe noted discussion with SWSB and PARE Engineering, consultant to SWSB, revealed firefighting annual volume increased in 2003 and 2004, accounting for 12% of total non-account water. She recommended approval. She noted Mr. Suzman of SWSB and Mr. Ennis of Pare Engineering were attending today's meeting to provide additional information. The Chairman recognized Mr. Suzman and Mr. Ennis. Mr. Suzman discussed the non-account water issue. Ms. Scott asked for clarification on fire-fighting volume. A brief discussion ensued. Mr. Griffith suggested in the future the committee may want review fire fighting water use and how it is determined. A motion to approve was called by Ms. Scott and seconded by Mr. Perry; the committee approved the motion unanimously.

C. SUPPLEMENTAL WATER SUPPLY STUDY PHASE II:

(1) MAGUIRE GROUP INVOICE #18 – Recommended Payment - Request for Approval

Mr. Griffith introduced the item. Mr. Mariscal requested that no action be taken at this time.

4) ITEMS FOR DISCUSSION:

A. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update

Ms. O’Keefe reported water conditions have remained wet but February precipitation shows a slightly below normal condition. She stated monitoring will continue over the next month or so. She reported groundwater conditions in the northern part of the state were less wet and specifically noted regarding Burrillville Well #395 reported a below normal level for a second month. She stated she spoke with Mr. Campbell of USGS who felt that the data measurement process was at fault and would check with his staff. He stated he would also conduct a site visit to check for any mechanical problems. She reported that the Scituate Reservoir was at 103% capacity.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM - Update

Ms. O’Keefe reported staff continues to work closely with the water suppliers on reporting requirements and that several 5-Year Updates are due this year (Greenville, Harrisville, Jamestown, Narragansett, Newport, Pawtucket, and Quonset Development Corporation). She stated she hopes to avoid receiving extension requests so she is in the process of communicating with water suppliers in advance to identify potential problems and delays. She reported that we are coming to the end of the submittals of the 30-Month reports with six remaining to be submitted.

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

Ms. O’Keefe reported there is no further progress regarding regionalization issues between PUD and HFD.

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

Mr. Riverso reported that six suppliers have completed the program. He stated that 58% of funds have been approved for payment with 95% of funds being committed and or reimbursed. Six additional suppliers have committed 100% of their funds. He proceeded to review certain water suppliers’ statuses.

1). Preparation for Phase IV – Outlining of Criteria, Materials for Review

Mr. Griffith introduced the item. Mr. Mariscal stated that one thought for this discussion is the issue of timing - when do projects get submitted for approval. The suppliers have stated that they have looked at the approved project list believing that if a project is on the list then it was automatically approved. He stated that he could

understand them doing that but also we have the suppliers WSSMP's and Infrastructure Plans which could be used to identify what's going to come before us by the use of those plans. He added that through the submittals of these plans and updated reports the suppliers could be telegraphing projects to be used with program funds. Furthermore, if the 30-month update is not timely enough then an annual update could be used to telegraph projects for use of program funds. Mr. Griffith agreed that this was a good point and spoke about possibly coming up with something similar to the DOH project priority list they use for their SDWA Revolving Loan Funds program. He stated that we still need to tighten up on the project list because while the list is broad in scope there are some specifics about every project that makes it different and in some cases the suppliers' interpretation of how their project fits the list doesn't match our interpretation of how the project fits the list. He added that we simply should not allow after the fact reimbursement whereby it is not done on a routine basis in other parts of government. Mr. Perry stated that suppliers should be submitting basically a wish list of projects for eligibility approval, which could always be added to with priority grading attached. He added that suppliers should be encouraged to think or plan in terms of this is a program by asking themselves what do we have and what do we want to do by planning and choosing in advance so as not to get near the end of the program to come in for eligibility on projects. They should get the eligibility process done way ahead of time even if they don't do the project they came in for. Mr. Stamp spoke about building in incentives for suppliers towards certain projects. Mr. Perry stated that other than land acquisition projects 90% of the projects that come in would have been done anyway. Ms. Swallow agreed that the whole point of this program was to create an incentive to do the work that wouldn't be done. Discussion ensued on bonding and funding aspects noting that at each round the funds would diminish. Mr. Griffith stated that of the diminished pool of money we could draw from we could recapitalize the program by refinancing the bonds and go to Phase IV, which would be smaller than the \$7.2 million for Phase III. The way the program is structured the money becomes available to the suppliers based on a percentage of what they put in and now your talking about a program designed for land acquisition when land values have gone up the pool of money has gone down, parcel sizes are getting less and carrying costs have gone up. He stated we must look at ways to maximize this resource of funds. Mr. Perry stated that at this stage up to this time the funds have been allocated to the water producers in proportion to the amount of water they produced. He suggested that it is important that at least a certain amount of these funds start to be allocated on a statewide level to the Board, for the Board to undertake priority projects. Ms. Scott spoke about raw water protection strategies in critical areas and emphasized refocusing this program towards better source water protection. She added that recent opportunities have been missed by the suppliers due to monies being already spent on other types of projects. Mr. Griffith stated that he like the idea of broaching state level projects but that requires a change in the statutes and the terms of the bond issue. We may need to explore with bond counsel whether it is time to call it a day with the existing program and try to get a new bond issue authorized with terms that do in fact enable us to do regional/state level projects. Mr. Perry believed that because of the existing revenue stream we may not need a new bond issue but just change the conditions or terms of the bond. Discussion ensued noting that because these are Board Corporate funds we do not

need a new bond issue but a change in legislation. Mr. Perry suggested changing the program to a program where all the monies or a percentage go to the Board and the program becomes a grant program similar to the way RIDEM manages the Open Space Program, where the applicants' projects are evaluated based on what is the best project. Recognizing that this may meet with resistance by the individual water suppliers, Mr. Griffith stated that we must develop the details of this idea. Mr. Mariscal stated that in talking with some suppliers he believes they are thinking along the same lines. He added that we have an established funding mechanism that should be focused on going forward and if there are certain restrictions we need to make them flexible. Mr. Stamp suggested the suppliers need to raise their rates which would force consolidation.

D. GROUNDWATER PROTECTION/ACQUISITION PROGRAM – Update

Mr. Riverso reported that certain appraisals will be finalized soon. He stated that Ms. Primiano is contact with the attorney for RIW 336 and that Henry Meir is in communication with the owner regarding the South Kingstown sites. He reported that he is compiling information for the well sites near Shannock Village in order to bring them before the Board and State Properties Committees.

ADJOURNMENT: Chairman Griffith adjourned the meeting at 2:00 p.m.

Respectfully submitted,

Robert Griffith
Chairman

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

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