



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

August 29, 2006

Members Present:

Robert Griffith
Frank Perry
William Stamp
Elizabeth Scott
June Swallow

Staff Present:

Juan Mariscal
William Riverso
Beverly O'Keefe
Romeo Mendes

Guests:

Lisa Bryer
Henry Myer
Evan Matthews

Members Absent:

- 1. CALL TO ORDER:** Chairman Griffith called the meeting to order at 12:02 p.m. and noted that a quorum was present.
- 2. APPROVAL OF MINUTES:** With a motion by Ms. Scott, seconded by Mr. Perry, the minutes of the July 25, 2006 meeting were approved subject to revisions presented by Ms. Scott.

Mr. Griffith proceeded to discuss the United Water Rhode Island item in the minutes noting that the action taken was tabling of the item. He reported to the members that subsequently he was informed by staff that by tabling the item we would be pushing past the review period and would have the effect of not responding, which would then automatically lead to an approval of the report. He stated that he took it upon himself to instruct staff to issue a letter of first deficiency. He added that since there was no Board meeting he did not get a chance to discuss the matter with the Board.

Mr. Griffith asked the committee for a motion to add under items of discussion as Item E Hunt River Issues. A motion to approve placing the item on the agenda was moved by Ms. Swallow and seconded by Ms. Scott, the committee approved the motion unanimously.

3. ITEMS FOR ACTION:

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

- (1) Town of Jamestown (TJ) – Land Acquisition Project – Request for Release of Funds Approval**

Mr. Griffith introduced the item. Mr. Riverso reported that the Board Corporate at their October 11, 2005 meeting approved for payment a Town of Jamestown land acquisition project made up of two parcels subject to final approvals by our program legal counsel. He stated that since then all requirements have been met except for clearance of title of one of the properties whereby an outstanding mortgage is attached to the property. He reported the TJ states that they have since purchased and closed on both properties and that the State Properties Committee approved this transaction. He stated the TJ has included the program water supply restrictive covenants in the Deed of Record and that the title issue should resolve itself over time. He reported the TJ asks for consideration to release the program funds since there are no issues with Plat 5, Lot 419, whereby the program funds can be associated with this parcel, and TJ points out that the \$32,890.00 allotment is well within the \$152,000.00 appraisal price and \$100,000.00 cost of the lot. Mr. Riverso stated that Mary Kay, our program Legal Counsel has asked staff to notify the Board of this circumstance and added she will approve payment subject to Board notification. He recommended approval for payment and release of funds in the amount of \$32,890.00 subject to final approval by Mary Kay, Esq. Ms. Swallow asked for clarification of the title issue. Ms. Bryer, Town Planner of Jamestown explained the issue. A motion to approve the release of funds in the amount of \$32,890.00 was moved by Ms. Swallow and seconded by Ms. Scott; the committee approved the motion unanimously.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

(1) Pascoag Utility District (PUD) – WSSMP 30-Month Interim Report – Request for Approval

Mr. Griffith introduced the item. Ms. O’Keefe reported PUD’s WSSMP was approved on June 10, 2003 “subject to” two items. PUD was asked to and did submit progress reports outlining the water exploration and collaborative approach efforts with Harrisville Fire District. She reported PUD submitted the Thirty-Month Interim Report (Report) on May 2, 2006 and distributed for agency review and comment. She stated the Report is comprehensive and includes detailed supply and demand information per the reporting requirements. She stated she is not aware of any collaboration to locate new water sources or on developing a regional approach to water resource management. She recommended approval of the Report. A motion to approve the item was moved by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

Mr. Griffith suggested we keep reminding PUD and look for ways to move PUD along towards discussion of regionalization. Discussion ensued regarding the two parties interest in moving towards coordination and circumstances hindering them. Mr. Mariscal spoke about the Board’s legislative authority. Ms. Scott suggested the Board coordinate and facilitate an annual meeting among related groups with the requirement to attend and develop a consensus agenda and if they do not attend their plans do not get approved. Mr. Griffith stated that this suggestion be picked up for further discussion under item 4 C (1).

C. EMERGENCY INTERCONNECTIONS PROGRAM:

- (1) United Water Rhode Island (UWRI) with Town of South Kingstown – UWRI Invoice #1 - Requested Amount \$490,089.13; Recommended Payment \$490,089.013 - Request for Payment Approval**

Mr. Griffith introduced the item. Mr. Mendes reported that the payment amounts as reported on the agenda should be corrected to reflect the amount reported in his memo. He provided further explanation in the reduction of the amounts in cooperation with Mr. Knox of UWRI. He stated the project is complete and recommended approval of payment in the amount of \$490,089.13. Mr. Griffith stated that UWRI has received a letter of first deficiency for their WSSMP's 30-Month update report. He asked for a motion to withhold payment subject to satisfactory resolution of the deficiency issue. The motion was moved by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

- (2) North Kingstown Department of Water Supply (NK) with the Kent County Water Authority (KCWA) – Eligibility determination**

Mr. Griffith introduced the item. Mr. Mendes reported that the NK has submitted a request for a 50% reimbursement grant under the Emergency Interconnection Program for the re-establishment of their emergency interconnection with the KCWA. He stated the project is listed as #14 in the Board's Emergency Water Systems Interconnection Study. He reported that they have concluded their bidding process and selected a contractor. He stated that the project is an eligible activity under Section 2.6(a)(i) of the Rules and Regulations for Emergency Water Systems Interconnections, November 2002 and recommended eligibility approval. Mr. Perry noted that he was familiar with this project as he was Chairman of the KCWA in developing this agreement but has since vacated that position thus believes he does not need to recuse himself from this vote. Mr. Griffith agreed that he does not need to recuse himself. Mr. Griffith asked if KCWA and NK are current in their status regarding their WSSMP's. Ms. O'Keefe said yes. A motion to approve eligibility was moved by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

D. BIG RIVER MANAGEMENT AREA (BRMA):

- (1) AMGEN Parking Area – Soil Sampling Costs - Contract with Thielsh Engineering - Requested Amount \$8,145.00; Recommended Payment \$8,145.00 - Request for Payment Approval –**

Mr. Griffith introduced the item. Mr. Mendes reported that back in 2004/2005 during the restoration work on the former AMGEN parking area there was an attempt by AMGEN to comply with the agreement to restore the area, whereby they contracted with Richmond Sand and Gravel who basically ended up bringing material that was inappropriate on site. He stated that the material was required to be removed by DEM which was done. He stated that while this was being done there was delivery of material for restoration work to be used for activity unrelated to the parking area but nevertheless mixed in. He stated that there were indications that solid waste was in the material and DEM initiated an action to have the material analyzed. He reported that WRB agreed to pay for the sampling. He recommended payment in the amount of \$8,145.00. Mr. Stamp asked what was the risk or harm for having

this other material in the area and commented that the cost seemed high and why so much sampling was needed. Discussion ensued with variant explanations. A motion to approve payment was moved by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion. Mr. Stamp voted nay.

4) ITEMS FOR DISCUSSION:

A. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update

Ms. O’Keefe reported current water conditions were below normal for the month but because of the large amount of precipitation during the previous three months we are still above normal conditions for the year. Moist conditions for the state continue to prevail. Staff will continue to monitor water conditions.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM - Update

Ms. O’Keefe reported Water Supply System Management Plan program is proceeding as normal with reports being submitted in a timely manner. She noted there are three Five-Year Updates currently under review by agencies and staff. Four Thirty-Month reports remain to be submitted. She stated the General Manager and staff met with North Tiverton to discuss technical and water system management issues. North Tiverton will submit a progress report by August 33. Ms. O’Keefe reported the major water supplier meeting has been rescheduled for September 7th in order to distribute the discussion materials prior to the meeting. She related agenda items to be discussed include expanded water use reporting and a Department of Health source water assessment guidance document. Mr. Griffith recommended the General Manager introduce the topic of having annual meetings to discuss regionalization and in addition to talk about progress with the Hunt River Issues. Mr. Perry noted his concern that people who have a say or have control of regionalization will not be at the September 7th meeting. Ms. Scott reviewed her earlier regionalization recommendation and encouraged the Board to create a mechanism to determine good faith efforts on the part of local water suppliers. She stated good faith efforts would be the first step towards successful regionalization. Mr. Perry generally agreed but advised caution in raising expectations. Ms. Swallow agreed it is a good idea to bring up the idea of having meetings especially between high priority water systems but the meetings should be coordinated. A more formal communication from the Board and the specific systems is needed. After discussion, Mr. Stamp spoke about efficiencies for consumers whereby the Board could provide leadership opportunities in communicating this to people for consideration. Mr. Myer recommended the need to clearly define “coordination.” Mr. Mariscal stated one purpose of the upcoming meeting with the suppliers will be to discuss expectations of the water supply management system program.

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 89% of funds have been approved for payment. He stated that 100% of funds have been committed including QDC's land acquisition project with North Kingstown. He related that he has had discussions with QDC and the Town Planner of North Kingstown who maintain that the project is viable and will be completed within the program time schedule. He reported that a check presentation event is being planned with the City of Pawtucket and the Governor's office scheduled for September 19th, 2006.

D. GROUNDWATER PROTECTION/ACQUISITION PROGRAM:

Mr. Riverso reported that we are moving forward on the Heaton Orchard Road property as the Geologist has done his investigations, completed a report and staked a new well point. He added that staff has met with the well drillers on site and requested proposals. He stated the Tuckahoe Turf appraisal along with an amendment has been completed and plans on asking Ms. Primiano to brief the committee next month.

E. HUNT RIVER ISSUES:

Mr. Griffith introduced the item and referred to the minutes of the last meeting. He stated the general manager has reported progress in moving the discussion forward with setting up a Hunt River watershed association. Mr. Mariscal reported he and staff will attend the September 7 meeting of the North Kingstown Groundwater Protection committee. Mr. Mariscal will discuss the need to establish a Hunt River watershed association. He stated a public process should be used to identify potential members from the respective communities with the Board and DEM serving in an advisory capacity.

Mr. Griffith noted Ms. O'Keefe has provided information from the Southern Nevada Water Authority website. Southern Nevada appears to have been successful in bringing together agencies for the purpose of managing the water resources in the region. He stated that based on the kinds of things identified on the website, and a review of their charter, this may be a useful example to look to for ideas as to how to organize a watershed association for the Hunt River Water. He cautioned the need to have a strategic plan if we are going to encourage the creation of such an association that includes ideas on what we want to accomplish and how in fact it may accomplish things.

ADJOURNMENT: Mr. Griffith adjourned the meeting at 1:30 p.m.

Respectfully submitted,

Robert Griffith
Chairman

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

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