



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

May 30, 2006

Members Present:

Robert Griffith
Frank Perry
June Swallow
William Stamp
Elizabeth Scott

Members Absent:

Staff Present:

Juan Mariscal
William Rivero
Beverly O'Keefe
Kathy Crawley
Romeo Mendes

Guests:

Raymond Morin
Lucien Masson

1. **CALL TO ORDER:** Chairman Griffith called the meeting to order at 12:00 a.m. and noted that a quorum was present.
2. **APPROVAL OF MINUTES:** With a motion by Mr. Perry, seconded by Mr. Stamp, the minutes of the May 2, 2006 meeting were approved.
3. **ITEMS FOR ACTION:**
 - A. RI PUBLIC DRINKING WATER PROTECTION PROGRAM - PHASE III:

- (1) **City of Woonsocket Water Division (WWD) Requisition #2 – Watershed Protection Project – Land Acquisition Costs - Requested Amount \$12,710.00; Recommended Payment \$12,710.00 - Request for Payment Approval**

Mr. Griffith introduced the item. Mr. Rivero reported that WWD under requisition #2 is requesting reimbursement for land acquisition costs associated with the Iron Mine Road land acquisition project. He stated the costs include appraisal, environmental site assessment and survey costs in the amount of \$12,710.00. He reported eligibility for this project was approved by the Board Corporate at their regularly scheduled meeting on May 9, 2006 and

that proper supporting documentation has been submitted and reviewed. He recommended approval in the amount of \$12,710.00. A motion to approve the payment request was called by Mr. Perry and seconded by Ms. Scott; the committee approved the motion unanimously.

(2) **City of Woonsocket Water Division Requisition #3 – Water Quality Improvement Project – Vulnerability Assessment Plan Preparation - Requested Amount \$36,000.00; Recommended Payment \$36,000.00 - Request for Payment Approval –**

Mr. Griffith introduced the item. Mr. Rivero reported that WWD under requisition #3 is requesting reimbursement for preparation of their Vulnerability Assessment Plan. He stated this project has been completed and eligibility was approved by the Board Corporate at their meeting on May 9, 2006. He reported that proper supporting documentation has been submitted and reviewed. He recommended approval in the amount of \$36,000.00. A motion to approve the payment request was called by Mr. Perry and seconded by Ms. Scott; the committee approved the motion unanimously.

(3) **City of Woonsocket Water Division Requisition #4 – Water Quality Improvement Project – Security Fencing - Requested Amount \$128,740.00; Recommended Payment \$128,740.00 - Request for Payment Approval**

Mr. Griffith introduced the item noting eligibility was approved by the Board Corporate on November 8, 2005. Mr. Rivero added the project was completed at a total cost of \$136,465.00 but WWD is only seeking reimbursement in the amount of \$128,740.00 which was the proposed cost at time of their eligibility request and approval. He reported that proper supporting documentation has been submitted and reviewed. He recommended approval in the amount of \$128,740.00. Mr. Stamp asked if the linear footage was known. Mr. Rivero stated that he would look it up for the Board meeting. A motion to approve the payment request was called by Ms. Swallow and seconded by Ms. Scott; the committee approved the motion unanimously.

(4) **City of Pawtucket Water Supply Board (PWSB) – Requisition #8 – Watershed Protection Project – Land Acquisition - Town of Cumberland Tax Assessor's Plat 57, portion of Lots 2 and 22, 35 +/- Acres - Requested Amount \$475,000.00; Recommended Payment \$475,000.00 - Request for Payment Approval**

Mr. Griffith introduced the item noting that this project is finally being completed. Mr. Rivero reported that PWSB is purchasing a conservation easement and has submitted documents for review. He stated that this project is in partnership with the Town of Cumberland and other conservancy groups. He reported that Ms. Primiano has reviewed the appraisal with revisions and recommends approval of the appraisal price and Mr. Romeo Mendes has reviewed the Class I Survey with the metes and bounds description and recommends approval. He reported that Mary Kay has reviewed the Purchase and Sale agreement, Conservation Easement and Title Insurance documents and she has forwarded corrections to be made. He stated that based on expectations to quickly turn around these corrections and a slated closing date in June she recommends the project be placed on the June agenda. He recommended approval in the amount of \$475,000.00 subject to final approval by legal counsel along with submittal of all necessary documentation required at

closing. Mr. Griffith asked who where the additional sources of funds. Mr. Riverso reported that it was the Town of Cumberland and the Nature Conservancy. Mr. Stamp asked who would be holding the deed. Mr. Riverso reported that the Town of Cumberland would hold the deed with a reverter clause to PWSB. PWSB would own the conservation easement rights. A motion to approve the payment request was called by Ms. Swallow and seconded by Mr. Stamp; the committee approved the motion unanimously.

(5) **City of Pawtucket Water Supply Board Requisition #9 – Water Quality Improvement Project – Replacement of Tuberculated Water Mains - Requested Amount \$1,218,818.14; Recommended Payment \$1,217,818.14 - Request for Payment Approval**

Mr. Griffith introduced the item. Mr. Riverso reported that the project under consideration is for the replacement of cast iron water mains and other deteriorated water mains within PWSB's water distribution system. He stated all replacements were in-kind and this project was completed with the work performed in 2003 and 2004. He reported eligibility for this project was approved by the Board Corporate at their meeting of January 10, 2006. He stated PWSB seeks reimbursement in the amount of \$1,217,818.14 and that proper supporting documentation has been received and reviewed. He recommended approval subject to approval and final disposition of requisition #8. A motion to approve the payment request was called by Ms. Swallow and seconded by Mr. Perry; the committee approved the motion unanimously.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

(1) **Town of Lincoln Water Division (LWD) – WSSMP 30-Month Interim Report - Request for Approval**

Mr. Griffith introduced the item. Ms. O'Keefe reported the LWC Report was received December 29, 2005 and distributed for agency review which was completed on April 2, 2006. She reported the Rhode Island Departments of Health and Environmental Management submitted review comments with no findings. She recommended approval. A motion to approve the report payment request was called by Mr. Stamp and seconded by Mr. Perry; the committee approved the motion unanimously.

(2) **North Tiverton Fire District (NTFD) – WSSMP 30-Month Interim Report – Request for Action**

Mr. Griffith introduced the item. Ms. O'Keefe reported the NTFD originally submitted the Report on June 9, 2005 but failed to address the "subject to" items. She stated a First Notice of Deficiency was issued for failure to respond to all requirements which provided ninety additional days for resubmittal. She added a meeting was held with NTFD's consultant on November 23, 2005. She reported the amended NTFD Report was submitted on March 20, 2006 and sent out to the review agencies. She stated that comments were received from DOH and Statewide Planning Program (SPP). She reported that SPP views this report as an amended plan due to the fact that NTFD has acquired the Tiverton Water Authority System. She stated the findings show the Amended Report raises more questions

than it answers. She stated the submitted report is unclear, non-specific, and fails to provide sufficient information to make a determination on acquired infrastructure and financial assets, debt service incurred, increases in service area, population served, planned to be served, and projections on self supply users planned for connection to the public water supply.

In addition, she reported the review agencies noted serious deficiencies as regards coordination and consistency, demand management and non-account water reporting. She concluded there is a clear need for a water supply system management plan amendment. She reported, per the Rules and Procedures for Water Supply System Management Planning, October 2002, there is authority to request a plan amendment in writing, outlining the sections and reasons the revisions are necessary. She recommended an amended plan be submitted to the Board in accordance with a negotiated schedule not to exceed one year. She reported the NTFD Water Supply System Management Plan Five Year Update is due October 9, 2007. She recommended a determination of non-compliance be made, and that the NTFD be directed to satisfactorily address all comments made by the Board, Department of Environmental Management and Statewide Planning Program with a re-submittal made by September 1, 2006.

Ms. O'Keefe noted that Mr. Ray Morin of the NTWD is in attendance. Mr. Griffith asked Mr. Morin for any comments. Mr. Morin stated that at this time he did not have many answers. He offered a lengthy and detailed explanation on the problems and concerns inherited by the acquisition of TWA which includes the unsettled new relationship with the SBFD and was frustrated that an agreement could not be reached with SBFD by this time. He asked the Board for assistance. Mr. Griffith asked Mr. Morin if he had discussed today's action with Ms. O'Keefe and if he feels he can comply with the time frame. Mr. Morin stated that he did speak with her but truly did not know if he could comply with the time schedule but stated that he would try. Mr. Perry stated that he believes that a September update is unrealistic and that a year should be taken to allow adequate time to prepare a Five Year Plan Update. Mr. Stamp stated he agreed with Mr. Perry's assessment and added a solution should be found to what they're doing first, let them get organized, regroup and then get a plan together. Mr. Griffith asked for the due date of the SBFD plan. Ms. O'Keefe reported the 30-Month report was approved in March of this year and the 5-year update will be due January of 2008. Mr. Stamp asked if we can defer this action. Mr. Griffith stated we are obligated to make a finding of non-compliance but direct NTFD to prepare a new five-year plan with a new due date. He asked staff to look into SBFD's report regarding the jurisdictional issues. Mr. Mariscal stated that he would be happy to meet with both parties and provide any assistance. Ms. Scott stated that she agrees with what has been said regarding a new plan and added that if not the Board then staff should find someone in the state government to provide mediation services. Mr. Perry stated that a new five – year plan allows for addressing all outstanding issues and not necessarily to be solved. Mr. Griffith reviewed the motion of finding of non-compliance and forwarding a new five-year plan within twelve months, a date to be determined by staff. The plan must respond to applicable outstanding “subject to” items of deficiency. The motion was called by Mr. Perry and seconded by Ms. Scott; the committee approved the motion unanimously.

C. EMERGENCY INTERCONNECTION PROGRAM:

(1) Town of South Kingstown Invoice #1 – South Kingstown to United Water Rhode Island Interconnection – (Commodore Perry Memorial Highway in South Kingstown to United Water Rhode Island at Old Post Road) - Amount Billed \$37,908.35; Recommended Payment \$37,908.35 - Request for Approval

Mr. Griffith introduced the item. Mr. Mendes reported that the project has been completed and the submitted documentation has been reviewed and in compliance. He recommends approval of the payment request in the amount of \$37,908.35. Mr. Griffith asked if there were any comments from South Kingstown. Mr. Lucien Masson of South Kingstown stated that we are happy to finally get this project done after all the complaints of rusty water from the wells. He added that after getting this connection online they have only received one complaint where as before they had gotten over 500 complaints. A motion to approve the payment request was called by Mr. Perry and seconded by Ms. Swallow; the committee approved the motion unanimously.

4) ITEMS FOR DISCUSSION:

A. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update

Ms. O’Keefe reported that we are above normal in the precipitation patterns for May with 7.25 inches recorded at T.F. Green Airport, which also affected positively surface and groundwater conditions. She stated that Scituate Reservoir remains at 103.8% capacity. She reported that a Drought Steering Committee was held in May whereby a condition of normal was found. She stated that pro-active monitoring would continue even though a drought meeting will not be held in June. Mr. Griffith stated that it was at his suggestion a meeting would not need to be held in June but that we use the opportunity to remind people that things can still change as we enter the period of the year when use will be highest and precipitation will be lowest.

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 the program is proceeding well. She stated that City of East Providence, Johnston Water Control Facility, Pascoag, Providence, and United Water 30-Month Interim Reports were received and are under review. She stated that work continues on the source water assessment draft guidance tool with a third meeting scheduled.

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 nine of the seventeen suppliers have completed the program. He stated that 63% of funds have been approved for payment and we are practically at 100% of funds being committed. He stated that with today’s agenda items for payment we have reached 90% in reimbursements. He added that most of the supplier’s have committed 100% of funds. He reported by next month Stone Bridge Fire District will reach 100% up from 80%. He stated that QDC’s project for eligibility was tabled at last month’s meeting for further information. He reported that further details needed have not been provided yet. He added that the project is developing and that we should here from them next month. Mr. Griffith asked that details of the projects and statuses be made concise for the full Board.

D. GROUNDWATER PROTECTION/ACQUISITION PROGRAM:

Mr. Riverso reported that the scope of work for the RIW 336 property is being finalized and we will be going out for proposals soon. He stated that tomorrow we will be meeting with Ms. Primiano regarding the completed appraisal and discussion of proposal for the Tuckahoe Turf property sites. He reported that the Charlestown well site appraisal should be finalized soon. He stated that we are in touch with the Shannock representatives and attempts to reach the owner have not worked out yet. He added that revisit letters have gone out to those property owners who did not cooperate in the past or put the project hold.

ADJOURNMENT: On a motion by Mr. Stamp seconded by Mr. Perry, the meeting was adjourned at 1:01 p.m.

Respectfully submitted,

Robert Griffith
Chairman

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