



State of Rhode Island and Providence Plantations

Water Resources Board

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Providence, RI 02903

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PUBLIC DRINKING WATER PROTECTION COMMITTEE

MINUTES OF MEETING

January 3, 2007

Members Present:

Robert Griffith

June Swallow

Elizabeth Scott

Members Absent:

Frank Perry

William Stamp

Ian Morrison

Staff Present:

Juan Mariscal

William Riverso

Beverly O'Keefe

Romeo Mendes

Kathleen Crawley

Guests:

Henry Meyer

Heidi Green

William Harritos

Evan Matthews

Sue Licardi

Carissa Richard

Robert Breault

1. CALL TO ORDER:

Chairman Griffith called the meeting to order at 12:04 p.m. and noted that a quorum was present.

2. APPROVAL OF MINUTES:

With a motion by Ms. Scott, seconded by Ms. Swallow, the minutes of the November 28, 2006 meeting were approved.

3. ITEMS FOR ACTION:

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

- 1) Pawtucket Water Supply Board Requisition # 10 – Water Quality Improvement Project – HACH Water Distribution Monitoring Panels – Requested Amount \$35,599.50; Recommended Payment \$35,599.50 – Request for Payment Approval

Mr. Griffith introduced the item. Mr. Riverso reported the project for payment consideration is for the purchase of HACH Water Distribution System Monitoring panels. He stated that PWSB maintains the 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 stated eligibility was approved by the Board Corporate at their regularly scheduled meeting on November 8, 2005 and that proper supporting documentation has been submitted and reviewed by staff. He recommended approval by the Committee for payment in the amount of \$35,599.50. **Motion** to approve the payment request was moved by Ms. Scott and seconded by Ms. Swallow; the motion was approved.

B. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

1) Kingston Water District (KWD)– WSSMP 5 Year Update–Request for Extension Approval

Mr. Griffith introduced the item noting a recommendation of finding of non-compliance. Ms. O’Keefe reported KWD Five-Year WSSMP update is due five years from the original plan approval date which was January 8, 2002. She stated KWD has submitted a 60-day extension request citing the need to complete updated source water protection/assessment in a GIS format. She recommended approval. Mr. Griffith asked Mr. Meyer if sixty days was sufficient. Mr. Meyer stated the GIS materials to be received have been promised by February. Mr. Griffith recommended a ninety day extension.

Motion to approve the recommendation of a 90-day extension was moved by Ms. Swallow and seconded by Ms. Scott; the motion was approved.

2) North Kingstown Water Department (NKWD) – WSSMP 5 Year Update – Request for Extension Approval

Mr. Griffith introduced the item. Ms. O’Keefe reported NKWD plan was approved January 8, 2002. She stated they submitted a one-year extension request which was received December 20, 2006 citing the need to work with Kent County Water Authority, Quonset Development Corporation, and the Water Resources Board to develop and implement an interim water management plan for the Hunt River Basin. She recommended approval of the extension request for a period not to exceed one year. Ms. Swallow asked if the time-frame was consistent with time-frame given to Quonset Development Corp. Mr. Mariscal replied it was.

Motion to approve the recommendation of a 90-day extension was moved by Ms. Swallow and seconded by Ms. Scott; the motion was approved.

C. NEW SOURCE DEVELOPMENT:

1) Kingston Water District (KWD) – Request for Well Replacement Approval

Mr. Griffith introduced the item. Mr. Mendes reported KWD submitted an application for an approval of a replacement well of existing Well #1. He stated KWD has gone through required procedures for getting site approval from the Dept. of Health. He added they are currently working with RIDEM on some minor wetland issues. He stated the application has been reviewed and determined to be consistent with their WSSMP and infrastructure replacement plan and the USGS water use and availability studies for the area. He stated the project will not cause any incremental impact to the Chipuxet sub-basin and recommended approval with a condition that Kingston will be required to submit written notification to the Board for its review and approval in the event long term withdrawals of an emergency or other nature above and beyond present levels are required. Mr. Meyer reiterated the systems good intentions noting the 400GPM threshold is more than adequate. Ms. Scott stated that the idea of the condition stipulated in the recommendation needs to be given further thought as to how it would be set up. She stated that because uses of current wells are being rotated it becomes complicated in establishing a baseline pumping level whether it is seasonal and into the future. She added this needs to be figured out

so we know when the baseline level is being exceeded and proposed the question for discussion. Mr. Meyer offered his thoughts on the matter and assured the committee that the volume of water pumped will be the same. Mr. Griffith reviewed the recommendation. He asked staff to get together with Mr. Meyer to come up with a satisfactory methodology and then inform us when appropriate. Ms. Scott asked this be stipulated in the approval letter to be sent to the system.

Motion to approve the project with two conditions: (1) Kingston is required to submit written notification to the Board for its review and approval in the event long term withdrawals of an emergency or other nature above and beyond present levels are required and (2) the WRB staff and Kingston define an appropriate method for determining baseline pumping levels against which compliance with condition (10) will be determined. The motion was moved by Ms. Swallow and seconded by Ms. Scott; the motion was approved by the Committee.

4) ITEMS FOR DISCUSSION:

A. HUNT RIVER WATER ISSUES - Update

Mr. Mariscal reported further progress was made with Quonset Development Corporation and the other systems in the Hunt Aquifer whereby a deadline was established for submitting the management plans. He stated the suppliers had met to discuss requirements and what should be done and that staff would be meeting with them this month with recommendations and to discuss what can be done to minimize impacts.

Mr. Mariscal reported the grant application prepared for USEPA was accepted but then rejected for an administrative issue - the 25% match was not properly defined in the application. He stated that an appeal to EPA was made explaining that the pre-application process should weigh in on the technical merit of the project and not the details of the financing. He added that he noted to EPA that the very fact that we made a submittal was a representation that we would provide the 25% match and he forwarded corrected budget sheets to EPA for consideration. EPA stated very emphatically that since the forms did not show the full match, our application did not meet the grant application's threshold requirements and that Congress had directed EPA to strictly adhere to the rules. The grant application appeal was rejected as was our application.

He stated the grant program is for a watershed restoration program focusing on water quality improvements. He added one of the necessary requirements for submission was the watershed needed to be nominated by the Governor, whose office has been cooperative for the application process. He stated the grant would have provided funds for a three year period to establish a management plan in the Hunt River watershed, inventorying the watershed area, assisting with a watershed council and determining impacts on species. He added the award would be decided upon and granted in July 2007.

B. LEGISLATIVE AMENDMENT - Water Quality Protection Charge Adjustment – Update

Mr. Mariscal reported that the Board Legislative committee had met in December and approved

a number of changes to staff recommendation which were then refined and prepared for the December Board meeting. He stated that even though a Board meeting was not held in December the recommendations were forwarded to the Governor's office for review and approval. He stated copies of the legislative package were forwarded to Rosemary Booth Galoogly and Beverly Nagarian Cummings for their review and information especially with regards to the surcharge and how it may evolve. He stated there he has not received any feedback from the Governor's office to date. Mr. Mariscal proceeded to briefly review the legislative changes.

C. DROUGHT MANAGEMENT PROGRAM – Drought Condition Update

Ms. O'Keefe reported that precipitation levels for November were above normal and 1.35" below normal for December. She stated all other indicators reflected above normal conditions and the Scituate Reservoir as of December 26, 2006 was at 104.3 % capacity. She stated the drought outlook for the next several months showed normal conditions.

D. WATER SUPPLY SYSTEMS MANAGEMENT PLAN PROGRAM - Update

Ms. O'Keefe reported the program is proceeding as normal. She stated the Narragansett and Jamestown Five-Year updates were submitted and distributed for agency review. She reviewed a new tracking schedule showing the status of systems who received adverse actions.

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

Ms. O'Keefe reported no additional progress regarding regionalization issues between PUD and HFD.

E. RI PUBLIC DRINKING WATER PROTECTION PROGRAM:

Mr. Riverso reported there has been no change to the fund balance. He stated the QDC and Kingston have reported they are working as diligently as possible on their land projects and have been urged to get purchase and sale agreements in as soon as possible. He stated the remaining systems with water quality improvement projects should be getting their project submittals in over the next two months.

F. GROUNDWATER PROTECTION/ACQUISITION PROGRAM:

Mr. Riverso reported progress for the Tuckahoe Turf Property sites is moving forward with due diligence tasks underway. He reported discussions were held with USGS regarding guidance on well placement and a follow up meeting was held with Tuckahoe Turf on the proposed placements. At this time the placements are under consideration and we should hear back from them soon.

Mr. Riverso reported Bond Counsel has forwarded an opinion on proper use of funds which should bring further policy discussions and actions in the near future. Mr. Mariscal stated we had just received the opinion and staff would be reviewing and discussing it later today.

OTHER BUSINESS:

ADJOURNMENT: Mr. Griffith adjourned the meeting at 12:52 p.m.

Respectfully submitted,

Will Riverso
WRB Programming Services Officer