



**State of Rhode Island and Providence Plantations
Water Resources Board**

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PUBLIC DRINKING WATER PROTECTION COMMITTEE

MINUTES OF MEETING

September 5, 2007

Members Present:	Members Absent:	Staff Present:	Guests:	
Robert Griffith	William Stamp, III	Juan Mariscal	Allen Schorr	Pasqual Delise
Ian Morrison	June Swallow	William Riverso	Heidi Green	Domenic Soignoli
Liz Scott	Frank Perry	Beverly O'Keefe	Henry Meyer	John Paul Verducci
Harold Ward		Romeo Mendes	Lisa Primiano	Eugenia Marks
		Kathy Crawley	Tim Brown	

I. CALL TO ORDER:

Chairman Griffith opened the meeting at 12:07 p.m., noted a quorum was not present and proceeded with discussion items.

Chairman Griffith formerly called the meeting to order at 12:20 p.m. and noted a quorum present.

II. APPROVAL OF MINUTES:

With a motion by Mr. Morrison, seconded by Ms. Scott, the minutes of the August 7, 2007 meeting were approved.

III. ITEMS FOR ACTION:

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

a) Recommendation for Program Extension

Mr. Griffith introduced the item. Mr. Mariscal provided a brief summary of program measures noting deadlines, extensions, participation and distribution of funds by the suppliers and status of two suppliers who did not complete the program. He reported that after the program was closed one of the two suppliers recently found a viable land project and has requested use of program funds. He stated this issue was brought up at the last committee meeting and was directed to seek Bond Counsel Opinion as to whether the Phase II program could be reopened and funds be made available. He reported Bond Counsel's opinion to be that since the WRB had not filed the project closure certification documents the program was not technically closed and re-opening the program at this point would be a policy decision by the WRB. Mr. Mariscal recommended re-opening of the program and indicated this should be viewed as one-time exception to accommodate a valuable project and that no precedent is being set for future program deadlines or

requirements. He stated this approval would not be an approval of the QDC project but only for re-opening the process. In addition, he stated this re-opening should also be made available to United Water, the other supplier who did not complete the program. Mr. Griffith asked Ms. Green of QDC if this option is still open and viable. She affirmed. **Motion** to accept the WRB staff recommendation that the Phase III program be re-opened with a time period to be determined was moved by Ms. Scott and seconded by Mr. Morrison; the motion was approved unanimously.

2. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

- a) Bristol County Water Authority (BCWA) – 30-Month Interim Report (Report) – Notice of First Deficiency – Request for Approval

Mr. Griffith introduced the item. Ms. O’Keefe reported the BCWA submitted their report and it was sent out for agency review. The previously approved plan was conditioned requiring an update of their MUTAP program to be addressed in the 30-Month Interim Report. She stated the report did include the required water system data and status of the water suppliers plan implementation but failed to provide updated information on implementation and results of the MUTAP program. She recommended a Notice of First Deficiency be issued to BCWA and allow them 120 days from the date of notification to correct the deficiencies and resubmit the filing to the Board. Mr. Griffith asked Mr. Delise of BCWA if the time period was acceptable. He affirmed. **Motion** to approve was moved by Mr. Ward and seconded by Ms. Scott; the motion was approved unanimously.

V. ITEMS FOR DISCUSSION:

1. Hunt River Sub basin - Interim Management Plan – Update

Mr. Griffith introduced the item. Ms. O’Keefe provided a background summary of the progress and issues regarding the Hunt River Sub Basin from 2004 to the present time leading to the development and implementation of the Interim Management Plan. She reported the Hunt River Basin is experiencing high water demand from increased land development and decreased flow in the Hunt River in part due to the time of year. She stated the public water suppliers are trying to meet this water demand while trying to protect the resource for the future. She reported as part of the implementation plan, citizen assistance has been used to monitor the river. She related that Mr. Barry Martesian, Co-Chairman of the Hunt River Watershed Association, has toured the river extensively and documented the river in all its forms and places, and photos can be found on his website <http://public.fotki.com/BarryinRI/hunt-river-watershe-1/>. The committee asked Ms. O’Keefe to forward the website to them. She stated there are many people monitoring the river and taking steps to protect it.

2. Kent County Water Authority Request for Statewide Policy on Outdoor Water Use and Conservation – Update

Mr. Griffith introduced the item. Mr. Mariscal stated there is no formal report for this item. He stated the Board has directed staff to develop a statewide water conservation program and we are in the early stages of this work. He added it was his belief that this endeavor would take the shape from several Board actions ones in which the Board has never taken in the past. He foresees active discussion over the next few months. He stated time schedules would need to be determined as well as agency duties and responsibilities.

3. Supplemental Water Supply Study Phase II– Update

Mr. Griffith introduced the item. Ms. Crawley reported there is a workshop planned for tomorrow with the suppliers which continues the outreach needed to compile data and draft documents to complete Task 3 and would prepare for any necessary field work for Task 4. She stated the meeting tomorrow would be comprised primarily of South County water suppliers (Study Area 3).

4. Drought Management Program – Drought Condition Update

Mr. Griffith introduced the item. Ms. O’Keefe reported the indicators used for July were normal but for August they were not, which is typical for New England. She stated August indicators show a period of low recharge and very little precipitation. She stated the climate report showed 1.08 inches of rain for the month down 2.5 inches. She stated the Scituate Reservoir is at 84.8% capacity and it has been steadily decreasing in its level. She stated although we are in a dry spell, at this time we are in near normal conditions. Ms. Scott noted that DEM was preparing a press release outlining the conditions and urge voluntary water conservation measures. Mr. Mariscal stated he had the same concerns and was about to announce tht WRB would be issuing a press release. As a result of Ms. Scott’s announcement he suggested the press release be issued jointly by DEM and the WRB. Ms. Scott agreed.

5. Water Supply Systems Management Plan Program - Update

Mr. Griffith introduced the item. Ms. O’Keefe reported that five year updates are coming in with many to review and there are two remaining 30-month interim reports to review and program progress continues.

6. RI Public Drinking Water Protection Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported the program has reimbursed 98.5% of funds to the suppliers with over \$3.4 million reimbursed for watershed protection projects and over \$3.6 million for water quality improvement projects. He stated the status of the two suppliers who have not completed the program was covered earlier in detail.

7. Groundwater Protection/Acquisition Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported program work continues. He stated follow up discussions are taking place with the Town of Richmond regarding their future well site needs. He reported at the last meeting issues were presented to the committee seeking guidance for the program and the committee did begin to address them providing suggestions on moving forward. He reported the General Manager and staff did have a discussion with Bond Counsel regarding the program of which Bond Counsel will be following up with recommendations.

IV. OPEN CALL FOR EXECUTIVE SESSION IN ACCORDANCE WITH RIGL SECTION 42-46-5 (5): Acquisition of Property

At 1:02 p.m. Mr. Griffith requested a motion pursuant to RI General Laws 42-46-5 (a)(5) that this committee move into Executive Session to discuss the proposed terms and conditions and price of possible acquisition of two groundwater well sites and land development rights. **Motion** was moved by Mr. Ward and seconded by Ms. Scott; a roll call vote was taken in the following order:

Ms. Elizabeth Scott - Yes
Mr. Ian Morrison - Yes
Mr. Harold Ward - Yes

The motion was approved unanimously.

A brief discussion ensued on procedures that would be followed.

The committee proceeded into Executive Session.

At 1:55 the committee returned to regular session.

Mr. Griffith asked for a motion regarding the Kavin Property project, well site RIW 336(a). **Motion** to approve staff recommendation for the purchase of the well site property; to authorize the WRB Board Chairman and the General Manager to enter into and sign a Purchase and Sale Contract upon review and approval of such by the State Properties Committee and to expend associated costs (e.g. Class I Survey, Legal) needed towards a successful closing subject to DEM review of data was moved by Mr. Morrison and seconded by Ms. Scott; the motion was approved unanimously.

Mr. Griffith asked for a motion regarding the Tuckahoe Turf Property project, well site RIW 458. **Motion** to table staff recommendations in order to work out issues and concerns raised during discussion was moved by Mr. Morrison and seconded by Mr. Ward; the motion was approved unanimously.

VI. OTHER BUSINESS:

VII. ADJOURNMENT:

Motion to adjourn the meeting was moved by Ms. Scott and seconded by Mr. Ward; the motion was approved. Meeting adjourned at 2:04 p.m.

Respectfully submitted,

William Rivero
WRB Programming Services Officer

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