



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

Justice William E. Powers Building, Third Floor
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WATER RESOURCES PROTECTION & USE COMMITTEE MEETING

(Formerly the Public Drinking Water Protection Committee)

MINUTES OF MEETING

November 27, 2007

Members Present:

Robert Griffith
Liz Scott
William Stamp, III
Frank Perry
June Swallow
Harold Ward

Members Absent:

Ian Morrison

Staff Present:

Juan Mariscal
William Riveroso
Beverly O'Keefe

Guests:

Heidi Green
Ray DiSanto
Brendan Ennis
Ryan Bodnaruk
Jim Suzman
Michael Clark
Richard Maltas

I. CALL TO ORDER:

Chairman Griffith opened the meeting at 12:01 p.m., and noted a quorum was present.

II. APPROVAL OF MINUTES:

With a **motion** by Mr. Perry, seconded by Ms. Swallow, the minutes of the October 3, 2007 meeting were approved.

Memorandum of Meeting Proceedings of the October 30th, 2007 were accepted as presented.

III. ITEMS FOR ACTION:

1. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

a) East Smithfield Water District (ESWD) - Five-Year Update

Mr. Griffith introduced the item noting the recommendation of "Non-Compliance". The committee asked why in general there is consistently missing information in the plans. Ms. O'Keefe reported we are in the second round of updating the plans and the question is what did you say you were going to do in the first round and did you do it. She added if they do not report that it creates a question. She reported secondly the question is what are planning to do to implement your goals during the next five year period and do you identify that in the implementation schedule so we know what actually is going to happen. She stated the intent of

these plans is that they are moving documents with a life and logical progression of what happens. She stated these questions are not being answered in the plans. Mr. Mariscal stated staff is performing a more comprehensive review in this second round and what the suppliers and or their consultants are failing to realize is that what is required is what is required, they are not doing as comprehensive a job as is necessary.

Mr. Ray DiSanto of ESWD reported that he is paying for a plan to be produced as something he intends to use and reference. He stated he will follow up and address the items in the recommendation but asked about a recommendation made by Statewide Planning regarding conservation and rates. Ms. O'Keefe reported a new process is being developed to coordinate all the review agency recommendations and that specific recommendation was not included is an oversight. Mr. Mariscal stated that flat rate structures are a thing of the past and a system shouldn't be using it. He noted that ESWD stated in their plan they were considering moving to using an increasing block rate structure. He stated the system should include a plan to develop a new rate structure.

Mr. Ennis, consultant for ESWD asked if there was any discussion in giving a ruling of a Notice of First Deficiency as opposed to a Notice of Non Compliance based on looking at the recommendations. Mr. Mariscal stated that if it was only missing information it may be a deficiency but when there is so much information missing you do not have a plan that can be implemented which is our point.

Motion to approve the staff recommendation of Non-Compliance with the attached list of requirements and that staff and the supplier get together to work out the details in the recommendations was moved by Mr. Perry and seconded by Mr. Ward; the motion was approved. Mr. Stamp voted Nay.

b) Town of Smithfield (TS) – Five-Year Update – Extension Request

Mr. Griffith introduced the item noting the request is for a 90-day extension. Mr. Griffith asked Mr. Suzman of TS if he was sure it is enough time. Mr. Suzman responded yes. He provided recent background information.

Motion to approve the extension request was moved by Mr. Stamp and seconded by Ms. Swallow; the motion was approved unanimously.

c) Town of Westerly (TW) - Five-Year Update

Mr. Griffith introduced the item noting the recommendation of “Non-Compliance” with one year’s time to resubmit the update. Ms. Swallow asked in general why the Source Water Quality Protection Component of the plans are not getting done. Ms. O'Keefe reported the Source Water Assessment Program (SWAP) prepared their program review and materials in 2003. She stated they were distributed to the water suppliers in the middle of the planning cycle for the updates but they were made aware this was a component of the WSSMP's based on the 2002 revised regulations. She added at the same time RIDEM incorporated their wellhead protection component pieces. Thus there were two components brought into the plan program and everyone was made aware of this. She stated she believed people did not believe they had to do anything from that 2003 document. She added we went further and prepared a guidance document to make it easier

for the suppliers which was completed over a year ago. She stated we worked hard to get the information out to the suppliers. She stated her opinion is that no one thought we were serious about putting this into the plan. Mr. Bodnaruk consultant for TW stated he cannot speak to this issue since they were just recently made aware of the WRB's comments. Mr. Perry voiced concern regarding the per capita demand of water use increased by 38%. Ms. O'Keefe stated information regarding demand management is lacking and it is clear there is no demand management program.

Motion to approve the staff recommendation of Non-Compliance was moved by Mr. Perry and seconded by Mr. Ward; the motion was approved unanimously.

IV. ITEMS FOR DISCUSSION:

1. Drought Management Program – Drought Condition Update

Mr. Griffith introduced the item. Ms. O'Keefe reported the Drought Steering Committee met last week and recommended to continue drought advisory status. She reported precipitation has been less than two thirds for three months or more. She stated the USGS stream gages show that fifteen stations are in a watch status and two stages are in a warning status. She stated looking at the groundwater wells 28 of them can actually have data for the statistics. She added two wells are in normal status, seven wells are in advisory status, sixteen wells are in watch status and one well is in warning status. Ms. O'Keefe stated the Scituate Reservoir is at 271.6 feet. She stated Providence Water Supply Board (PWSB) has revised their triggers to reflect seasonal conditions.

2. Water Supply Systems Management Plan Program - Update

Mr. Griffith introduced the item. Ms. O'Keefe reported we continue to receive 5-year updates and bring forward plans updates and 30-month interim reports.

3. RI Public Drinking Water Protection Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported he has been frequently reminding United Water Rhode Island about their program status and that QDC has related they are expecting the appraisal to be completed by the end of the month. He added QDC states they have met with Homeowner's Association President and had informal discussions and negotiations.

4. Groundwater Protection/Acquisition Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported we are moving forward with the Heaton Orchard Road Project approved by the Board by requesting an attorney to be assigned to the project from DOA. He has had follow up conversations with the engineer regarding the Class I Survey and the Town Planner regarding any procedures and land planning approvals. He stated he has asked USGS to model a site adjacent to the Richmond Airport Well Site. Ms. Scott asked about the water quality results at the Heaton Orchard Site regarding the high sodium levels. Mr. Riverso reported the retested results did come in satisfactorily and that he will forward them to her.

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

Mr. Griffith introduced the item. Ms. O’Keefe reported we continue to work with the water suppliers and the Hunt River Watershed Association will be meeting this Thursday to hopefully adopt some by-laws. She added they are struggling at this moment in their new formation but hopefully they will move forward. She stated we continue to monitor the Hunt River. She introduced KCWA’s water audit and stated it is very informative.

6. Water Conservation Program – Update

Mr. Griffith introduced the item. Mr. Mariscal stated he and Ms. O’Keefe have been researching how similar programs have been conducted around the country. He stated an interesting approach he came across is one done in Vancouver, Canada. He stated they have a very confined usage activities as well as water shortage response plan stages that have been identified and detailed. He stated he thought this approach seemed difficult to manage on a day to day basis but added that this comprehensive approach is out there and someone is doing it. He stated it all comes back to when you do not have water you would do most anything and everything to make sure you have some type of water supply. You will take the action appropriate for what is going on in your community. He stated that in a January time frame he sees us getting into major discussions of what we are proposing.

VI. OTHER BUSINESS:

VII. ADJOURNMENT:

Mr. Griffith adjourned the meeting at 1:14 p.m.

Respectfully submitted,

William Riverso
WRB Programming Services Officer

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