



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

January 29, 2008

Members Present:

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

Members Absent:

Staff Present:

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

Guests:

Heidi Green
Mike Worden
Lucian Mason
Emily Wild
Eugenia Marks

I. CALL TO ORDER:

Chairman Griffith opened the meeting at 12:03 p.m., and noted a quorum was present.

II. APPROVAL OF MINUTES:

Chairman noted no minutes were presented.

III. ITEMS FOR ACTION:

1. WATER SUPPLY SYSTEMS MANAGEMENT PLANS (WSSMP):

a) Town of South Kingstown (SK) - Five-Year Update – Request for Extension

Mr. Griffith introduced the item. He reported that the letter requesting a six month extension notes that the time is needed to incorporate results from newly installed radio read meters throughout the system which will address non-account water issues. He stated that WRB staff has arranged a briefing on the electronic meter reading by the SK consultant. Ms. O'Keefe reported that the Town of South Kingstown believes this technology is currently "state of the art" and one of the most advanced systems in New England. She introduced Mr. Lucian Mason of SK and Mr. Mike Worden their consultant for a presentation. Highlights included: 1) house to house meter reading has been reduced from eight weeks to four hours; 2) in short time billing would go from semi-annual to quarterly, 3) moving map system per GPS, 4) water management tools, 5) leak alarm, 6) data logging capabilities, 7) many specific reports and 8) real time readings.

Ms. Scott asked if they have any cost benefit figures which would be helpful for other systems to see. SK related they do not have any cost per reads available at this time. Mr. Perry asked if the technology also reads the large meters. SK reported yes. Mr. Perry commented once you establish monthly billing, one can easily institute seasonal rates. Mr. Ward asked about the cost of the meters and equipment. SK stated a meter costs \$155.00 per meter and the lap top system cost, software and training is \$21,000.00. Discussion ensued on other detailed aspects of SK instituting the radio read meters.

Mr. Ward stated he does not disagree with the purpose of the request but believes there is a problem with being able to grant it. He proceeded to review the statutes, which states a request shall be approved only by demonstration that an extension is justified by extraordinary circumstances beyond the control of the municipality or water supplier. He does not see a demonstration being beyond the control in this case. He explained this is one of the rules that needs changing as we go forward amending the program rules but the literal reading of the law says we cannot do this. Mr. Griffith stated that one can also interpret the circumstances of the swap out of the installation of the new system were undertaken without considering the unintended consequences it would have on their ability in meeting the schedule they were locked into as extraordinary. The committee would make that discretion if necessary in their motion.

Motion to approve the six month extension request was moved by Ms. Swallow and seconded by Mr. Stamp; the motion was approved. Mr. Ward abstained.

IV. ITEMS FOR DISCUSSION:

1. Water Conservation Program – Update

Mr. Griffith introduced the item. Mr. Mariscal stated he will be providing discussion towards getting guidance as to where we might go for a statewide conservation program. He reported that last month he provided a handout outlining what the motion was and intent of the committee and Board was for the staff to address. He reported staff reviewed the supplier plans in terms of what information was provided regarding their drought management plans and triggers. He provided a work in progress handout to the committee made up of a matrix with different components and findings. He reported examples of his findings and comments on various suppliers. He stated he is trying to avoid conflating conservation and emergency management. He asked the committee how comfortable do we need to be with this information to take it to form a statewide program and is it necessary. Mr. Morrison stated he would like to make the plan now instead of waiting for an emergency situation which is likely to happen one of these years. Discussion ensued on what kind of approach or actions to be taken or recommended including baseline actions by suppliers. Mr. Ward stated this plan does conflate conservation and emergency management. Discussion ensued on this point. Mr. Stamp stated what is being created here is a mountain of conflict because of creating statutory law and think you are going to control anyone. Discussion ensued on his point. He added instead of trying to find a real solution to the problem we are trying to band aid it with statutory law in a regulatory fashion. He stated instead we should be creating incentives within the system to get people to work proactively on their behalf for this effort. Mr. Perry stated some of the elements of the plan that Mr. Mariscal has laid out needs to be considered such as education and outreach. He added incentives do need to be done. Ms. Scott stated that Mr. Mariscal's matrix and table shows that drought planning has not been done well at the local level and whether it is the state's role to provide some direction and give a better framework. She added establishment of triggers need to be addressed. She stated we may need to look at regional approaches. Mr. Perry

stated he believes the Board needs to step in. Mr. Morrison proposed a subcommittee be established to begin working on this matter. Mr. Griffith stated we should establish what should constitute a minimally acceptable drought management plan and what those elements are and in the process the Drought Steering Committee should identify what the recommended actions or responses to be for the different drought phases. These recommendations should be provided to the Board for approval and made available for discussion prior to adopting them as regulations. He stated he would like to see that whatever is proposed and adopted be in acceptance with the supplier's. He stated that he agreed to the forming of a small group to decide what the appropriate actions should be on a basin by basin basis or region by region basis. Mr. Stamp asked if along with the proposal, if there could be proactive actions from this Board to go the communities to help them change their behavior. Mr. Mariscal stated the intent today was to get guidance and believes he has gotten it. He believes as we move forward a clearly defined program needs to be worked out. Mr. Griffith stated he will be forwarding an outlined plan of a similar program out of the State of Colorado for information purposes. He added that instead of forming a subcommittee at this time, he wanted to let the general manager get further along in his process, take his findings under advisement and make our recommendations back to the committee.

V. STAFF REPORTS:

1. Drought Management Program – Drought Condition Update

Mr. Griffith introduced the item. Ms. O'Keefe reported the Drought Steering Committee met last month and found that conditions had worsened especially in the South County area. She related the handout includes a web site reference that talks about groundwater. She provided background and insight regarding the site. She reported precipitation in December was slightly above normal causing some positive changes with surface water supplies but unfortunately precipitation for January has decreased for the month to date by 1.2 inches below normal. Thus the rate of precipitation has decreased, which is not good for groundwater because groundwater wells take 3 three to four months to recharge. She stated that unless we have a very wet spring we are on track going into April and May with groundwater that is just beginning to recharge. She Reported we will continue to hold Drought Steering Committee and look at the data in depth both for surface and groundwater. She reported we are looking at various regions of the state which have moved into a Drought Watch stage and South County has moved into a Drought Warning stage, which is serious. She stated we have sent a press release to the Governor's office and have increased our efforts to work with water suppliers regarding creating awareness. A discussion ensued regarding provisions and lead time for critical and priority users during drought scenarios.

2. Water Supply Systems Management Plan Program - Update

Mr. Griffith introduced the item. Ms. O'Keefe reported that the Board at the January 15th meeting voted to declare a moratorium on the reviews of the WSSMP's five year updates until May 31st to give staff time to review current law, rules and procedures and update the definitions of compliance, non-compliance and substantive deficiencies. She related there have been more findings of non-compliance coming before the Board than for compliance for the five year updates. She stated currently we have five updates submitted for staff and agency review that are not affected by the moratorium. She reported staff continues to work with the water suppliers whose plans are under non-compliance. She stated the process is moving forward so we are hopeful we have successive steps towards the goal of getting elements and information and data on particular sections of the WSSMP's according to law and statute. Mr. Griffith asked if we have

a list of the water suppliers who are deficient in terms of their drought emergency response and or water conservation. Ms. O'Keefe stated a matrix has been prepared that identifies those suppliers and it is fair to say that 80 to 90 percent of those plans found in non-compliance do not have a drought management plan with specifics that include triggers, steps and water levels. She stated there is not a requirement for a water conservation plan and that the demand management section is only defined by the residential retrofit program and the major user technical assistance program. Mr. Griffith stated he believes it is time for the Board to send out a letter to all suppliers on the subject of emergency management plans by identifying the fact that many systems have been found in non-compliance and deficient in these areas and we are in a drought warning phase right now and asking them if they haven't done so to take a hard look at what they will do if and when they find themselves faced with a drought emergency situation.

3. RI Public Drinking Water Protection Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported that QDC has notified us that they were unable to get the 2/3rd's vote required by the Old Mill's Association to move forward with their acquisition and secure a purchase and sale agreement by the January 31st deadline. Thus they will not be moving forward with this project. He stated he will follow up with a final report on the program. Mr. Griffith stated he knows QDC and staff worked hard on this project. Ms. Scott asked if there was something in particular that they couldn't come to terms with. Ms. Green stated from their perspective it is a difficult town to get consensus on an issue and she thinks they have an inherent distrust for governmental organizations and are skeptical by nature. She thanked the committee and Mr. Riverso for his help on the project.

4. Groundwater Protection/Acquisition Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported program work continues and that the Town of Richmond has submitted additional documents for their project application and it is under review.

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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