



**State of Rhode Island and Providence Plantations**

**Water Resources Board**

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**WATER RESOURCES PROTECTION & USE COMMITTEE MEETING**

(Formerly the Public Drinking Water Protection Committee)

**MINUTES OF MEETING**

August 5, 2008

<b>Members Present:</b>	<b>Members Absent:</b>	<b>Staff Present:</b>	<b>Guests:</b>
Robert Griffith	Frank Perry	Juan Mariscal	Eugenia Marks
Liz Scott		Romeo Mendes	Ken Booth
William Stamp, III		William Riverso	Christopher Mitchell
Harold Ward		Kathleen Crawley	Ken Mason
Ian Morrison			Carissa Richard
June Swallow			

**I. CALL TO ORDER:**

Chairman Griffith opened the meeting at 12:36 p.m., and noted a quorum was present.

**II. APPROVAL OF MINUTES:**

1. July 1, 2008 Meeting Minutes

With a **motion** by Mr. Morrison, seconded by Mr. Ward, the minutes of the July 1, 2008 meeting were approved.

**III. ITEMS FOR DISCUSSION AND/OR ACTION:**

1. City of East Providence (EP) – 5 - Year Update Recommendation

Mr. Griffith introduced the item. Mr. Mariscal reported Ms. O’Keefe prepared a report describing the Addendum No. 1 plan items that resulted in compliance or non-compliance. She concluded the submittal is a complete replacement of the approved Plan but still contains much of the same narrative descriptions within each section as provided in the approved Plan. She also recommended stopping the clock for the review and approval process allowing East Providence time to re-review comments and address deficiencies. Mr. Mariscal reported he had extensive conversations with Mr. Booth, Superintendent of East Providence Water Department and concluded a revised recommendation was in order. He recommended after recognizing the comments made in the WRB staff recommendations, it is recommended that the East Providence WSSMP and Addendum #1 be approved with the following conditions:

1. On an annual basis (due July 15 each year), the City of East Providence Department of Public Works shall submit an annual data report in a format to be defined by the WRB as well as an annual update regarding the implementation of its Water Supply System Management Plan and each of its elements. The report shall also include any other significant accomplishments and challenges;
2. Regarding the BCWA-EP emergency interconnection, the City, with input from and agreement by the BCWA, shall submit an update on the status of this interconnection and an implementation plan for it being brought on-line and fully functional. This update and plan shall be submitted within 120 days (i.e. by December 15, 2008) – (It is also recommended that the BCWA be separately notified by the WRB of this requirement and its applicability to them as well);
3. Regarding drought management, the City shall provide a written update (or confirm a recent submittal) that includes specific actions and indicators associated with state established drought management phase levels within 120 days (i.e. by December 15, 2008);
4. Regarding the implementation schedule, all activities proposed or outlined in the WSSMP and herein must be included in the implementation schedule indicated proposed timeframes and completion dates. This implementation schedule shall be submitted within 120 days (i.e. by December 15, 2008);
5. Regarding financial management, the City has reported in another submittal to the WRB staff that it “is in the process of soliciting RFP’s for a rate/costs of service” study. This study shall address water conservation-based rate structure including an inclining block rate system and seasonal rates. Any support systems needed to implement any new rate structure must be included in this study. A copy of the RFP, when issued, shall be submitted to the WRB. Periodic reporting on the implementation of this study should also be done by the City to the WRB;
6. Regarding worksheet submittals, the City recently submitted its annual data report to the WRB, the WRB staff shall review the submittal and determine if additional data worksheets need to be submitted. The WRB shall advise the City by September 1, 2008 if additional data worksheets are needed from the City. If necessary, then the City shall submit the worksheets by December 15, 2008;
7. The WRB staff shall meet with East Providence staff during the 120 days to provide guidance to address the recommendations.

Ms. Scott questioned what happens if the water supplier does not meet the conditions by the set date. Mr. Mariscal stated he would come back to the committee and report if they haven’t and may recommend different action. Mr. Griffith noted the revised recommendation allows the plan to be approved and keeps the process moving forward towards developing a finalized plan. Mr. Stamp noted the revised process would keep dialogue going between staff and the supplier towards a better end. Mr. Booth stated communications has improved with clearer requirements and explanations being provided and as a result believes satisfying the recommendations is

attainable. He provided an explanation for the items identified in the staff recommendations.

**Motion** by Ms. Scott and second by Mr. Ward to approve the plan with the amended recommendations/conditions. The motion was approved unanimously and carried.

2. City of Newport (CN) – 5 - Year Update Recommendation

Mr. Griffith introduced the item. Mr. Mariscal reported that Ms. O’Keefe’s report outlines remaining deficiencies for several sections of the plan, mainly regarding demand and drought management and their water quality protection plan. He stated Mr. Mariscal reported he had extensive conversations with Ms. Julia Fogue, Public Works Director for the City of Newport and concluded a revised recommendation was in order. He recommended after recognizing the comments made in the WRB staff recommendations, it is recommended that the City of Newport’s WSSMP and Addendum #1 be approved with the following conditions:

1. On an annual basis (due July 15 each year), the City of Newport Department of Public Works shall submit an annual data report in a format to be defined by the WRB as well as an annual update regarding the implementation of its Water Supply System Management Plan and each of its elements. The report shall also include any other significant accomplishments and challenges;

2. The City of Newport will be filing a rate case with the Public Utilities Commission before the end of the present calendar year. As part of that filing, the City will include appropriate funding to update its Water Quality Protection Component of the WSSMP as well as implementation of its new automatic metering reading system. The City shall provide a copy of the rate filing to the WRB. Once a decision is made on the Newport rate case by the PUC, the City of Newport shall report to the WRB staff regarding funding of the update and, a schedule for implementation of the work;;

3. Regarding demand and system management, the City shall provide a written update to the WRB regarding its planned implementation and upgrading of its automatic meter reading system within 120 days (i.e. by December 15, 2008);

4. Regarding drought management, the City shall provide a written update (or confirm an existing previously-submitted outline) that includes specific actions and indicators associated with state established drought management phase levels within 120 days (i.e. by December 15, 2008);

5. The WRB shall meet with Newport staff during the 120 days to provide guidance to address the recommendations.

Mr. Mariscal reviewed the conditions and certain explanations provided by Ms. Fogue. She reported that follow up work in preparing the Water Quality Protection Plan (WQPP) needs to be funded through the next rate case before the PUC upcoming this December. Ms. Scott recommended a specific date be applied to the recommendation concerning finalizing the WQPP. The committee consensus was to apply the date certain of 18 months after PUC approval

towards submitting the WQPP. Mr. Mason representing the City of Newport provided additional explanations for the items listed as conditions in Addendum 1.

**Motion** by Ms. Scott and second by Mr. Ward to approve the plan with the amended recommendations/conditions including the 18 month deadline for the WQPP submittal. The motion was approved unanimously and carried.

## 2. Statewide Water Conservation Program

Mr. Griffith introduced the item. Mr. Mariscal reported that Christopher Mitchell an intern working with us has been researching legal and regulatory aspects of how do we use water conservation measures. In addition, he looked at how do we go about changing building codes or making changes in building codes to coincide with any recommended new hardware that could be used or implemented. He stated we are finalizing our findings and hope to put a report together soon which may include regulatory and or legislative approaches to this effort for the state.

Mr. Mariscal reported that the WRB did become an EPA Water Sense Partner receiving valuable information from them and also participating in conference calls with them. He stated an upcoming conference call this month may be available through the internet and he will forward the information to the members.

## IV. STAFF REPORTS:

### 1. Supplemental Water Supply Study Program – Update

Mr. Griffith introduced the item. Ms. Crawley reported we are on target to begin final production of the report on August 18<sup>th</sup>. In addition, we had a meeting with Maguire Group and we are receiving comments from water suppliers regarding information in the report sent to them regarding their system asking them to review data for accuracy. She stated we are beginning to plan with this committee and the CEO committee to start talking about how we want to prioritize the recommendations coming from the report.

### 2. Drought Management Program – Drought Condition Update

Mr. Griffith reported that recorded precipitation for July was well above average and that monitoring wells and the public wells on the real time metering show a little bit of response to the rain we've had and are quickly back to the lower end of the spectrum within a couple of days and the Drought Steering Committee decided to continue with the Advisory position up to the next August meeting.

### 3. Water Supply Systems Management Plan Program - Update

Mr. Griffith introduced the item. Mr. Mariscal reported we recently received a submittal from Pawtucket after giving them 120 days to produce a new submittal. He added the submittal has

been distributed to the review agencies. He reported we were notified by the City of Warwick they would be a week or two late with their responses to us. He stated he forwarded them a letter with a specific due date of August 13<sup>th</sup>, 2008. He reported he has a list of the submittals that have been made regarding annual water use reporting by the water suppliers. He noted 70% of them have reported with others saying the information is forthcoming.

4. Groundwater Protection/Acquisition Program - Update

Mr. Griffith introduced the item. Mr. Riverso reported the Board approved project off Heaton Orchard Road is moving forward with a signed P&S coming any week now and in the package will be the Class I Survey and other documents. He stated he will take that to State Properties Committee for final approval. He reported the recent projects approved by the Board are also moving forward with one needing and getting approval by State Properties Committee this morning to go forward with negotiations. He stated USGS will be modeling these sites over the next two weeks and staff is initiating due diligence tasks for these projects.

**VI. OTHER BUSINESS:** Mr. Ward asked about the status of the Pawcatuck Optimization Study. Ms. Crawley stated she has asked USGS for a status report and will follow up with them.

Mr. Morrison asked about filling of Ms. O’Keefe’s position. Mr. Mariscal reported requests have been forwarded regarding critical vacancy needs.

**VII. ADJOURNMENT:**

**Motion** by Mr. Stamp and second by Ms. Scott to adjourn the meeting was carried unanimously and the meeting ended at 1:32 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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