

**Minutes of the Rivers Council Meeting held
8 December 2004, 3:15 PM**
Conference Room C
William E. Powers State Administration Building
One Capitol Hill, Providence, RI

ATTENDANCE:

A. Members Present

Dale Grogan
Stephen Kearns
Meg Kerr (Chair)
Guy Lefebvre
Scott Millar (Vice Chair)
Kevin Nelson
Jane Sherman
Daniel Varin

B. Members Absent

Kevin Cute
Diane Feather
Elizabeth Gowell
Dante Ionata
Eileen Naughton
Scott Rabideau
Elizabeth Roberts

C. Watershed Councils in Attendance

Anne Preuss, Salt Ponds Coalition
Ginny Leslie, Saugatucket River Heritage Corridor Coalition
Steve Insana, Buckeye Brook Watershed Council
Ann Morrill, Kickemuit River Watershed Council
Tammy Gilpatrick, Blackstone River Coalition
Frank Matta, Blackstone River Watershed Council
Richard Grant, Narrow River Preservation Association
Martha Cruciani, Pawtuxet River Authority

D. Guests in Attendance

Kathy Crawley, RI Water Resources Board
Peg Parker, House Policy Office
Chip Young, Coastal Institute, URI
Don Pryor, Brown University
Elizabeth Herron, URI Cooperative Extension
Sue Kiernan, DEM Office of Water Resources
Peter August, URI
Juan Mariscal, Warwick Sewer Authority
Thomas Uva, Narragansett Bay Commission
Leah Robinson, Greenwich Bay Watershed Group
Derry Riding, Statewide Planning
Michelle Komar, Public

CALL TO ORDER:

The Chair called the meeting to order at 3:20 PM

PRESENTATIONS ON MONITORING PROGRAMS

1. RI Monitoring Collaborative, Peter August

Coordinated monitoring of RI's waters was identified as a priority issue at the Narragansett Bay Summit in April 2000. Since that time, the House Bay Trust Commission, Governor's Bay Planning Commission and the Senate Hearings on Narragansett Bay have all identified monitoring as a priority issue. In 2004, the legislature created the RI Bays, Rivers and Watersheds Coordination Team and charged it with creating a systems level plan for Narragansett Bay, RI rivers and watersheds. The Team is supported by a Environmental Monitoring Collaborative and an Economic Monitoring Collaborative. The purpose of the environmental monitoring collaborative is to synthesize existing data, evaluate trends and ensure that information is shared among data users and decision makers. The Collaborative is currently working on a) inventory of existing programs. A database is up on the web for users to review (<http://www.ci.uri.edu/projects/ri-monitoring/OnlineResources.html>); b) developing a monitoring framework for the state. This is an iterative process which has started with the DEM monitoring strategy (available from the same web site).

The challenges facing the Monitoring Collaborative include looking at new opportunities for future monitoring and synthesizing the information into a meaningful "big picture". The

2. DEM' Monitoring Plan, Sue Kiernan

Sue's presentation was accompanied by a handout. The DEM water monitoring strategy was developed by DEM- OWR with the assistance of a consultant. The strategy is intended to determine baseline water quality conditions and assess water quality trends, identify causes and sources of water quality problems, develop and implement water resource programs, evaluate the effectiveness of water resource programs, and respond to emergencies. The plan integrates monitoring conducted within DEM. The strategy currently includes estuarine and coastal waters, rivers, streams, lakes and ponds. In future, freshwater and coastal wetlands, coastal sediments, groundwater and freshwater sediments will be included. EPA has changed the definition of "assessed waters" used during the 305 (b) assessment process. Starting in 2006, "assessed waters" need to include data on fish consumption. The monitoring strategy will implement a rotating basin approach to systematically monitor rivers and streams. A demonstration project started in May 2004 in the Wood River Watershed. The monitoring strategy will be finalized in January 2005 when it will be presented to the Coordination Team, EPA and the legislature.

Q & A

How is Roger Williams University involved?

They are helping with the Bay monitoring.

The Annual report to the Governor – what will its format be? Will it have numbers and results?

This is really up to the Coordination Team.

How does the state respond when water quality violations are noted?

It is not quick, but water quality violations trigger the TMDL process.

3. Watershed Watch, Elizabeth Herron

Elizabeth's presentation was accompanied by a handout. URI Watershed Watch began in 1987. The programs goals are a) educate the public, b) promote active citizen participation, c) obtain multi-year water quality data to ascertain current conditions and detect trends, d) encourage

information-based management programs. Today there are over 350 active volunteer monitoring working in all 14 major watersheds and in 29 out of 39 RI communities. Waters are monitored for a range of water quality parameters in the field (secchi depth, temperature, DO, Chlor-a) and in the lab (pH, alkalinity, total and dissolved P, total N, nitrate and ammonium N, Chlor-a, chlorides, bacteria, TSS, BOD). The program includes field and classroom training. Watershed watch data is used in the RI 305(b) report and to support local decisions. Elizabeth also distributed a table showing a range of monitoring activities and highlighting the data objectives and resources needed for each category. She also distributed a list of monitoring resources available on the web and through EPA.

4. Blackstone Watershed Coalition, Tammy Gilpatrick

The Blackstone Coalition is comprised of 3 watershed organizations working on the Blackstone River. The coalition works together on a volunteer monitoring program and have 80 volunteers sampling 71 sites from the headwaters to Central Falls. The volunteers collect samples on the second Saturday of each month, and bring samples to the lab. There are 3 labs set up in the watershed. The program's goals are to create stewards, collect scientific information, identify problems and advocate for solutions. The volunteers are training in the classroom and in the field. The program has created a river quality report card that will be published in the local papers. On February 5 the Coalition will host a water quality summit for the river. Tammy distributed an example of the report card developed for the river.

ACTION ITEMS

5. **Approval of minutes November 10, 2004**

Mr. Nelson made a motion to accept the minutes of the Council's 10 November 2004 meeting, Ms. Grogan seconded, all approved.

6. **Approval of 2005 workplan**

Ms. Sherman made a motion to accept the 2005 Rivers Council workplan, Mr. Millar seconded, all approved.

Special presentation Mr. Kearns presented Mr. Varin with a small gift to honor his contributions to the Rivers Council as he is retiring from the Council.

REPORTS

7. Report from the Water Resources Board on status of Rivers Council

Mr. Varin reported that the Board Corporate lawyer has determined that the Board Corporate can serve as a fiscal agent for the Rivers Council, saving the Council the 7 % fee to the RI Natural History Survey. The ability of the Board Corporate to handle grant funds will depend on the parameters established by the grantor. The WRB is also able to provide limited staff support to the Rivers Council.

Mr. Kearns asked how the WRB will handle the RC's state funds. Mr. Varin said that the WRB is planning on handling these funds. Mr. Kearns asked about this fiscal year and Mr. Varin replied that he is not sure whether the WRB will be able to handle the funds this fiscal year. Mr. Lefebvre asked if we are moving from a legislative grant to a line item in the WRB budget. Mr. Varin replied yes, that is the goal, but the timing is important. Mr. Lefebvre asked whether the Rivers Council would participate in the WRB presentation to the House Finance Committee. Mr. Varin replied that the Rivers Council should be part of the presentation. Mr. Kearns asked whether the Rivers Council will be working on a legislative grant for the upcoming fiscal year, and Mr. Varin said that he is still unsure of the exact timing. The Rivers Council voiced unanimous appreciation for the WRB's efforts on our behalf and offered special thanks to Kathy Crawley for her efforts.

8. **Report from Chair**

Ms. Kerr distributed the application for new watershed councils and a timeline for 2005 applications for the Council to review. The Council will discuss and adopt the timeline and application at the Jan. 12 meeting.

Ms. Kerr reported on the successful December 2 Rivers Council workshop on the Clean Water Act, part of the Council's Fishable/Swimmable campaign.

Ms. Kerr distributed information on the Second Annual Land and Water Conservation Summit, to be held Saturday March 12 at the URI Memorial Union.

9. **Policy Committee (Jane Sherman, Chair)**

- Rivers policies – Phase II updates. The Policy Committee will meet on Jan. 6.
- Riparian Buffer report. The RC Buffer Working Group is finalizing their recommendations. The final report will come before the Rivers Council for a vote at the January 12 meeting. Mr. Nelson raised concerns about taxation as an incentive for buffer protection. He asked that the Council report specify that land owners submit a formal plan that is monitored on a regular basis in order to be eligible for the tax break. Ms. Cruciani said that in New Hampshire, the land is taxed based on its use and that taxes are higher for waterfront property. If RI adopted this policy, offering tax breaks for management plans would be a greater incentive. Mr. Millar said that his office is working on guidance for buffer protection. Once complete, this work will be useful to watershed councils.

10. **Legislative Committee (Dan Varin, Chair)**

- Notice for Watershed Councils. Mr. Varin distributed a second draft of the notice rule. This draft has been reviewed by Ms. Derry Riding (Statewide Planning). Ms. Sherman asked whether the watershed councils would be responsible for marking the boundaries of their watershed on plat/lot maps. Ms. Grogan said that when North Kingstown adopted its groundwater overlay, the information was listed by plat/lot. She said that the burden needs to be on the watershed council if we want the information to be correct. Mr. Kearns asked whether GIS technology could help, how accurate are the watershed maps and how many towns have digitized the plat/lots? Mr. Uva said that the information is variable, and that he would suggest the rule be written so that the watershed councils and towns have some flexibility in how it is implemented. Mr. Millar pointed out that the rule asks for an overwhelming number of DEM notices. He questioned whether watershed councils really wanted to receive notice of every ISDS permit issued in their watershed. Mr. Lefebvre pointed out that ISDS permits are already available on the DEM web site, organized by municipality. Ms. Komar suggested that the Rivers Council target the following activities: water quality certifications, site remediation projects with discharges to surface waters, Notices of violation and compliance orders. Under 5.05, she asked that we also list those agencies that are under EDC such as the Airport Corp. In 5.01 add Harbor Management Plans. Mr. Millar asked the Council to delay final approval of this rule until he could complete talking with the offices within DEM to identify the most critical activities.

11. **Funding and Development (Steve Kearns, Chair)**

- Update on funding/grants management. Mr. Kearns distributed the grants tracking matrix. The Rivers Council has applied for a BayWAG grant.
- Watershed Council grants. Mr. Kearns asked the Council to think about how we will spend our \$52,500 legislative grant. With 9 watershed councils, Mr. Kearns recommended that the Council make the grant allocation as simple as possible and award each organization \$5,000. Ms. Grogan said that any council that has not submitted a report for 2004 should not be eligible for a grant in 2005. Mr. Varin reminded the Council that the Governor asked for

reports on the 2004 awards and that his office will be following the grants very carefully. Mr. Nelson said that he would like the Council to develop contracts with each watershed council. Ms. Kerr raised the question of groups who have not spent the money from last year. Ms. Sherman said that the Rivers Council should have defined expectations for how the money will be spent. Mr. Kearns pointed out that the Rivers Council and the watershed councils are moving towards a higher level of professionalism, and that demands accountability. Ms. Grogan asked that the Rivers Council again specify meetings for the watershed councils to attend. This promotes interaction among the watershed council. Mr. Lefebvre questioned whether attending Rivers Council meetings was pertinent to watershed councils. Mr. Kearns made a motion to encumber the legislative funds with \$5,000 going to each watershed council and the remainder to the RINHS for Rivers Council use. Ms. Grogan seconded and all approved.

- Budget for 05/06. Mr. Kearns presented a proposed 05/06 budget. Mr. Varin said that he would provide this budget to the WRB financial staff. Mr. Lefebvre asked why Mr. Kearns' budget differed from the budget prepared by Cause & Effect. Mr. Kearns replied that he would like the Rivers Council to move toward the C&E budget and felt that his request was a reasonable next step.

12. Professional Development/Training (Dante Ionata, Chair)

- Watershed Stewards Program (Guy Lefebvre). Mr. Lefebvre reported that planning is on-going for the Stewards Program. The first program will be held on Monday evenings in May 2005 at the Knights of Columbus Hall in Warwick. Ms. Kerr and Mr. Lefebvre are developing the curriculum.
- 2005 Land and Water Stewardship Summit – March 12, 2005. Ms. Kerr distributed information on the Summit.

11. Next meeting January 12, 9:00 AM

ADJOURNMENT

The Chair adjourned the meeting at 11:04 AM.