

**Minutes of the Rivers Council Meeting held  
9 February 2005, 4:00 PM**  
Conference Room B  
William E. Powers State Administration Building  
One Capitol Hill, Providence, RI

**ATTENDANCE:**

**A. Members Present**

Dale Grogan  
Meg Kerr (Chair)  
Stephen Kearns  
Guy Lefebvre  
Scott Millar (Vice Chair)  
Kevin Nelson  
Will Riverso  
Jane Sherman  
Mike Walker

**B. Members Absent**

Kevin Cute  
Diane Feather  
Elizabeth Gowell  
Dante Ionata

**C. Watershed Councils in Attendance**

Ginny Leslie, Saugatucket River Heritage Corridor Coalition  
Steve Insana, Buckeye Brook Watershed Council  
Ann Morrill, Kickemuit River Watershed Council  
Lori Urso, Wood-Pawcatuck Watershed Association  
Richard Grant, Narrow River Preservation Association  
Anne Preuss, Salt Ponds Coalition

**D. Guests in Attendance**

Daniel Varin, Water Resources Board  
Blanche Higgins, Statewide Planning  
Tim Mooney, Senator Chafee's Office  
Don Pryor, Brown University

**CALL TO ORDER:**

The Chair called the meeting to order at 4:05 PM

**ACTION ITEMS**

1. **Approval of minutes January 12, 2005.** Ms. Sherman asked the Chair to include a reference to the discussion on brownfields and agreed to submit exact language. Mr. Nelson made a motion to accept the minutes of the Council's 12 January 2005 meeting, Mr. Kearns seconded, all approved.

2. **Discussion and Approval of Notice Rule** (Approval will move the rule into the Public Hearing process). Mr. Millar reviewed the changes to the DEM portion of the rule (5.02) as well as changes to the City and Town Government (5.01) portion. He has added:
- 4.04 -- on type of notice
  - 5.01J – on Phase II stormwater
  - wording has been changed throughout section 5.02

5.02E states, “Issued notices of violation and compliance order which impact on rivers, lakes, ponds and estuaries”. Ms. Sherman questioned the wording “which impact on”, saying that watershed councils are interested in ALL NOV issued within their watershed, not just those that DEM decides “Impact on rivers...”. Mr. Millar stated that if the NOV is in the watershed, the watershed councils will be notified. DEM will not be making determinations of what does and does not impact rivers.

Mr. Walker questioned 5.02D, “Applications for individual sewage disposal systems..”. He asked if DEM will change the submission requirements to provide watershed councils with adequate information on the application. Mr. Millar stated that DEM will push for electronic notice rather than send copies of the applications to watershed councils. Mr. Walker stated that he would not want to add to the cost of application.

Mr. Varin summarized other changes to the rule. Derry Riding questioned 5.06 because the appeal board does not meet. Mr. Varin suggests keeping the reference in case appeals arise over the new affordable housing laws. The other changes were minor.

Mr. Nelson questioned sections 1 – 4 in 4.01. Ms. Higgins asked how many towns have watershed maps. Mr. Millar said that the watershed lines are in the GIS system, but are not used much. Ms. Higgins said that she used to work in a town that had watershed lines indicated on zoning maps. This is something for watershed councils to work towards. Mr. Nelson reiterated that the list of maps in 1 – 4 are not legal maps. The only legal maps are the plat/lot maps that are required by law. He made a formal request that the Rivers Council remove reference to these maps in the rule.

Mr. Walker pointed out that the statute referenced in the rule is incorrect. It should be changed from Section 42 to Section 46.

Mr. Millar said that he will make an additional change to the brownfields section. Mr. Millar made a motion to approve the rule with the changes indicated, Ms. Grogan seconded, all approved.

Mr. Nelson agreed to check on next steps and advise the Council.

3. **Rivers Council position on wastewater treatment plant permit modifications for nitrogen reductions at East Providence, Woonsocket, Narragansett Bay Commission's Bucklin Point facility, Narragansett Bay Commission's Fields Point facility.**

Ms. Kerr distributed information on the nutrient limits taken from Save the Bay's web site. Ms. Sherman asked how these limits compare with other facilities in the state. Mr. Pryor said that most permits that have nitrogen limits (there are only a few) have a 5 mg/l limit. Mr. Kearns asked how much these reductions would cost. Mr. Pryor said that it

would cost millions of dollars. Mr. Nelson stated that he is in favor of making the proper investments in infrastructure so costs are not passed along to the users. Mr. Nelson made a motion asking the Chair to write a letter to DEM in support of the draft permits. Mr. Kearns seconded and all approved.

## **SPECIAL PRESENTATION AND DISCUSSION**

### **4. Status report on drafting a new State Land Use Plan/State Guide Plan (Blanche Higgins, Statewide Planning)**

The State Guide Plan is linked to Community Comprehensive Plans. This is the third state land use plan, but the first plan that has been developed since the current Comprehensive Planning structure was put in place. The State Guide Plan has 30 elements including 8 on water. There are also gaps – for example, the Guide Plan has no plans for sewers. There are also 39 Community Comp Plans. The Land Use Plan is being developed under 5 goals:

- Quality urban and rural centers, conservation of natural resources, sustainable economic activity.
- Build the greenspace network (urban and rural)
- Excellence in community design
- First class infrastructure (water, sewer, highways, etc)
- Implementation through public stewardship, strategic public investments, enhanced planning capability.

There are 3 Organizational Categories – Greenspace, Community Design, Infrastructure

And three areas of concern: Underutilized urban areas, the coastal shoreline, major transportation corridors and intersections.

They are considering setting a goal to have 50 % of the state as greenspace (this was a goal in the 1970s). We are currently at about 34%.

Ms. Higgins showed the Council some maps including the future land use map developed as a composite of the individual municipal comprehensive plans. She pointed out that a lot of towns have zoned “What Is” rather than their vision for the future. Statewide planning would like to encourage towns to think about 2 land use categories – urban (defined as where there is existing water and sewer) and rural (without water and sewer). She would like to encourage different planning and development strategies for these two areas.

They hope to have an updated plan by July 1, 2005.

## **REPORTS**

### **5. Funding and Development (Steve Kearns, Chair)**

- Watershed Council grants

Seven of the nine watershed councils have submitted projects for \$5,000 grants.

- Kickemuit: Submitted 2 projects, a coloring book and hiring experts to examine pollutants entering the river. Mr. Kearns asked Ms. Morrill if the project would go forward without the Rivers Council grant. She said that it would not.
- Saugatucket: Requests funds to support quarterly newsletter and a welcome to the watershed project.
- Salt Ponds: Request funds to support executive director's salary.
- Buckeye Brook. Funds will be used for a road race, membership campaign and getting the 501 c 3 certification for the organization.
- Wood-Pawcatuck: They will develop a system to respond to the notice rule.
- NRPA: Membership drive and organizational promotion.
- Woonasquatucket: Watershed restoration outreach to local landowners.

Mr. Kearns stated that he is concerned about projects that completely depend on Rivers Council funds.

Mr. Lefebvre said that he is concerned about projects that have no match.

Mr. Kearns made a motion that the Rivers Council accept the applications and give the grants. Mr. Walker seconded.

Mr. Nelson asked the Chair for reports on 2004 projects. Ms. Kerr stated that the Watershed Councils have all reported on their progress, except the Pawtuxet. The Pawtuxet has not applied for funds for 2005.

Mr. Insana told the Council that he is volunteering to help the Pawtuxet.

Mr. Grant told the Council that the 2004 grant increased membership from 220 to 400 members. The project was very successful.

Mr. Lefebvre asked for a summary of accomplishments from each watershed council.

Mr. Nelson said that he is concerned with hiring a consultant for the Kickemuit. He asked Ms. Morrill to describe what the end product of the consultant's work would be. He asked if DEM would take any action based on the consultant's reports. He said he is also concerned with using the Rivers Council grant for an executive director's salary as the Salt Ponds Coalition is proposing.

Mr. Nelson asked the Rivers Council to table the Kickemuit proposal and vote on the others. Mr. Kearns and Mr. Walker agreed. All approved. Ms. Morrill was asked to provide the Rivers Council with a letter of support from DEM. Ms. Kerr offered to help her with the project.

6. **Report on Water Resources Board/Rivers Council transition.**

Ms. Kerr distributed a workplan showing the transition with timing.

7. **Report from Chair**

- **BayWAG grant.** A copy of the letter of acceptance was distributed. This grant will be used to provide targeted consulting assistance to watershed councils and land trusts.

- **Annual Report.** Ms. Kerr distributed a draft annual report that did not include summaries of each watershed council. The Council endorsed finalizing the annual report prior to the March meeting.
8. **Policy Committee** (Jane Sherman, Chair). No report due to lack of time.
  9. **Legislative Committee** (Will Riverso, Chair). Mr. Riverso brought several pieces of legislation to the attention of the Council:
    - S 0220, H5044 – These separation of Powers bills reconfigure the Rivers Council. The Senate bills remove EDC and WRB from the Council. The House bill keeps the Council as currently configured.
    - H5040 – House resolution to keep Lincoln Woods open year round.
    - H 5162 – Oil spill response and prevention.
  10. **Professional Development/Training**
    - Watershed Stewards Program (Guy Lefebvre).
    - 2005 Land and Water Stewardship Conference – March 12, 2005

Flyers were distributed for both these events.
  11. **Next meeting March 9, 2005 at 9:00 AM**

#### **ADJOURNMENT**

The Chair adjourned the meeting at 6 :10 PM.