

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

**ATTENDANCE:**

**A. Members Present**

Diane Feather  
Elizabeth Gowell  
Dale Grogan  
Stephen Kearns  
Meg Kerr (Chair)  
Guy Lefebvre  
Scott Millar (Vice Chair)  
Kevin Nelson  
Sharon Pavignano  
Will Riverso  
Jane Sherman  
Mike Walker

**B. Members Absent**

Kevin Cute  
Dante Ionata

**C. Watershed Councils in Attendance**

Anne Preuss, Salt Ponds Coalition  
Bambi Poppick, Salt Ponds Coalition

**D. Guests in Attendance**

Don Pryor, Brown University  
Juan Mariscal, Warwick Sewer Authority  
Christopher D'Ovidio, CLF  
Eugenia Marks, Audubon Society of RI

**CALL TO ORDER:**

The Chair called the meeting to order at 9:05 AM.

**ACTION ITEMS:**

1. Approval of minutes April 13. Mr. Millar made a motion to accept the minutes of the Council's 13 April 2005 meeting, Mr. Kearns seconded. Ms. Grogan corrected the spelling of Gilbert "Stewart" on pg. 2. Change was approved and all approved the motion. (Guy Lefebvre, Elizabeth Gowell and Kevin Nelson were not in attendance for this vote).

**PRESENTATION:**

## **2. CLF Watersheds Initiative, Christopher D'Ovidio**

CLF originally proposed to work in 3 watersheds. With reduced funding, they are focusing on the Blackstone only. CLF is focusing on the legal and policy aspects of stormwater permitting. They have also conducted workshops for the Rivers Council on the Clean Water Act and Stormwater (March summit, Watershed Stewards program). CLF is working on three initiatives:

- 1) Phase I stormwater, identifying facilities that are not permitted as well as those that are violating their permits. Mr. Millar pointed out that DEM does not have the resources to complete the Phase I permitting requirements.
- 2) Phase II, advocating for public input and a formal comment period for the Stormwater Management Plans.
- 3) Point source advocacy. Legislation was passed last year requiring 50 % reduction in nitrogen inputs and CLF is watching the permitting of facilities in the Blackstone and upper Bay.

Ms. Marks pointed out that this report emphasizes the need for advocacy for the DEM budget so the agency can keep up with state and federal clean water mandates. Christopher D' Ovidio agreed to report back to the Rivers Council when key milestones have been met, probably in the fall.

(Guy Lefebvre and Kevin Nelson arrived during this presentation)

## **3. Global Warming Booklet, Eugenia Marks**

Ms. Marks presented the Environment Council of RI's booklet on Global Warming to the Council. The booklet is being distributed to a targeted audience of businesses and municipal decision makers.

## **DISCUSSION/UPDATES:**

### **4. Notice Rule and Policy Plan, Kevin Nelson**

Mr. Nelson reported that the Notice rule is not moving as quickly as he had hoped. Ms. Kerr said that the current version contains changes from the version that was approved by the Council. Mr. Nelson said he would identify the changes and report to the Council through email. If there are no objections to the changes, he will move forward with the public hearing. Mr. Nelson also reported that the current edition of the Rivers Policy Plan are printed and available. DOA has asked the Rivers Council to pay for printing 60 copies and the cost per copy is currently in question (the price increased at the printer). Ms. Kerr stated for the record that the Rivers Council receives \$52,500 from the legislature. \$45,000 goes to the watershed councils. DOA's insistence that the Rivers Council pay for copies of the plan is unreasonable. Mr. Kearns made a motion: Because Statewide Planning insists that the Rivers Council fund 60 copies of the plan, the Rivers Council will consider the expense at next month's meeting pending submission of an invoice. Mr. Lefebvre seconded, all approved.

### **5. Rivers Month Calendar (Sharon Pavignano) and Awards Event (Steve Kearns)**

Ms. Pavignano has prepared the 2005 Rivers Month calendar. It will be posted on the Rivers Council web site.

Mr. Kearns reported that the awards event will be held June 23 at 11:00 AM at Waterplace Park in Providence. Each watershed council is identifying a River Hero to honor.

## **6. Report on Bay, Rivers and Watersheds Coordination Team and SAMP (Mike Walker)**

Mr. Walker reported that the Bays, Rivers and Watershed Coordination Team and the SAMP team have completed strategic planning with the EPC and Larry Quick. Richard Ribb has been appointed by the Governor as the Chair of the Coordination Team. The appointment need Senate confirmation.

## **7. Discussion of Recusal Rules**

Ms. Kerr distributed and reviewed information on recusal from the ethics commission web site. Members discussed how the recusal rule is implemented on other boards and commissions, noting differences. Mr. Walker pointed out that it is up to the individual member to make the determination of whether to recuse. Ms. Grogan reminded the Council that members need to fill out and file the recusal forms when they determine that a conflict exists. Mr. Nelson pointed out that members need to be careful when voting on grants. Mr. Walker said that House bill 5816, if passed, will require the Rivers Council to conduct training on the open meetings law and ethics rules within 6 months.

## **COMMITTEE REPORTS**

### **8. Report from Chair (Meg Kerr)**

Annual reports are available for distribution. The Council asked that they be sent to cities and towns and libraries.

### **9. Professional Development/Education**

Mr. Lefebvre reported that the Watershed Stewards program has started and is well received. Ms. Sherman asked how the program will be evaluated. Mr. Lefebvre said that the Professional Development/Education Committee would be appropriate as the forum for evaluating the program.

### **10. Funding and Development (Steve Kearns)**

Mr. Kearns reported that he and Ms. Kerr will meet with the Water Resources Board on May 12 to discuss how the Rivers Council and the WRB will implement the associated function. The Rivers Council legislative grant for FY06 is \$52,500. We have requested this be increased to \$130,000.

### **11. Legislative Committee (Will Riverso)**

Mr. Riverso reported that H5816 was on the calendar on May 10. He is not sure of the outcome. Ms. Sherman asked about Cesspool Phase out bill. Mr. Millar reported that DEM is not optimistic that it will be passed this session.

### **12. Policy Committee (Jane Sherman)**

The Policy Committee plans to send the river classifications to the watershed councils for review to ensure that they are accurate and reflect the council's vision for the future of their river. The

watershed councils are also asked to identify headwater streams. Mr. Millar said that headwater streams are difficult to identify as they do not show up on most maps.

### **13. Other Business**

Mr. Lefebvre asked the chair to hold off on proposals for partnering and funding of the stewardship program until the committee and council have completed their evaluation of the first session. Ms. Kerr agreed to put the stewardship program on the agenda for the Council's June meeting.

### **ADJOURNMENT**

The Chair adjourned the meeting at 11:00 AM.

**Next meeting June 8, 2005 at 4:00 PM**