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

ATTENDANCE:

A. Members Present

Kevin Cute
Dale Grogan
Meg Kerr (Chair)
Guy Lefebvre
Kevin Nelson
Sharon Pavignano
Will Riverso
Jane Sherman
Mike Walker

B. Members Absent

Diane Feather
Elizabeth Gowell
Stephen Kearns
Scott Millar (Vice Chair)

C. Watershed Councils in Attendance

Ann Morrill, Kickemuit River Council
Edward Callender, Salt Pond Coalition
Judy Hadley, Blackstone River Watershed Council, Friends of the Blackstone

D. Guests in Attendance

Don Pryor, Brown University
Juan Mariscal, RI Water Resources Board
Rob Christina, RI Water Resources Board
Christina Altimari, ESS Group
Tim Libby, DEM
Greg Cassidy, DEM
Andy Lipsky, USDA NRCS

CALL TO ORDER:

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

ACTION ITEMS:

2. **Approval of minutes October 12, 2005**. Ms. Grogan moved approval, seconded by Mr. Riverso, all approved.

PRESENTATION AND DISCUSSION

3. Kevin Flynn, Associate Director for the Division of Planning. Mr. Flynn introduced the draft of the state's new Land Use Plan, Land Use 2025. The plan is currently being revised to make it more useable by local officials. The plan and map are available on DOA's web site.

RI's land use problem is that land consumption outpaces population growth. Historically, land use in RI was compact in cities, town centers, and mill villages, but since the 1950s, we have seen significant sprawl. Since most land is privately owned, it is zoned for development and at current development rates, we would lose our forests and open spaces very quickly. Land Use 2025 identifies urban service areas, i.e. areas that provide sewer and/or water service, and encourages the state to direct growth to these areas. The plan also encourages re-development of urban areas. The plan will include a matrix of goals and strategies so the state can measure progress. The schedule is for the plan to be completed and presented to the State Planning Council in January or February and adopted in the mid-winter. DOA is interested in comments on the plan, and encourages the Rivers Council and Watershed Councils to suggest ways to better address watershed planning.

Mr. Flynn also discussed the State Housing Plan. Cities and towns are required to submit affordable housing plans to the State. To date 26 of the 29 cities/towns required to prepare the plans have received State approval of them. The remaining 10 cities/towns will also have to submit plans after the adoption of the State Housing Plan. The State Plan will provide statewide recommendations and strategies and will be presented to the Housing Resource Commission in mid-December. It is scheduled to be adopted by the State Planning Council in June 2006. The State of RI has an affordable housing crisis. Homeless shelters are not meeting the need and are turning away over 10 families a night.

The State is also considering funding strategies to support affordable housing including changes in the real estate transfer tax, linking land trusts and affordable housing as Vermont does, and taxing out of state second home buyers.

Discussion: Ann Morrill asked if the plan addresses the need for advanced waste treatment to protect the Bay and Rivers. Mr. Flynn said that many areas of the state have inadequate services. The plan recommends that future infrastructure investments be directed towards the growth areas.

Jane Sherman asked how the plan promotes family oriented housing and how the state plans to support services in urban areas. Mr. Flynn said that the state tax structure is a problem and it drives development to suburban areas. Although the plans will mention the problem with the property tax structure, it will not fix the problem.

Guy Lefebvre noted that Cranston developed GIS topographical data layers with accuracy to 2 foot contours. He wondered whether the rest of the state would replicate this. Mr. Flynn said that new aerial photos are being interpreted. These data will update state GIS – they will not provide 2 foot topo contours.

Ms. Kerr thanked Mr. Flynn for his presentation. Mr. Flynn encouraged the Rivers Council and Watershed Councils to review the plans and provide comments to DOA.

4. DEM Presentation on Riparian Bond Fund (Greg Cassidy)

Mr. Cassidy reported that the public hearing on the regulations will be held November 10 at DEM in room 300.

The regulations cover the Riparian Buffer Restoration Fund, $700,000 of the $70 million bond that was passed by voters in 2004. The primary goal of the program is to protect water quality. Government, non-government and private citizens can apply for the grants. A team of DEM staff will review the projects and will work to provide streamlined permitting for projects. Headwater projects will be given preference. There is a 50 % match required and grants are on a reimbursable basis. DEM plans to have grants available in January 2006.

Discussion.

Mike Walker asked if DEM will waive permit fees. Mr. Cassidy said no.
Andy Lipsky said that if DEM does not allow the funds to cover planning and initial permitting, the 50 % match requirement is very high. NRCS provides 100 % coverage for technical assistance and 75 % coverage for construction projects. Mr. Lipsky distributed a fact sheet on NRCS programs.
Mr. Lipsky asked if the money could be used to monitor project success. Mr. Cassidy said no. Mr. Lipsky pointed out that demonstrating water quality impacts of buffers is not a simple task. Properly installed buffers require engineering studies that can be expensive.

5. Presentation of NEW Rivers Council web site (Rob Christina)

Mr. Christina demonstrated the new Rivers Council web site that he has built at www.ririvers.org. The Council was pleased and impressed. Mr. Lefebvre asked Mr. Christina to include watershed maps on the site.

6. DISCUSSION OF RIVERS COUNCIL MISSION AND WORKPLAN FOR 2006

The Council's discussion of the following questions is summarized below:

1. If we do not have funding for staff/director, will it matter?

- Likely
- Yes – agency support for the Rivers Council has decreased over time. If we go back to an all-volunteer structure, the member agencies would not be able to "pick up the slack".
- Yes. Our staff keeps the organization mission focused.
- The Watershed Approach is the way to go in managing land and water – even the Bush administration has endorsed it. Staff allows the Rivers Council to play an active and leadership role in the Watershed Approach in RI.

Who would miss us if we return to an all-volunteer Council?

- The Watershed Councils.
- The legislature.
- Our presence in government – to state and local government and the legislature – is critical if we are to promote the importance of watershed based management and the role of local watershed councils.

2. What value, besides money, do we give to those we serve?

- Leadership – for watershed councils and for the state (promoting the importance of rives and the watershed based management of river systems)
- Policy input (eg: to the legislature on the riparian buffer report)

- PR – we raise awareness of rivers and river issues through rivers month publicity and activities, our awards, workshops and programs.
- Information – the email information and the workshops keep information flowing to constituencies.
- Expertise – our Rivers Plan provides guidance to local watershed councils and local communities. We comment on state activities.

3. Where are we going? What is our vision for the Rivers Council 5 years from now? 10 years?

- The rivers Council is a state agency and the operations should be fully funded by the state
- Continuing to do the work that we are doing. Our statute gives direction and work for at least a 5 year planning horizon.
- Our vision is to have 100 % of the state covered by a local watershed council.
- Continue to promote and (when possible) lead state and federal agencies in implementation of the watershed approach.
- The Rivers Council is filling gaps – identifying where existing laws and regulations and their implementation are not sufficient to protect rivers and watersheds at the local level. We have barely scratched the surface of this work – there is plenty to keep us busy for 5 – 10 years. We need to do more to identify where existing programs fall short.
- We need to continue focusing on watershed council sustainability. We have made progress, but there remain a lot of gaps and work still to do.
- Each state agency needs policies and implementation strategies for the watershed approach. The Rivers Council is a coordinating body with representation of all they key agencies. We need to use this to push for broader acceptance and implementation of watershed based management.
- The Rivers Council needs to play a more active role in the development of river and watershed management regulations by partner agencies.

(A minority opinion – in 10 years we should be out of business. We will have created viable watershed councils who will have the capacity to engage in local and state policy around their rivers. The watershed approach will be fully instilled in state and federal agencies)

4. What are our top priorities for 2006?

- We need to review how we use our FY06 Leg grant

(Kevin Cute) Develop comprehensive plans for each watershed (like the Blackstone Heritage Corridor) where environmental and economic values are linked to historic and cultural assets. Such a plan would be a terrific launching point for projects.

(Sharon Pavignano) Keep the Watershed Stewards program going. Get more watershed councils involved including their boards. Keep the program offering twice a year and moving around the state.

(Dale Grogan) Enhance volunteer involvement and participation (through Stewards and other means)

(Jane Sherman) Legislation, policy work. Elevate the Rivers Council in state decisions. Watershed Councils need more information on regulations. The Rivers Council needs a clear understanding of how we protect rivers in RI.

(Kevin Nelson) Classification of river segments. Our plan is missing a lot of the smaller tributary streams. We should research zoning adjacent to river segments.

(Will Riverso) Finding a developer to serve on the Council.

(Mike Walker) Provide structured non-profit training to watershed councils. This could be a use of our leg grant.

(Guy Lefebvre) Dams – there are over 500 dams on RI's rivers; their upkeep is often neglected and should be better addressed, or removals considered when and where appropriate.

5. **How will we get there? What will YOU do to contribute to the future of the Rivers Council in 2006?**

Dale Grogan: Analysis of how well the Rivers Council is achieving our stated policies and mission.

Sharon Pavignano: Continue to provide leadership for Watershed Stewards program.

Jane Sherman: Continue to provide leadership for the policy committee. Contribute to the analysis of legislation/regulatory protection of rivers.

Kevin Nelson: Contribute to the Policy Committee and the River Trail project.

Will Riverso: Chair the legislative committee and work with the group to define the work for 2006.

Mike Walker: Find a developer to serve on the Rivers Council.

Guy Lefebvre: Serve as chair of the Professional Development/Education Committtee.

ADJOURNMENT

The Chair adjourned the meeting at 6:05 PM.

Next meeting December 14, 2005 at 4:00 PM