Minutes of the Rivers Council Meeting held
8 February 2006, 4:00 PM
Conference Room B
William E. Powers State Administration Building
One Capitol Hill, Providence, RI

ATTENDANCE:

A. Members Present

Kevin Cute
Meg Kerr (Chair)
Guy Lefebvre
Jack Lancellotta
Mike Walker
Kevin Nelson
Will Riverso
Jane Sherman

B. Members Absent

Dale Grogan
Patrick Hanner
Elizabeth Gowell
Stephen Kearns
Sharon Pavignano
Scott Millar (Vice Chair)

C. Watershed Councils in Attendance

Ann Morrill, Kickemuit River Council
Edward Callender, Salt Pond Coalition
Greg Gerritt, Friends of the Moshassuck
Arthur Plitt, Friends of the Moshassuck and Blackstone River Watershed Council
Richard Grant, Narrow River Preservation Association
Steve Insana, Buckeye Brook Coalition

D. Guests in Attendance

Juan Mariscal, WRB
Evan Matthews, Quonset Development Corp.

CALL TO ORDER:

1. The Chair called the meeting to order at 4:03 PM

ACTION ITEMS:

2. Approval of minutes January 11, 2006. Mr. Nelson asked for a change on pg 3, 4th paragraph, striking the sentence "Mr. Nelson says he supported Mr. Millar's position". Mr. Lancelotta asked for clarification on how the Rivers Council handles funds. Ms. Kerr explained the Councils fiscal agents for various projects. Ms. Sherman asked for the final paragraph to be amended to reflect her questions on the lot size limitations for the

buffer regulations. Ms. Sherman moved approval with amendments, Mr. Cute seconded and all approved.

3. Coalition for Water Security – discuss and vote on partnering

Ms. Kerr recommended that the Rivers Council partner with the Coalition. Partnering is defined as sharing information on the Coalition's work and findings with the Watershed Councils, supporting the Coalition's research as time allows and promoting Coalition's positions as appropriate and subject to votes of the Rivers Council. Mr. Nelson stated that the recommendation is well considered, but he wondered if the Council's agency representatives have talked to their leadership about concerns raised at the last meeting. Mr. Cute said that he had spoken with leadership at CRMC and that their concerns remain, especially since coalition is new. Mr. Walker said that EDC has discussed it and has gone back and forth on it. EDC feels that the sharing of information is appropriate, but may not be appropriate to "join" – whether partnership or not. EDC feels that the Rivers Council and its member agencies need a clear understanding of what partnering will mean. Mr. Riverso speaking for WRB said that the WRB does not like the idea of the Rivers Council joining the coalition, but that they support having Watershed Councils joining. Mr. Lefebvre stated that it is important to know if the Rivers Council is going to listed as partner on coalition letterhead, etc. Mr. Nelson stated that he would like Rivers Council to join because there are so many groups working on these issues and their work is fractured. Joining together is a good thing. If we disagree with position that the coalition takes, we can disaffiliate. If we decide not to join, he doesn't see a problem with being a partner and stating that we are officially working with them. We don't have to support all their positions. Ms. Sherman asked for clarification of the word partner. Mr. Walker stated that perhaps the best direction for now is to continue to stay in touch and ask the coalition to define partner. Mr. Cute asked if the coalition had defined what it means to be a partner? He encouraged the Council to be careful and not act in a hasty manner. Mr. Nelson said that he would like to have a voice at the table as this is formed. Mr. Walker asked if we need to be part of advocacy group to do the work we are charged with?

Mr. Mariscal said that the group might be underestimating the power of the Rivers Council. The Council has direct influence on state policy. The coalition should be coming to us with recommendations and input. The Rivers Council should understand the position of the Coalition. Mr. Cute asked if we could serve in an advisory role. Mr. Lefebvre recommended that Rivers Council members learn more about the WRB's position on Big River issue. He thinks that it would be premature for the Rivers Council to join this coalition. Mr. Lefebvre made a motion to table the decision for 2 months which was seconded by Ms Sherman. Mr. Walker asked Ms. Kerr to get back to the Coalition and ask them to define partnering and let them know that we continue to be interested in learning about them. Mr. Cute said that it would also be helpful to know as specifically as possible what their mission is. Ms. Sherman asked that we also let them know that we share their interests and that they keep us informed on recommendations on actions we can take. The motion passes.

4. Watershed Council grant applications – discuss and vote on Salt Ponds Coalition (SPC) and Friends of the Moshassuck (FOTM)

The SPC application described a water trail project. Mr. Callender reported that the SPC has 2 trips scheduled. Mr. Nelson said that the grant text says that the guide will either be printed or posted, but budget states there is $400 for printing. Do we know how many we will get for $400? Mr. Walker said that no matter how we act on this, the Economic

Development Corporation would like to use their tourism web site to post events. Ms. Sherman made a motion to approve the application, seconded by Mr. Walker. Mr. Nelson asked the Coalition to consider targeting money towards guides rather than posters since guides have longer life. Motion passes.

Mr. Gerritt spoke for the Friends of the Moshassuck. He said that FOTM asked for less than $3000 as the group is small. They are proposing 5 different activities – web site development, restoration of riverine forest at Collier's forest, a canoe launch on Canada Pond – have settled on site and staff time for participation in the MetroSAMP process.

Ms. Sherman asked why the FOTM was not taking the full amount. The funds are earmarked for FOTM and the group could use it for web site and for canoe launch. Mr. Gerritt responded that as new watershed council, the FOTM didn't want to take money that they aren't 100 % they can handle well. Mr. Walker asked if the FOTM could come back later for the money and Ms. Kerr said that they could. Mr. Walker asked if the group had talked with NRCS about partnering to leverage the money, especially for the tree planting project. Mr. Gerritt responded that the group's capacity is to plant about 6 trees per year. Mr. Lancellotta asked whether the FOTM use a consultant to select trees. Mr. Gerritt explained that he has expertise in forestry. In addition, for this year's tree order, the Providence City forester contributed to the selection. Mr. Walker moved approval of grant as submitted subject to public hearing and vote to recognize FOTM, with the Rivers Council holding aside remaining balance until September 1 should they chose to come back. Ms. Sherman seconded and the motion passes.

The Rivers Council has also received an application from the Kickemuit River Council. Ms. Kerr recommended that the Council hold the vote until March as the application came in Feb. 4. Ms. Morrill explained that the grant would be used to purchase floating signs to provide boats with pump out locations and information. The Bristol Harbormaster would take responsibility for putting them in and taking them out. The Harbormaster thought that the floating signs are better than signs on land. Mr. Walker asked where the signs would be placed. Ms. Morrill responded that the Harbormaster would be responsible for siting the signs and that they would work with CRMC. Mr. Nelson questioned how the group would spend extra money as the proposal is somewhat vague on the exact cost of the signs. Ms Kerr asked for a realistic cost estimate.

Ms. Kerr explained that once the River Council received signed contracts, they will be sent to the WRB for final signature and the grants will be processed.

Mr. Lefebvre asked that a committee review and make recommendations to the Council for the remaining grants.

PRESENTATION/DISCUSSION

5. Discussion of Rivers Council recommendations for constituting the Council post-SOP and preferred relationship to the WRB (follow up to phone conversation with Sandra Whitehouse)

The SOP bill that has passed the House makes EDC, WRB, CRMC and the League of Cities and Towns non-voting Rivers Council members. This is the compromise worked out between the legislature and the Governor's office. Ms. Kerr reported that at the SOP

Committee Hearing in the House, the committee was told that the language in the current bills was worked out between the Governor and the legislature as a compromise at the end of last session. Mr. Mariscal said that the WRB testified at the hearing asking for the legislature to reconsider the non-voting members. The WRB has asked to have another model considered, one that is moving forward as part of the Properties Committee SOP bill. In their case, the Director of DOA appoints members.

Mr. Lefebvre pointed out that the legislature has approved some commissions with appointments and some just giving Governor open seats. He recommend that the River Council take a position on qualifications, and perhaps split the difference between qualifications but make all members voting members. Ms. Sherman stated that she would like to see the Council support the bill the way it is. Mr. Nelson said that he would like to see us go on record supporting that all members vote. Mr. Walker cautioned the Council against voting on the issue since the decision was not posted on the agenda.

6. Discussion of Draft TF Green EIS (Guy Lefebvre)

Mr. Lefebvre submitted comments on the draft EIS and the memo was distributed to the Council. DEM has issued a RIPDES permit but the airport has appealed the entire permit. He is recommending that the EIS stay open until the permit is decided. At the beginning of March, the alternatives analysis will come out. The committee is meeting in March to consider these alternatives. Mr. Walker asked if Mr. Lefebvre spoke with the Airport Corporation about the RIPDES dispute. Mr. Insana said that he has spoken with them and the whole thing is in the hands of lawyers. In some ways the delay is good as it is allowing time for the TMDL study. Mr. Lancellotta asked about the time period for the EIS. Mr. Lefebvre responded that the Phase II comment period is closed. Phase III is alternatives and he is not sure what the time period for comment is.

Mr. Insana reported that the Buckeye Brook Coalition has developed a local ordinance to address stormwater discharges. But police officers had problems identifying violation of discharges from airport, especially when the smell is a long distance from the airport. BBC has completed an ordinance which could be an example for other watershed councils. The real problem has been on the implementation. Mr. Matthews asked if the airport is covered by a Phase II stormwater permit from DEM? Mr. Insana reported that they have appealed the permit that was drafted 15 months ago. Mr. Matthews asked whether the permit covered the Airport Corporation and all 6 state airports or just TF Green? Mr. Lefebvre responded that this permit is just for TF Green.

COMMITTEE REPORTS

7. Report from Chair (Meg Kerr)

Ms. Kerr presented a written report (attached).
Mr. Mariscal reported that the gages under consideration by the Coordination team will be funded through both the WRB budget and DEM budgets. Committees are still finalizing the list of gages.

Ms. Sherman said that it would be very helpful to have agencies write letters of support for increased legislative grant request. It also would be good to have letters of support from watershed councils. Mr. Lancellotta commended the Rivers Council for the Council of Councils – as a member of the PRA he has long felt that a gathering of watershed organizations statewide would be very useful.

8. Professional Development/Education (Guy Lefebvre)

Mr. Lefebre provided a written report (attached)
He said that the committee will be meeting more regularly and is looking for new members. He has recommended the 4th Wednesday of each month. The committee currently has the watershed stewards program to focus on.

9. Funding and Development (Steve Kearns, Chair)

Mr. Kearns was not present. Ms. Kerr reported that the committee did not meet since the last meeting of the RC.

10. Legislative Committee (Will Riverso, Chair)

Mr. Riverso distributed a memo describing bills that have been introduced. He asked that the Council put an action item on the agenda for March for considering the bills. He also reported that the Legislative Committee has requested that the legislature assign the Rivers Council a special report on rivers.

11. Policy Committee (Jane Sherman, Chair)

Ms. Sherman reported that the policy committee will be meeting with Kevin Flynn on Monday to discuss the current draft of the Policy Plan. The committee should have draft to Council (at least 162-02) by next meeting.

12. Other business

Mr. Lefebvre mentioned that the hearings on the State Land Use Plan are coming up soon – on Feb 27, 28, March 1. Mr. Nelson said that information on the hearings can be found at www.planning.gov. Ms. Kerr agreed to publicize the hearings to the watershed councils.

Mr. Insana reported that DEM Fisheries is hosting a workshop on the state herring runs on February 16. This meeting should also be sent to the watershed councils.

Mr. Insana reported that the Buckeye Brook Coalition has received 501 c 3. He will send the Rivers Council a copy.

Mr. Insana also announced that the RI Salt Water Anglers association meeting is coming up soon and he recommended that all the watershed councils join. Mr.Insana agreed to send information to be shared with watershed councils.

The Mill Cove Conservancy and BBC have talked about merging.

ADJOURNMENT

The Chair adjourned the meeting at 6:05 PM.

Next meeting March 8, 2006 at 9:00 AM