

**Minutes of the Rivers Council Meeting held
12 July 2006, 9:00 AM**
Conference Room B
William E. Powers State Administration Building
One Capitol Hill, Providence, RI

ATTENDANCE:

A. Members Present

Joe Baer
Meg Kerr (Chair)
Guy Lefebvre
Kevin Nelson
Juan Mariscal (Will Riverso)
Mike Walker

B. Members Absent

Kevin Cute
Dale Grogan
Patrick Hanner
Stephen Kearns
Scott Millar (Vice Chair)
Sharon Pavignano
Jane Sherman

C. Watershed Councils in Attendance

Ann Morrill, KRC
Chris Tompkins, NRPA
Bruce Hooke, WRWC
Ted Callender, SPC
Arthur Plitt, FOTM, BRWC

D. Guests in Attendance

Keith Gonsalves, Ten Mile River
Claudia Staniszewski, LISC
Sue Barker, Greenway Alliance and Washington County Regional Planning Council
Heather Galvin, QDC

The Chair called the meeting to order at 9:06 AM. There were 4 voting members present which is not a quorum.

ACTION ITEMS

1. **Approval of minutes June 14, 2005.** No quorum - deferred until the next meeting.
2. **Support for CLF work in Blackstone (see May meeting minutes).** No quorum - deferred until the next meeting. Mr. Walker expressed concern about the Rivers Council supporting advocacy.

- 3. Expenditure of \$3,000 Buckeye Brook Coalition grant funds.** Although the Council could not take action, the Chair asked permission to present the conceptual framework for the project to get input from the Council. All agreed.

The Chair recommends using the \$3,000 2006 Legislative funds not expended for the BBC grant to develop a web based database for the Blueway, or water trail project. The Rivers Council has hired a summer intern to collect data on access sites in the Pawtuxet watershed and information is being collected in the Blackstone and Salt Ponds. We would like a database to store this data and make it available in a useable format on the web. Bruce Hooke has developed a web interface for the Citywide Green project, and could work as a consultant to the Rivers Council on this project.

Mr. Hooke said that there are several options available for the web site. The Citywide Green web site's park finder (<http://citywidegreen.org/park-finder.php>) is one model. There are certainly others.

Mr. Baer said that he had reviewed the park finder web site and liked it. It is clear and easy to use. What did the site cost? Mr. Hooke replied that it cost a couple of thousand dollars. Mr. Walker asked if we are coordinating with John Stachelhaus so the data will link with RIGIS. Ms. Kerr said that the project is being developed with Paul Jordan (head of DEM's GIS program) and he works closely with the RIGIS team. Mr. Nelson said that the Trails Advisory Council is also developing a web based greenway map and he would like to see the two efforts linked. There was broad consensus that the Blueway maps link with the Greenway maps and other RIGIS products. Ms. Kerr agreed to set up a meeting with Bruce Hooke, Joe Baer, Kevin Nelson, Paul Jordan to discuss the project in more depth based on the Council's input.

PRESENTATION/DISCUSSION

- 4. Report from the Chair and mid-year review of workplan.** The full report from the Chair is at the end of the minutes.

Mr. Gonsalves said that the flyer for the fall Watershed Stewards program suggested that participants must complete projects with the watershed councils leading the class (Woonasquatucket). This is not the intent and Ms. Kerr said she would change the flyer. Ms. Staniszewski asked if the Council has evaluated the Watershed Stewards program. Ms. Kerr said that she is in contact with past participants, but has not asked for specific feedback on the class. This would be a good project for the Education Committee.

Ms. Kerr quickly reviewed progress on the 2006 workplan. We have not made progress on two items – Provide assistance to Watershed Councils on the Implementation of the Notice Regulation and Provide technical assistance to Watershed Councils on water quality improvements through municipal regulations. She reported that a workshop on working more effectively with municipal government has been discussed for the fall. All other workplan elements are underway.

Mr. Mariscal pointed out that the 2006 revisions to the Rivers Council statute require an annual report to the Governor and Legislature on September 30. He asked how the Council will meet this new deadline. Mr. Walker also pointed out that the new statute has training requirement for the Council – these should be considered at an upcoming meeting.

5. Report from Education Committee (Sharon Pavignano)

Ms. Pavignano sent the following report on the Environmental Day at Narragansett Beach. As of today we have 15 organizations and several Narragansett instructors attending and providing activities and / or displays. These include Clean Water Action, Narragansett Bay Estuary Program, Narragansett Bay Journal, Norman Bird Sanctuary, NRPA, Ocean State Action, Peoples Power and Light, Resource Recovery, Rivers Council, DEM Sustainable Watersheds, Save the Bay, Surfrider Foundation, US EPA, Wildlife Rehabilitators of RI and the Wood Pawcatuck WA. Narragansett will have yoga and surf lessons. Most of these groups have great activities planned for the beach goers.

Rivers Council members have been a big help. Guy has made some cds with beach music. The town will have a player and speakers for our use. Ted and Claudia will help with our activity. I have given them several activity sheets and water quality handouts. I will bring seines and sieves and water testing supplies from our stewardship classes. They will show people how to test the water, seine for fish, etc. Meg will have information on the Rivers Council.

Narragansett Recreation Board members will be helping that day. One member has done a great deal of work in getting donations of natural foods and we will for the first time be serving lunch to the 53 people who will be providing the activities and displays.

Chip Young from GSO has helped with PR. There was an article in today's ProJo South County section.

Narragansett will provide free parking and beach entry for the presenters. They have purchased 10 new 12x12 tents (we borrowed them last year). They will have 5 staff and one supervisor working with me from 6AM to 2PM with set up of tents, tables, power, etc.

The weather forecast is good.

6. Watershed Councils in attendance (recent activities, priorities, areas for Rivers Council action)

Woonasquatucket (Mr. Hooke). Mr. Hooke said that he is not up to date on all the WRWC activities, but will report on what he knows. The Council hosted a Source to Sea paddle with assistance from the National Park Service Rivers and Trails program. The Centerdale Manor superfund site is moving forward towards remediation and takes a lot of staff time. A recent challenge to EPA's dioxin standard may impact the project.

Kickemuit (Ms. Morrill). The KRC is reviewing a recent study by the Town of Warren on the freshwater Kickemuit. The pumpout buoys purchased with RC funds are in place. A new dock has been built into the River and is of concern to the Council. The Council continues to advocate against the LNG facility. Mr. Nelson asked if the Council considered expanding its jurisdiction. Ms. Morrill said that working on the Kickemuit – fresh and salt – is more than enough.

Blackstone (Mr. Plitt). The Council is considering changing their annual River Festival to June so it will coincide with Rivers Month. They are working with communities in the watershed on the notice rule. They continue to build membership and work on their web site.

Moshassuck (Mr. Plitt). A new web site (<http://www.themoshassuck.org/>) is up. They continue to build membership and conducted a river tour on Rivers Day. They are working on the canoe launch on Canada Pond and at a second site in Pawtucket.

Mr. Nelson reminded the Watershed Councils that the Trails Advisory Committee Grants are available for water trail projects. See <http://www.dem.ri.gov/programs/bpoladm/plandev/grants.htm> for more information.

Ten Mile (Mr. Gonsalves). The beginnings of a watershed organization are taking shape. A core group of 10 people has been meeting and are developing by-laws. They have cleaned a section of the river from Central Ave to Omega Pond. Mr. Mariscal asked if the group is working with the MA Ten Mile organization. Mr. Gonsalves said that he has found that the MA group is not longer active.

Salt Ponds (Mr. Callender). On May 15, the SPC started nutrient monitoring on 5 of the 9 ponds. Samples are handled by Watershed Watch at URI. They have also established DO monitoring on Quonochontaug Pond as the western basin has restricted circulation from sedimentation. Private owners are raising money to dredge the pond. SPC has a kayak trip planned for July 22.

7. Other announcements

Ms. Barker announced that the Washington County Regional Planning Council received a grant to study the Rt. 1 corridor. They are looking for advisory board members from the river groups. Ms. Kerr offered to participate representing all the river groups.

Mr. Lefebvre announced that DEM's 319 grants are open.

8. Discuss next meeting – do we want to meet August 9, 2006 at 4:00 PM or wait until September 13 at 9:00

The Council decided to cancel the August meeting. The next meeting is September 13 at 9:00 AM.

9. Adjourn (10:55 AM)



REPORT FROM THE CHAIR

July 12, 2006

STRENGTHEN THE RIVERS COUNCIL

- **Rivers Council Membership.** Joe Baer and Meg Kerr were confirmed by the Senate. The Lt. Governor's appointment of Jack Lancellotta was not confirmed. No other requested appointments were made leaving us with 2 vacancies and 2 appointments expired (Steve Kearns and Dale Grogan. Steve would like to be replaced). We are fortunate to have several excellent candidates who have expressed interest in an appointment to the Rivers Council (Claudia Staniszewski, Ted Callender, Tom Ardito, Jack Lancellotta). If they are still interested in the fall, I will work with the Governor's office on moving the appointments forward.
- **State Funding.** Our funding was increased from the cut in the Governor's budget – but we did not receive level funding. We have a \$49,875 Legislative Grant in the WRB budget. I have written notes of thanks to the House Finance Committee.
- **Administrative support provided by the WRB.** Kathy Crawley and Juan Mariscal have spent hours working through the state system to figure out how to handle funds for the Rivers Council. We owe them a lot of thanks. We are still working on the logistics, but it appears that grants handled by the state will be charged at least a 10% administrative fee. Kathy has agreed to set up a meeting with representatives from the Budget office so we can understand the Rivers Council's abilities under our revised statute that gives us authority "(12) To apply for and accept grants, donations, loans of funds, and contributions of money, services, materials or otherwise from any federal, state or local agency, from any public or private foundation, or individual or from any other source, in order to carry out the purposes of this chapter."
- **Grants.** Submitted final report to Third Sector New England. We have an EPA education grant (for Watershed Stewards program) and 2 Rhode Island Foundation Grants (for staff salary and Infrastructure Collaborative) pending. I am working with The Volunteer Center and the RI Land Trust Council on a proposal for shared volunteer support.
- **Committees.** Guy Lefebvre has agreed to chair Watershed Council oversight committee. Mike Walker will serve on the committee. New chairs are needed for Policy, Legislative and Funding Committees.
- **Personnel.** We are working on a contractual basis with Rachel Sholly (web content for the Stewards program, paid from \$2,500 RIF mini-grant) and Carolyn Richardson (evaluating sites along the Pawtuxet River and helping organize a paddling event in September, paid from \$3,000 PRA grant).

POLICY - LEGISLATURE

- The June **Bays, Rivers and Watersheds Coordination Team** was cancelled. Ames Colt has been confirmed as Chair. The legislature funded \$250,000 of the \$1.3 million request for additional monitoring. The CT will be deciding how to allocate these funds.
- **Legislative round-up** – Rivers Council SOP bill (H6753, S2141) passed and was effective without the Governor's signature on 4-20-06. Major changes to the Rivers Council are summarized at the end of these notes. Bill creating an ED for the Rivers Council (H6993) did not pass. Cesspool Phase out bills (H7699, S2505) did not pass. Bill requiring DEM to evaluate cumulative impacts of decisions on a watershed basis (H7229, S2502) passed out of the legislature and was transmitted

to the Governor on 6-26-06. Dam safety bill (H7609, S2510) passed and was signed by the Governor on 6-9-06.

SUPPORT AND EMPOWER WATERSHED COUNCILS

- **Watershed Council Grants.** Processed invoices for the Saugatucket RHCC grant. Funds are still being transferred from the WRB to the RINHS and the SRHCC will receive their grant as soon as we can access the funds.
- **Infrastructure Collaborative – the Back Office Support project (members Wood-Pawcatuck Watershed Association, Woonasquatucket River Watershed Council, Rivers Council, Westerly Land Trust, Barrington Land Conservation Trust, Land Trust Council).** Implementation is proceeding. Jennifer Styles is our shared volunteer coordinator. She is helping the Rivers Council recruit volunteers for the Stewardship program and the Blueway project.

FOSTER PUBLIC INVOLVEMENT IN RIVER PROTECTION

- **Watershed Stewards.** Program now scheduled for September 19 – October 24. Rachel Sholly has created fact sheets for our web site which will support the class.
- **Water Trail project.** Carolyn and Alison will be collecting information on access sites for the Blackstone and Pawtuxet Rivers. Bambi will document the Salt Ponds.
- **Environmental Awareness Day and Narragansett Beach.** The event will be held on July 15. We have about 10 organizations participating. Ted Callendar and Claudia Staniszewski will help with the Rivers Council display along with Ray Hartenstein (watershed steward) and Jennifer Styles.

2006 Summary of Changes to the Rivers Council Statute RIGL 46-28

46-28-4. Establishment of council -- Purpose. –

Defines the Rivers Council as “**within the executive department** as an associated function, as defined in section 46-28-10, of the water resources board, established pursuant to chapters 15 and 15.1 of this title”

Adds the RI Bays, Rivers and Watersheds Coordination Team to the list of organizations and agencies that the Rivers Council works with (the water resources board, the coastal resources management council, the department of environmental management, the department of health, the statewide planning program of the department of administration, and the economic development corporation, municipal governments, private organizations and persons)

46-28-5. Council created -- Appointment of members.

All of the public members are now appointed by the governor. Seven of the seats have qualifications associated with them:

Nine (9) public members shall be appointed by the governor with the advice and consent of the senate.

- three (3) of whom shall be people who have experience with relevant not-for-profit groups such as local land trusts or conservation commissions,
- two (2) of whom shall have experience in environmental law, environmental science or planning,
- and one of whom shall have experience in communication, public outreach or education;

State Agencies – only 2 are now voting (DEM, DOA). The rest (WRB, EDC, CRMC, League of Cities and Towns) are nonvoting, ex-officio.

- one member shall be the **general manager of the water resources board** or his or her designee who shall be a subordinate within the water resources board **who shall serve as a nonvoting ex officio member;**
- one member shall be the **director of the department of environmental management** or his or her designee who shall be a subordinate within the department of environmental management;
- one member shall be the **executive director of coastal resources management council or his or her designee** who shall be a subordinate within the coastal resources management council **who shall serve as a nonvoting ex officio member;**
- one member shall be the **director of the department of administration** or his or her designee who shall be a subordinate within the department of administration;
- one member shall be the **executive director of the economic development corporation** or his or her designee who shall be a subordinate within the economic development corporation **who shall serve as a nonvoting ex officio member;**

- and one member shall be the **president of the Rhode Island league of cities and towns** or his or her designee who shall serve as a **nonvoting ex officio member**.

The statute states that all appointed members will serve until the end of their term and until a successor is appointed and qualified. Members can succeed themselves and serve without compensation. If the appointing authority has changed, the seat will be filled at the end of the term by the new appointing authority (the governor).

46-28-6. Officers of the council and quorum

Chair and vice-chair are to be elected at the passage of the act and thereafter in February. The council may elect from its members any other officers that it deems necessary. Six (6) voting members defines a quorum and a majority vote is needed for action.

46-28-7. Powers and duties.

The revised statute added the following powers and duties to the Council

(12) To apply for and accept grants, donations, loans of funds, and contributions of money, services, materials or otherwise from any federal, state or local agency, from any public or private foundation, or individual or from any other source, in order to carry out the purposes of this chapter; and

(13) To conduct a training course for newly appointed and qualified members of the council and new designees of ex officio members within six (6) months of their qualification or designation. The course shall be developed by the chair of the council, approved by the council and conducted by the chair of the council. The council may approve the use of any council or staff members or other individuals to assist with training. The course shall include instruction in the following areas: the provisions of chapters 46-28, 42-46, 36-14 and 38-2; and the council's operating procedures, rules and regulations. The director of the department of administration shall, within ninety (90) days of the effective date of this act, prepare and disseminate training materials relating to the provisions of chapters 42-46, 36-14 and 38-2.

46-28-9. Annual council report and special reports.

Within ninety (90) days after the end of each fiscal year, the council shall approve and submit an annual report to the governor, the speaker of the house of representatives, the president of the senate, and the secretary of state of its activities during that fiscal year. The report shall provide: an operating statement summarizing meetings or hearings held, including meeting minutes, subjects addressed, decisions rendered, rules or regulations promulgated, studies conducted, policies and plans developed, approved, or modified, and programs administered or initiated; a summary of the activities of each designated local watershed; a consolidated financial statement of all funds received and expended including the source of the funds, a listing of any staff supported by these funds, and a summary of any clerical, administrative or technical support received; a summary of performance during the previous fiscal year including accomplishments, shortcomings and remedies; a synopsis of hearings, complaints, suspensions or other legal matters related to the authority of the council; a summary of any training courses held pursuant to subsection 46-28-7(13); a briefing on anticipated activities in the upcoming fiscal year; findings and recommendations for improvements; and a

summary of progress made by the council in the implementation of the system-level plan as described in section 46-31-5. The report shall be posted electronically as prescribed in section 42-20-8.2. The director of the department of administration shall be responsible for the enforcement of this provision.