

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

ATTENDANCE:

A. Members Present

Meg Kerr (Chair)
Stephen Kearns
Guy Lefebvre
Jack Lancellotta*
Bob Stankelis for Scott Millar (Vice Chair)
Kevin Nelson
Juan Mariscal for Will Riveroso
Jane Sherman
Mike Walker

B. Members Absent

Patrick Hanner
Kevin Cute
Dale Grogan
Sharon Pavignano

C. Watershed Councils in Attendance

Ann Morrill, Kickemuit River Council
Edward Callender, Salt Pond Coalition
Arthur Plitt, Friends of the Moshassuck, Blackstone River Watershed Council

D. Guests in Attendance

Claudia Staniszewski, LISC

* appointment pending advice and consent of the Senate

The Chair called the meeting to order at 4:10 PM

ACTION ITEMS

1. Approval of minutes March 8, 2005

Mr. Walker made a motion to approve the minutes, Ms. Sherman seconded and all approved.

2. Coalition for Water Security – review progress and consider partnership

Mr. Lefebvre recused himself from the discussion as he is the treasurer of the ECRI Education Fund which is handling the RIF grant for the Coalition. Ms. Kerr said that the Rivers Council considered the Coalition for Water Security at our February meeting and the Council asked to

reconsider the question in April. Testimony presented by the Coalition on April 10 and distributed to Rivers Council members summarizes the Coalition's work to date. Ms. Kerr reported that Mr. Millar distributed an email stating that although he supports the work of the Coalition, he opposes the Rivers Council joining. Mr. Nelson said that he supports joining the Coalition. Mr. Mariscal said that he thinks it is inappropriate for the Rivers Council to join. The RC should be an independent body and should not be perceived as being part of a group that may take stands that the RC may not support. The Coalition could come to the RC and make recommendations and ask for the RC's support. Mr. Mariscal stated that the Coalition is doing a great job and the RC could add independent support for positions of the Coalition. Mr. Kearns asked Mr. Nelson to explain why he would like to be a member of the Coalition. Mr. Nelson said that it is beneficial for the Rivers Council to be part of the coalition so we can be at the table to help shape policy. The Rivers Council membership would lend credibility to the Coalition. Mr. Mariscal said that he and the WRB are working closely with the Coalition but they are not members. They are asking the coalition to put together a small working group to work with the Water Works Assoc. on policy recommendations. Mr. Walker said that the Rivers Council needs to be perceived as open to all opinions when we formulate policy. Our independence could be compromised if we are an member of the Coalition. Mr. Nelson stated that he thinks we are in agreement – he also thinks that it is important for the Rivers Council to maintain its independence. As part of a coalition we maintain our independence, we can disagree with their positions. Mr. Walker made a motion that the Rivers Council not join the Coalition for Water Security. Mr. Mariscal seconded. All voted in favor except Mr. Nelson and the motion passed.

3. Grants for Watershed Councils (Steve Kearns)

- Saugatucket River Heritage Corridor Coalition
- Pawtuxet River Authority
- Buckeye Brook Coalition

Mr. Kearns reported that the Funding Committee met prior to RC meeting and will discuss each application in order.

Saugatucket is requesting funds for registration at the Land and Water Summit in 2007, development of a watershed place mat and a water trail map. Ms. Pavignano wrote a memo to the Saugatucket with concerns about the application. Specifically she questioned the watershed place mat, and asked if the Saugatucket had received agreements from local restaurants to use the place mat. Her comments were forwarded to leaders of the watershed council who agreed to work with the Council on this. Mr. Kearns made a motion that the RC table the Saugatucket application for consideration at the RC May meeting. Mr. Walker asked to amend the motion, stating that the Rivers Council would review the application pending receipt of adequate information. Mr. Kearns accepted the amendment. Mr. Walker seconded. All approved.

Pawtuxet River Authority (PRA) – The RC received the application, but the application is very brief. Mr. Kearns said that the committee would like more detail on the project. In particular, the committee would like information on how the project benefits the Watershed Council and the Rivers Council. Ms. Pavignano's memo had also requested additional supporting information on this application. Mr. Kearns made a motion to table acceptance of PRA grant application until such time as the adequate information received. Mr. Walker seconded and all approved.

Buckeye Brook Coalition (BBC) – Mr. Kearns reported that the application was received after the deadline. Proposal asks for the Rivers Council to purchase computer equipment and projectors to support the BBC's outreach/education efforts. Ms. Sherman said that the Council has funded equipment in the past for the Woonasquatucket and Pawtuxet. Mr. Kearns made a

motion to table the request for review as soon as possible. Mr. Walker seconded. Mr. Lefebvre said that computer prices have come down and the application seems high. The Council should ask them for more detail on prices. Ms. Staniszewski said that when LISC processes technology grants, they don't disperse the funds until they receive receipts. She understand that this might create cash flow issues for watershed councils. Motion passes.

4. Requests for Re-designation of Watershed Councils

- Pawtuxet River Authority and Watershed Council
- Woonasquatucket River Watershed Council
- Kickemuit River Council

Ms. Kerr reported that the RC has received a request for re-designation from the Kickemuit (email and hard copy) and from the Woonasquatucket. She called Mr. Nero from the PRA and he indicated that he will provide the Council will re-designation information shortly. The committee appointed to review the re-designations has not met. Mr. Nelson said that he has been unable to call the meeting, but assured the Council that a meeting will occur soon. Mr. Walker said that the RC should take the designation and re-designation seriously. Designation as a watershed council gives organizations additional standing in the funding community. The RC's mission is to build capacity of local organizations and we shouldn't take the re-designation lightly. We should get a full accounting of the Council's current status so we can consider the application carefully. We should have some higher expectations for this re-designation than we had when the group was originally designated. We might consider requesting a certificate from the Secretary of State on the organization's standing as a RI nonprofit. We are asking for information that the WCs need for their own grant applications. Mr. Walker reported that he was at the April 11 Water Resources Board meeting yesterday. They are looking to us to be assured that our designations are real and are meeting set standards. Ms. Staniszewski asked if the Council has set criteria for watershed councils. Mr. Lefebvre said that the Rivers Council had rigorous criteria for designation watershed councils. Ms. Morrill raised concerns about the Kickemuit re-designation application that has already been submitted. She would like to know soon whether additional information is needed. Mr. Nelson said that the committee will meet soon to define criteria. Mr. Lancellota asked whether the RC will reconsider existing designations and Ms. Kerr said that existing designations are set. Mr. Walker reiterated that the RC's intent is to build the capacity of the watershed councils.

5. Report from the Chair (Meg Kerr)

Ms. Kerr summarized key points from the report that is included at the end of the minutes.

Ms. Staniszewski mentioned that the Verizon Bryant Telecommunications Center provides assistance on web sites.

Mr. Kearns announced that his appointment expired July 1, 2006 and said that he has decided not to ask for reappointment. The Council expressed their regret at losing such a valuable member.

Mr. Lefebvre said that the third annual Land and Water Conservation Summit went very well and asked Ms. Kerr whether the event raised money. Ms. Kerr reported that the Summit raised approximately \$3,000. These funds are handled by the Friends of the Moshassuck as fiscal agent to the Land and Water Partnership. The Land and Water Partnership includes the Rivers Council and the RI Land Trust Council. Mr. Lefebvre requested that the RC develop a MOU with the RI Land Trust Council to govern these funds.

6. Environmental Sensitivity of the Coastal Salt Ponds (Ted Callender, SPC)

Mr. Callender prepared the presentation for the CRMC hearing that was canceled due to a lack of a quorum. The Salt Ponds watershed is a sensitive area and is experiencing significant water quality problems. The eastern ponds have permanent shellfish bed closures. Groundwater Nitrogen underlying the populated areas has nitrogen concentrations that are 1- 50 times background concentrations. In Ninigret Pond, 60 %of the nitrogen comes from septic systems, 14 % from fertilized lawns, so almost 75% comes from human activities. Water quality data for Ninigret Pond shows that it has exceeded the shellfish standard for 14 out of 18 years. Although nitrogen concentrations decreased from 1985 – 1995, they have increased significantly since then. The Mass Estuary project has identified 400 ug/l Total Dissolved Nitrogen as the threshold between suitable and impaired waters. We are seeing levels as high at 800 ug/l in some of the ponds. Graphs of water quality data for Green Hill pond show spikes in chlorophyll to the hypereutrophic levels. These high chlorophyll levels are followed by depressions in the oxygen levels. CRMC's proposed high density zoning will increase nitrate concentrations, which will increase the stress on the ponds. Mr. Callender showed a graph of the relationship between the number of houses in Charlestown and nitrate concentrations in the ponds – the correlation was very good.

Mr. Callender summarized by explaining that the SAMP was intended to regulate residential growth in the Salt Ponds watershed in order to improve the water quality. We have scientific data that shows impacts of the growth on water quality.

Mr. Lefebvre asked how fast the ground water moves in the Salt Pond region. Mr. Callender said that it depends on the substrate. Mr. Kearns asked whether the newer ISDS technology will cause less impact on the ponds. Mr. Callender said that experts at URI say that technology can not remove more than 50% N out of the effluent. What we are seeing is more septic systems per acre with the innovative systems. Mr. Lefebvre asked Mr. Callender why he mentioned that this issue will end up in court. Mr. Callender said that the Conservation Law Foundation has filed objections to CRMC for not noticing the meetings. And local residents are concerned about housing density in shoreline area.

Ms. Sherman said that Statewide Planning has developed an affordable housing plan. She recommended that the Rivers Council review the plan to assess whether it is protective of rivers. The Rivers Council should look to see if there is a balance between affordable housing and protecting the environment. Several Watershed Councils commented on the State land use plan.

7. Report on the Bays, Rivers and Watersheds Coordination Team (Mike Walker)

Mr. Walker reported that the Coordination Team made a presentation to House Finance on April 4 requesting \$1.3 million for additional monitoring funds. He distributed a handout summarizing the request. The Coordination Team narrowed down a long list of monitoring needs to the six that were on the list, including economic monitoring. It is a difficult budget year and House Finance seemed to be looking for the Coordination Team to narrow their request. Mr. Lefebvre said that he watched the presentation on Capital TV and found the presentation a bit weak – lacking the passion that one should see for a request this big. The Coordination Team owes dept to Curt Spalding who came after the presentation and added some passion to the request. Mr. Mariscal said that the RC needs to understand the constraints under which the hearings are

held. State agencies really are not given an opportunity to be advocates. They can ask, but most of the hearing is for answering questions.

8. Legislative Committee (Will Riverso)

2006 Legislation

(1) S 2510, [H7609](#) AN ACT RELATING TO DAM SAFETY –
Recommendation: **Support**

(2) S2502, H7229 AN ACT RELATED TO THE DEPARTMENT OF ENVIRONMENTAL
MANAGEMENT – further definition of the powers and duties of the director of
environmental management.
Recommendation: **For Council Consideration**

Mr. Riverso was at the hearing on the Cesspool phase out bill and not at the meeting to brief the Council on these bills. Ms. Kerr agreed to send instructions to the Rivers Council on how to access bills on line

PRESENTATION/DISCUSSION

9. Herring Fish Closure (Guy Lefebvre)

At the March 8 Rivers Council meeting, the Council voted to support the state herring takings ban in light of the severe decline of the herring populations. The Rivers Council sent a letter supporting the ban. In late March, the RI DEM issued a herring fishery closure for both the marine and fresh waters of RI, joining the State of CT and MA in enacting the ban.

10. Professional Development and Education Committee (Guy Lefebvre)

- Watershed Stewards Program
- Council of Councils
- April 15 Training on Fundraising
- April 25 Water Trail Planning Charrette (National Park Service River and Trails)
- Environmental Day at the Beach July 15

The Report from the Chair and other handouts summarize most of these events. Mr. Lefebvre encouraged Rivers Council members to participate. Ms. Sherman asked Ms. Kerr to make it clear that the Stewards program covers information that is applicable to all watersheds, not just the Woonasquatucket. Mr. Lefebvre offered to distribute flyers on the program.

11. Policy Committee (Jane Sherman)

The Policy Committee has not met. Ms. Kerr mentioned that the committee that looked at water quantity issues in the Rivers Plan met and provided input. Ms. Sherman asked for the comments.

12. Funding and Development (Steve Kearns)

Mr. Kearns reported that the RC received \$2,500 from the RIF for work on the web site. No other grants have been submitted this month.

13. Rhode Island Rivers Month – Calendar of events, Rivers Council awards

Ms. Kerr distributed the Rivers Month event form for the calendar that was prepared by Ms. Pavignano. It has also been distributed through the email list. She also said that she does not have time to organize the Rivers Council awards program that is celebrated in June with awards distributed at an event that Mr. Kearns has helped organize. She recommended that the Council consider an awards program with the awards distribution at the 2007 Summit.

14. Other business

There was no other business and the meeting was adjourned at 6:00 PM.

15. Next meeting May 10, 2006 at 9:00 AM



REPORT FROM THE CHAIR

April 12, 2006

POLICY

- Meeting with **working group looking at water quantity** in the Rivers Plan (March 20). Comments received after the meeting. Kevin Nelson and Meg Kerr working on incorporating comments into working draft.
- Meeting of the **Bays, Rivers and Watersheds Coordination Team** (March 22) and testimony to House Finance (April 4) on the \$1.3 million monitoring request.

SUPPORT AND EMPOWER WATERSHED COUNCILS

- **Watershed Council Grants.** Worked with the Water Resources Board on grant making procedures. Grants to many of the WCs have been processed. Spoke before the WRB Finance Committee on the grant making process.
- **Infrastructure Collaborative – the Back Office Support project.** Rivers Council data has been compiled and will be uploaded to iMIS this week. Training on iMIS system will be held within 2 weeks. Rivers Council members interested in learning the system are encouraged to attend (the iMIS system is web based). We will be hiring a shared volunteer coordinator within a couple of months (through the Volunteer Center of RI).
- **Council of Councils.** March 25 at Slater Mill was very successful. All watershed councils were in attendance. Full report has been prepared and distributed. Major recommendation was to strengthen the working relationship between watershed councils and local government. A small working group has been identified to plan next steps.
- **Fundraising Workshop.** April 15 at URI GSO. Pat Munoz will provide training on raising funds for watershed organizations.
- **Fish Restoration.** Fish restoration projects are underway in many of our rivers (Woonasquatucket, Pawtuxet, Wood-Pawcatuck, Kickemuit) as well as others (Ten Mile). The participants at the Council of Councils shared information about dams and fish restoration projects. Chair attended a meeting on the Blackstone and will speak at a public meeting on the Pawtuxet project.

FOSTER PUBLIC INVOLVEMENT IN RIVER PROTECTION

- **Third Annual Land and Water Conservation Summit, March 11, 2006.** Very successful. Good evaluations that have been summarized and distributed. Next year's summit will be held March 24, 2007 at the URI Memorial Union and Rick Greenwood has agreed to give the keynote address on the History of RI's rivers.

- **Watershed Stewards.** May and June in the Woonasquatucket Watershed with NRCS, DEM and the Woonasquatucket River Watershed Council as partners. Press releases have been distributed and the registration flyer is on the Rivers Council web site.
- **Water Trail project.** The planning charette is scheduled for April 25 and will be held at Slater Mill. John Monroe with the National Park Service is leading the charette planning.
- **Environmental Awareness Day and Narragansett Beach.** The Education Committee decided to continue with this event that is led by the Town of Narragansett and will be held on July 15.

STRENGTHEN THE RIVERS COUNCIL

- **State Funding.** No word on our Legislative Grant.
- **Rhode Island Foundation.** We will submit for a fourth year of funding from the RIF and for a second year of funding for our Infrastructure collaborative.
- **Legislation to strengthen the Rivers Council.** SOP legislation will pass and will change the membership of the Council. Legislation has been introduced to create an ED position in the House, not the Senate. It is not moving.
- **Pursue outside funding.** The Education Committee submitted a proposal for a RIF mini grant to develop web support for the Stewards program.

ADMINISTRATIVE TASKS

- **Annual report.** Michelle Moulton completed final layout. Reports are being printed.
- **Rivers Council Membership.** The Governor has appointed Joe Baer. I am working with the Lt. Governor's office to fill the remaining Lt. Governor appointment. Dale Grogan and Steve Kearns appointments expire on July 1, 2006.