



The Rhode Island Rivers Council

c/o RI Water Resources Board
One Capitol Hill
Providence, RI 02908

Minutes of the Council Meeting held

May 14, 2008

Conference Room B

William E. Powers State Administration Building,
One Capitol Hill, Providence, RI

ATTENDANCE:

A. Members Present

Joe Baer
Claudia Staniszewski
Will Rivero
Jane Sherman (Co-Chair)
Guy Lefebvre (Co-Chair)
Scott Millar
Kevin Nelson

B. Members Absent

Ted Callender
Mike Walker

C. Watershed Organizations in Attendance

Ann Morrill – Kickemuit River Council

D. Guests in Attendance

Ames Colt – Bay, Rivers, and Watersheds Coordination Team
Heidi Green – Quonset Development Corporation

1. Call to Order:

Ms. Sherman called the meeting to order at 9:10 AM and noted a quorum was present.

2. Discussion and vote on minutes for the February 13 and March 12 2008 meetings

The minutes were distributed to the board prior to the meeting.

With a **Motion** by Mr. Millar, seconded by Mr. Baer, the minutes of the February 13, 2008 meeting were approved.

Motion was made by Mr. Millar and Mr. Baer seconded approval of the March 12 meeting minutes. Ms. Staniszewski asked that the minutes be corrected to reflect that she was present at the meeting. The minutes were approved as amended.

3. Discussion and comments on The Rhode Island Bays, Rivers, and Watersheds Systems-level Plan: 2008-2012

Ms. Sherman welcomed Mr. Colt and thanked him and his team for their significant effort in pulling together the document we are reviewing today. Mr. Colt introduced and distributed copies of the plan along with a summary and recommendations on the review process. The Coordination Team will be accepting comments through the end of May, and expected to approve final version of the plan at the June meeting. He continues to work with a number of agencies to add additional information to the draft document. Following adoption of the plan, the Team will work in the summer months to set priorities in preparation for the 2010 budget, after which they will begin discussions with the legislature.

Ms. Sherman indicated that we would collectively discuss each of the plan elements. Ms. Morrill requested that the members of the Team be listed in the document, and suggested a number of detailed changes which she will send to Mr. Colt. Mr. Colt acknowledged that many had commented that the document was dense, and challenging to read. He noted that the primary audience for this document includes the agencies, General Assembly, activists and the informed public, and that every effort will be made to present more user-friendly information for the general public that is less involved in the technical details of the information to be covered. Mr. Colt noted that the tables at the end of each section needed more work, and that long-term actions needed to be identified. Mr. Lefebvre raised the question of the meaning of the word stewardship, noting that for one group he belongs to, stewardship means financial support. Mr. Nelson requested that a glossary be developed and it should include a list of abbreviations used throughout the document. Mr. Lefebvre complimented the chart on page 13 headed by Programs, Policies.

Waterfront and Coastal Development: Ms. Sherman noted that the word “waterfront” can apply to coastal as well as river shorelines, but the document does not seem to reflect that, nor does it reflect the issues surrounding riverfront development. The draft discussion is limited to coastal waterways, and much more information about riverfront development needs to be included. These developments go beyond the jurisdiction of CRMC, and RI DEM’s role in addressing development beyond the CRMC jurisdiction should be discussed. In addition, this section fails to anticipate adequately climate change beyond sea rise – that is – the impact of more intense storms and long periods of drought on the river systems and how development patterns need to incorporate this new awareness. River flooding is already a major issue along some rivers in Rhode Island. Mr. Lefebvre suggested the linear mileage of several of the state’s major rivers could be cited.

Watersheds: Mr. Baer noted that the document seems to emphasize the protection of healthy habitats, omitting the important need for remediation and restoration of degraded habitats. It was noted that these issues were to be addressed in the Water Quality section, but were not included. There was a general consensus that the document needs to have much more information about riverfronts, including the impact of development faced by many of our freshwater river assets. Mr. Lefebvre requested that watershed councils be include in the table at the end of this chapter. Mr. Nelson remarked that this chapter is a key chapter, linking land use to water quality. He requested that Land Use 2025 and the Rivers Policy be incorporated into this document, and that the issue of the need to work more effectively with local governments on land use documents is critical. The role of local governments generated a lot of dialogue and comment. Mr. Millar noted that State and Federal agencies have important roles to play regarding the protection of water quality, but communities vial their local land use authority have the primary responsibility and there is no one charged statutorily with assisting local governments to utilize effective land use management. Ms. Green indicated that there is growing interest and concern in reviewing local zoning proposals to ensure that they are consistent with local comprehensive plans. Mr. Nelson responded that the State cannot challenge local zoning if it is not consistent with the comprehensive plan and that any challenge needs to come from residents. This is a major gap which should be addressed -- it may

require legislation -- and perhaps the CT should consider this as an item to be included in the document. In addition to this, Mr. Millar stated that zoning documents that are consistent with comprehensive plans and the State Guide Plan may still not be protective of the environment, particularly where communities rely on large lot zoning which accelerates impacts to water quality by adding more impervious cover and disrupting natural drainage areas than does compact growth. Clearly more specific tools are needed to ensure that towns comply with Phase II stormwater regulations and promote projects that implement low impact development designs.

Ms. Sherman requested that the Governor's goal of fishable swimmable rivers by 2015 be included in the goals of this document. She also commented that there is an absence of references to DEM and its authority to protect headwaters, wetlands, etc, throughout the document and this should be incorporated into the next draft. It was also noted that stormwater runoff is a primary source of pollutants in our rivers and streams, and while it is referenced in later sections, it should be referenced in this section due to its significant impact on the health of our rivers and watersheds. Mr. Lefebvre commented that DEM, Grow Smart, and others have programs training local planners on conservation development and low impact design, and requested that these be included in the charts. The document should also include references for guidance on development and redevelopment in more densely populated areas, especially as there is potential for restoration and recovery of impaired habitats.

Mr. Nelson questioned an implantation item on the chart on page 31, referencing gaps in community land use authority; and Mr. Millar affirmed that this is a problem. Mr. Millar also noted that most regulations preclude consideration of cumulative impacts on the environment due to statutory limits. This review of each project as "stand alone" allows for continued degradation because in many instances the negative impact cannot be attributed to one development proposal.

Water Reliant Economy: Mr. Nelson stated that this section seemed quite sparse. There is no information on efforts to return recreational fishing to our rivers, work on habitat restoration, fish ladders, dam removals, etc. Ms. Morrill requested that given the impact of aquaculture on water quality, that more should be mentioned about land based aquaculture. Mr. Colt stated that that land based saltwater aquaculture has to date not proven to be economically feasible in Rhode Island, although land-based freshwater aquaculture opportunities continue to be explored by local farmers. Furthermore, CRMC and DEM have recently proposed jointly a 5% cap on the amount of acreage to be dedicated to shellfish aquaculture in Rhode Island's salt ponds although shellfish aquaculture acreage in the salt ponds remains considerably below the proposed cap limits. He also noted that efforts by Roger Williams University researchers have clearly demonstrated the commercial potential for the land-based culture of ornamental saltwater species such as clownfish.

In regard to land based agriculture, Mr. Lefebvre said his understanding has been there are about 75 major working farms in Rhode Island and that DEM normally has cited about 700 total farms in Rhode Island which includes so-called boutique farms. He said he noted recently a newspaper article that cited 800+ farms in Rhode Island. He also noted that the agriculture community in Rhode Island is effective at asserting their water rights.

Mr. Baer suggested that water based transportation needs more attention. Mr. Colt stated that it was not deemed to be economically viable, but agreed with Mr. Baer that minimally there should be a vision for the future development of this transportation alternative.

Natural Hazards: Mr. Nelson requested that more attention be given to freshwater flooding. Ms. Sherman noted that the only agencies references were to CRMC – this section appears to relate to coastal flooding only, whereas DEM has a role in addressing freshwater flooding issues. In addition there should be a mention of climate change and its impact on future flooding. Another issue that

should be raised is the condition of the dams and their ability to withstand more frequent intense storm events.

Water Quality: The WRB will be providing significant input into this section. Mr. Nelson requested that attention be given to freshwater issues. Ms. Morrill requested that the document be revised to put Water Quality as the first section. Mr. Colt reviewed the process by which it was determined that Waterfront Development be the first issue addressed. Ms. Sherman noted that stormwater issues are addressed in this section, but more needs to be said in the document about the impact on freshwater systems. She also requested that NBC's CSO project include recognition of the importance of Phase II and Phase III of the project as they address freshwater areas currently impacted by sewage overflows. Ms. Morrill requested inclusion of tertiary sewage treatment plants. Mr. Colt noted that their will be major funding obstacles for WWTF without additional bonding capacity.

Fisheries and Aquaculture: In addition to the extensive comments under Water Reliant Economy, a general observation that this section needs more freshwater fisheries comments, including DEM's annual role in stocking ponds and rivers. Ms. Morrill requested the document include reference to chemical discharges, which affect the lobster population.

Biodiversity: Mr. Baer felt that more should be said about education, emphasizing the need for future generations to have regard for environmental conditions. Mr. Lefebvre suggested the No Child Left Indoors effort might be mentioned. Mr. Colt commented that the front section of the document might include more about education and making informed decisions.

Ms. Morrill stated that the control of invasives should be an important initiative for the state as it is a broad and pervasive problem throughout the state. Mr. Lefebvre requested that protection of the Scituate Reservoir, a critically important potable water source, be included in the document. He also observed that a chart of state building permits, by year, might be a good graphic documenting the change in land use patterns. Other charts from Land Use 2025 might also illustrate the challenges. Mr. Millar noted that a good indicator of watershed health is the measurement of impervious cover, which can be accomplished through GIS mapping.

Mr. Millar suggested that the next RIRC agenda include a discussion of implementation efforts to address the many issues and concerns raised today.

Mr. Colt thanked the Council for their comments and suggestions, commenting that the draft had been prepared by a group with their major focus on saltwater resources. The input of the Rivers Council is consistent with other comments received, and our input would help to ensure that our freshwater resources are adequately covered in the document.

4. Discussion and recommendation regarding RIRC representation to the Greenwich Bay SAMP Implementation Team.

Representatives from a group working on Greenwich Bay contacted Mr. Lefebvre requesting that we appoint them to represent the RIRC on this SAMP Team. It has been the practice of the RIRC to appoint council members as representatives, and apparently, we had previously appointed Mr. Lefebvre and Mr. Nelson to do so for the Greenwich Bay SAMP. We will notify CRMC so that our representatives receive notification of all meetings and discussions regarding this issue.

5. Discussion of RIRC Committee structure and workplan.

Ms. Sherman distributed a list of Committee membership. She requested that each committee organize itself and determine a meeting schedule and program. She noted this is especially important for the program committee to determine which, if any, programs can be accomplished this year, and the nominating committee to address empty positions on the RIRC. Mr. Lefebvre suggested a number of options that the program committee could adopt, including two-hour technical training sessions on topics of interest to the watershed councils. Ms. Staniszewski suggested creating opportunities for watershed councils to communicate with each other about common issues and concerns. Mr. Baer questioned the appropriateness of the committee structure given the limited capacity of the council and inevitable reduced funding in the coming year. Ms. Sherman responded by suggesting that each committee should evaluate its capacity and ability to address its assigned tasks, noting that many are short-term obligations, and that each committee bring concerns and/or recommendations to the Council. Ms. Staniszewski and Mr. Lefebvre supported continuing with the committee structure as the appropriate way to meet our legislative mandates. Mr. Baer requested that this be an ongoing evaluation and discussion as we move forward.

6. Finance Committee Report

The council accepted the monthly report submitted by Treasurer Joe Baer. Ms. Staniszewski reported that she has been in contact with Steve Insana about their use of the 2005 grant funds, which were never utilized. Mr. Insana reported that they had been contacted by the National Estuary Program to do a demonstration on estuary restoration for the October conference, and that the grant funds could be used for this project. He had a number of other alternate suggestions. Ms. Staniszewski indicated that in her opinion the restoration initiative was the strongest proposal. The Council agreed, and requested that Mr. Insana prepare a more detailed description of tasks and costs for the next meeting, and indicate if the project would go forward regardless of their participation in the conference. Ms. Staniszewski will remind the current grant recipients that their interim report is due on June 15. She will prepare a simple report form in order to facilitate responses.

7. Nominating Committee Report

Scott Millar presented the following slate of officers for the RIRC:

Co-Chairs: Guy Lefebvre and Jane Sherman
Secretary: Will Rivero
Treasurer: Joe Baer

Motion was made by Mr. Millar, seconded by a Mr. Baer to approve the nominations as presented. The slate of officers were unanimously voted in.

Ms. Sherman thanked Mr. Nelson for his years of service as secretary.

8. Other Business

Ms. Sherman noted that EPA recently honored the work of three Rhode Island Watershed Councils. Lori Urso, former executive director of the Wood-Pawcatuck Watershed Association received a lifetime achievement award for her 15 years of dedicated service to the WPWA. The Salt Ponds Coalition was honored for its 20 years of monitoring, educating the public, and working to preserve the ponds. The leaders of the Blackstone River Watershed Council were recognized for their efforts to restore the Blackstone River, and representatives of the Kickemuit River Council were honored for their work on issues relating to Brayton Point. The RIRC congratulates all of the honorees. They represent the hard work that all of the watershed councils do every day to restore our watersheds.

Adjournment: There being no further business, the meeting adjourned at 10:50. The next scheduled meeting is on June 11 at 4:00 pm.