

Rhode Island Statewide Planning Program
STATE PLANNING COUNCIL

Thursday, June 11, 2009
William E. Powers Building
Conference Room A
One Capitol Hill, Providence, RI

I. ATTENDANCE

Members Present

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| Mr. Kevin Flynn | Representing Mr. Gary Sasse, Chair, RI Department of Administration |
| Mr. Christopher Long | Representing Mr. Timothy Costa, Vice Chair Governor's Policy Office |
| Mr. Jared L. Rhodes, II, Secretary | Statewide Planning Program |
| Ms. Susan Baxter | RI Housing Resources Commission |
| Mr. Dan Berman | Representing Mr. Peter Osborn, FHWA |
| Ms. Lisa Bourbonnais | Representing Mr. Bill Sequino, Public Member |
| Ms. Jeanne Boyle | City of East Providence, Planning Development |
| Mr. Thomas Deller | City of Providence Dpt. of Planning & Development |
| Mr. Thomas Mullaney | Representing Ms. Rosemary Booth Gallogly, Budget Office |
| Mr. L. Vincent Murray | Town of South Kingstown Planning Department |
| Ms. Anna Prager | Public Member |
| Mr. Bob Shawver | Representing Mr. Michael Lewis, RI DOT |
| Mr. Henry Sherlock | Representing Mr. Steve Cardi, Public Member |
| Mr. John Trevor | Environmental Advocate |

Members Absent

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| Mr. Daniel Beardsley | RI League of Cities and Towns |
| Ms. Sharon Conard Wells | West Elmwood Housing Development Corporation |
| Mr. Michael Rauh | Environmental Advocate |
| Ms. Janet White-Raymond | Public Member |

Guests

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| Mr. David Beron | National Grid |
| Ms. Barbara Breslin | FHWA |
| Mr. William G. Brody | Representing Prov Port |
| Ms. Ann Gooding | City of Providence Department of Planning and Development |
| Mr. Peter Lacouture | Robinson and Cole, Representing National Grid |
| Ms. Cynthia Langlykke | Community Works RI |
| Mr. Chris MacFadyen | House Policy Staff |
| Mr. Scott Millar | RIDEM |

Staff - Division of Planning

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| Mr. Bob Griffith | Chief, Economic Development & Strategic Planning |
| Ms. Nancy Hess | Supervising Planner |
| M. Kevin Nelson | Supervising Planner |
| Ms. Karen Scott | Principal Planner |

II. AGENDA ITEMS

1. Call to Order

Mr. Flynn called the meeting to order at 9:04 a.m.

2. Approval of April 16, 2009 Meeting Minutes

MS. Baxter moved to approve the Minutes of April 16, 2009, as presented. The motion was seconded by Ms. Prager. There was no further discussion and the motion carried unanimously.

3. Energy Facility Siting Board Review –RI Reliability Project (Docket No. 4029)

Chairman Flynn recused himself from the proceedings on this item noting his membership on the Energy Facilities Siting Board (EFSB). He then turned the meeting over to Mr. Long to act in his capacity as Vice Chair and left the room.

Mr. Long next called upon Mr. Peter Lacouture of Robinson and Cole and Mr. David Beron of National Grid to make a formal presentation on the project. Mr. Lacouture began by over viewing the role of the Statewide Planning Program and the EFSB in permitting the project. Mr. Beron next gave a detailed presentation on the purpose and need of the project, the alternatives assessed, preferred course of action, costs and impacts.

Following the presentation Council member Trevor asked if the pole structures would be of steel construction. Mr. Beron responded that they would.

Council member Murray asked to what extent vegetative clearing would be required. Mr. Beron noted that the most significant clearing would occur over a 60 foot wide ½ mile extent of the southern portion of the ROW. He noted that the ROW was otherwise primarily free of vegetation and would require only selective clearing to facilitate construction.

Council member Trevor next asked whether the project was related to efforts to develop offshore wind power. Mr. Beron stated that it wasn't but did state that the resulting system would be more robust and could be beneficial in distributing energy generated in RI to the larger region.

Council member Baxter followed up by asking whether the design was state of the art and if the infrastructure could be built underground. Mr. Beron responded that the project could in fact be built underground but noted that burying the infrastructure was not a cost effective solution and presented maintenance and repair concerns. Council member Trevor next asked if there were other Rhode Island examples where National Grid did opt to bury transmission lines. Mr. Beron explained that National Grid did bury those that extend from the Manchester Street Power plant to Johnston. He highlighted however that the decision to bury that infrastructure was based on the fact that a suitable overhead alternative did not exist. He further clarified that any decision to require the burying of infrastructure related to the RI Reliability project would most likely be considered "extraordinary steps" by the ISO since a suitable overhead alternative does exist. As a result 100% of the additional costs associated with the burying would have to be born directly by Rhode Islanders as opposed to being spread across the full New England service area. Mr. Rhodes pointed out that the project as proposed is estimated to cost \$247,000,000 and that the underground alternative is estimated to cost \$415,350,000 (a 68% increase in cost).

Noting the increase in the number of structures to be located in the ROW and potential closer proximity of these to abutting residential properties, Council member Murray asked whether National Grid had prepared planting plans to mitigate the visual impact upon the abutters. Mr. Beron responded that they had and that National Grid also worked to reduce the impact by re-aligning all structures so as to achieve the "picket fence effect" where the view of background structures is concealed by the view of the structure in the immediate foreground.

There being no further questions from the Council, Mr. Long turned to Mr. Rhodes for delivery of the staff report which is attached to and made part of these minutes. Mr. Rhodes, noting the prior distribution of the report and the preceding discussion, asked if the Council had any questions or concerns relating to the first three sections of the report. There being none he focused his presentation on the final section and read the findings of fact and recommendations that constitute the proposed advisory opinion into the record (see page 11 of Attachment 1).

Following this Council member Boyle asked what if any additional opportunities would be provided for public input into the EFSB decision making process. In response Mr. Rhodes explained that the EFSB would be conducting formal public hearings within each of the effected municipalities.

Council member Prager next brought the conversation back to concerns regarding the aesthetic impact of the project. She noted that the project as proposed "would not be a thing of beauty" and would in fact have a significant, long-lasting, negative impact on the visual character of the region. Given this she strongly emphasized that the potential burying of utilities should not be dismissed based on cost alone and that the EFSB should seriously consider other design solutions that would mitigate these impacts. In follow-up Council member Trevor asked whether it would be possible to bury those segments of the line that present the greatest aesthetic concerns. Mr. Beron responded that partial burying was technically feasible.

At this point Council member Prager moved to amend the proposed recommendation to include a reference for the EFSB to consider partial burials in mitigating the aesthetic impacts of the project, to subsequently adopt the staff report as the Council's own and to forward the revised document to the EFSB as the Statewide Planning Program's formal socioeconomic impact and State Guide Plan consistency advisory opinion on the proposed RI Reliability project (EFSB Docket No. 4029). The motion was seconded by Council member Baxter. There was no further discussion and the motion carried unanimously.

4. Ocean State Outdoors: Rhode Island's Comprehensive Outdoor Recreation Plan, State Guide Plan Element152

With the RI Reliability Project review complete, Chairman Flynn returned to the room, rejoined the meeting and introduced Scott Millar from RIDEM and Nancy Hess and Karen Scott from the Statewide Planning Program for a presentation on the State Conservation and Outdoor Recreation Plan (SCORP).

Ms. Hess first explained that, as authorized by the State Planning Council, a public hearing was held on the SCORP on May 27, 2009. Two groups were represented at that public hearing, the Audubon Society of Rhode Island and the Rhode Island Land Trust Council. The Rhode Island Blueways Alliance submitted written comments. Most comments have been incorporated into the final draft document. The public hearing report, which was sent to the Council, contains the written comments of all three entities and more detail on how the written comments were integrated into the text.

Mr. Deller acknowledged the revisions regarding working waterfronts that were discussed at the last Council meeting but questioned the inclusion of a new action item in Section 4-3-2, Public Access to the Shoreline, which read "Enhance waterfronts with appropriately designed new and redevelopment projects consistent with CRMC water type designation." He explained that in some instances the CRMC water type designations are dated and that CRMC has approved projects not consistent with current water type designations where appropriate. Ms. Boyle concurred with Mr. Deller's comments. She explained that this action item could unnecessarily restrict appropriate waterfront redevelopment. Mr. Deller proposed that the action item be revised to read "Enhance waterfronts with appropriately designed new and redevelopment projects." No Council member or staff person present raised any objection to the alteration.

Mr. Deller made a motion, to adopt the revised SCORP on the condition that the wording is revised to reflect his proposed amendment. The motion was seconded by Ms. Boyle. There was no further discussion and the motion passed unanimously.

5. FY 2010 Comprehensive Economic Development Strategy Project Priority List

Chairman Flynn introduced the Comprehensive Economic Development Strategy (CEDS) Project Priority List. He reminded the Council of its efforts over the past year to completely revamp the application, review and ranking process. He explained that under the new process staff first determined if a project met the threshold criteria for eligibility. Of the nine applications received, three were found to be ineligible for consideration and the remaining six were found to be eligible. All eligible projects were then invited to make a presentation to the CEDS Subcommittee, were scored and ranked by the Subcommittee and forwarded to the Technical Committee for further consideration.

The Technical Committee subsequently reviewed the proposed CEDS Project Priority List and forwarded it without alteration to the State Planning Council with a recommendation for approval. Mr. Flynn next overviewed the projects in the proposed priority order. These

included: 1) the Weybosset Mills Entrepreneurial and Creative Business Center which proposes incubator space for small and mid-sized manufacturing and green industries in Olneyville; 2) ProvPort's proposed redevelopment of 20 acres of land adjacent to Berth 6 to establish a lay down area for port use; 3) The Opportunities Industrialization Center which is a job training and resource center initiative for low income Providence residents; 4) Heritage Harbor Museum's proposed construction of exhibit display infrastructure and exhibit lighting; 5) Quonset Development Corporation's proposed short term repairs to the Port of Davisville's Pier 1 facilities; and 6) Bryant University's Global Business Command Center, a high tech learning and information facility for the delivery and utilization of information supporting world trade.

In concluding the formal presentation, Chairman Flynn clarified the opinion that it would not be necessary for Committee members who are employed by a municipal applicant to recuse themselves from the proceedings. The rationale being that unlike past years where a certain number of eligible projects were eliminated from consideration, under the revised process, all eligible applicants would be forwarded to United States Economic Development Administration who would make the final funding decisions.

Council member Trevor noted his approval of the proposed projects and thanked staff for their efforts over the past year to revise the process based on concerns previously raised by the Council. In turn Chairman Flynn expressed his appreciation for the efforts of staff members Griffith and McKenna in not only revising the CEDS procedures but also for the professional and timely manner in which they administered this year's round.

Council member Trevor moved to approve the FY 2010 Project Priority List as submitted. The motion was seconded by Council member Mullaney. There was no further discussion and the motion carried unanimously.

6. FY 2010 Unified Work Program for Transportation Planning

Chairman Flynn called upon Mr. Rhodes to present the proposed FY 2010 Unified Transportation Planning Work Program. Mr. Rhodes began by explaining that the document is a platform for: reviewing how Statewide Planning has performed over the past 12 months; identifying those activities that will be undertaken over the coming 12 months; and for requesting budgetary authorizations from federal funding partners. He noted that it is considered a "unified" program in that it integrates the Federal Highway and Transit Administration planning functions of the Rhode Island Department of Transportation and the Rhode Island Public Transit Authority as well as the Division of Planning.

Seeing as how the Council had an opportunity to review the draft in advance, Mr. Rhodes did not undertake a detailed presentation on each of the Program's four parts. In addressing Part I (Introduction/Context for Planning) he noted that the content received only minor edits to that of previous years to reflect the continuing organizational evolution of the Division of Planning.

In turning to Part II (2009 Performance Measures), he pointed out that a significant departure had been made from the previous reporting format. As opposed to listing a few key measures and simply noting whether the action had been initiated, was pending or complete; this year's version takes each of the bullets from the previous year's task descriptions and provides a more detailed narrative as to the status of the activity.

Rather than organizing the 2009 performance measure and 2010 work task discussions under the categories of: State Guide Plan priorities, State Guide Plan implementation, and planning coordination; this year's version organizes them under categories that are more closely associated with the assignment of responsibilities to staff. These included: transportation initiatives, land

use initiatives, economic development initiatives, consistency review and planning assistance and management and administration. Mr. Rhodes offered to review the 2009 Performance measures in greater detail but emphasized that he was pleased with the agency's overall performance, particularly in light of the fact that roughly one third of its dedicated FTEs were vacant for significant portions of the year.

There being no questions or concerns of the Council, Mr. Rhodes turned his attention to Part III (2010 Work Tasks). He walked the Council through what he considered to be the most significant work tasks planned for the coming year. In regards to transportation initiatives these included: the update and integration of Freight and waterborne transportation goals, policies and objectives into the Surface Transportation Plan (task 1010); completion of the Airport Systems Plan (task 1050); completion of the Aquidneck Island and Woonsocket to Warwick Corridor studies (1060); the awarding of a second round of SRTS Grants (1070); completion of the RI Ports and Harbors Inventory project (1080); and completion of a technical Paper on Sea Level Rise's potential impact on transportation infrastructure (1080).

In regards to land use initiatives these included: producing a guidance document and educational strategy that highlight the lessons learned through the NK transfer of development rights challenge grant (2010); implementing a participatory strategy for defining, exemplifying and putting forward procedures and guidance materials for the local development and state approval of village and growth centers (2020); producing a singular water supply plan that updates and consolidates three existing and dated SGP elements into one (2030); producing a singular watershed plan that updates and consolidates two existing and dated SGP elements as well as the NBRWCT SLP into one (2040); and updating the state Energy Plan and develop siting guidelines for renewable energy facilities (2050).

In regards to economic development initiatives these included: completing the Economic Development Policies and Plan update (3010) and administering the annual Comprehensive Economic Development Strategy Project Priority List (3020). In regards to consistency review and planning assistance initiatives these included: completing the State Guide and Comprehensive Planning Assessment Process and implementing legislative, administrative and State Guide Plan recommendations (4020); updating state Guide Plan element 110 (goals and policies) and the Overview accordingly (4010); administering the comprehensive planning and land use regulation program. (4020); updating the Handbook on the Local Comprehensive Plan (4020); and re-establishing the Challenge grant program with an additional round of funding (4060).

In regards to planning information and resource initiatives these included: establishing a state agency enterprise wide GIS System (5010); complete Land Use 2025 and Potential sites for High Density Housing RIGIS data layers (5010); initiating production of a composite municipal future land use map (5010); securing LIDAR based statewide digital elevation data (5010); fulfilling state data center census 2010 responsibilities (5020); and completing the US Census Boundary annexation Survey (5020).

Other items presented included: assisting state government in fulfilling the implementation, management and reporting requirements of the ARRA (6010); completing the hiring process for remaining vacancies; instituting quarterly reporting procedures; and successfully complete the quadrennial FHWA/FTA recertification (7010).

Mr. Rhodes next turned to Part IV of the report titled resources. In reviewing Table 4-1 in particular he pointed out that: proposed personnel costs were 3.3 million and contractual pass thru grant costs are 1.4 for a total budget of 4.7 million; of this approximately 70 % is funded by FHWA, 16% by the state of Rhode Island, 9 % by FTA, 2% by EDA (other sources include

EFSB and OHCD; and that all proposed expenditures are within available resources. In concluding his presentation Mr. Rhodes noted that staff was requesting the Council's approval of the proposed work plan as well as the adoption of the following certifications:

- A. Certification - The planning process in Rhode Island is conducted in a continuing, cooperative, and comprehensive manner in accordance with all of the factors required of state and metropolitan plans and programs in 23 USC 134, 49 USC 5303, and 23 CFR Part 450 / 49 CFR Part 613. The process and products of the process including all plans and programs support:
- The Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)
 - Title VI of the Civil Rights Act of 1964, Older Americans Act 42 U.S.C. 6101, 49 CFR 21, 23 U.S.C. 324, and 49 U.S.C 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age
 - The Americans with Disabilities Act of 1990, Sec. 504 of the Rehabilitation Act of 1973, and 49 CFR Parts 27, 37, and 38, relating to discrimination against individuals with disabilities
 - Section 1101(b) of SAFETEA-LU, 23 CFR 230 and 49 CFR 26 relating to equal employment opportunities and involvement of disadvantaged business enterprise
 - The Clean Air Act, as amended, and 40 CFR 93
- B. Project selection – All projects are drawn from and/or are fully consistent with applicable elements of the State Guide Plan. The TIP presents a four-year program of funding for transportation projects from federal fiscal year 2009 to 2012. Unlike the prior TIP, there is no “Biennial Element”, i.e., all projects in this four-year TIP are eligible for funding authorization. Projects listed for future years are shown for information.
- C. Fiscal constraint – Project costs in the TIP are limited to amounts less than federal funding authorization levels anticipated through 2012; that is they reflect funds reasonably expected to be available to implement selected projects.
- D. Conformity – All state and metropolitan transportation plans, programs, and projects conform to the purposes of the Clean Air Act Amendments of 1990 and support relevant provisions of the State Implementation Plan (SIP) for Air Quality.
- E. Public participation – Adequate public notice and reasonable opportunity for public review and comment has been provided to citizens, public agencies, jurisdictions, employee representatives of transportation and other affected agencies, freight transportation and other private providers of transportation, representatives of the disabled, representatives of uses of pedestrian walkways and bicycle facilities, and other interested parties, including those traditionally underserved by the existing transportation system. The State has followed published and adopted procedures for public involvement throughout the statewide transportation planning and programming process.

With the formal staff presentation concluded, Council member Trevor commented that he was impressed with the variety of planned activities for the coming year and appreciative of the new format. Council member Baxter pointed out, and staff acknowledged, that the Housing Resources Commission should be specifically referenced under task number 6030 Housing Program Support. Council member Boyle noted the difficult circumstances presented by the large percentage of staff vacancies.

There being no further discussion, Council member Deller motioned to approve the proposed FY 2010 *Unified Work Program for Transportation Planning and to formally adopt the associated certifications noted above. The motion was seconded by Council member Prager and carried unanimously.*

7. **Chief's Progress Report**

The Chief's progress report was disposed of given the level of detail provided under the previous discussion.

8. **Other Business**

None.

9. **Adjourn**

The meeting was adjourned at 10:40 AM.

Respectfully submitted,

Jared L. Rhodes, II
Secretary

Approved 8-13-09

Attachment 1

**Statewide Planning Program
RI Reliability Project - Socioeconomic Impact and
State Guide Plan Consistency Advisory Opinion
Energy Facility Siting Board Docket No. 4029.**