

**Rhode Island State Planning Council  
Draft Minutes of May 10, 2012 Meeting**

**Thursday, May 10, 2012**  
William E. Powers Building  
Conference Room A  
One Capitol Hill, Providence, RI

**I. ATTENDANCE**

**Members Present**

Mr. Richard Licht, Chair	Director, RI DOA
Ms. Kelly Mahoney, Vice Chair	Office of Governor Lincoln Chafee
Mr. Kevin Flynn, Secretary	Associate Director, Division of Planning
Ms. Jeanne Boyle	RI LOCAT, President's Designee
Ms. Janet Coit	Director, RI DEM
Ms. Lea Anthony Hitchen	Representing Mr. William Sequino, Public Member
Mr. Michael Lewis	Director, RI DOT
Mr. Wayne Hannon	Representing Mr. Thomas Mullaney, RI DOA, Budget Office
Mr. L. Vincent Murray	RI LOCAT, Government Official Representative
Ms. Bonnie Nickerson	Providence Department of Planning & Development
Ms. Anna Novais	Representing Mr. Michael Fine, Director, RI DOH
Ms. Anna Prager	Public Member
Mr. Bill Parsons	Representing Mr. Keith Stokes, Executive Director, RIEDC
Mr. Peder Schaefer	Representing Mr. Dan Beardsley, Executive Director, RI LOCAT
Mr. Henry Sherlock	Representing Mr. Stephen Cardi, Cardi Corporation
Mr. John Trevor	Environmental Advocate

**Members Absent**

Ms. Jeanne Cola	Chair, RI Housing Resources Commission
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation
Ms. Janet White-Raymond	Public Member

**Guests**

Ms. Alicia Good	Assistant Director of Water Resources, RI DEM
Mr. Michael Hogan	RI House Policy Office
Mr. Peter Osborn	Division Administrator, Federal Highway Administration
Ms. Allison Rogers	Policy Director, RI DOA
Ms. Elizabeth Scott	Deputy Chief, Surface Water Protection, RI DEM
Mr. Bob Shawver	Associate Chief Engineer, RI DOT

**Staff – Division of Planning**

Mr. Robert Griffith	Chief, Strategic Planning
Mr. Jared L. Rhodes, II	Chief, Statewide Planning Program
Ms. Dawn Vittorioso	Executive Assistant, Division of Planning

**II. AGENDA ITEMS**

1. **Call to Order**

Mr. Licht called the meeting to order on May 10, 2012 at 9:06 a.m. He then took a moment to introduce new members, Ms. Janet Coit, Mr. Michael Lewis, Ms. Anna Novais who represented Mr. Michael Fine , Mr. Bill Parsons who represented Mr. Keith Stokes, Ms. Kelly Mahoney, and Ms. Bonnie Nickerson.

2. **Approval of the March 8, 2012 Meeting Minutes – for vote**

Mr. Lewis moved to approve the minutes of March 8, 2012 as presented. The motion was seconded by Mr. Murray. There was no discussion and the motion passed unanimously.

3. **Public Comment on Agenda Items**

There were none.

4. **Overview of the RI Municipal Stormwater Program – for discussion**

Ms. Alicia Good delivered an informational PowerPoint presentation on Managing Stormwater in the Ocean State (see attachment 1). Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Ms. Coit discussed a potential bond referendum to assist municipalities in addressing stormwater infrastructure needs. She said that there’s a possibility that the Narragansett Bay Commission (NBC) could help cities and towns to address their needs. Mr. Licht questioned the funds that NBC spent on storm water design. In response, Ms. Coit said NBC completed two major projects to control sewer and stormwater overflow into the bay. The first phase of the project addressed 40% of the raw sewage overflow into the bay which occurs whenever we get substantial rainfalls. Ms. Scott added that the NBC project will not address all concerns. She gave Roger Williams Park’s water conditions as an example and explained that Mashapaug Pond’s overflow drainage is connected to the Park.

Mr. Trevor said that this is a timely subject to discuss as a Clean Water Finance Agency bond is being proposed for the 2012 ballot. He then asked for clarity on how the proceeds from that bond would be spent. Ms. Coit responded by noting that the 2012 bond referendum includes \$12.0 million for sewer/stormwater projects fund and \$8.0 million for drinking water projects.

Ms. Mahoney asked if stimulus funding was available to address these issues. In response, Ms. Boyle said funding was available; however, the issue of how the funds would be paid back was still a barrier given the lack of political appetite for additional residential taxes.

Mr. Schaefer referred to the memo that was distributed last November from the Environmental Protection Agency (EPA) and asked Ms. Coit if she interpreted the memo as EPA saying to “back off”. Ms. Coit said she did not, but that the memo was rather encouraging individuals to prioritize needs and investments while working to integrate the planning process for resolving sewer and stormwater issues. Next, Mr. Schaefer asked if the real issue was the geese and cow feces contaminating the water. Ms. Coit indicated that these issues can be part of the larger problem.

Mr. Murray said that recent communications with DEM have been welcoming in terms of understanding the complexities that contribute to the issue.

Mr. Licht asked if wastewater and stormwater are separate and distinct problems. Ms. Coit said yes and Mr. Flynn noted that many municipalities have separate stormwater and waste water systems. Mr. Lewis added that DOT is responsible for inspection and maintenance on 25,000 catch basins and funding is an issue.

Ms. Coit said that DEM has met with the development community on new projects. Discussions on how to manage stormwater more efficiently is a focus; retrofitting and dealing with the old problems are complex. Mr. Rhodes asked if all new construction projects are required to adhere to the new stormwater regulations. Ms. Coit said that if a project is greater than one acre, they are required to adhere to the regulations. Mr. Rhodes asked if there are opportunities for municipalities to assist with the projects that are below one acre. Ms. Coit said that they could, but cost wise it wouldn't be a wise choice. Mr. Licht reiterated Ms. Coit's comment and said retrofitting existing development seems to be the largest concern.

As there were no further comments, Mr. Licht thanked the DEM team for their presentation and then moved on to the next item on the agenda.

5. **CEDS Annual Report** – *for discussion*

Mr. Licht introduced Mr. Griffith who reviewed the proposed CEDS Annual report as contained in the mailing and discussed in the agenda supplement. Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Mr. Trevor asked if the Warren Incubator deficiency is something that can be worked through. Mr. Griffith said yes and then explained that the application process has changed. All applications are sent to Washington, DC where EDA staff review the applications and utilize a check list; which is where most of the deficiencies are occurring.

As there were no further questions, Mr. Griffith welcomed the Council to contact him for any further questions or comments.

6. **Unified Work Program for Transportation Planning, Proposed FY 2013 Work Tasks** – *for discussion*

Mr. Licht introduced Mr. Rhodes who presented the proposed FY 2013 work tasks as distributed with the Council packets. Highlights of those items in which the State Planning Council engaged in discussion are as follows:

Mr. Licht asked how Statewide Planning interacts with RIPTA in terms of funding. In response, Mr. Rhodes said that the Transportation Planning Team interacts on a regular basis with RIPTA. Next month, the Work Program will contain RIPTA and DOT components. Mr. Flynn also added that he and Mr. Lewis are both on RIPTA's Strategic Planning Committee.

Ms. Coit asked if there have been any discussions with DOT & FHWA to address drainage issues on state roadways. Mr. Rhodes said that he was not aware of such discussions. Mr. Lewis said he believes that they had conversations and then referred the question to Mr. Shawver who then agreed that conversations have taken place internally without Statewide Planning.

There being no further questions, Mr. Licht moved on to the next item on the agenda.

7. **Associate Director's Report**

Mr. Flynn addressed the following items under the Associate Director's report:

- Power of Place Summit;
- HUD Sustainable Communities status;
- Update on TIP and Water 2030 Public Hearing;
- Wickford Junction opening;
- Status of the Division's efforts to develop Wind Siting Guidelines.

8. **Other Business**

There was none.

9. **Adjourn**

Ms. Coit moved to adjourn. Mr. Lewis seconded the motion. There was no further discussion, the motion carried unanimously and the meeting adjourned at 10:44 A.M.

Respectfully Submitted,



Kevin Flynn  
Secretary

# Attachment 1

# Managing Stormwater in the Ocean State

## Overview of Rhode Island's Municipal Stormwater Pollution Control Program

Presentation to Statewide Planning Council

By Alicia Good, P.E.

Assistant Director of Water Resources

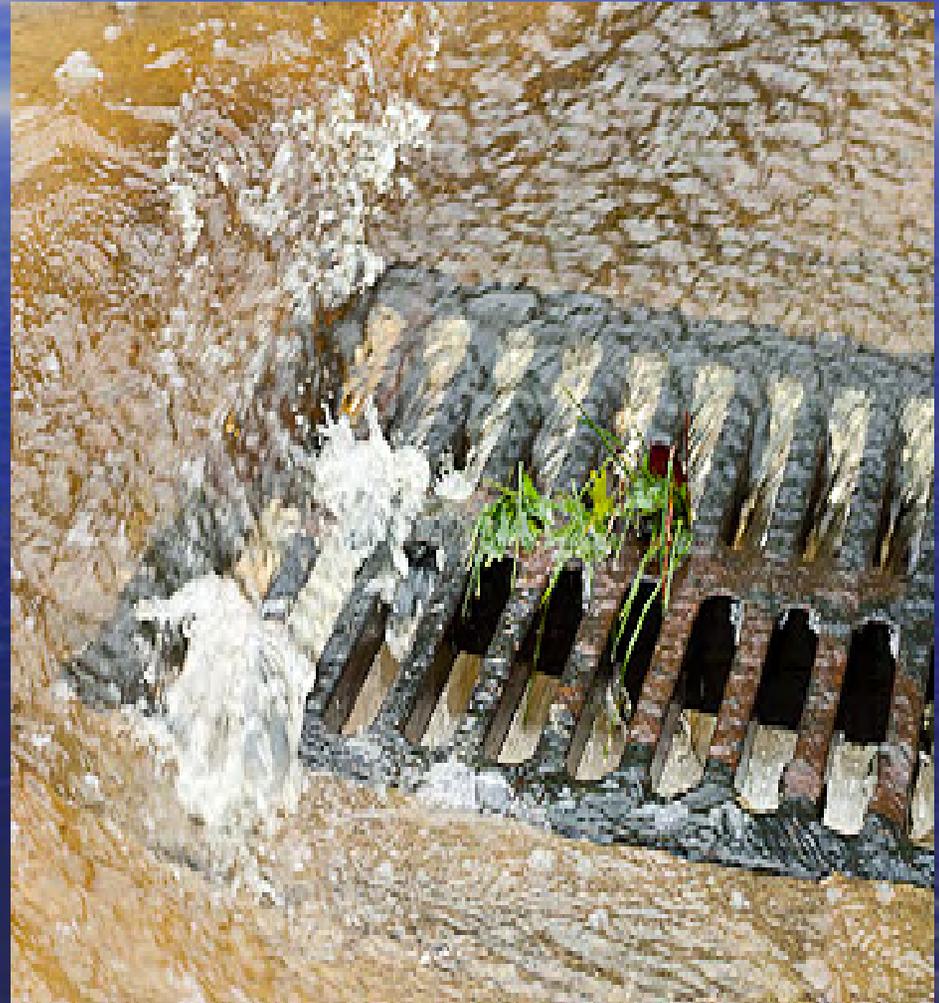
May 10, 2012

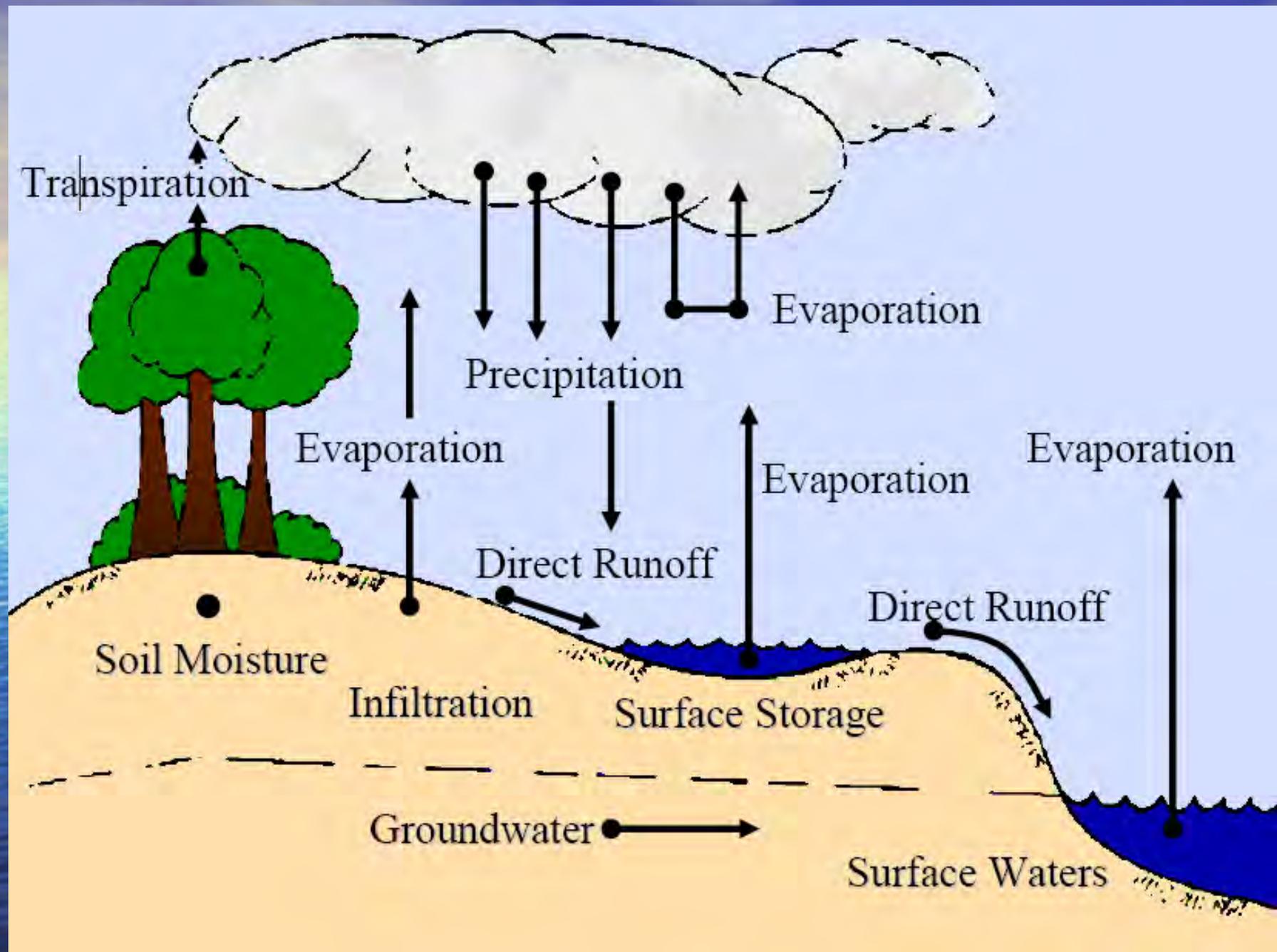


# Overview of presentation

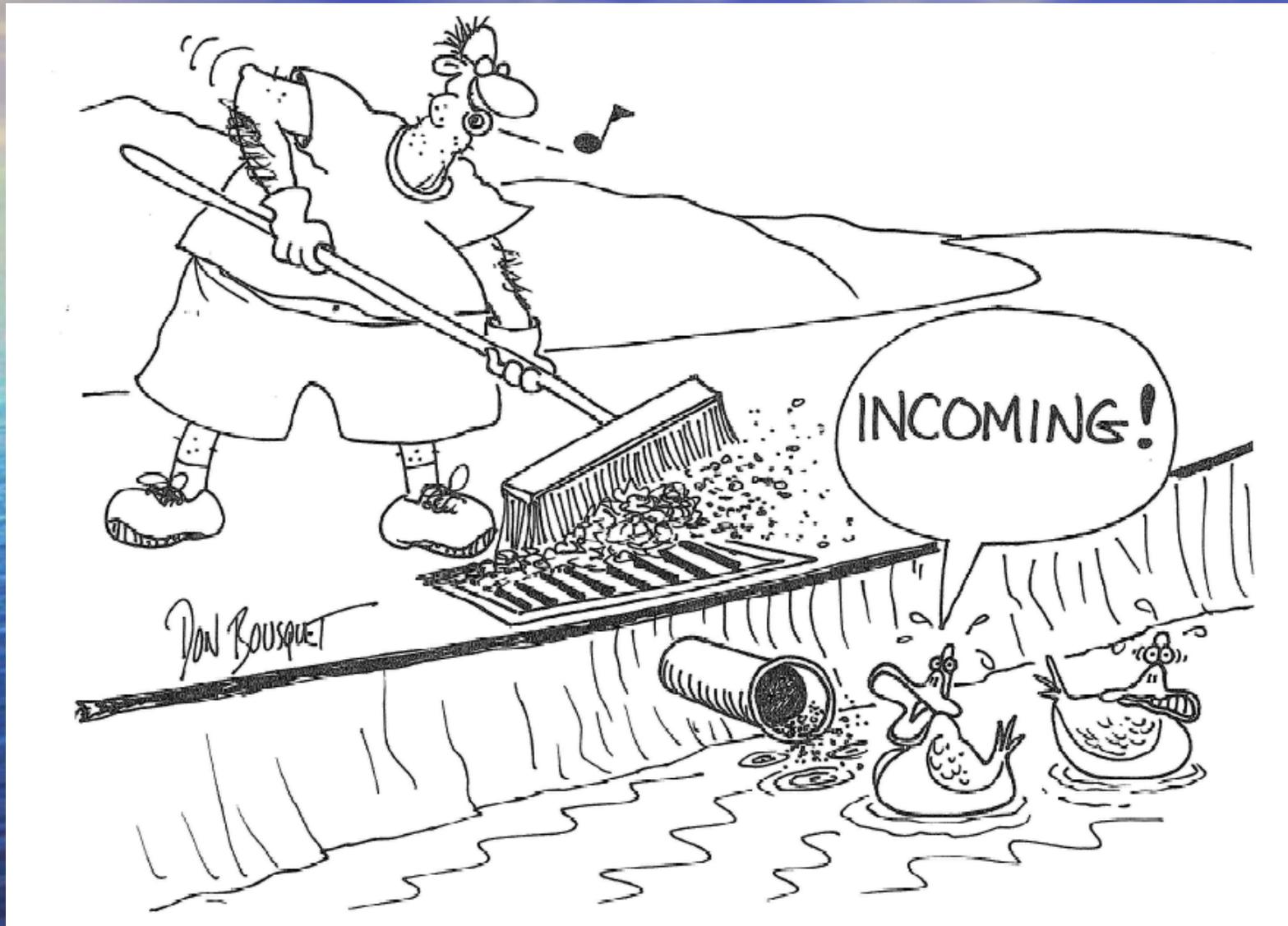
## Stormwater:

- What is it?
- Why is it a problem?
- How is it managed?
- Challenges moving forward





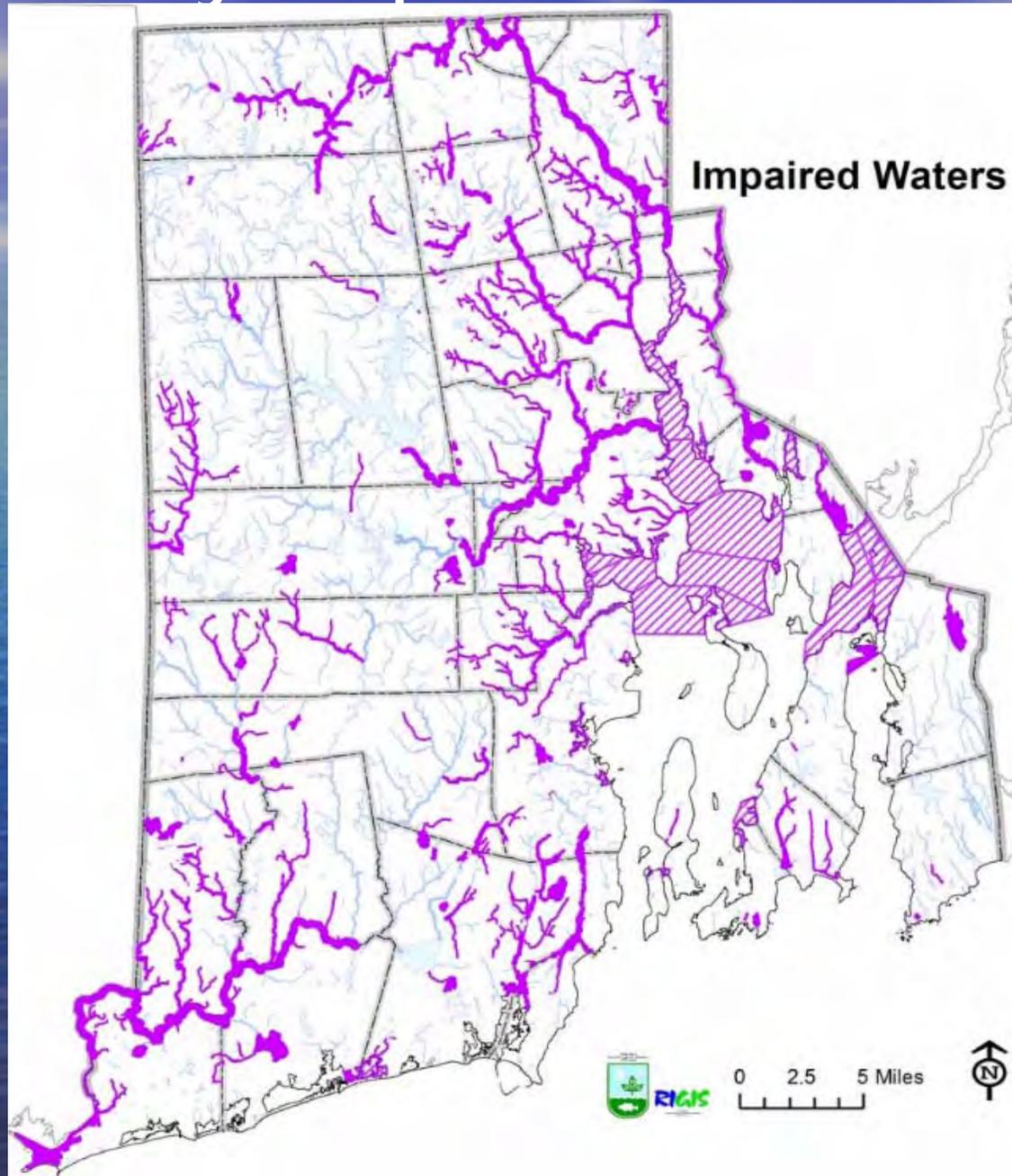
# What's the problem?



# Flooding

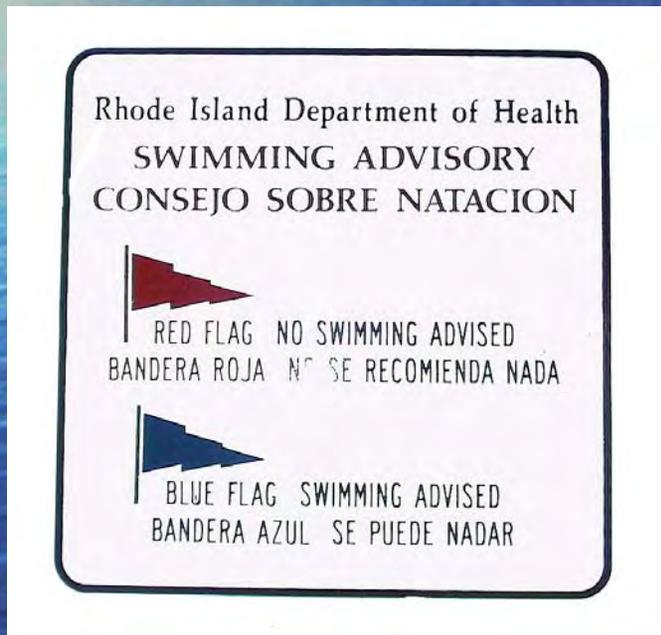


# Water Quality Impairments



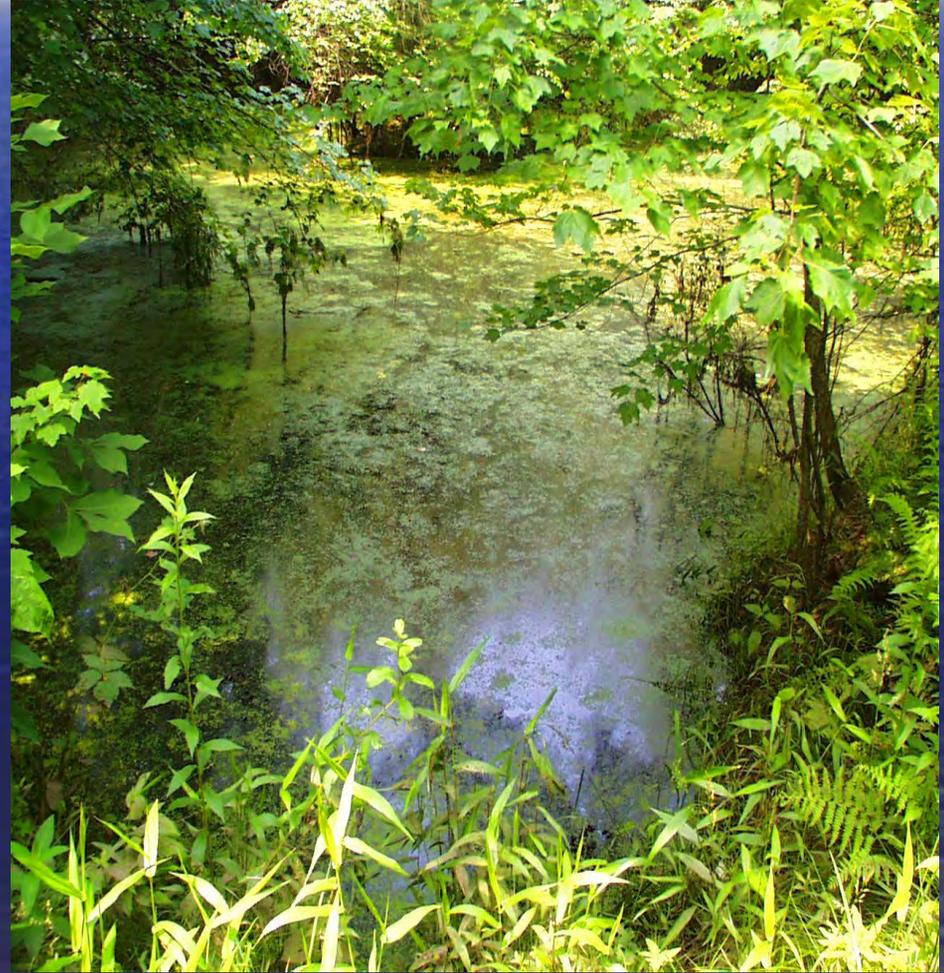
# Consequences of Elevated Bacteria

- Shellfish Closures
- Unsafe Swimming





# Nutrient pollution causes Excessive plant growth & low dissolved oxygen



# How Do We Improve and Protect Water Quality?

Three important federal CWA requirements:

- Water Quality Restoration Studies –TMDLs  
Stormwater is commonly identified as a significant cause of pollution
- Permitting New and Re-development Projects -  
Wetland/WQC permits; Stormwater permits
- Permitting Existing Discharges – permits for WWTF  
& Stormwater Municipal/DOT/Industrial

# RIPDES Stormwater Program Background

## Authority

- State Law – Water Pollution Control Act
- Federal Law – Clean Water Act

## Storm water

- 1990 EPA initiates Phase I Stormwater Program:
  - large construction site > 5 acres
  - certain industrial activities to manage storm water from site
  - large Municipal Separate Storm Sewer Systems (MS4) (none in RI).
- 1999 EPA implements Phase II Stormwater Program
  - coverage extended to include “small” MS4 operators
  - construction activities > 1 acre
- 2003 EPA/DEM amends regulations and develops a General Permit (5 yr permit).

# RIPDES Storm-Water Program: Municipal Separate Storm Sewer Systems (MS4s)



# Who is Regulated under Phase II?

- 34 municipalities are regulated under the Phase II MS4 general permit
- 7 Federal, State and Quasi State facilities

# Program Requirements

- Stormwater Management Program Plan (SWMPP) describes how municipalities will reduce the discharge of pollutant
- Six Minimum Control Measures
  - Public Education and Outreach
  - Public Involvement/Participation
  - Illicit Discharge Detection and Elimination
  - Construction Site Runoff Control
  - Post-Construction Runoff Control
  - Pollution Prevention/Good Housekeeping

# Six Minimum Control Measures

## 1. Public Education and Outreach

- Distribute educational materials to the community.
- Make community aware about the impacts of stormwater discharges to waterbodies and the steps needed to decrease stormwater pollution.

## 2. Public Involvement/Participation

- Involve the public developing the municipality's stormwater program by following state, and local public notice requirements.

## 3. Illicit Discharge Detection and Elimination (IDDE)

- Develop a map that shows all outfalls.
- Develop local ordinances to prohibit non stormwater discharges into their system.
- Develop and implement a plan to detect and address illicit discharges (including illegal dumping) to the system.

# Six Minimum Control Measures (continued)

## 4. Construction Site Stormwater Runoff Control

- Develop, implement, and enforce a program to reduce pollutants in any stormwater from construction sites of more than one acre (proper erosion and sediment controls).
- Develop procedures for site inspection and enforcement of control measures.
- Adopt ordinance to require proper controls during construction.

## 5. Post-Construction Stormwater Management in New Development and Redevelopment

- Develop, implement, and enforce a program that addresses storm water runoff from newly constructed projects that result in discharges to their system.
- Adopt ordinances to require proper controls once a facility is built.

## 6. Pollution Prevention/Good Housekeeping for Municipal Operations

- Develop and implement an operation and maintenance program to prevent or reduce pollutant runoff from municipal operations. (street sweeping, inspection and cleaning of catch basins)

# TMDL Implementation Requirements

- Where stormwater is found to contribute to water quality impairment, then Stormwater Plans need to be amended to include additional measures above and beyond the 6 minimum control measures.

# DEM's Support toward Stormwater Permitting Program

- Education & Training – 2006 to present worked with URI to provide variety of training courses and seminars
- Funding – \$25K grants to municipalities to develop stormwater plans
  - Federal Grants and State Bond Fund \$ to implement TMDL
- Tools – draft ordinances, guidance, mapping, asset management software
  - New Stormwater design and installation manual

# How are we doing?

- As a whole, RI's communities have made considerable progress in managing stormwater but...
  - Compliance with MS4 permit's six minimum measures still lagging for some
  - Progress in restoring waters caused by stormwater pollution poor overall
- Several municipalities have begun the process to tackle stormwater infrastructure improvements needed to reduce stormwater pollution. Leaders include:
  - Narragansett
  - East Greenwich
  - Middletown
  - Bristol
  - Newport

# Moving Forward

- Try new approaches:
  - EPA integrated planning approach
  - Regional approaches
  - Technical assistance
- Recognize & manage stormwater infrastructure as a utility - similar to water and wastewater
- Develop sustainable funding solutions – stormwater utility districts
- Build local capacity to properly manage stormwater