

Rhode Island State Planning Council
Draft Minutes of Thursday, June 13, 2013 Meeting
William E. Powers Building
Conference Room A
One Capitol Hill, Providence, RI

I. ATTENDANCE

1. Members Present

Mr. Richard Licht, Chair	Director, RI Department of Administration
Ms. Kelly Mahoney, Vice Chair	Policy Director, Office of the Governor
Mr. Kevin Flynn, Secretary	Associate Director, Division of Planning
Ms. Meredith Brady	Representing Mr. Michael Lewis, Director, RIDOT
Ms. Janet Coit	RI Department of Environmental Management, Director
Ms. Diane Feather	Representing Ms. Jean Boyle President's Designee, RILOCAT
Dr. Michael Fine	Director RI Department of Health
Mr. Thomas Mullaney	RI Department of Administration, Budget Office
Ms. Anna Prager	Public Member
Mr. Peder Schaefer	Representing Mr. Dan Beardsley, RILOCT, Executive Director
Mr. William Sequino	Public Member
Mr. Sam Shamoon	Governor's Designee
Mr. Michael Walker	Representing Mr. Bill Parsons, RI Economic Development Corporation
Mr. Scott Wolf	Environmental Advocate

2. Members Absent

Ms. Jeanne Cola	Chair, RI Housing Resources Commission
Ms. Sharon Conard-Wells	West Elmwood Housing Development Corporation
Mr. Ruben Flores-Marzan	Providence Department of Planning & Development
Mr. L. Vincent Murray	RI LOCAT, Government Official Representative
Mr. Henry Sherlock	Representing Mr. Stephen Cardi, Cardi Corporation
Mr. John Trevor	Environmental Advocate
Ms. Janet White-Raymond	Public Member

3. Guests

Ms. Patricia Arruda	RI Senate Policy Office
Mr. Daniel Berman	Federal Highway Administration
Mr. Corey Bobba	Federal Highway Administration
Ms. Karyn Lowe	RI Senate Policy Office
Mr. Carlos Machado	Federal Highway Administration
Mr. Scott Millar	RI Department of Environmental Management
Ms. Allison Naylor	RI Senate Policy Office

4. Staff – Division of Planning

Ms. Linsey Callaghan	Supervising Planner, Statewide Planning Program
Mr. Benjamin Jacobs	Principal Research Technician, Statewide Planning Program
Mr. Daniel Kopin	Intern, Statewide Planning Program
Mr. Kevin Nelson	Supervising Planner, Statewide Planning Program
Mr. Jared Rhodes	Chief, Statewide Planning Program
Ms. Karen Scott	Assistant Chief, Statewide Planning Program
Ms. Dawn Vittorioso	Executive Assistant, Division of Planning

II. AGENDA ITEMS

1. Call to Order

Chairman Licht called the meeting to order on June 13, 2013 and declared a quorum at 9:02 a.m. He then took a moment to congratulate Mr. Sequino on his new position with RI Clean Water Finance Agency.

2. Approval of the May 9, 2013 Meeting Minutes – *for vote*

Mr. Licht asked for a motion to approve the meeting minutes of May 9, 2013. Mr. Sequino moved to approve the minutes of May 9, 2013 as submitted. The motion was seconded by Mr. Shamoan. There was no further discussion and the motion passed unanimously.

Before moving to the next item on the agenda, Mr. Licht asked Mr. Berman to introduce his replacement, Mr. Machado. Mr. Machado is the new Division Administrator for the Federal Highway Administration. Mr. Licht welcomed him and stated that Rhode Island and Federal Highway have a great working partnership.

3. Public Comment on Agenda Items

There were none.

4. FY 2014 Unified Transportation Planning Work Program – *for action*

Mr. Licht introduced Mr. Rhodes who then presented the proposed FY 2014 Work Program as distributed with the Council packets. Instances where the Council engaged in discussion are summarized as follows:

Mr. Licht asked what LIDAR stood for. In response, Mr. Rhodes said it stands for Light Imaging Detection and Ranging (LIDAR), which is a remote sensing technology that measures distance by illuminating a target with a laser and analyzing the reflected light. Mr. Licht asked how Statewide Planning (SWP) will utilize the technology. Mr. Rhodes stated that this will provide the state with highly accurate elevation data. The data will be shared with all state agencies and municipalities across the state. He noted that the data will facilitate projections of sea level rise, which will assist the state in identifying floodplains for communities that are impacted as well as transportation infrastructure. Ms. Coit pointed out that RI is the only state to have the entire state mapped in such detail and said that the Department of Environmental Management (DEM) also utilizes the data. She then said that she would be interested in seeing a demonstration at a future meeting. Mr. Berman added that LIDAR is also used for 3D modeling with the construction of bridge designs and road development. He noted that the data is extremely accurate. Mr. Rhodes agreed and said that the data is high quality. He then addressed Ms. Coit and said that was a great suggestion and indicated that he would make the necessary arrangements to have a LIDAR demonstration at a future meeting. Mr. Shamon asked if this would replace or supplement flood insurance rate maps. Mr. Rhodes said no, however, the data is being utilized by federal agencies such as the National Oceanic and Atmospheric Administration (NOAA) and the National Flood Insurance Program (NFIP) to analyze the accuracy of the maps and to potentially update their maps.

Mr. Licht questioned the levels of high, medium and low that are noted next to each associated task description. Mr. Rhodes noted that last year, the Council asked for the priority levels to be included in the Work Program.

Mr. Licht asked if a notation can be made to next year's Work Program to indicate if the task is new or a continuation from the previous fiscal year. Mr. Rhodes said that he would add those additional notations.

Mr. Licht explained that he and other RI Leaders recently attended Senator Whitehouse's annual assembly in Washington, DC that focuses on energy and environmental issues. He noted that former Vice President Gore discussed climate change. Mr. Licht asked if there was something in the Work Program that could integrate climate change efforts with the Department of Environmental Management (DEM) or the Office of Energy Resources (OER). Mr. Rhodes said Task 2060, Adaptation and Mitigation Planning, covers climate change and noted that SWP will also continue to Co-Chair the General Assembly's Joint Climate Change Study Commission's Key Infrastructure and Build Environment Subcommittee. Ms. Mahoney pointed out that there is legislation pending that would require the Council to be more responsible with climate change planning. Ms. Coit noted that the Department of Health is also looking at climate change issues and indicated that Dr. Fine recently delivered an informative presentation that discussed climate change impacts on health.

Mr. Schaefer asked if sequestration had any effect on the budget for the Work Program. In response,

Mr. Bobba stated that the Federal Transit Administration had some impacts; however, these did not have any effect to the Work Program. Mr. Rhodes added that the HUD Sustainable Communities Grant funding are obligated funds; therefore, sequestration would not affect those funds either.

Mr. Wolf noted that Grow Smart RI funding is included in the Work Program and therefore, he recused himself from the vote.

Dr. Fine noted that as the scope of work is developed, there may be opportunities to collaborate with the Department of Health (DOH) on health impacts and therefore, he asked the Council to be cognizant when planning activities.

As there was no further questions, Mr. Rhodes asked the Council to approve the Unified Transportation Work Program and to approve the certifications required by the Federal Highway Administration. Mr. Licht asked for a motion to approve the Unified Transportation Work Program. Mr. Sequino moved to approve the Unified Transportation Work Program. Mr. Mullaney seconded the motion, passed unanimously (Mr. Wolf recused).

Next, Mr. Licht asked for a motion to approve the certifications required by the Federal Highway Administration. Ms. Coit moved to approve the certifications. Mr. Sequino seconded the motion and Mr. Wolf recused. There was no further discussion and the motion passed.

Before moving on to the next agenda item, Mr. Licht noted that there was a broader group present than there was in the beginning of the meeting. Therefore, he took a moment to reintroduce Mr. Machado as the new Director at Federal Highway office in RI. He then asked everyone to introduce themselves.

5. State Planning Council Rules of Procedure Update – *for discussion*

Mr. Licht introduced Mr. Nelson who began by pointing out that the State Planning Council's Rules of Procedure have not been comprehensively reviewed and updated since their original adoption in 1985. He then reviewed and discussed the edits that were made, which was distributed in the Council's packets. Instances where the Council engaged in discussion are summarized as follows:

Ms. Mahoney asked Mr. Nelson to define the two existing definitions of conformity. Mr. Nelson explained that "conformity" essentially means that the project proposal must be in complete compliance with every aspect of every portion of the State Guide Plan. "Substantial conformance" recognizes that there is an inconsistency between the proposal and some aspect of the State Guide Plan but the overall benefit outweighs the inconsistency and the project is able to move forward. Mr. Nelson noted that the proposed rules redefine conformity to be more realistic with all major aspects of the State Guide Plan and therefore, eliminate the term substantial conformance. Projects will either be characterized by conformity or non-conformity.

Mr. Licht referred to the Comprehensive Economic Development Strategy (CEDS) Program and asked if the Economic Development Administration is aware of the edits being made to the rules and procedures. In response, Mr. Nelson said that he has discussions on a regular basis with the EDA office in Philadelphia, PA.

Dr. Fine asked if Advisory Committees are specified in Statute and then asked how he could advocate for a Health Impact Advisory Committee. Mr. Nelson noted that the Technical and RIGIS Committees are the only two committees specified in statute but the SPC has the authority to create other committees. Mr. Flynn added that the Transportation Advisory Committee is not statutory and was created by the SPC specifically for the Transportation Improvement Program and the Long-Range Transportation Plan. Dr. Fine indicated that the work of the Council can have a greater impact to public health than the work of the medical care system. Mr. Licht suggested Dr. Fine connect with Mr. Flynn or Mr. Rhodes to discuss this further and develop recommendations for the Council to consider.

Ms. Coit asked if the Solid Waste Facility Siting rule is being interpreted as narrowly as possible consistent with law. In response, Mr. Flynn noted that proposed revisions to the rule are to clarify that it is intended to cover only facilities that are a permanent fixture on the landscape.

Mr. Berman asked if changes were made to the Intergovernmental Review Process. Mr. Nelson stated that the proposed revisions reflect the operating procedures that are already in place and delete references to things that do not exist any longer. Mr. Berman next asked if the TIP process will continue to operate in the same manner. Mr. Nelson said that it would be the same process.

Ms. Feather questioned if the document will be for the SPC members only or if it would be accessible to the public. In response, Mr. Nelson stated that these are the governing rules and procedures for the SPC and for the work of the office of Statewide Planning; as such they are public documents. Ms. Feather next questioned why the open meetings provision was deleted from the document and then asked why the code of ethics was not included in the document. Mr. Nelson noted that the proposed rules refer to the Open Meetings Act rather including details in the rules. Additionally, in many instances where an item was deleted, it was because it duplicated other sections of the rules. With respect to the ethics question, he noted that the existing Rules of Procedure do not address ethics. Mr. Licht addressed the ethics question and noted that listing such laws would be duplicative and could potentially be confusing if laws were amended and the rules weren't. As a principle, he did not see the necessity of restating in rules requirements that are already in statute. Mr. Rhodes added that this item will be reviewed again in August to ask for the SPC's approval to hold a public hearing. He indicated that he will try to address Ms. Feather's concerns to identify the proper references and put notes into the rules as Mr. Licht suggested. Ms. Coit said that if there is a concern with the code of ethics being followed, we should consider holding a training session. Lastly, Ms. Prager expressed her objection to list laws to the document.

There being no further questions, Mr. Rhodes thanked everyone for their comments and encouraged the Council to submit their comments. He then stated that it will be revisited in August to request authorization to hold a public hearing.

6. Highway Functional Classification, Urban Rural Boundary Adjustment – *for discussion*

Mr. Licht introduced Ms. Scott who delivered an informational PowerPoint presentation (attachment 1). Instances where the Council engaged in discussion are summarized as follows:

Mr. Wolf asked if the new boundary proposed would replace the boundary that was articulated in Land Use 2025. Ms. Scott said that it would not and the boundary only applies to transportation planning and only projects using Federal Highway funds.

Mr. Walker asked why Washington County, Hopkinton and West Greenwich were not included in the urban boundary. In response, Ms. Scott explained that the previous urban boundary was very generous and did not leave the state with many options in using its rural Federal Highway funding. The areas mentioned did not urbanize over the past 10 years and are not anticipated to over the next 10 years, therefore are more appropriate for a rural classification and the rural funding that goes with that designation. Mr. Flynn added that the questioned areas also did not meet the population requirements for the census.

Mr. Sequino asked if this process changes the functional highway classifications locally . Ms. Scott indicated that when we look at functional highway performance classification, who owns the road is not the only factor. This process does not change the actual functional classifications on roadways; it only designates whether the roadway is considered urban or rural. Ms. Scott said that all the roads in the state will undergo a highway functional classification review. All roads in the state will be reviewed during that process and the functional classification, and therefore the federal aid eligibility, is likely to change on some roads at that time. Ms. Scott noted that there will be specific opportunities for municipalities and the general public to participate in that process. She then noted that most of the roadways within the state are classified as local roads and those are not federal aid eligible anyway.

Mr. Wolf asked why certain areas in Newport were being eliminated. Ms. Scott stated that the areas within municipalities that had designated open space areas and therefore lower populations were eliminated.

There being no questions or comments, Mr. Licht thanked Ms. Scott and introduced Mr. Flynn to deliver the next item on the agenda.

7. Associate Director's Report

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

- Staffing update;
- Sustainable Communities new name – Rhode Map RI;
- Legislative update – request for SPC to add new members;
- Wetlands Task Force.

8. Other Business

There was none.

9. Adjourn

There being no further discussion Council member Trevor motioned to adjourn. The motion was seconded by Council member Sequino and approved unanimously. The meeting adjourned at 11:00 a.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kevin Flynn". The signature is written in a cursive style with a large initial "K".

Kevin Flynn
Secretary

ATTACHMENT 1

Highway Functional Classification



**Adjusted Urban / Rural
Boundary**

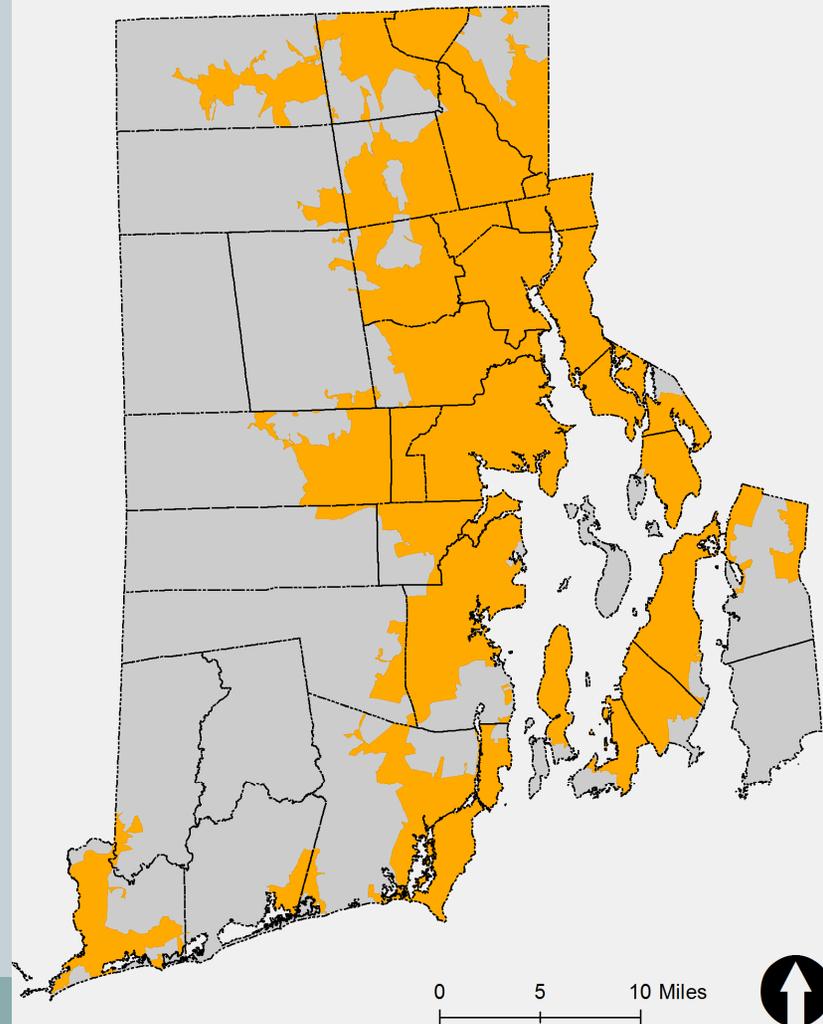
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2010 U.S. Census Urbanized Areas

Why Adjust the Urban Area Boundary?

- States have the option of adjusting the U.S. Census defined boundaries for transportation purposes.
- Due to the need for consistency or geographic continuity.
- Urban / Rural Boundary was last adjusted in 2003 based on the 2000 U.S. Census.
- Proposed adjustment is based on the 2010 U.S. Census Urbanized Areas.

2010 U.S. Census Urbanized Areas

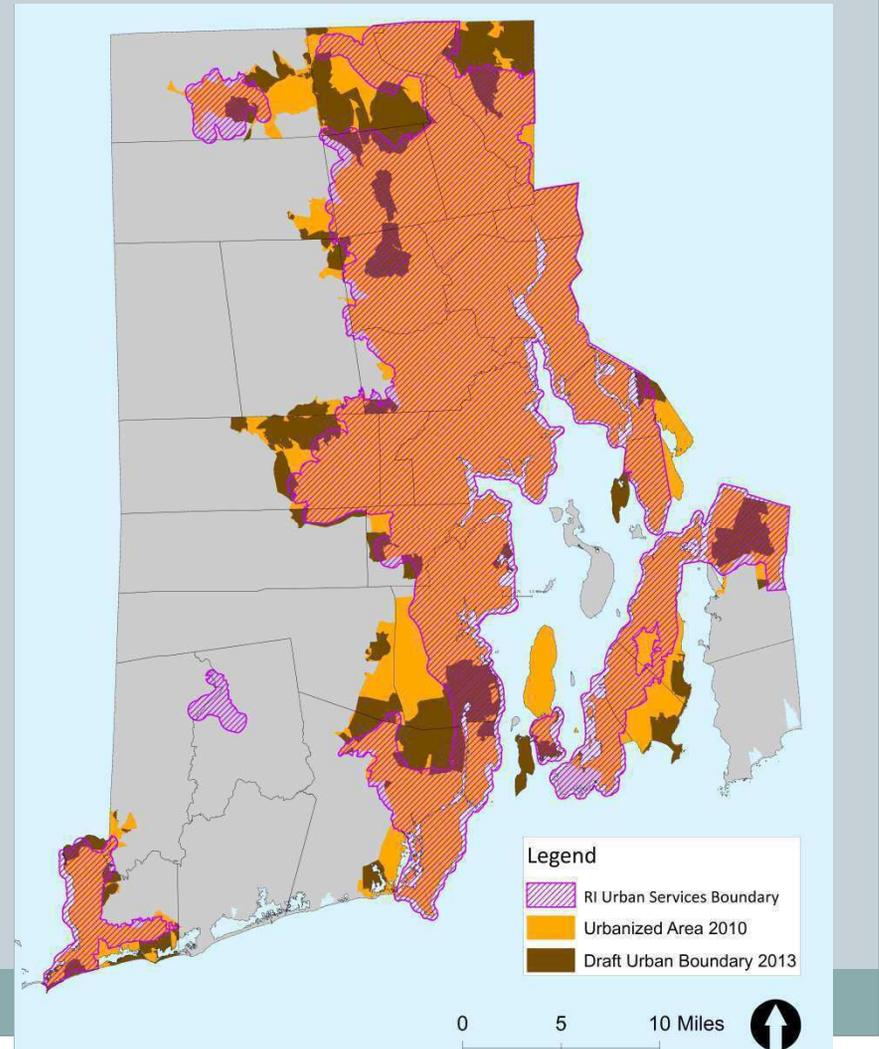


Adjusted Urban / Rural Boundary

Adjusted Urban Area Boundary

- Include U.S. Census Urban Areas
- Smooth Out Irregularities
- Eliminate or Minimize a Roadway's Snaking in-and-out of the Boundary
- Encompass Fringe Areas Of Residential, Commercial, Industrial, National Defense and Transportation Significance
- Include Major Highway Interchanges
- Consider Transit Service
- Consider Future Land Use Plans and Encompass Areas Anticipated to be Urbanized in the Next 10 Years.

Proposed Adjusted Boundary 2013



Ramifications

- No roadways were dropped from federal aid eligibility
- Total mileage of federal aid eligible roadways rose slightly
- All projects listed in the FY 2013 – 2016 are still eligible for funding according to this adjustment.



Next Steps

- Present Adjusted Urban / Rural Boundary to the **Technical Committee** for approval.
- Submit the Adjusted Boundary to FHWA
- Comprehensive Examination and Update of Rhode Island's Highway Functional Classification and National Highway System.



Relationship to Functional Classification



RURAL



URBAN

Federal-Aid	Principal Arterial		Eligible
	Interstate	Interstate	
	Other Freeway & Expressways	Other Freeway & Expressways	
	Other Principal Arterial	Other Principal Arterial	
	Minor Arterial		
	Minor Arterial	Minor Arterial	
	Collector		
Major Collector	Major Collector	Minor Collector	
Minor Collector	Not Eligible for Federal-Aid	Local	
Local		Local	