



## **RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM**

**December 20, 2006  
2:00 – 4:00 p.m.  
Narragansett Bay Commission  
Providence, Rhode Island**

### **APPROVED Meeting Minutes**

Coordination Team Members in Attendance: Kevin Flynn, Saul Kaplan, Meg Kerr, Juan Mariscal, Paul Pinault, Michael Tikoian

Other Meeting Participants: Jane Austin, Kip Bergstrom, Gary Ciminero, Tom Getz, Sue Kiernan, Ray Marshall, Don Pryor, Malia Schwartz, Tom Uva, Sandra Whitehouse, Jeff Willis

Coordination Team Staff: Colt

Colt called meeting to order at 2:15 pm, and requested approval of minutes for the 11/28/06 meeting. Juan Mariscal recommended that the minutes should be abbreviated, due to the fact that it is too time-consuming to read them in transcript form. Minutes should include detailed descriptions of how the team arrives at its most significant decisions during meeting. Colt said he would have Melissa work the minutes up, and then edit them more extensively.

A Motion was passed by the team to approve the minutes from the last meeting on 11/28/06.

Colt reminded all that the next meeting is scheduled for January 31<sup>st</sup>. He informed the team that he has been working with Kip Bergstrom and Kevin Hively (Economic Monitoring Consultant). Proposed that Kevin provide an overview of what he has accomplished to date at the February 28<sup>th</sup> meeting. There were no objections to this. If any team members would like to view any of materials under development by Hively and Economic Monitoring Collaborative before the February 28<sup>th</sup> meeting, they should see Ames or Kip.

**Northeast Regional Ocean Council**

Informed the team that the NROC has put together a letter and work plan for the Federal Inter-Agency Commission the Subcommittee on Integrated Management of Ocean Resources (SIMOR); this letter will be distributed to the New England Governors. The main purpose of this letter is to seek funding for regional ocean governance from the Feds, eg., it is hoped that they will fund a regional ocean congress in May. The letter will be signed by Michael Sullivan, as the US co-chair of the Oceans Working Committee. We are receiving very positive signals from SIMOR in terms of funding availability.

Also, working with Ron Rosza, of the Connecticut DEP, and CRC to set up a Southern New England Regional Sound Alliance Ocean Partnership. Will report further on this in January.

Also, sitting on Gulf of Maine Ocean Science Council, which will hold its first meeting in late January. The purpose of this council is to assist with developing a science research agenda for Southern New England coastal and ocean waters. Experiencing difficulty with MIT Sea Granters who are not, in the realm of communications, providing enough emphasis on Southern New England Waters. Will abandon the council if they cannot dedicate some focus to our waters.

Also, Colt has been invited to represent Rhode Island and the Northeast Regional Ocean Council at a workshop on Regional Ocean Governance sponsored by the Joint Ocean Commission Initiative, from March 18-20. Said that he would not confirm his attendance until the CT was aware of it. Expressed concern over allocating his time towards regional ocean issues when in-state issues are presently so formidable. There is also a meeting being organized by the Minerals Management Service, which will be held on January 10<sup>th</sup>, concerning the development of alternative energy and alternate uses program on the outer continental shelf. Requests some sort of formal approval from the CT, saying yes to the California workshop and to continue to emphasize the development of NROC. If there any concerns about this he would like to address them presently.

Meg Kerr expressed concern over the loss of focus on rivers and watersheds if too much time is spent with NROC. Feels that we need to remember that the CT was established to look at rivers, watersheds, etc. not only ocean issues.

Juan Mariscal advises that Colt be sure to coordinate all this properly with the budget office.

Colt responded that he did include a line item in the chair budget, for NROC travel expenses, of approximately \$1,000. The Governor is one of the leaders in establishing NROC, and he hoped the CT Chair would be able to fill that role for the state. But, he feels the team does have the right to refute this if they feel he should be focused on in-state issues as opposed to regional ocean management issues.

Saul Kaplan does not feel that this is a decision that the team needs to be involved in. He recommends that Colt use his professional judgment.

Colt does not feel these will require any substantial funding, just his time. Also sees this as an opportunity to tap into federal funds that will help the state, as well as linking coastal ocean management in the state with what is going on at the regional level.

### **Restore America's Estuaries 2008 Conference**

RI and RAE are very close to announcing the fourth conference coming to Providence in October of 08. Their third conference was a tremendous success with over 1,300 attendees; Colt made some interesting connections, particularly with the Collaborative Adaptive Management Network, which he mentions because he would like to introduce adaptive management themes and approaches to our systems planning and coordination efforts.

Also, would like to discuss ways to improve meeting management. Would like to conduct meetings with a better sense of structure. Proposes that he refrain from recognizing non-team members until team members have thoroughly discussed the major points on each agenda. This could be put into writing and formally addressed at next meeting.

### **Paul Pinault**

Colt turned the meeting over to Paul Pinault. Pinault opened his presentation by reiterating that he will be leaving next week after twenty-five years with NBC. Pinault stated that there have been many noteworthy accomplishments over the span of twenty-five years, but there is still a great deal to be done. He indicated that one of the biggest challenges is contending with the rate increases. In order to accelerate their projects they have had to increase rates significantly:

In January of 2001 rate were raised 24.5 %;  
 June of 2002, another 24.8%;  
 June of 2003 another 16.12%;  
 October of 2004, another 5.95%;  
 July of 2005, another 12.76%;  
 July of 2006, another 4.06%;  
 Finally, the Public Utilities Commission just approved another increase of 9.99 %, effective July 2006.

In 2001, the average homeowner paid \$130 per year in NBC sewer utilities, which is fairly inexpensive. Currently, the average NBC ratepayer pays \$295; in 2011 it will be \$404 for a typical home. 65% of RI's children living in poverty live in the NBC region, mostly Pawtucket, Central Falls, and Providence. 22% of NBC ratepayers live on fixed incomes. RI General Hospital paid \$500,000 annually in 2001; in the next five years they will be paying \$2 million annually.

NBC's capital plan for the next five or six years is \$276 million, which will cover facilities designs and upgrades to their WWTF's and design work for Phase II of the CSO

Abatement Project. However, there is also a Phase III to the CSO Abatement Project, which will cost \$450 million to build the second tunnel from the Bucklin Point Facility up to Pawtucket/ Central Falls.

The CSO Abatement Project is a big part of current capital plan, but there are also nutrient control facility requirements being imposed on NBC. NBC spent over \$60 million recently at Bucklin Point WWTF, upgrading the plant including nutrient controls. Just before the new facility went online, DEM informed NBC that it may have to upgrade BP WWTF's nutrient controls even further. The ensuring consent agreement between NBC and DEM allows NBC to run BP WWTF for two years to see if it could meet a 5 mg/l (ppm) TN standard, even though the Plant was designed to discharge no more than eight ppm. After the first year of operations under the consent agreement, the BP WWTF was discharging TN at a rate of 6.4 or 6.2 ppm. So, NBC feels confident that they have improved BP WWTF's nitrogen controls, but Pinault does not think the plant will be able meet the 5 ppm standard. To do so it appears that another facilities upgrade will be required to reach the 5 ppm standard, with a projected capital cost of \$16 million..

At Fields Point WWTF, they are holding a public hearing on January 25<sup>th</sup> on the status of planning for its upgrade. They are looking at spending \$33 million at FP WWTF to meet a five ppm TN discharge standard. If NBC has to meet a tighter discharge standard of 3 ppm, it will cost about \$80 million in capital costs. In addition, FP WWTF operations and maintenance costs are projected to increase by \$2.3 million annually with a large portion of those increased costs due to increased energy needs. The CSO Abatement Project Phase I will go online in October of 2008, will require \$700,000 a year for electricity and maintenance.

The remainder of NBC's current capital plan has to do with maintaining six pumping stations and replacing them as needed. They are also beginning to look at the Central Avenue Pumping Station in Johnston, which is close to twenty years old. The Bottom line is that it will be a significant challenge to maintain these sewerage facilities, which are extremely old. Much of the sewerage system managed by NBC, and the subsystems maintained by the municipalities, are still in good condition, but they are costly to maintain.

NBC has devoted an appreciable amount of staff time to assisting the CT, and he acknowledged that other people present have done the same. Expressed some frustration at the fact that, up until recently, there have been no resources available to them. But he is pleased that they are finally having productive meetings, and that Melissa is on board to provide staff support. However, the amount of work that has to be done is disproportionate to the amount of people that are available. Lamented that fact that two years ago, the Governor allotted certain funds for the CT, and the General Assembly did not give them anything. Last year the Governor put nothing aside, and tried to get NBC to be responsible for funding the entire \$1 million environmental monitoring proposal put forward by the CT. In the end the General Assembly could only contribute a quarter of a million dollars from the OSPAR fund. This is a pittance considering the amount of work that has to be done in monitoring.

Pinault's hope is that they will receive more recognition in the future along with the money that is required to do the job. Emphasized that NBC has shown their dedication to the CT by offering their space, providing staff support, doing extensive monitoring of the Bay, purchased research vessels, and helped to establish the buoy network for the upper bay. They will continue to contribute as long as possible, but he reiterates his hope that the General Assembly will provide the additional resources, which will enable them to protect the rivers and the Bay.

Upon his closing remarks, Pinault stated that it was a pleasure working with everyone present and that Ray Marshall, who has been with NBC for fifteen years, has been selected as his replacement.

Colt asked (Ray Marshall?) if there was anything that could be said about the East Providence WWTF. Marshall responded that they have a couple of their consultants at combining the East Providence WWTF with the Fields Point WWTF, and what kind of influence that would have on their CSO program and facilities. They also have a consultant, who is working on nitrogen removal at Fields Point, and what impact it would have, putting that additional flow on this side of the river. They are examining the alternative of leaving everything in place at East Providence WWTF and upgrading the facility vs. pumping it under the Providence River over to the FP WWTF. In a month or so, they should be able to provide more information.

Colt emphasized the fact that NBC's future capital costs are substantial, and, inevitably, the ratepayers are going to resist further increases. That resistance will increase attention on questions regarding how the facility upgrades will affect water quality and increase public benefits.

These issues have been in the foreground for some time, for the entire state. The EPA will not relent in its pressure on RI to continue dealing with CSO's in the upper bay in Phase II and Phase III. Phase III entails an additional storage tunnel. The stakeholder process for the CSO Abatement Project provided the master plan that NBC and RI still need to move forward on. The CT can assist with long-term CSO abatement in the upper bay by providing guidance as to how the stormwater needs can be addressed generally in RI.

### **Review of FY 2008 CT Proposal**

Colt distributed copies of a letter, dated December 11<sup>th</sup>, he received from Representative Eileen Naughton. The letter was a follow-up to a meeting he had with Representative Naughton and Sandra Whitehouse. He was greatly impressed by the amount of time and degree of attention the CT that the two provided. The letter outlines Representative Naughton's expectations for the CT over then next year or so. She also summarizes what she expects the General Assembly to contribute.

Colt addressed his single question concerning the letter to Sandra Whitehouse. It was in reference to point two (the need to connect better the Environmental Monitoring Collaborative with the Coordination Team): he was not sure where this point was coming from, because the EMC is well connected to the CT at this time. Whitehouse stated that

Rep. Naughton was referring to discrepancies between the legislation for the Monitoring Collaborative and the CT.

The second item from the letter that Colt felt should be addressed is its call to reconvene the Ad Hoc group to support systems integration planning. He advised that, as a team, they have the authority to create such committees, and if they do not, the General Assembly may codify one. Goal five of the proposal is to form this committee and put it to work. Colt felt that Representative Naughton was trying to stress the fact that the planning work needs to begin forthwith.

Mariscal expressed some concern over a lack of coordination between efforts by the Narragansett Bay Estuary Program (NBEP) to develop a status and trends report and a revived NB Comprehensive Conservation and Management Plan (CCMP) and the CT's efforts to develop a Systems Integration Plan. Colt responded that he has been placed upon the oversight committee for the NBEP and that he has had extensive conversations with Richard Ribb and believes they are in agreement on how to proceed with planning jointly. He is primarily concerned that the Estuary Program be extremely clear in their communications as to what they are going to do in coordination with the CT.

Kaplan recommended that there should be a roadmap for plan developments showing the CT how to get to a specific deliverable and describing roles/responsibilities, where the gaps are, and the role of the CT. The discussions of the meeting thus far, seem desultory; the objective is not clear. What is the "end deliverable" of the Systems Integration Plan? What are the components of that deliverable, and how does it connect to other activities that are going on in each of our agencies? Understanding the end deliverable is essential to having productive conversations as a CT.

Colt responded that, for him, the end deliverable is delineated by Systems Integration Plan outline in the FY 2008 proposal. It lays out, almost by chapter, what the SystemsLevel Integration Plan should be about. This is his goal: complete a full draft of the Systems Integration Plan by the end of December 2007, if not sooner.

Kevin Flynn advised that the Plan outline should be an inventory of what is in the works, where does that stand in terms of a schedule, and what do we have to do to fill in the gaps. Colt stated that he wanted to be sure that the CCMP is entirely incorporated into what the CT does for Systems Integration Planning.

Colt said he would like to have the CT formally approve the proposal as it stands, or with modifications that they specify. Also acknowledged that he needs to develop more targeted documents for the Governor, the General Assembly, and others. For example, a 1-2 page document that ties the budget items with specific accomplishments that will be attained if the funds are granted in twelve months. This is per specific request from Mark Adelman. They need to come up with additional background material for the monitoring components of the proposal.

Flynn had two questions in reference to page 15: under alternative funding sources, he noted the absence of estimated revenue generation.. Colt answered that he did not exclude it, he simply didn't have sufficient information to provide estimates..

Mariscal suggested that there should be a specific deadline for issuing the final Systems Integration Plan as opposed to stated deadline of "the beginning of 2008". Also, concerning sources of revenue, he is certain that he put something together on for the water surcharge wastewater bill (a fee specifically for water and wastewater bills) that should be included under alternative funding sources. Felt it should be mentioned that the funding they received this year actuated several projects and, in order for those projects to have any value, the funding must be continued into future years. It is the baseline funding that needs to be continued, and it should be separated out as continued funding of existing projects.

On page 9, there is discussion of an integrated planning committee. Is that the Ad Hoc committee that was mentioned? (Colt replied yes.) On page 6, not sure about the origins of the Scarborough Beach and Quonset Business Park projects because they were not part of any detailed discussion that he could recall. He is not sure how they fit in to the mix of projects that are going to be funded. Questions how some of the activities and their titles fit into the budget, e.g., freshwater resources management (that could be a lot of different things). The document needs to be accessible to the readers, so they can relate these activities directly to the required funding. Also advises that a 2-4 page summary of the document should be developed "elevator message."

Colt responded that those things are his ideas: beach water quality, addressing sources as well as trying to correct them, developing case studies that aid in us learning more about coordination (how we should be planning for it; conduct it) particularly with regard to aligning economic and environmental interests. There is no money attached to these issues because he is trying to work on them directly; it's just his time. He has tried to lay out what are the state's top environmental management concerns, as well as what are some of the specific coordination issues (the list of long-term issues). Reiterated that is why there is no money attached to it; it is what he is working on to bring forward and help the CT obtain an understanding of more genral coordination themes, such as expedited permitting.

Mariscal said that his chief concern is that, through this proposal, they may be setting up false expectations as to what the CT is capable of in terms of problem solving. Mike Tikoian interjected that the proposal butts forward a CT budget and questioned whether money should be given to state agencies for specific projects. This needs to be clarified. The chart on page 13 looks like the finding will be given to the CT. Mariscal stated that it is, in fact, not the CT that is doing the work, but the CT decides where to direct available funds. For example, the WRB is going to contract with USGS to have the work done and the money resides with DEM; they will pay the bills for it. Conceptually, new funds could go to a restricted receiving account that the CT Chair oversees and manages. Then the CT proceeds to fund A, B, C & D. For example, item A is within the WRB's jurisdiction and they will receive \$100,000 (or whatever amount) out of this

revenue, as opposed to trying to find it in the state's general funds. This would make for a clean system, showing the source and the use of the funds. From that perspective, the separate line item format makes sense.

Colt responded by saying that he hopes that some support will be provided for "CT operations" from the general revenues as well. Mariscal mentioned user charges, and said that if you identify a user charge, it will cover the entire cost. So they would not have to worry about approaching the General Assembly every year saying, "I need \$250,000 for administration. I have a revenue source, but the revenue source can only fund projects; but I cannot get those projects funded if I don't have administrative costs." Something must change in order for these kinds of operations to work. If they cannot be funded from general taxation and general revenues, then a special fund is required.

Colt stated that basically, as they go forward with these supplementary funds, they must be tied to a specific purpose. Flynn questioned the paliability of the "toilet tax". Colt answered that he understands that concern, and would be happy to strike it from the proposal. However, it's not so much his salary and operations; it's that they are trying to fund the environmental and economic monitoring needs that they have.

Tom Uva reminded that Representative Naughton indicated that CT funding should not be in the DEM budget. Kip Bergstrom agreed with Uva, adding that they should not earmark funding sources to projects.

Colt requested three more specific decisions: Do they want to exclude goal 2, and focus on the plan and monitoring? Kaplan advised that he should take a "cleaner" approach to the legislative aspect of the proposal. Colt replied that, he would take that as a yes-to drop goal 2, and attempt to tie it to a more legislative avenue.

Secondly, he asked that they take a week to review the proposal, with this change, and provide any additional feedback.

A motion was passed approving the proposal as it stands with the agreed upon edits, and the document will be publicly after the first of the year.

Colt asked if there was any new business? Flynn distributed the newly produced executive summary of the Land Use 2025 plan

At 4 PM, a motion was approved to adjourn the meeting. The next monthly meeting was scheduled for Wednesday, January 31<sup>st</sup>, location TBA.