

**Draft Meeting Notes Environmental Roundtable
July 11, 2001**

Attendance: T. Hamblett, G. DeMarco, A. Karpick, M. Pryor, C. Modisette, C. Obert, K. Stuart, H. Ward, M. Garrison, E. Marks,

DEM: J. Reitsma, F. Vincent, E. Stone, M. Musselman, A. Liberti, G. McAvoy, J. Keller, L. Hellested, D. Albro, S. Millar, T. Maguire and T. Getz

There were no changes concerning the April meeting notes. Anyone wishing to amend the minutes should contact Tom Getz with any corrections.

New Business

2002 Workplan Highlights

The director began the meeting by indicating the workplan workshops were not heavily attended and may not be worth the effort unless there is some indication that people will attend the workshops. He then highlighted some of the areas where DEM will focus on in the coming years.

- Air – DEM needs to be part of the development of the state Energy policy. There are many relationships between Greenhouse Gas, mercury, VOC, and NOx emissions and energy policy.
- Water – DEM needs to place more effort in collecting data before TMDL can be developed.
- Livable Communities – There is a lot of work to be accomplished in this area. DEM needs to partner more with the communities and possibly use a planning grant process to move this issues forward.
- Environmental Equity – DEM had developed a draft policy and it is posted on the web. DEM is looking for comments on this draft policy.
- Dams – DEM is concerned about this issue. There was no financial support given to the department to begin work in this area.
- Resource Management – DEM is actively involved in fishery management issues. The existing moratorium was extended by the legislature and DEM is working with the industry to develop an appropriate regulatory scheme.
- Permit Streamlining – DEM is in the implementation stage of this project. The budget for this year was cut and DEM is looking for ways to move forward with this project.
- Environmental Excellence – DEM is looking for ways to encourage industries to go beyond compliance. Incentives must be created to move the program forward. We are looking to implement this concept using a sector approach, e.g., auto refinishing, photo refinishing, etc. A majority of our pollution comes from small sources and we need to take different approaches to ensure these facilities can meet and even exceed environmental targets.
- Workforce Changes - Nearly 30 percent of the state workforce, including management, will become eligible for retirement in the next few years. Preparing for this change, the Department has an opportunity to reevaluate our organizational structure, encourage new talent, train new leadership from within, and develop a recruitment strategy.

There was a general discussion on elements of the workplan including inter-media transport of mercury, habitat restoration and wildlife protection versus endangered species, the DEM naturalist program and Quonset Point.

There was quite a bit of discussion on outreach, and the group sees a need for expanded outreach and offered to help. The Director mentioned he has established a DEM wide outreach group to address this issue. Jeff Koss also asked if the Department has a sense of how many people access the website. At this time, DEM does not have this capability, but will do this in the future when the website migrates to a new server.

DEM is actively working on the mercury issue. Legislation was passed this year and DEM is working with NEMOA, a regional waste management organization to participate in a regional clearinghouse effort. In addition, DEM is evaluating if there are mercury emissions coming from landfills. A question was raised about a mercury product buyback program. The director mentioned that DEM is investigating the use of a Supplemental Environmental Program to possibly pay for this effort. One member suggested DEM should attempt to work with drug stores to help in this effort.

A question was asked about the park naturalist program. DEM has restored a limited naturalist program last year. It is possible that DEM's effort can be supplemented with efforts being made by watershed groups.

An offer was made by ECRI to help DEM in the legislative process. He suggested that a working group could be formed to identify issues of mutual concern. Environmental issues are often complex and we need to find a way to help to educate the legislature and to raise the level of discussion. In addition they expressed concerns about Quonset Point. Some people would rather see DEM's budget increase by \$2M than to fund an Environmental Impact Statement (EIS). The director mentioned that the EIS process is a valuable tool, and valuable information can be gathered through the alternatives analysis. The preparation of an EIS does not mean the project is being built, but is a way to bring together a lot of information on a topic.

2002 Budget Priorities

The director briefed the group on the previous legislative session. He mentioned that a positive working relationship is being developed between the legislature and DEM. Other specific topics discussed included:

- Clean Water – The Combined Sewer Outfall legislation was passed, however water quality restoration planning (TMDLs) were not funded. He also mentioned that the non-point program would require a bond to fund this effort.
- Permit Streamlining – This was a budgetary issue and \$400,000 was reduced from DEM's budget to cover the cost of implementing / troubleshooting the existing program.
- Fisheries Management – This will be a challenge to DEM. We need to develop commercial fisheries licensing program in the next six month. DEM will be working with the Fisheries Council on this issue and will look for opportunities to streamline the process.
- Forestry – DEM is developing a Forestry Asset Management Plan for the state forests. This plan can be useful in determining the status of the infrastructure and the needs of the program. We need to closely examine the issue of fees and how the state can cover the cost of managing this critical resource.

Legislative Update

- Dredging – Ken Payne was mentioned as being helpful in moving this bill forward. The bill requires an integrated process between DEM and the Coastal Resources Management Council (CRMC). DEM maintains the authority on water quality certification and CRMC will be the lead agency on other dredging issues. The bill developed a hierarchy of disposal options, i.e., use, reuse, upland disposal and in-water disposal. In addition the state will be responsible to look for use / reuse opportunities and needs to identify de-watering sites. DEM will streamline its regulations for dredge materials. In the past, dredge material was covered under the solid waste regulations and now they will be regulated as a separate entity. DEM needs to revise its regulations to develop appropriate standards for this material.
- Dam Safety – The Dam Safety bill did not pass last session and DEM was re-evaluating its approach for next session.
- Lead – DEM will continue to monitor lead bills next year. Members of the meeting indicated the state needed to be more aggressive in its approach to lead poisoning. We should be focussing on the remediation of lead-contaminated properties and not on sick children. Let's be more proactive and prevent the children from getting sick. One member suggested that we should bring a task force together to attempt to solve this issue. It worked in dredging and maybe the concept will work for lead.

The Pesticides Board was discussed. This board funds the use of alternatives to applying pesticides. Concerns were raised that DEM does not always listen to the Boards recommendations and that research grants are not funded. There is a need to educate homeowners on integrated pest management (IPM). At the present time pesticide use is not regulated at the homeowner level and a question was raised if there could be a tax on the purchase of pesticides that could fund some of the education efforts and research proposals. A representative from EPA indicated that there was grant funding in the region for IPM.

Ladd School

Concerns were raised about the development of this site. The Queens River is a critical natural resource that needs to be protected. The ISDS permit needs to be closely evaluated especially with respect to solvent and nitrogen loading to ensure that groundwater is being protected. Russ Chateaufneuf mentioned that the permit is being reviewed and in addition a stormwater analysis is being evaluated. Abutters will be notified and then DEM will need to review these comments.

Watershed Discussion

Scott Millar mentioned the Wood Pawcatuck Watershed Association was recognized as a formal watershed association. He also mentioned that revised action plans would be available in the near future. DEM is working internally to devise mechanisms to notify watershed associations on DEM permitting activities. Fred Vincent mentioned that he is investigating a computer bulletin board to allow people to be informed with DEM activities.

Rocky Point Discussion

Mr. Mark Garrison, representing the Citizens for a Public Rock Point, led a discussion on this issue. He mentioned that this is a unique property and should be protected as open space. At this point in time, people representing the bankruptcy court are offering the property for sale for \$10M. He mentioned that he is working with the congressional delegation for some federal funding. In addition his group is also working with the Warwick Land Trust for funding opportunities.

The director mentioned that DEM has only one new plan for a state park and that is the Snake Den Park in Johnston. The \$10M price tag will be difficult to fund solely with the state bond fund. A lot of projects are already in the planning stages and diversion of huge amount of funding to Rocky Point will impact these projects. Fred Vincent mentioned that funding for the 2002 budget year has already been committed. The director mentioned there might be other options available for this property. Since there is a lot of traffic associated with this project, the City might be the best entity to develop this park. If the asking price is too high was there any consideration given to partially develop the property and reserve the rest for open space? DEM will however, work with the Land Trust and other appropriate entities on this project

Stormwater Regulation Update

The Environmental Protection Agency finalized national Phase II storm water rules in December of 1999. Federal law requires Rhode Island to adopt similar rules. DEM has been working with stakeholders for the past year and a half, and held five public meetings during the development of the new draft regulations. The draft regulations affect all of the 39 cities and towns. Thirty-one municipalities have storm sewers in urban areas and will be required to obtain permits for their storm water discharge by March 10, 2003. To obtain a permit, the municipality must develop a local storm water management program. Seven of the 31 are eligible for a waiver from this requirement if the municipality can demonstrate that storm water discharges do not impair the receiving waters. The remaining eight municipalities with storm sewers in rural areas must initiate measures that address storm water discharges and prevent impairments to sensitive water bodies to avoid future permit requirements.

The draft regulations allow municipalities flexibility to develop cost-effective local programs for their municipal storm sewer systems that take a "best management practices" approach and address local water quality issues. The programs must include public education and outreach, public involvement and participation, illicit discharge detection and elimination, construction site storm water runoff control, post-construction storm water management, and pollution prevention or "good housekeeping" for municipal operations.

ISDS Regulation Update / Discussion

Russ Chateaufneuf briefed the group on the ISDS program. He mentioned that the new soil based criteria has been in effect and thought the new program is more accurate in sizing systems. He has been working with a stakeholder group and is planning to revise the regulations. Changes include phase out of cesspools, better turn around for applications, nitrogen requirements in critical resource areas, new tank standards and filter and maintenance requirements. A public hearing will be planned for the December time period. Concerns were raised that coastal embayments were not being sufficiently protected. DEM's regulations should be more proactive and not reactive and should be designed to prevent problems from happening. The director thought watershed analysis would be helpful in being more proactive. In addition, he mentioned the cesspool policy might be controversial.

Other Issues/ Open Forum

- The anti littering funding was lost and DEM will be working with the Rhode Island Resource Recovery Corporation for possible alternative funding.
- It was suggested that Town Conservation Commissions should be added to the group.

Next Meeting - October 15, 2001