

## Meeting Minutes

### General Electric/Housatonic River Natural Resource Restoration MA SubCouncil Public Meeting

December 16, 2004

**Prepared for:** Massachusetts SubCouncil  
**Prepared by:** Woodlot Alternatives, Inc.  
**Location:** Pittsfield, Massachusetts (Pittsfield Athenaeum)  
**Time:** 5:30 pm – 6:45 pm

*Public meeting began at 5:30 pm*

#### I. Introductions

- Introduction of Massachusetts SubCouncil (MA SubCouncil):
  - Dale Young (Massachusetts Executive Office of Environmental Affairs)
  - Rachel Fletcher, Housatonic River Restoration (HRR)
  - Tim Gray, Housatonic River Initiative (HRI)
- Introduction of Consultant Team:
  - John Lortie, Stephanie Lindloff, and Michael Chelminski, Woodlot Alternatives, Inc.

Personal introductions by members of the public. Attendees included Tom Matuszko, Judy Herkimer, Caleb Mitchell, Shep Evans, Sally Bell, Ruth Dinerman, John Berndtson, Jonathan Lothrop, Jane Winn, Tom Stokes, Dennis Regan, and Rene Laubach.

#### II. Description of Project and Meeting Agenda

- John Lortie briefly described project goals and the natural resource damage assessment process, including the distribution of natural resource damages funds to restore, rehabilitate, replace, and/or acquire the equivalent of injured natural resources and the services provided by those resources.
- John Lortie provided an update on restoration planning documents. The FINAL Restoration Planning Strategy document will be released to the public shortly. The DRAFT Restoration Project Evaluation Criteria (RPEC) document is currently being developed. The objective of the DRAFT RPEC document is to describe the restoration priorities of the MA SubCouncil and the basic process for how proposed projects will be solicited and evaluated, and to provide a standardized format for submitting restoration project proposals and ideas.
- John Lortie explained that today's meeting is to solicit public feedback regarding the development of the DRAFT RPEC document.

### **III. Public Comments on October 25, 2004 Public Meeting Minutes**

- Request that drafts of MA SubCouncil meeting minutes are provided for public review and comment, and that an agenda item is added at the subsequent meeting to allow public comment on the previous public meeting minutes.
- Request to remove affiliated organization that is designated with Ex-Officio MA SubCouncil members. Issue was discussed but not resolved by MA SubCouncil during the meeting. It will be clarified for the public after consulting with Trustee legal counsel.
- Request that subsequent public meetings be audio taped and that the adjournment time be added to the meeting minutes.
- Request that completed contracts and project budget information for restoration planning be provided to the public.
- Request that time of call to order and time of adjournment is provided in meeting minutes.
- Request that direct quotes from public participants not be indicated in the meeting minutes.
- Request that the involvement of federally-recognized tribes should not be listed under “CT Issues” and statement that the involvement of any federally-recognized tribes is a watershed-wide issue and crosses state lines.

### **IV. Q & A on RPEC Document Development**

- John Lortie described the intent of the RPEC process and the work that the MA SubCouncil has initiated. Currently reviewing other restoration projects to develop “best approach.” This has been a challenging process, as few examples of similar projects exist.
- Dale Young and John Lortie explained that four restoration project categories might be used in RPEC project evaluation, including Aquatic Biological Resources and Habitat, Wildlife Resources and Habitat, Recreational Uses, and Environmental Education and Outreach. The objective of each potential category was briefly discussed.
- Dale Young described the criteria used in evaluating restoration project proposals for New Bedford Harbor. A public solicitation for proposed restoration projects was very effective.
- Question from public regarding how funds will be distributed between restoration categories. Dale Young responded that a pre-determined portion of funds for each category has not been determined and such pre-allocation will most likely not be made.
- Public questions regarding the selection of projects and discussion followed between the public and MA SubCouncil members. Projects will be selected based on merit and selection criteria, which will become public information when the DRAFT RPEC document is released.
- Public question regarding transparency of project evaluation process and that the process of deliberating and reviewing proposals should be open for public

observation, according to the Massachusetts Open Meeting Law. Dale Young noted that the goal of the project evaluation process is to be an open process, but she believes the MA SubCouncil retains the right to discuss and evaluate projects in executive session. John Lortie responded that the main focus of open meeting laws is to protect the public from being misinformed.

- Public question regarding whether evaluation criteria will be the same for each of the four restoration project categories. John Lortie responded that some may be the same and some may vary. The draft evaluation criteria are still being developed. The MA SubCouncil welcomes comments on this issue when the DRAFT RPEC is released.
- Public question regarding how projects are rated within different categories. John Lortie and Rachel Fletcher responded that a sensitivity analysis will be conducted on the evaluation criteria to determine whether this will be an issue.
- Public question regarding whether a poor project will get funded if it is the only project within a category. Dale Young and John Lortie responded that it would not. The MA SubCouncil is not obligated to fund a certain number of projects or allocate a certain amount of funds per funding round.
- Public question regarding whether a pre-proposal process will be performed to help applicants focus, and to reduce the chance that applicants commit considerable resources to developing projects that are not eligible for funding. Dale Young noted that this may occur; the process is still to be determined. John Lortie responded that this is a challenging part of the process and the goal is to provide flexibility in the process to fund well-developed projects and ideas.
- Public question addressed to Dale Young regarding the evaluation process performed at New Bedford Harbor. Projects were solicited using a competitive bid process and most recently will be conducted through a NOAA grant process. MA SubCouncil is working to determine the most effective and efficient process for the Housatonic River watershed.
- Public comment that a pre-proposal process is a good idea so applicants have reassurance on a project idea before moving forward.
- Public question regarding whether a document summarizing the ecological damages has been developed to assist applicants in framing projects. John Lortie replied that much work has been done, but no synopsis has been prepared. John Lortie, Rachel Fletcher, and Dale Young agreed that a 2-page summary of ecological damages should be completed.
- John Lortie described additional issues the MA SubCouncil is working to clarify in the development of the DRAFT RPEC document, including methods of funding dispersal, legal concerns, application format for projects, and cost sharing opportunities. Stephanie Lindloff emphasized that the RPEC document will describe the process for submitting and evaluating projects. It is not the actual solicitation for projects.

- Public questions regarding whether grant funds will be available for project design or for the development of feasibility studies. Response that these issues will be addressed in the DRAFT RPEC.
- Schedule:
  - January 20, 2005, public meeting has been cancelled. The next public meeting will be scheduled after the release of the DRAFT RPEC.
  - DRAFT RPEC is expected to be completed in January 2005, but no firm schedule has been developed.

*Meeting adjourned at 6:45 pm.*