RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM

Draft Meeting Minutes

2- 4 p.m., November 18, 2009
RI Department of Administration
W.E. Powers Building, Conf. Room C

Members in attendance: Kathleen Crawley (for Kenneth Burke), Nancy Hess (for Kevin Flynn), Sue Kiernan (for Michael Sullivan), Michael Walker (for Michael Saul), Jeff Willis (for Mike Tikoian), John Motta (for Ray Marshall), Guy Lefebvre

Coordination Team Staff: Ames Colt, Melissa Stanziale

Other participants: Richard Ribb

CT Administration:
Colt called meeting to order at 2:15 PM.

By-Laws:
Colt distributed draft BRWCT by-laws by email in early November. Two agencies responded with comments. Uva suggested a couple of changes in the language of rule 1 to make it a little more generic. Instead of talking about the first iteration of the SLP, just refer to SLP and leave it at that. He also suggested that under rule 14.01 that any proposed amendments be circulated to the team no later than 30 days before the next team meeting, which would line it up on rule 14.02, which covers the SLP. The seven days previously suggested is too short.

Sherman discussed the consensus rule on page 5 of draft by-laws. It states that decisions shall be made by consensus. She suggests that BRWCT have a mechanism for votes nevertheless and that the Chair should double-check and make sure that under state law consensus procedures are acceptable for open meetings and RI Administrative Procedures Act (APA) requirements. Sherman recommended adding to rule 13 the phrase, “If consensus cannot be achieved, there shall be a vote taken.”

Willis said that he thinks it is fine to go with consensus; however, in terms of the APA, minutes must clearly state that a vote was made on a motion and what the result was. Role call votes, however, are not required.

Hess stated that the Division of Planning feels votes should be taken. Planning doesn’t like the fact that absence would be considered consent as stated in the third paragraph. That should be stricken.

Colt asked if everyone agreed that absence should not be considered consent. He asked if they should say that they will try for consensus, but that decisions could be reached by a vote. Hess answered that the by-laws could state that if BRWCT is unable to obtain consensus, then the majority of the members present would have to carry it. The BRWCT affirmed these changes unanimously.

Hess had a comment about rule 6: which states "fully applicable with the objectives of every applicable element of the plan." Felt this was too stringent. When Division of Planning applies the State Guide Plan to a project review, they look at whether or not there is substantial consistence. She suggests modifying this language to be more moderate. Second, rule 7.03 refers to rules for organization and she felt it was not the right title. Third, rule 8.01 (Chair Responsibilities) states that the Chair may place an opportunity for public comment on the agenda for a meeting. She felt that the BRWCT should decide on that.

Colt agreed with this comment. Crawley said that the Chair should still have the prerogative of recognizing anyone in the audience at any time.

Walker stated that the Rhode Island Transportation Advisory Committee once had a public comment period as the last item on their meeting agendas. Now the TAC allows public comment on each agenda item immediately after the Committee completes its discussion of it. The public thus comments before Committee action is taken on an agenda item. Colt said that he would prefer to have the public comment period at the end of the meeting. Walker stated that an agenda can always be reordered, but he said that he could see an instance in these tight fiscal times when someone is going to strong views on how BRWCT funds may be allocated, and they're going to want to discuss that when the BRWCT discusses it, not after they have voted on how to allocate the funds.

Colt suggested that the public comment section should always be on the CT agenda but add language that the chair would have the discretion to allow public comment for discussions or issues of particular import.

Hess had another comment about rule 16 (Public Meetings):– Should the SLP Annual Work Plan be listed as subject to these requirements?

Crawley asked whether the Annual Work Plan is a subset of the SLP.

Willis stated that he knows that they're trying to coordinate separate Agency Work Plans via the SLP Annual Work Plan, but if there is a separate public hearing on the Work Plan, that would be in addition to the General Assembly's reviews of Agency budgets via the appropriate committees.

Colt said a key consideration is how influential should the SLP Annual Work Plan be with regard to executive agency budgeting processes. Willis answered that he thinks Colt did a good job of maintaining a balance in the draft Annual Work Plan between showing progress in interagency coordination and systems approaches to management while respecting agency prerogatives to determine their own budget priorities.

Hess said noted in rule 14.03.01, fifth paragraph, which says that the team shall hold at least one public hearing annually no later than April 15th in order to solicit public hearing comments on

the SLP implementation progress thereof. Willis said that this would subject the Annual Work Plan to a public hearing. Colt asked if the agencies hold public hearings on their budget proposals. No. Public review takes place in the legislature, committee meetings, etc. Hess recommended striking this provision.

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Walker stated that the BRWCT in its SLP Annual Work Plan should focus on how individual agency budgets and programs relate to SLP priorities and commitments. Going beyond that by making the SLP Annual Work Plan more "determinative" of agency budgeting decisions would be very difficult.

Kiernan stated that she agreed with Willis about his concerns regarding a public hearing on the SLP Annual Work Plan. Walker added that if the Legislature doesn't require it, then it shouldn't be pursued. Based upon the discussions, Colt agreed that he would remove it the public hearing requirement for the Annual Work Plan from the by-laws.

Colt said that the General Assembly should utilize the SLP & SLP Annual Work Plan as a basis for guiding their review of agency annual budget proposals. Additionally, the SLP Annual Work Plan would give BRWCT agencies another means to express and justify their priorities. Willis said that utilizing the Work Plan in such a manner may be problematic because it is an operating document, not a directive to the agencies.

Hess stated that with regard to rule 18.01, she thinks that paragraph needs to be reviewed by DEM Legal Staff to ensure consistency with the public access & open meeting requirements under state law. Walker suggested that 18.01 be deleted and 18.02 be kept.

Colt agreed, stated he would revise the draft by-laws based upon the meeting's discussions and would present the revised version to the BRWCT for formal approval at the next BRWCT meeting.

BRWCT Revenue Account Update:
From July 1-November 18, 2010 total receipts from the septic disposal fee totaled $232,000, net revenues totaling $209,000. There was a slight correction on the carry over from FY 2009 to about $19,000. He directed the BRWCT's to a draft FY 10 budget he distributed which assumes the BRWCT would have about $400,000 in FY 10 from the Revenue Account (in addition to the $250,000 monitoring allocation from the OSPAR account). Fee revenues to date have already exceeded 50% of that total.

Personnel costs for FY 10 total $205,000, including $2,000 for travel. In terms of activities, he proposes that $20,000 be made available to each of the standing committees for administration. He also proposed that they allocate $20,000 to utilize on publishing the forthcoming Integrated Plan that RI Statewide Planning, the Narragansett Bay Estuary Program and the BRWCT will be working on. That should leave a balance of $114,000 for SLP implementation projects. RI DEM Director Sullivan has reviewed and tentatively endorsed the proposed BRWCT FY 10 budget. The question remains as to when current spending controls will be eased to enable BRWCT to go forward. Additional questions remain regarding how to move funding to the Standing committees.

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Walker pointed out that if the forthcoming Integrated Plan will not be done before June, 2010, why is its publication being budgeted for. Ribb stated that if the funds aren't used for publication, there will be other costs such as for stakeholder meetings. Walker said they should

just term them planning costs then. Colt added that if they don't spend the money in any of those items, then it will carry over. Kiernan said it carries over if the Legislature lets you carry it over.

Colt asked the team members if he was proposing too much money for standing committee administration and whether those budgeted items should be reduced in order to increased funds for SLP implementation projects. Ribb asked if the funding was to support part-time staff for some of these committees. Colt answered yes; for example, the SAC wanted to engage in a review of all the relevant aquatic research underway in the state, but needed staff support to do so. The Economic Monitoring Collaborative certainly could use staff support. Colt said that he will work with the BRWCT standing committees to establish viable agendas. It is important, if they want to get engagement, to give these standing committees some incentive, but he isn't wedded to those numbers and that the BRWCT has until mid-December to finalize this before it goes into the Governor.

Crawley asked if the standing committees would produce deliverables on the basis of such funding. She said she was trying to understand conceptually whether the money would be used to administer meetings, or support deliverables by committee. Colt answered that provision of the funding would require commitment and proper administration from the standing committees. Ribb suggested an annual report be required of each standing committee. Colt added that the law & the SLP also lay out required duties, such as the scorecard approach previously proposed by the Economic Monitoring Collaborative. He said that he would task the standing committee chairs with reporting annually to the BRWCT in conjunction with the SLP Annual Work Plan development process.

Public Advisory Committee & Scientific Advisory Committee
Colt proposed to the BRWCT merging the PAC with the SAC and re-naming it the Rhode Island Aquatic & Outreach Council. He would also like to have RI Sea Grant chair it. The terms of appointments for both those committees have expired so the BRWCT can re-set the rosters, work to establish clear agendas for each committee, along with the provision of modest funding support.

Colt also proposed re-naming the BRWCT Economic Monitoring Collaborative the Council on RI's Water-Reliant Economy.

Kiernan asked if the standing committees are prescribed in law. Colt answered yes. Walker asked if they're prescribed, wouldn't the BRWCT be required to seek amendments to the existing statute in order to alter them as Colt proposes. He asked if the Chair's effort should instead be spent on explaining why the standing committees need to be changed to the General Assembly instead of proposing changes that the BRWCT is not authorized to make.

Colt answered that with regard to Economic Monitoring Collaborative, all that is proposed is changing the name, not its responsibilities. With regard to the PAC and the SAC, he agreed that he would have to discuss a possible merger the General Assembly.

Walker said that his point is couldn't the Chair begin to engage RI Sea Grant and others on a new agenda for the SAC without the legislation being changed?

Ribb asked if the Chair thought that having some project money would help to engage the standing committees. Colt answered that for the SAC it would help but he was not sure that funding would help with the PAC. Crawley advised that they should be less concerned about

what they're going to call the committees and more concerned about what they're going to produce and how to provide feedback for the Legislature about what has been accomplished. If the BRWCT is going to put money into the standing committees, it should require clear definitions of deliverables, including an annual report.

Colt asked for input on how to re-engage the PAC. Ribb offered that if you go back and look at the legislation, the purpose of the PAC is to advise the CT on the development and implementation of the SLP and the preparation of annual work plans and work plan budgets. He isn't sure that that group was ever really asked to engage at that level. Colt agreed that the PAC has not been involved with SLP annual work planning.
[*Chair note- However, the PAC was extensively involved in reviewing and revising the SLP in 2008*]. The co-chairs of the PAC, Chip Young and Jane Austin, organized a meeting of the PAC in January 2009, but attendance was sparse. At that point they started to question the viability of the PAC. Walker added that there are a small number of folks interested in providing public input and that many are engaged in the Coalition for Water Security, and other public advisory efforts. Hence, public input on key water resources issues is occurring, just not via the BRWCT's PAC.

Colt agreed and said that it's especially a problem because the BRWCT's agenda is not as single issue-focused as other public engagement efforts are such as the Coalition for Water Security. There is also a view that even if the PAC was more active in developing public feedback, what impact would that have on agency programs? In addition, Colt said the new MoU on producing an Integrated Plan means that the SLP will be subject to revision and expansion over the coming months, making it more difficult for the PAC to have input on its implementation.

Ribb suggested that maybe the PAC should be viewed as a required function in the SLP planning process, and less as a permanent standing committee.

Kiernan mentioned that whatever is required by statute, and whatever number of appointments you're supposed to have under state law, needs to be adhered to, and perhaps as the Integrated Plan development process begins, the ad hoc planning group could re-focus the PAC accordingly.

Some of the PAC membership may be interested in engaging with IP development. Ribb said that the PAC should focus on finding a way to connect to the IP development and related initiatives.

Hess suggested that Colt needs to engage with what concerned citizens are doing that also relates to what the BRWCT should be doing.

Ribb stated that the BRWCT should hold an annual stakeholders meeting. The BRWCT could provide stakeholders with an annual report beforehand so that they would wish to attend and provide feedback. That might be a less restrictive way to do it and at the same time meet the intention of the law.

Crawley asked, what is the purpose of the PAC? Colt answered that it is broadly defined in the law, but basically to oversee the SLP planning process and provide broad stakeholder or citizen input for it.

Walker suggested that they have more of this discussion at the January 2010 meeting and in the meantime take some temperatures in the General Assembly regarding proposed changes to the Standing Committees.

Colt said that he understands from the discussion that the BRWCT does not wish to merge the PAC and the SAC but that it endorses inviting Dr. Barry Costa-Pierce of the Rhode Island Sea Grant College Program to serve as Chair of the SAC.

Colt endorsed Crawley's comments and said he would work to develop a specific agenda and process for each of the standing committees to ensure that there is a clear understanding of what is expected of them. Crawley said she wanted to see less effort on process and more effort regarding desired outcomes.

SLP Annual Work Plan

Colt reviewed the current draft SLP Annual Work Plan issued prior to today's BRWCT meeting. Table 1 lists the 20 SLP priorities that the BRWCT previously identified. (Colt added priorities 19 & 20). The draft contains a brief section on the Annual Work Plan development process. 2009-2010 actions by the agencies that advance SLP priorities are summarized in the development worksheet previously distributed to the BRWCT, utilizing information received from the BRWCT agencies to date. NBC and DEM provided information; but he hasn't heard from the other agencies, and its three weeks past the October 31 deadline set at the previous BRWCT meeting September 23, 2009. Colt will continue to follow up with the agencies to acquire additional information needed for the Work Plan.

In discussions with Colt in October, Statewide Planning's Jared Rhodes pointed out that some state agencies won't address FY2011 programming activities until early 2010. Colt had replied that he will work with these agencies as they develop FY 11 programming, and expand the Annual Work Plan accordingly. This modification to the work plan development process was communicated to the BRWCT agencies by email in late October.

The final version of the SLP Annual Work Plan will be completed by next May for submission to the Governor and the General Assembly. The primary purpose of the Work Plan is to demonstrate how the agencies and their partners are to address the SLP priorities that the BRWCT agreed were the most important for the immediate future. Colt stated that he would like to have the Annual Work Plan capture and synthesize program information regarding the BRWCT agencies, *and* key Federal and State partners, and NGO's. The Annual Work Plan will also have sections describing the work of the standing committees and a work proposal for the Chair. He asked for comments on the draft Work Plan.

Willis said that he thought Colt did a great job pulling the priorities and agencies activities together. One of the topics that has arisen since completion of the SLP that is of priority for CRMC is the Ocean SAMP. Is he (Colt) looking for that to be its own priority or add it to SLP Priority 2? Does the BRWCT want the Ocean SAMP to stand as a new SLP priority, or should it be added to one of the existing SLP priorities? Colt answered that he thinks they should add a new SLP priority covering the Ocean SAMP. Kiernan added that she thinks all the other SAMPS focus on management of activities on land. Willis said that the Ocean SAMP is far more comprehensive than previous SAMP's and will include a huge section on windfarm development.

Walker said the only problem with adding the Ocean SAMP as a new SLP priority is that if they keep adding priorities, they're going to end up with "watered down coffee milk". If SLP Priority 2 addresses SAMP's, the Annual Work Plan priorities FY 2010 & 2011 could entail completion of the Ocean SAMP and the Metro Bay SAMP. Willis agreed that if the BRWCT keep adding to its SLP implementation priorities list, there will be a dilution of focus and attention on previously stated SLP implementation priorities.

Colt said that he has tried to keep the draft Annual Work Plan focused on SLP implementation priorities delineated immediately after completion of the SLP in 2008. He felt that the section on SLP Priority 2 has to discuss the Ocean SAMP. Willis added that maintaining focus on existing SLP implementation priorities would help the BRWCT agencies pursue longer-term agendas because it would help to counter the tendency to focus on the latest urgency such as a new SAMP that has become the "flavor of the day", at the expense of other SAMP's that still require agency and public attention in order to be effective. Colt added that he thinks the SLP Annual Work Plan should identify the fact that the Ocean SAMP is a central concern for CRMC for important reasons and this has obliged CRMC to slow down a little bit on pursuing other SAMP's, such as the Aquidneck Island SAMP. This kind of discussion in the SLP Annual Work Plan would provide a clearer picture to the General Assembly, the Governor, and the public on how the agencies are allocating the resources made available to them, *and why*. That would in turn possibly inform General Assembly and gubernatorial budgeting decisions.

Walker mentioned SLP priority 15 concerning RI's Water Reliant Economy, the recommended action is to complete the Aquidneck Island West Side Master Plan. Hasn't that been done for more than a year already? Willis answered that on a local level the West Side Master Plan has been approved by the Aquidneck Island Planning Commission, adopted by Portsmouth, Middletown, and Newport, and incorporated into their respective Municipal Comprehensive Plans. CRMC adopted the West Side Master Plan as the basis for launching the Aquidneck Island SAMP development process.
Willis stated that CRMC is working on the Aquidneck Island SAMP in support of SLP Priority 15. Walker said that negotiations with the U.S. Navy are continuing to acquire the Manville properties. Hess mentioned that the Division of Planning is listed as a lead for SLP Priority 15, but Statewide Planning does not have activities listed in their FY10 work program that addressed this priority directly.

Walker noted how SLP Priority 18 calls for the completion of the Big River Management Area well project but that, in all likelihood, this project not going to be completed in the next year. Colt noted that the SLP planning horizon is 2009- 2013. The near-term action is to identify the funding to complete the project's first phase, – trying to fill the funding gap that RI Capital didn't fund.

Kiernan said that for a legislator who wants to know what's going on with the Big River Management Area Well Project and turns to the Annual Work Plan Section on SLP Priority 18, it should clearly state what is going to occur in Fiscal Years 2009, 2010, & 2011. Colt said he wants to provide such project details across all SLP implementation priorities without turning the Annual Work Plan into an overly long document. However details on agency project and other actions will of value to external stakeholders help the BRWCT tease out interagency connections. Crawley said that the Water Resources Board will provide additional project information.

Colt said that as the BRWCT engages in and tracks SLP implementation, and changes to the SLP become necessary, they should be willing to alter the SLP, as long as changes to it are carefully noted and communicated to all stakeholders which should be the responsibility of the Chair.

Crawley stated that for SLP Priorities 9,10, 11, & 16 the WRB should be added as an agency lead.

Colt had a question on SLP Priority 16 – "develop local and state natural hazard mitigation plans". Should he speak to the Rhode Island Energy Management Agency regarding their efforts on this Priority? Hess said that there is a state natural hazard mitigation plan, completed in 2005. Some local communities have hazard mitigation plans that are incorporated into their Comprehensive Plans. For her, the SLP priority and specific recommended actions that stem from it are different because Statewide Planning would help establish such a broad SLP priority, but it is not going to conduct facility planning. Crawley asked if SLP Priority 16 is specific to state facilities. Kiernan expressed concern about the lack of mention of debris management planning.

Hess added that in two different columns there are two different things. Colt said the reason they're different is because they paired it down to what they want to focus on out of the larger priorities section. Hess said that if the focus is on the action, then you take the Division of Planning out because they're not involved in the facility planning.

Crawley emphasized that it is always important to articulate the value being added by the efforts of the BRWCT. Colt agreed, stating that the SLP Annual Work Plan should not simply be a catalogue of the agencies annual activities and budgetary priorities; it should instead establish a useful systems-based perspective of the BRWCT agencies and their federal and state partners that synthesizes the efforts of multiple agency programs and helps everyone develop a greater understanding regarding overall progress (or the lack thereof) toward fundamental strategic goals and objectives. Crawley answered that the BRWCT needs to maintain focus on reducing duplication of effort and helping state agencies work together.

Kiernan said that she thinks the Storm Water Manual is a good project to highlight in the SLP Annual Work Plan in order to demonstrate to the General Assembly how two key state agencies have collaborated on a major state water quality policy and management initiative. Colt agreed.

Willis had a comment about SLP Priority 12 – concerning "Boat & Ship Building." CRMC is not listed as an agency lead. He recommended that CRMC be listed as an agency lead because its water type zoning process protects shoreline facilities these companies require. Colt agreed that coastal infrastructure planning and development is influenced and governed by CRMC's water type zoning designations. Walker reiterated his concern about broadening the SLP Implementation Priority list and thus losing long-term focus on key priorities. Thus, how should the BRWCT update the SLP as state priorities and issues evolve? Willis replied that he thinks that if the BRWCT identifies short and long-term goals and objectives (1-3 years, 1-5 years), it will retain the flexibility to alter short-term priorities while sticking to long-term priorities. Colt said that he wants the Annual Work Plan process to give the BRWCT agencies the flexibility to pivot with regard to near-term priorities while maintaining focus on long-term goals.

Integrated Planning Initiative between BRWCT, Statewide Planning, and NBEP

The BRWCT briefly reviewed the completed and signed Memorandum of Understanding between the BRWCT, Statewide Planning, and the NBEP.

Colt requested that the BRWCT discuss and agree upon who should participate in the ad hoc Integrated Planning work group and the Integrated Planning (IP) Advisory Committee, two committees specified in the Integrated Planning MoU. It was agreed that the ad hoc planning group should be kept to ten individuals. The individuals specified by the BRWCT were:

A. Colt, RI BRWCT
R. Ribb, NBEP
G. Lefebvre, RI Rivers Council
J. Boyd, RI CRMC
E. Panciera, RI DEM
N. Hess, RI Statewide Planning
K. Crawley, RI Water Resources Board
J. Austin, Save the Bay

In addition, it was agreed that two Mass. stakeholder representatives would be recruited by Ribb for the planning work group. The BRWCT further stipulated that the IP Advisory Committee would consist of at least the members of the BRWCT and the NBEP Management Committee, with additional effort to recruit representatives from key Bay user groups such as recreational fishermen.

By consensus, meeting adjourned at 4:00.

Addendum

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM

FY 2011 Work Proposal to Governor Carcieri

November 18, 2009, DRAFT

December 2009

Introduction

Water is fundamental to public health, welfare, and safety. Rhode Island is blessed with unique and abundant water resources that in the 21st century will be crucial to socioeconomic and ecological well-being. Rhode Island must establish the means for it to thrive in the face of growing scarcities in energy and aquatic resources, resource sustainability challenges from coastal freshwater to marine fisheries, and the ecological, physical, and socio-economic impacts of climate change. These challenges will require and inspire fundamental changes to natural resource governance and economic development in Rhode Island and the United States.

Created by the Rhode Island General Assembly in 2004, the Rhode Island Bays, Rivers, and Watersheds Coordination Team (BRWCT) is an interagency commission dedicated to the protection, restoration, management and sustainable development of Rhode Island's fresh and marine waters and watersheds, including the entire watershed of Narragansett Bay.

In 2008, the BRWCT issued the *Rhode Island Bays, Rivers, and Watersheds Systems-Level Plan: 2009-2013* (SLP). The BRWCT tracks SLP implementation, and evaluates the resulting economic, environmental, and governance outputs and outcomes. This BRWCT FY 2011 Work Proposal reviews progress to date on SLP implementation in state fiscal years 2009 and 2010, and identifies priorities for action in FY 2011 for the BRWCT agencies, other state agencies, federal, academic, and NGO partners, and ultimately for local governments in Rhode Island and throughout the Narragansett Bay watershed.

The RI Bays, Rivers, & Watersheds Systems-Level Plan

The SLP refines and integrates strategic priorities established through agency-based strategic planning, and in response to federal and state statutory requirements. It is not simply a catalogue of agency strategic plans. First, the SLP provides a key missing tool for greater interagency coordination: a systems framework that synthesizes planning outputs generated by Rhode Island state and local government and their diverse stakeholders, with particular regard to managing fresh and marine water resources and developing water-reliant economies. The SLP enables the state of Rhode Island and its partners to:

- Systemically track and evaluate progress toward integrated goals and actions for managing and sustainably developing water resources

- Educate public and private decision makers on the imperatives for water resources management and economic development and the on-the-ground challenges of implementing key strategies

- Provide a basis for enhancing and streamlining regulatory decision-making, particularly those which entail multiple agencies

Subsequent to the release of the SLP in July 2008, the BRWCT agencies identified a subset of twenty "SLP Priorities" across all of the eight SLP Domains and the actions the BRWCT agencies and other stakeholders collectively recommended as essential to achieving those priorities. These SLP Priorities and SLP Recommended actions are summarized in Table One. This FY 2011 Work Proposal delineates the actions RI agencies and their partners have been and will be taking in the FY 2009-FY 2011 period to pursue these twenty SLP Priorities. In addition, information on progress toward other SLP goals and strategic actions is being developed and will be reported on in 2010.

Table One: BRWCT Priorities for SLP Implementation: FY 2009-FY 2011

SLP Domain & SLP Priority	SLP Recommended Actions
Waterfront and Coastal Development SLP Priority 1: Ensure SAMP and TMDL recommendations are reflected in state and local decisions.	Update and enforce local development requirements in conformity with relevant SAMP and TMDL mandates. **CRMC**, DEM, DoP
SLP Priority 2: Support and advance SAM Planning for critical coastal regions in accordance with the 2006 CRMC Marine Resources Development Plan.	Update, revise, and implement the Metro Bay SAMP. Complete development of the Aquidneck Island SAMP. Spearhead revisions to the Greenwich Bay SAMP. **CRMC**, DEM, DoP, EDC
SLP Priority 3: Develop clear policy statements for marine transportation and the maintenance and development of key port facilities.	Identify those activities which are determined to be of regional benefit and demonstrate how state legal authority will ensure that these activities are not unreasonably excluded by local government action from locating in the coastal area. **DoP**, EDC, CRMC

SLP Domain & SLP Priority	SLP Recommended Actions
SLP Priority 4: Adapt current and design future waterfront infrastructure to accommodate sea-level rise.	Communicate with municipalities and maritime companies on the need to adapt infrastructure to sea-level projections over the coming decades. Develop polices and regulations to ensure investments in current and future waterfront infrastructure made in accordance with official state sea-level rise projections. **CRMC**, EDC, DoP
Water Quality SLP Priority 5: Significantly enhance stormwater control and management state-wide.	Convene RI Stormwater Collaborative **BRWCT Chair**
SLP Priority 6: Develop funding sources to meet the state's estimated $1.36 billion worth of wastewater infrastructure needs.	Increase federal and state support for Rhode Island's State Revolving Fund. RI Congressional Delegation, RI General Assembly,
SLP Priority 7: Identify and implement pollution abatement actions necessary to restore water quality in impaired waters.	Continue to development TMDL's consistent with schedule in the 2008 303(d) list. Continue work with municipalities and others to implement TMDL recommendations. **DEM**, local governments
Watersheds SLP Priority 8: Minimize impervious cover to reduce stormwater runoff.	Work with municipalities to update zoning ordinances to allow for reductions in impervious cover. **DoP**
SLP Priority 9: Establish and promulgate green development standards and land use techniques to protect water quality.	Expand technical assistance and seek additional financial support to help communities implement green development standards and land use techniques. **DEM**, DoP, CRMC, RIRC

SLP Domain & SLP Priority	SLP Recommended Actions
SLP Priority 10: Work with local governments to establish their most important priorities for protecting natural resources with strategies such as regional green space protection.	Help local governments to develop "*community asset maps*" that identify and prioritize natural, cultural, and recreational resources, including headwater tributaries and ground and surface water supplies. **DEM**, DoP, CRMC,
SLP Priority 11: Expand local and state-wide protection of riparian buffers, freshwater wetlands, brackish wetlands, and salt marshes.	Expand grants and technical assistance to protect and restore riparian buffers and wetlands, particularly in urban watersheds. **DEM**, CRMC, RIRC
Water-Reliant Economy SLP Priority 12: Fisheries and Aquaculture Develop creative uses for state ports and piers that provide fishermen with needed infrastructure while maximizing complementary uses.	Assess present and future infrastructure needs for commercial fisheries. **DEM**, EDC, DoP
SLP Priority 13: Boat and Ship Building Develop strategies to recruit new workers into marine related careers.	Implement workforce development strategies for all levels of employees to meet industry needs, utilizing RI EDC's industry skill gap analysis completed in Feb. 2008. Increase industry awareness of training initiatives and the need to upgrade worker skills. **EDC**
SLP Priority 14: Recreation and Tourism Implement the National Geographic Geotourism Charter Principles for Sustainable Tourism.	Implement Geotourism Charter via programming under development by RI EDC Tourism Division. **EDC**

SLP Domain & SLP Priority	SLP Recommended Actions
SLP Priority 15: Boat and Ship-Building Support the development of marine industry sites on portions of the surplus Navy land on the Westside of Aquidneck Island.	Aquidneck Island West Side Master Plan. **EDC**, DoP, CRMC
Natural Hazards SLP Priority 16: Develop local and state natural hazard mitigation plans, and increase the local and state capacities required to implement them.	Develop and implement natural hazard mitigation plans for state facilities and assets under management. **RIEMA**, DoP, CRMC, DEM
Freshwater Supply SLP Priority 17: Integrate management of land use and water use. Promote water use efficiency and conservation.	Implement water management and allocation program **WRB**, DEM, local governments and water suppliers
SLP Priority 18: Implement strategic water supply plans to ensure reliability of supply.	Develop Big River Groundwater wells. Complete facilities maintenance and upgrade projects for Bristol County Water Authority. **WRB**, DEM
Fisheries & Aquaculture SLP Priority 19: Rebuild fisheries stocks in conformity with state and federal law.	Maintain fishing mortality rates and stock abundances to minimize the risk of stock depletions and recruitment failures. **DEM**, Atlantic States Marine Fisheries Commission, New England Fisheries Management Council
Aquatic Nuisance Species & Habitat Restoration SLP Priority 20: Restore a diverse array of fresh and marine aquatic habitats.	Improve protection regulations for riverine vegetated buffers.

WORK PLAN DEVELOP PROCESS DESCRIP

The BRWCT agencies continue to work on specifying the required staff and operational resources available to pursue these strategies and actions in the context of the state FY 2009 budget and forthcoming FY 2010 budget.

SLP Domain: Waterfront & Coastal Development

SLP Priority 1: Ensure that CRMC Special Area Management Plan and DEM Water Quality Restoration Plan goals and recommended actions are reflected in state and local decision-making

SLP Recommended Actions:

Update and enforce local development requirements to conform with relevant SAMP and TMDL mandates

Assess linkages between SAMP's and TMDL's in Greenwich Bay, the Salt Ponds, and elsewhere

Lead Agencies:

FY 2009/2010 Actions:

Recommendations for Comp Plan updates: Statewide Planning LUP Assessment Report (Pending court case on local comp plan. amends)

CRMC and DEM OWR Program Updates on SAMPs & TMDLs

DEM review of local MS4 stormwater programs to track whether municipalities have responded to TMDL requirements

FY 2010 Actions:

SLP Priority 2: Advance Special Area Management Planning for critical coastal regions in accordance with the 2006 CRMC Marine Resources Development Plan

SLP Recommended Actions:

Update, revise, and implement the Metro Bay SAMP

Complete development of the Aquidneck Island SAMP

Update and continue implementation of the Greenwich Bay SAMP

Lead Agencies:

FY 2009/2010 Actions:

CRMC updates on SAMP development and implementation.

FY 2011 Actions:

SLP Domain: Waterfront & Coastal Development

SLP Priority 3: Develop state policies to support marine transportation and the development and maintenance of key port facilities

SLP Recommended Action:

Identify activities of critical regional economic importance and ensure that these activities are not unreasonably excluded from locating or functioning in coastal regions

Lead Agencies: EDC

FY 2009/2010 Actions:

General Assembly Joint Commission and strategic plan process

CRMC Metro Bay SAMP Ports and Harbors Chapter, August 2009 Draft (November 19 2009 public hearing). It proposes exploration and negotiation of alternatives forms of support for municipalities who host such assets and activities

City of Providence Comprehensive Plan and waterfront plan proposals

City of East Providence Waterfront Commission priorities.

Quonset Business Park waterfront development: recent Deepwater lease

Regional Ocean and Coastal Energy Facilities: ongoing review of Hess LNG Facilities Proposal

FY 2011 Actions:

SLP Domain: Waterfront & Coastal Development

SLP Priority 4: Adapt current and design future waterfront infrastructure to accommodate sea-level rise

SLP Recommended Actions:

Work with municipalities and maritime companies on adapting infrastructure to sea-level projections over the coming decades

Develop polices and regulations to ensure investments in current and future waterfront infrastructure are made in accordance with official state sea-level rise projections

Lead Agencies: CRMC, EDC, DoP

FY 2009/FY 2010 Actions:

CRMP Section 145: Draft SLR Policy and proposed regulations

New RI Sea Grant Collaborative on Climate Change: Initial workshop planned for March 2010

FY 2011 Actions:

SLP Priority 5: Significantly enhance stormwater control and management state-wide

SLP Recommended Actions:

Convene Stormwater Task Force

Stormwater design & Performance Standards Manual review and finalization

Lead Agencies: **DEM OWR, CRMC**

FY 2009/FY 2010 Actions:

Initial Stormwater Collaborative workgroup meetings held in the spring and summer of 2009. Developing a municipal needs survey with assistance from DEM OWR's Eric Beck and Elizabeth Scott.

Finalize the New Stormwater Design Manual following public review to be completed in ???

Develop regulations to implement the manual as appropriate; e.g. wetlands, UIC, others.

Develop training targeted to support implementation of the new manual; including but not limited to collaborative program underway with DOT, DEM and URI and other partners

Re-issue the small MS4 permit.

Initiate data management project to provide improved local capacity for MS4 reporting and local stormwater management.

FY 2011 Actions:

SLP Domain: Water Quality

SLP Priority 6: Develop funding sources to meet the state's $1.36 billion worth of wastewater infrastructure needs

SLP Recommended Actions:

Increase federal and state support for Rhode Island's State Revolving Fund

Agency Leads: Congressional Delegation, General Assembly, NBC, RICWFA

FY 2009/FY 2010 Actions:

ARRA funding: largest single capitalization of RI SRF:
$26 million for Clean Water
$ million for Drinking Water

Seek re-authorization for RI Bay and Watershed Restoration Fund

The Narragansett Bay Commission (NBC) continues to develop federal and state grant funding opportunities, meeting several times each year with the Rhode Island Congressional delegation to seek federal support for NBC wastewater projects and to advocate for the establishment of a national trust fund for water and wastewater infrastructure.

FY 2011 Actions:

SLP Priority 7: Identify and implement pollution abatement actions necessary to restore water quality in impaired waters

SLP Recommended Actions:

Develop TMDL's in accordance with schedule in the 303(d) list

Work with municipalities to implement TMDL recommendations

Complete statewide assessment of water quality conditions and updated list of impaired waters

Re-issue major RIPDES permits and issue or modify consent agreements with compliance deadlines

Review/approve engineering designs for pollution abatement actions and track construction

Lead Agencies: DEM OWR, local governments

FY 2009/FY 2010 Actions:

Produce Integrated Report including new 303(d) list in 2010

Complete 15 prior year and 19 new TMDL commitments
(See PPA Work plan for details)

Develop Watershed –based plans for: Narrow River, Barrington-Warren-Palmer region.

Re-issue 7 major RIPDES permits including those for NBC Bucklin and Field's Pt WWTF's; negotiate 10 consent agreements with implementation schedules

Review/approve designs for projects in Newport and Woonsocket aimed at reducing system overflows

Coordinate with EPA on WWTF actions to reduce sewer system overflows (SSO's)

Review/approve of City of Newport UV stormwater abatement facility to treat runoff affecting Easton's Beach

Award funds for projects that abate non-point source pollution (319 funds)

The Narragansett Bay Commission (NBC) has successfully implemented Phase I of the CSO Abatement Project with the creation of the 3.3 mile underground tunnel that now

stores wastewater that previously would overflow into the Providence River during storm events. The tunnel has stored over 1.2 billion gallons of contaminated stormwater since its opening in October 2008.

The NBC completed a Facilities Plan for its Phase II Combined Sewer Overflow (CSO) Abatement System design, submitted “30% design plans” to the DEM in August 2008 and is awaiting DEM approval of the 30% plan. Pending approval, the project is expected to go out to bid in 2010 and is estimated to be completed by 2014.

FY 2011 Actions:

SLP Priority 8: Minimize impervious cover to reduce stormwater runoff

(See SLP Priority 1 and 9)

SLP Recommended Actions:

Work with municipalities to update zoning ordinances to allow for reductions in impervious cover

Lead Agencies: DoP

FY 2009/FY 2010 Actions:

DRM/CRM stormwater manual finalization.

Complete development of guidance manual for local implementation of Low Impact Development (LID)

Assist five municipalities prepare and implement conservation development ordinances (DEM-P&D)

This SLP Recommended Action charged the DEM and NBC to promote, when applicable, as a model for other municipal or sewer authorities, the NBC's Stormwater Management Program. This program requires developers to incorporate LID technologies into construction plans as an element of its sewer connection permit process and for developers and builders of commercial facilities to prepare a Stormwater Management Plan as an element of the Sewer Connection Program. The developer must investigate and implement technologies that will remove stormwater from the sanitary sewer system through the use of Low Impact Development (LID) strategies. The NBC has developed fact sheets that explain the requirements of this regulation, stormwater Best Management Practices (BMPs), and the use of LID design practices. As a result, developers have used many innovative technologies throughout NBC's service area to reduce stormwater flows from newly constructed and remodeled developments.

The NBC Stormwater Mitigation Program is changing the way developers think about and approach the issue of stormwater disposal within the NBC service district. Developers and contractors now recognize that the preparation and submittal of a Stormwater Management Plan is an essential element of a Sewer Connection Permit application. Since the NBC Stormwater Mitigation Program was initiated in 2003, the NBC has reviewed and approved 67 Stormwater Management Plans. These Stormwater Management Plans, when fully implemented, will reduce stormwater flows into the Narragansett Bay Commission sanitary sewer system by 8,927,497 gallons based upon a 2-year storm.

3.1 million gallons have been mitigated from entering the new CSO tunnel based upon a 3-month storm event, the design basis for the CSO tunnel. Additionally, to promote this program, the NBC has informational meetings with Building Officials every other year and routinely gives presentations about the program at workshops. The NBC Stormwater Mitigation Program has received Environmental Excellence Awards from the National Association of Clean Water Agencies and the Environmental Business Council. The NBC Stormwater Mitigation Program could be easily adopted for use by other municipalities and POTWs.

The DEM and NBC were charged by the SLP to promote as a model for other sewer authorities NBC's rain barrel distribution program and to develop LID technology demonstration sites. The NBC has conducted several rain barrel distribution events where NBC ratepayers could buy rain barrels for their homes at a reduced rate. These events can easily be held by municipalities and other POTWs. The NBC will be constructing a new operations building at Field's Point that will incorporate new LID technology into its development. This building will act as a LID demonstration site and model for others.

An additional part of this SLP recommended charged the DEM and NBC to ensure that state and quasi-state facilities demonstrate leadership in adopting effective stormwater management practices.

FY 2011 Actions:

SLP Priority 9: Establish and promulgate green development standards and land use techniques to protect water quality

SLP Recommended Actions:

Expand technical assistance and seek additional financial support to help communities implement green development standards and land use techniques

Lead Agencies: DEM, DoP, CRMC, RIRC

FY 2009/FY 2010 Actions:

ARRA Renewable Energy and Green Infrastructure funded projects for water resources

Training LID Designers and contractors

FY 2011 Actions:

SLP Domain: Watersheds

SLP Priority 10: Work with local governments to establish their most important priorities for protecting natural resources with strategies such as regional green space protection

SLP Recommended Action:

Help local governments to develop "*community asset maps*" that identify and prioritize natural, cultural, and recreational resources, including headwater tributaries and ground and surface water supplies

Lead Agencies: DEM, **DoP, CRMC**

FY 2009/FY 2010 Actions:

RIGIS Web-site redesign by URI GB and DoP GIS Coord.

Best practices examples from RI municipalities

Implementation of state priorities by local government- mandates without sufficient support

FY 2011 Actions:

Policy Domain: Watersheds

SLP Priority 11: Expand local and state-wide protection of riparian buffers, freshwater wetlands, brackish wetlands, and salt marshes

SLP Recommended Actions:

Expand grants and technical assistance to protect and restore *riparian buffers and wetlands, particularly in urban watersheds*.

Lead Agencies: DEM, CRMC, RIRC

FY 2009/FY 2010 Actions:

Local Watershed Council projects

RIRC annual grants program

NBEP watershed coordinator programs

Publish wetlands BMP guidance manual (DEM)

Develop statewide freshwater wetland restoration strategy (DEM-OWR)

FY 2011 Actions:

Policy Domain: Water-Reliant Economy

SLP Priority 12: Fisheries and Aquaculture- Develop creative uses for state ports and piers that provide fishermen with needed infrastructure while maximizing complementary uses

SLP Recommended Action:

Assess present and future infrastructure needs for commercial fisheries

Lead Agencies: DEM, **EDC, DoP**

FY 2009/FY 2010 Actions:

FY 2011 Actions:

Policy Domain: Water-Reliant Economy

SLP Priority 13: Boat and Ship Building- Develop strategies to recruit new workers into marine related careers

SLP Recommended Actions:

Implement workforce development strategies for all levels of employees to meet industry needs, utilizing RI EDC's industry skill gap analysis completed in Feb. 2008.

Increase industry awareness of training initiatives and the need to upgrade worker skills.

Lead Agency: EDC

FY 2009/FY 2010 Actions:

RI EDC Training Progs

RIMTA Training Progs

Newport IYRS Reed 2008 (?) earmark

FY 2011 Actions:

Policy Domain: Water-Reliant Economy

SLP Priority 14: Recreation and Tourism- Implement the National Geographic Geotourism Charter Principles for Sustainable Tourism

SLP Recommended Action:

Implement Geotourism Charter via programming under development by RI EDC Tourism Division.

Lead Agency: EDC

FY 2009/FY 2010 Actions:

EDC programmatic update

Program Awards

FY 2011 Actions:

Policy Domain: Water-Reliant Economy

SLP Priority 15: Boat and Ship-Building- Support the development of marine industry sites on portions of the surplus Navy land on the Westside of Aquidneck Island

SLP Recommended Action:

Complete Aquidneck Island West Side Master Plan

Lead Agencies: EDC, DoP, **CRMC**

FY 2009/FY 2010 Actions:

Recent industry developments

Recessionary market trends

Economic Cluster analysis

FY 2011 Actions:

SLP Priority 16: Develop local and state natural hazard mitigation plans, and increase the local and state capacities required to implement them

SLP Recommended Action:

Develop and implement natural hazard mitigation plans for state facilities and assets under management

Lead Agencies: RIEMA, DoP, CRMC, DEM

FY 2009/FY 2010 Actions:

FY 2011 Actions:

SLP Domain: Freshwater Supply

SLP Priority 17: Integrate management of land use and water use. Promote water use efficiency and conservation

SLP Recommended Action:

Implement water management and allocation program

Lead Agencies: WRB, DEM, local governments and water suppliers

FY 2009/FY 2010 Actions:

Hunt and Chipuxet River Basin Water Management Programs

Pilot Water Use Efficiency & Conservation Programs

Wastewater Re-use Study

FY 2011 Actions:

SLP Priority 18: Implement strategic water supply plans to ensure reliability of supply

SLP Recommended Actions:

Develop Big River Groundwater wells.

Complete facilities maintenance and upgrade projects for Bristol County Water Authority.

Lead Agencies: WRB, **DEM**

Programmatic updates frm WRB and BCWA

FY 2009/FY 2010 Actions:

FY 2011 Actions:

SLP Priority 19: Rebuild fisheries stocks in conformity with state and federal law

(SLP Priority 12: infrastructure for commercial and recreational fisheries)

SLP Recommended Actions:

Maintain fishing mortality rates and stock abundances to minimize the risk of stock depletions and recruitment failures.

Lead Agencies: DEM, Atlantic States Marine Fisheries Commission, New England Fisheries Management Council

FY 2009/FY 2010 Actions:

Summer Flounder Sector Allocation 2009 Pilot Program

FY 2011 Actions:

SLP Domain: Aquatic Nuisance Species & Habitat Restoration

SLP Priority 20: Restore a diverse array of fresh and marine aquatic habitats

SLP Recommended Actions:

Improve protection regulations for riverine vegetated buffers

Develop model lake management plans that incorporate strategies for managing aquatic invasive species

Develop regulations to implement greater controls on transfer of AIS

Lead Agencies:

FY 2009/FY 2010 Actions:

RI Invasives Wrkgroup update

RI Rivers Council Draft Policy Updates

Model Lake Management Plans: Bowdish, Smith & Sayles

Promulgation of regulations by DEM on prohibited plants

FY 2011 Actions:

Systems Monitoring and Analysis

The BRWCT incorporates up-to-date scientific and management findings regarding Rhode Island's marine and fresh water resources and their management.

Federal-State Coordination

Rhode Island benefits from a number of federally-funded programs dedicated to marine, coastal, and fresh water research, monitoring, education, and policy. These "partnership programs" include:

- Narragansett Bay Estuary Program
- Rhode Island Sea Grant College Program
- Natural Resources Conservation Service
- The Narragansett Bay National Estuarine Research Reserve
- The University of Rhode Island Cooperative Extension Program
- The Bay Windows Program

These programs require 30-100% of non-federal match support.

In addition, there is another class of partnership programs which rely primarily upon a mix of state, NGO, and volunteer support, including:

- Rhode Island Rivers Council
- Rhode Island Conservation Districts
- Rhode Island Natural History Survey
- Local Watershed Councils

These entities work closely with key local, state, and federal agencies and programs. Rhode Island state agencies could do more to guide, support, and partner with these programs. Many Rhode Island citizens appreciate and understand the efforts and accomplishments of these federal programs in research, education, outreach, planning, and infrastructure, conservation, and restoration. However, match support from the state historically has been low.
MORE

The BRWCT seeks to increase support for these programs and expand their capacity.

SLP Refinement and Expansion: CCMP/SLP Integration

MoA planning process timeframe

BRWCT Standing Committees

REFORMS/Near-term priorities

The BRWCT Chair will work with the leaders of the Environmental Monitoring Collaborative, the Public Advisory Committee, the Science Advisory Committee, and the Economic Monitoring Collaborative to specify committee agendas for 2009-2010 that will support the efforts of the BRWCT and BRW SLP implementation.

BRWCT Chair FY 2011 Work Proposal

With regard to BRW SLP implementation, the BRWCT Chair is responsible for:

- Facilitating development of implementation priorities and identification of needed resources by the BRWCT agencies and their partners.
- Reporting on planning and implementation accomplishments and needs to the Governor and the General Assembly.
- Facilitating "on-the-ground" interagency coordination for specific projects and issues.

BRWCT Chair work tasks for 2009-2010 are delineated in Table Two.

Table Two: BRWCT Chair Work Proposal: FY 2010-FY 2011

Objectives	Actions	Timeframe
Implement the Bays, Rivers, and Watersheds Systems-Level Plan: 2009-2013.	Develop an dpursue Annual Work Plan for SLP Implementation	Ongoing
	Establish performance measures for SLP Implementation in conjunction with DoA's Office of Strategic Planning	Dec 09 – June 10
	Convene RI Stormwater Collaborative	Ongoing
	Oversee BRWCT standing committees: Environmental Monitoring Collaborative, Economic Monitoring Collaborative, Public Advisory Committee, and Science Advisory Committee.	Ongoing
	Establish agendas and chair six meetings of BRWCT.	Jan – Dec 10
	Oversee BRWCT allocation of OSPAR monitoring funds (FY 09 and FY 10) and funds from BRWCT revenue account (FY 10).	Aug 08 – Dec 09
Coordinate state-federal partnership programs engaged in aquatic resource management and development of RI's water-reliant economy.	Participate in integrated planning process with Statewide Planning, Narragansett Bay Estuary Program, and other stakeholders.	Ongoing
	Coordinate BRWCT initiatives with Narragansett Bay National Estuarine Research Reserve, RI Sea Grant, Natural Resources Conservation Service, URI Cooperative Extension, and RI Rivers Council.	Ongoing
	Serve on the RI Planning Council's Technical	

Objectives	Actions	Timeframe
	Committee as representative for DEM and the BRWCT.	Ongoing
Foster regional ocean governance via the Northeast Regional Ocean Council.	Serve as a delegate to the Northeast Regional Ocean Council.	Ongoing
Leverage resources from the federal, private, and non-profit partners for aquatic resource management and sustainable development in Rhode Island.	Partner with BRWCT agencies to solicit support for SLP implementation from the Rhode Island congressional delegation, foundations, and federal agencies.	Ongoing
Promote public awareness and stewardship of Rhode Island's fresh and marine waters and watersheds.	Provide strategic communications regarding science, policy, and agency programs to the media, user groups, and the general public.	Ongoing

Appendix I: Report on Compliance with Statutory Requirements

Appendix II: Summary of BRWCT Expenditures

Appendix III: BRWCT FY 2011 Budget Summary

Narragansett Bay Estuary Program

and

Rhode Island Bays, Rivers, and Watersheds Coordination Team

and

Rhode Island Department of Administration

Division of Planning, Statewide Planning Program

Memorandum of Understanding for

Integration of Narragansett Bay & Watershed Conservation, Management and Systems Level Planning

This Memorandum of Understanding is entered into by the Narragansett Bay Estuary Program (NBEP), the Rhode Island Bays, Rivers, and Watersheds Coordination Team (BRWCT), and the Department of Administration, Division of Planning, Statewide Planning Program (SPP) which, through the endorsements of their signatures hereon, declare their agreement that:

Whereas, Narragansett Bay is considered and recognized as an estuary of national significance through Rhode Island and federal legislation (National Estuary Program of the Clean water Act); and

Whereas, the NBEP is designated by the United States Environmental Protection Agency as Rhode Island's lead agency for federal programs and funding available through the National Estuary Program; and

Whereas Section 320 of the Federal Clean Water Act requires that, as part of the National Estuary Program, the Narragansett Bay Estuary Program develop a comprehensive conservation and management plan that recommends priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the estuary, including restoration and maintenance of water quality, a balanced indigenous population of shellfish, fish and wildlife, and recreational activities in the estuary, and assure that the designated uses of the estuary are protected; and that it develop plans for the coordinated implementation of the plan by the States as well as Federal and local agencies participating in the conference;

Whereas Section 320 requires that he members of a management conference convened under this section shall include, at a minimum, the Administrator and representatives of:

1. each State and foreign nation located in whole or in part in the estuarine zone of the estuary for which the conference is convened;
2. international, interstate, or regional agencies or entities having jurisdiction over all or a significant part of the estuary;
3. each interested Federal agency, as determined appropriate by the Administrator;
4. local governments having jurisdiction over any land or water within the estuarine zone, as determined appropriate by the Administrator; and
5. affected industries, public and private educational institutions, and the general public, as determined appropriate by the Administrator.

Whereas, The *Narragansett Bay Comprehensive Conservation and Management Plan* (CCMP), was adopted through a stakeholder-based process in 1992 to meet requirements of the National Estuary Program, exists as SGP Element 715, and changing conditions and circumstances have made it timely that

the CCMP be updated to support ongoing management and integrated planning of Narragansett Bay and its watersheds through a technical and public process addressing the bi-state watershed ecosystem located in Rhode Island and Massachusetts that meets the planning and implementation requirements of the National Estuary Program.

Whereas, the SPP is designated pursuant to R.I. Gen. Law 42-11 as the central state planning agency for the State, and is charged with maintaining the State Guide Plan (SGP) for the physical, social and economic development of the State; and

Whereas, the BRWCT is designated by R.I. Gen. Law 46-31 as Rhode Island's lead for interstate agency coordination of Rhode Island programs that affect Rhode Island's bays, rivers, and watersheds; and

Whereas, RIGL 46-31-5 mandates that the BRWCT develop and implement a "Systems-Level Plan" (SLP) that "shall establish overall goals and priorities for the management, preservation, and restoration of the state's bays, rivers, and watersheds, and the promotion of sustainable economic development of the water cluster;" and

Whereas, RIGL 46-31-1 states that "there is a need for coordination of the development and implementation of policies and plans for the management, preservation, restoration, and monitoring of the bays, rivers, and watersheds"; and "the development and implementation of a systems-level plan must be coordinated with local and federal efforts and efforts in Massachusetts and Connecticut and in some cases with other states in the region that have connections with the ecosystem and/or the water cluster"; and

Whereas, in July 2008 the BRWCT completed and endorsed the first version of the Rhode Island Bays, Rivers, and Watersheds Systems-Level Plan: 2009-2013; and

Whereas, both the BRWCT and the NBEP are charged with the development and implementation of plans for the protection, restoration, and on-going use of the Narragansett Bay Watershed using ecosystem based management (EBM) principles; and

Now, Therefore, It Is Hereby Resolved that development of an Integrated Management Plan (IP) to be titled later, addressing ecosystem-based management (EBM) goals, objectives, and recommended actions for estuarine watershed management and those EBM goals, objectives, and recommended actions delineated in the 2008 SLP, the CCMP and other relevant watershed plans and initiatives shall be jointly undertaken to address the missions and planning needs of all three organizations, and that each organization agrees to work cooperatively through a project team and advisory committee to carry out this agreement.

It Is Also Resolved that a IP project development workgroup and an IP advisory committee will be organized comprised of public and private sector representatives, to lead development of the IP.

And It Is Further Resolved that the IP will be designed to fulfill the planning mandates of the BRWCT and the NBEP, and, as appropriate will incorporate goals, objectives, strategies and actions for state and federal agencies, local governments, and other Rhode Island and Massachusetts stakeholders. The IP will be developed in recognition that it will be used in the future development of a new watershed element in a restructured SGP by SPP. In addition, the IP should establish strategic goals and objectives of sufficient flexibility and broadness so as to enable all three organizations to develop annual work plans that facilitate close coordination among their programmatic and planning activities.

The NBEP, the BRWCT, and the SPP agree to work together to develop an IP in the following manner:

Section 1: Framework and Process for IP Development

1. Convene the IP development workgroup with inter-organization representation from BRWCT member agencies, SPP and NBEP, as well as key watershed (MA/RI) and federal partners. The purpose of the IP development workgroup is to generate a draft IP to recommend to the IP advisory committee.

2. Organize the IP advisory committee to assure that the draft IP reflects the views of a broad cross section of stakeholders in both Rhode Island and Massachusetts. The IP advisory committee will include but is not limited to representation from BRWCT member agencies, SPP and NBEP, stakeholders from within state, federal and local government agencies including but not limited to: watershed councils, community groups, the public, private sector groups, and academic institutions. This committee will provide guidance to the IP development workgroup and ensure fulfillment of this agreement within a reasonable timeframe.

3. The IP development workgroup will develop a preliminary draft IP, work with the IP advisory committee to shepherd the preliminary draft through a public outreach process, revise the draft IP based upon public input, and produce a final draft IP for review by the IP advisory committee, the BRWCT, the BRWCT's standing Committees, and the NBEP Management and Policy Committees. To do so it will undertake the following tasks:

- Adopt the 8 issue domains of the SLP as the initial basis for organization and development of the preliminary draft IP.
- Review SGP Elements and other plans outlined in Section 3 below in order to incorporate into the IP relevant or overlapping goals, strategies and actions. The IP development workgroup will establish an initial framework for the IP based upon the elements of the SLP, while ensuring that broad stakeholder involvement and input will shape the final IP.
- Engage a broad range of stakeholders in both the R.I. and Massachusetts parts of the watershed, seeking their input on how to expand and refine the preliminary draft IP 's strategies and actions derived from the SLP, the CCMP and other relevant watershed plans and initiatives. Stakeholder discussions on the draft IP will be held at public workgroup meetings so that all parties can hear perspectives, comments, and suggestions for the development and content of the IP. The IP will be developed using an transparent and public process with all products and process materials (e.g., workgroup meeting notes, iterations of the document, etc.) made available to watershed stakeholders and the public via online postings.

- Based upon stakeholder discussions and input, revise and expand as necessary the initial draft of the IP to produce a version of the IP that fulfills the three organizations' programmatic requirements as stipulated above and that the IP development team unanimously agrees should be recommended for review and endorsement by the BRWCT, and the NBEP Management and Policy Committees.

4. Upon review and endorsement of the final draft IP as stipulated above, the IP will serve as the NB CCMP for the purposes of the National Estuary Program and as a revised SLP for the purposes of the BRWCT.

5. The SPP will then 'meld' IP with other relevant plans and SGP elements in a manner approved by the Rhode Island State Planning Council to create a new watershed planning element in a restructured SGP.

Section 2: Roles

Role of the NBEP - The Narragansett Bay Estuary Program shall have the following roles:

1. Review and assess the existing CCMP, *Land Use 2025*, the SLP and recent Rhode Island and Massachusetts watershed plans and initiatives, and recent research work to identify the timeliness and appropriateness of major topics, goals, objectives, strategies, any potential data gaps and the status of recommended actions of the 1992 CCMP and the SLP.

2. Complete the *Currents of Change: Environmental Status & Trends of the Narragansett Bay Region* (S&T) report and develop / implement a set of ecological indicators for the Bay and its watershed.

3. Correlate and assemble any relevant data which has changed since 1992 necessary for insertion into an IP starting with but not limited to the *Currents of Change* Report , the SLP and other relevant information.

4. Organize and manage the IP development workgroup and the IP advisory committee, with assistance from SPP and the BRWCT,

5. Work with the IP development workgroup and the IP advisory committee to engage state, community, and non-profit stakeholders from both states, identify and seek consensus on key goals and priorities, discuss the use of EBM principles in an IP, and recommend actions concerning the application of EBM principles to the management of Narragansett Bay as an estuarine system.

6. Secure the engagement of Massachusetts stakeholders in the IP development process. The NBEP Policy Committee will be used to generate bi-state commitment to the project, along with the NBEP Management Committee, the BRWCT, and the BRWCT standing committees.

7. Write a preliminary draft of an IP for review by the IP development workgroup, the IP advisory committee, and utilization in the public stakeholder engagement process, with assistance from SPP and the BRWCT.

8. Incorporate stakeholder input on the preliminary IP draft appropriately into the final draft IP with assistance from SPP and the BRWCT;

9. Coordinate review of the final draft IP by the IP advisory committee.

10. Upon completion of the its review of the final draft IP, the IP advisory committee will forward it to the NBEP Management Committee for purposes of adoption to meet the requirements of the National Estuary Program.

11. Organize efforts to publicize the IP to watershed stakeholders, decision-makers and the public with assistance from SPP and the BRWCT.

Role of the BRWCT - The Rhode Island Bay Rivers, Watershed Coordination Team shall have the following roles through the Chair:

1. Work with the NBEP and the SPP to organize and manage the IP development workgroup and the IP advisory committee.

2. Work with the NBEP and SPP to review and assess the SLP to identify the timeliness of and need to address major topics, goals, objectives, strategies, any potential data gaps and the status of recommended actions of the 1992 CCMP from the viewpoint of the SLP.

3. Recommend through the IP advisory committee, the relevant goals, objectives, strategies, and recommended actions of the SLP for inclusion in the draft IP .

4. Work with the IP development workgroup to develop a preliminary draft IP .

5. Coordinate the review by the BRWCT and its standing committees of the final draft IP after approval by the IP advisory committee.

Role of the SPP - The Statewide Planning Program shall have the following roles:

1. Work with the NBEP and the BRWCT to organize and manage the IP advisory committee.

2. Work with the IP advisory committee to review and assess *Land Use 2025* to identify the timeliness and appropriateness of major topics, goals, objectives, strategies, any potential data gaps from the viewpoint of the SGP.

3. Recommend through the IP advisory committee, the relevant goals, objectives, strategies, and recommended actions of the SGP for inclusion in the draft IP .

4. Work with the IP development workgroup to develop a preliminary draft IP .

5. coordinate the review of the final draft IP , after its approval by the IP advisory committee, by the State Planning Council. SPP staff will advise the State Planning Council concerning the incorporation of the IP with other SGP restructuring work, particularly as related to those elements devoted to watershed planning and management.

Section 3: Content

The parties to this agreement agree to provide coordination during the process to ensure that the IP properly reflects the goals, policies and recommendations of other SGP Elements. Specific attention will be given to closely coordinate the drafting of the IP with the following State Guide Plan Elements:

- *Land Use 2025*, SGP 121
- *Rivers Policy and Classification Plan*, SGP 162
- *Nonpoint Source Pollution Plan,* SGP 731

and including but not limited to the following federal and state plans and programs:

- The U.S. Environmental Protection Agency National Estuary Program Requirements and Guidelines.
- *The Narragansett Bay Comprehensive Conservation & Management Plan* (1992)
- Narragansett Bay Estuarine Research Reserve Technical Report Series (2003-2009)
- *The RI Bays, Rivers, and Watersheds Systems-Level Plan: 2009-2013*, August 2009
- Various applicable RI Coastal Resources Management Council plans and programs
- *RI and Massachusetts Coastal Zone Management plans*

- *Bay watershed and subwatershed plans*
- Other relevant national and regional level federal plans

and that the following will be examined and included as appropriate in the IP :

- A summary of pertinent facts and figures outlining relevant issues and trends within the context of significant changes to the resources and any changes of National Estuary Program requirements since 1992 where needed:

- Any changes to maps reflecting updated RIGIS or other data on Narragansett Bay's resources and watersheds since 1992.

- An Implementation Section with an action agenda of strategies to implement the established goal(s) and policies, building upon the annual implementation work planning already being pursued by the BRWCT with regard to SLP implementation, existing CCMP implementation work and implementation of other relevant plans and actions.

Section 4: Timeline

The parties to this agreement agree to the following potential schedule for the completion of the IP :

November 2009	Organize development workgroup & advisory committee
January 2010	Preliminary draft of IP by development workgroup
February 2010	Review of draft by advisory committee
March 2010	Develop discussion papers for technical workshops to be convened by the workgroup
April 2010	Initiate technical stakeholder workshops
May 2010	Initiate IP reviews based on advisory committee review
June 2010	Complete stakeholder workshops
July/August 2010	Final draft IP based on results of stakeholder review by development workgroup
September 2010	Final draft IP posted for public review
October 2010	Final IP presented to advisory committee for recommendation to BRWCT, NBEP Management Committee & SPP
October 2010	Adoption of IP by BRWCT & NBEP Management Committee
November 2010	SPP initiates the incorporation of the IP with other SGP restructuring work

EFFECTIVE DATE / AUTHORIZATION

This Memorandum of Agreement becomes effective on the date it is signed by all parties.

SIGNED:_____ DATE:

Richard Ribb, Director
Narragansett Bay Estuary Program

SIGNED:_____ DATE:

Ames Colt, Chair
Bays, Rivers, and Watersheds Coordination Team

SIGNED:_____ DATE:

Kevin Flynn, Associate Director
Rhode Island Department of Administration
Division of Planning