



RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM

**RI Department of Administration
Powers Building
Conference Room B
September 23, 2009 2-4 pm**

Approved Meeting Minutes

Coordination Team Members in Attendance: Sue Kiernan (for Mike Sullivan) Tom Uva (for Ray Marshall), Mike Walker (for Mike Saul), Jeff Willis (for Mike Tikoian), Guy Lefebvre, Nancy Hess (for Kevin Flynn)

Other Meeting Participants: Richard Ribb, Q. Kellogg

Coordination Team Staff: Ames Colt, Melissa Stanziale

CT Administration:

Meeting was called to order at 2:00 p.m.

Motion passed unanimously to approve the 4/29/09 meeting minutes.

Colt advised that a letter from each agency director is necessary in order to officially declare their proxy. He is going to contact each agency to formally request these letters.

Also, the Bi Laws require there to be a public hearing on work plans

RRA Update:

Numbers reported to Colt by Terry Maguire in late August: able to enter fiscal year 2010 with an \$18,000 balance, which means they collected a total of \$461,837 in fiscal year 2009. There was somewhat of a tail-off from April 1-30, only collecting \$92,000. The total net generation, because you have to take off % 10 for general revenues, more than covered personnel cost debt and left with \$18,000 deficit. Because of budget crisis, and lack of resolution, they will have to wait until revenues have come in during the FY 10 period to cover personnel costs before they will even consider letting the rest of the money loose that was collected for project spending. The worst scenario would be that it locks down entirely. Under the best scenario, they could just cover personnel costs and spend whatever else is generated. In about six months, Colt advise that they should be able to do this and have a couple of hundred thousand dollars to spend on projects as team members see fit toward later half of this fiscal year.

Bay Window Project:

Colt reported that the Bay Window Project, which has been a federal earmark, is not going to continue, as far as it is understood, in fiscal year 2010. This was reported by Chip Young; he is trying to get a million dollars to be received from it and incorporated it into NOAA's budget (it's a line item). As soon as that can happen, it will be federal fiscal year 2011. This will create a big hole in our monitoring for *****oxygen and fisheries. It looks as if it will be a \$750,000 or a million dollar gap if that earmark is not in the FY10 budget. This will come back to the CT as a need. Michael and Sue will bring it to the team's attention when it is necessary. According to Sue, there is enough money for the 2010 season, but after that it either has to be filled with state money or find federal money. The team is caught in this dilemma of possibly being asked to assist with baseline monitoring need using money that was not necessarily intended for that. The team cannot afford to lose this money in terms of monitoring needs.

Walker commented that if that should happen, a request will come in to put all monitoring on the table to see what is going to be ***** and what is not. Colt responded by agreeing with Walker and saying that they would have to consult with Environmental Monitoring Collaborative, which is now headed by Q.Kellogg, and seek their help with that type of exercise. He said the problem is that they are only playing with \$250,000 of monitoring money. The OSPAR monitoring fund is \$250,000. If we have funds in the revenue account that are available, there is going to be pressure to use it to clog a really big gap.

Walker answered that when Colt presented that RRA, and said that there is \$18,000 in there; does that mean that OSPAR money did not come in this year? Colt responded that they still have OSPAR, this is only the septage fee account. Walker said he thought that this body was the one that decided where the OSPAR money and the RRA would be spent. Colt answered that it is. Walker then said that if they have \$250,000 plus 18,000 that is left over, then the septage fee will be realized at some point soon. Why are we not able to do a project if one is presented now? Why do we need to wait until almost the end of the year?

Colt partially deferred the question, saying only that restrictions from the budget office on revenue accounts are such that they want to be sure that they will see coverage of personnel costs put on this account before they release it for other funding. It is conceivable that revenues could drop off considerably across the fiscal year. And then some of it was spent on projects and then there is a deficit in terms of covering personnel costs. It's the conservative approach they take toward the revenue accounts that may help the team to catch up. In terms of transparency and accountability, on the part of DEM as the fiscal administrator, he agreed that other CT agencies have the right to make whatever inquiry they deem fit to see how this money is going to be used and its availability for the team to decide on how to use it. Colt asked if there were any other comments.

Kiernan mentioned that the April to June receipt period is money coming in from septage deliveries in the treatment facilities between January and March. So that is the winter quarter, and will probably always be the lowest quarter of the year. Colt agreed and

added that from July 1 to September 30 of 2008 the total receipt is \$128,000. Hopefully, that is what they will see coming in for the period in 2009. Clearly you could say that the recession has not affected these numbers statewide.

Implementation Process:

1. Setting up an annual workplan.
2. Beginning to lay out a system for tracking implementation to see how it's going
3. Planning integration discussions

Colt began his presentation:

Communications – Distribute SLP widely, produce an executive summary and distribute that, and come up with a priority statement for SLP implementation.

Distribution of plan – was not successful. Proposals were put forward and could not get them funded. Wanted to send it to every city and town, libraries, stakeholders but also have not been able to do that due to lack of funding. The GA was approached. And agencies were not eager to do it.

Executive Summary – They have a decent executive summary that seems to be well received.

Priority Statement – Implementation Priority Statement was pulled together. They need to use it as a basis for the Annual Workplan. They need to figure out how incorporate SLP into the State Guide Plan.

Annual Work Plan: – Need to develop annual work plan process.

Some progress has been made on these goals, but they need to step it up in terms of coming up with a more comprehensive workplan. In doing this, there has to be a lot of work, or at least decent input on the part of the CT agencies. This has to be on the team members' laps. Colt said he would handle tracking and evaluation.

Osbourne & Hutchinson 3 basic steps:

Couldn't hear these.

Why is this even more important? Today there was an article in the Providence Journal by Katherine Gregg on the new ***** report. The report has not been released yet. Using house fiscal office data, the actual deficit out of 09 (\$61,000,000) projected deficit for current fiscal year (\$60,000,000); FY11 accumulating deficit (\$244,000,000); and 483 for the following year. Why the big jump? - Because our money is going away after two years. The point they are trying to make is that the spending for FY10 increased 13% from FY 09 to a record \$7.8 billion, while the state-funded portion of that budget went to \$275 billion, and 8% decrease. They are pointing out that they have put themselves in a

dangerous situation because they have filled gaps with federal money. How is Rhode Island going to scale that? That is their question to house leadership and the Governor.

They need to reexamine expenditure priorities, making sure they are responsive to the needs of citizens; articulate state policy goals; and ensure that services are being provided in the most cost-effective manner towards those policy goals.

The natural resource functions of the state government are 5% of the total. Big cuts to these agencies will not make much of a difference, but if they are going to be in a situation where they have to cut heavily on education and social services, they are going to cut out these agencies and tell the CT that they have to be cut as well. The only way to weather this is to sharpen strategic priorities and demonstrate how you're working toward those priorities.

Colt repeated what was in the law: they really expect a multi - ***** work plan. They expect the agencies to throw themselves into it. He understands why it is difficult to devote more time to this process. But he must try to look for it on this kind of agenda. He advised the team that they could a lot further than they did last year. A very basic work plan was distributed.

Colt went on to say that they have a three-page statement of priorities. They need to pick out a few and run with them. He asked the team members to please look at the sections part that is designated to them and submit to him regarding related programs/actions for 2010/11 by the end of October. It will be submitted to the Governor by February 2010. Colt said that he would commit to making this a top priority.

Uva asked if Colt was more concerned with monitoring – the things they already have covered. Colt replied by saying yes, just the things that are on the priorities list. Austin Asked Colt to repeat dates. He answered by saying that they should get the basic information to him by October 31st then he will put together a draft that will be discussed at the November 18th meeting. If it is deemed acceptable, then he will schedule a public hearing for some time in January.

SLP Implementation – Tracking & Evaluation:

Colt stated that the Team needs to start tracking more. There is an elaborate tracking system used by the EPA/DEM PPA. Other sources could be annual reports, or other information from their agencies to let the team know how they are doing.

He emphasized that they do not need to worry so much about status. He wanted to bring this to their attention because this is what they need to do to let the public know what is going on in a way that they can understand.

Kiernan added that all staff is asked to update on their tasks. They do not do this on a week-to-week basis, but it is kept up. Water Resources is expected to report on whether or not they are meeting their obligations to EPA.

Integration of Planning Process:

The simplest path to the new element would be to start building it now, but resources are limited. What about CRMC planning? How do we better incorporate them? Colt urged that OCEAN SAMP must be looked at differently.

Lefebvre referenced the book, *Science for Ecosystem-Based Management: Narragansett Bay in the 21st Century*, edited by Alan Desbonnet and Barry Costa-Pierce and published by Springer in 2008. He asked if the BRWCT was going to foster the dialogue proposed in the conclusion of the book which is that an eco-functional zoning approach should be considered and developed to implement ecosystem-based management for Narragansett Bay. He pointed out the book's conclusion says that the opportunity to do so is excellent when the *Comprehensive Conservation and Management Plan for Narragansett Bay* comes up for revision.

Ames Colt explained that articles in the book described eco-functional characteristics of the bay, particularly nutrient differences found in the upper bay versus the lower bay. Further, he said ... ?

Hess explained the DOA viewpoint: they have a state guide plan that is very redundant and the watershed element is the last thing that will happen. Colt said that they should be patient. Kiernan mentioned that if you take something like the non-point plan, and look at some common strategies, they belong in the plan. SAMP plan requirements should be reflected in guide plan. She also added that that figuring out the boundary of the water element is something they will just have to work out. Colt added that it is important for them not to be seen as jumping the gun. They just need to explain the details and planning to the public.

Walker asked if the MOU had been signed? Colt answered -?

Estuary Program:

Austen advised that they need to have more of a meeting of the minds. In response to Jared and Nancy's draft, Colt came up with eight steps for them to finish. Willis commented that he believes they need to look at it more holistically, because it seems like a lot is going on and the MOU might pull them back, while the Estuary Program moves forward.

Austen replied that she thinks the eight steps that Ames provided will: 1. Reinforce the indicator work and status and trends. 2. Be sure that the right partners are at the table from the beginning.

Walker asked if there was a corollary going on in Massachusetts. Ribb responded by telling him: there is a 15 person management commission for the estuary program and four or five of the members are from Massachusetts and they bring a connection. Also, the CCMP is what stakeholders want to see happen with their watershed.

Walker said that the difference in Rhode Island is that is they are going to assemble this guide plan, then everyone must be willing to do that. Are the people in MA willing to do that? Ribb answered that they need to get Massachusetts to see the value in it.

He went on to say that out of processes like this, there may be a set of recommended actions. He does not see revision of the CCMP as a 200 pound paper weight – he sees it as goals, objectives, and actions. Colt replied by saying that it would be ideal for Massachusetts to commit, and then find the separate pieces and where they go. The Planning results could be very useful. This is a good reason for having a robust implementation plan.

Stormwater Manual

Colt reported that OWR's Alicia Good had stated to him this week that the stormwater manual public draft should be available to the public on-line by the end of this week. Kiernan stated the public Manual would be available by Monday May 4 and that a major public workshop would take place on June 4. Given these milestones, Colt proposed that the inaugural meeting of the RI Stormwater Collaborative be scheduled for early August.

A new regional LiDAR proposal:

Colt asked Dr. Peter August to provide a brief overview to the BRWCT on a regional LiDAR proposal under development for coastal New England. (LiDAR stands for "Light detection and ranging." In this proposal, it refers to an airborne topographic survey technology that enables precise measurements of coastal topography to be taken efficiently over large geographic areas. Data processing requirements are significant in order to produce outputs of topographic data that can be integrated into existing GIS systems.

Based upon a 3 page summary he distributed (appended to these meeting minutes), August outlined the intent and value of the proposal. Additional information on existing LiDAR data for Rhode Island can be found at the following link

http://www.ci.uri.edu/Projects/RI-Monitoring/LiDAR_RI/default.htm

Austin asked if there are multiple planes equipped to conduct the survey work for the region given the proposed scope of coverage. August answered that the USGS will handle data collection. Uva asked if this information would be useful in the future to property insurance companies. August said he didn't know, but would find out. Insurance

companies value any information that improves their ability to predict property risks such as storm and flooding hazards.

Update on FY09 Environmental Monitoring Program (Kiernan):

Colt asked Kiernan to provide an update on the environmental monitoring work funded by BRWCT in FY09.

Upper Bay Fixed Site Network: Sue wrote a lengthy report as a history of network for people wondering where data came from. The buoys have been deployed this week and will continue into next week. They received federal bay window funding solidified with federal funding for next year.

Rotating river basin program: DEM OWR just finished the fifth rotation and is confident that there is adequate funding in place to conduct field work through 2009.

Work on USGS contracts to continue these programs for FY 2010 is currently underway in OWR.

Additional monitoring: Kiernan and Sullivan discussed an undertaking an initiative to collect more fisheries biological data in order to establish better relationships between minimum streamflows and their impacts upon fish and their habitats.

NBEP Collaboration with BRWCT

WMS distributed a memo he is drafting addressed to EPA Region I Acting Administrator Ira Leighton and others requesting that the BRWCT Chair be placed on the Policy Committee that is going to be established for the Narragansett Bay Estuary Program, which would function as an oversight body for the NBEP in consultation with the NBEP Management Committee.

Walker asked if Ames would be at a disadvantage in terms of voting. WMS answered that they are only looking for four to five members comprised of RI, MA, and EPA Region I representatives.

Rhodes asked who would establish the Policy Committee. WMS answered that the EPA would be responsible for convening the Policy Committee.

Colt stated that additional work needed to be done by Rhode Island to clarify its goals for the NBEP as a federal-state partnership. Ribb suggested that they examine discussions from Region I. to provide a wider context for decision-making. Willis asked how many NEP's have interstate jurisdictions. Ribb answered that there are a number of them nationally, including NEP programs in New Hampshire and Maine (*New Hampshire Estuary Program. Also the Long Island Sound Program –A. Colt*).

Colt expressed concern that, while DEM has a major role in the NBEP given their shared water quality protection mandate, the Division of Planning and CRMC should be actively engaged as well in NBEP oversight and role definition as they were when the Narr. Bay Project was originally established in the late 1980's. He stated that he wanted to be sure that CRMC, if it so chose, be given the opportunity to participate in the Policy

Committee. Relatedly, he would seek guidance from the BRWCT in the future regarding how he should represent it on the Policy Committee.

Ports and Harbors Inventory Project

Colt requested the BRWCT consider funding an additional work task under the ongoing Ports and Harbors Inventory. He stated that it would support the marine economic development and baseline monitoring mission of the BRWCT and that valuable data on the harbor and marine facilities in RI's Type III waters (waters zoned predominantly for recreational boating activities). Colt distributed a draft cooperative agreement (copy appended to these meeting minutes) between DEM (as administrator of the BRWCT restricted receipt account) and URI's Coastal Resources Center to provide \$12,000 (copy appended to these meeting minutes) to support an assessment of shoreline properties along selected Type III waters.

Colt asked Rhodes to summarize the Ports and Harbor inventory project for Type V and VI waters and its value for marine economic development. Rhodes stated that the project originated out of a need for better information on commercial and industrial zoned coastal parcels abutting Rhode Island Type V and VI waters. A robust database has been developed regarding these parcels. However only portions of Type III waters were captured and therefore a complete picture of commercial recreational boating assets still can not be presented.

Crean added that the Ports & Harbor Inventory will be used to establish a baseline understanding of economic activities along Newport's waterfront.

Walker asked if it took \$12,000 to have all type 3 water shorelines surveyed. Crean said yes. She reported that they have a graduate student named Angela Wilson, who is in the budget to continue with this project. Rhodes added that the cost is very low, but it's backed by an investment they have already made. Walker asked if it was 120 hours for two students. Crean answered that she believed it was two student positions. Walker expressed concern about the \$2,700 cost of the computer to be purchased. Rhodes Said that GIS database would most likely overload a lower cost PC. Colt suggested that perhaps an agreement should be worked out with URI Coastal Resources Center to ensure that the workstation be made available for future agency-approved uses. Kiernan advised that there would be a standard clause in any agreement which specifies that the BRWCT will retain ownership of the computer.

Kiernan stated that DEM cannot contract directly with URI. August suggested that they use BART (Bay Assessment Response Team) agreement to facilitate the grant.

Colt asked for a motion to endorse the Cooperative Agreement in principle for funding from the remaining FY 09 BRWCT monitoring funds. Kiernan stated that there isn't enough time to spend the funds out of the FY09 OSPAR allocation. Colt acknowledged this and committed to working this out with DEM CFO Terry Maguire for payment out of the FY 2010 OSPAR allocation.

Kiernan moved to endorse the Cooperative Agreement and to request that the BRWCT Chair finalize unresolved details regarding funding and budgeting for executing the Cooperative Agreement, with input from DEM, CRC, and Planning. Motion was passed unanimously.

BRWCT Committee Update:

Colt stated that there is a need to re-engage the BRWCT committees, particularly in relation to SLP implementation.

Environmental Monitoring Committee: Colt reported that the leadership of the Env. MC (August, Uva, and Kiernan) had been deeply involved in producing NBEP's Status and Trends Report, that they had sponsored in March 2009 a LiDAR workshop for Rhode Island, and that in general it was continuing to fulfill its basic mandate.

Economic Monitoring Committee will re-convene under renewed leadership from the EDC with a focus first on application of the Ports and Harbor Inventory project to port and harbor development recommendations that build upon recommendations already contained in the BRW SLP.

Science Advisory Committee

Two projects proposed by the SAC had been discussed by the BRWCT last fall regarding the implementation of Ecosystem-Based Management principles to RI water resources management and future impacts of Climate Change on RI's waters and watersheds. Little action seems to have been taken subsequently by the SAC. Willis asked if the SAC will only undertake tasks that they are confident will be utilized by the BRWCT? Do they wish to guide the BRWCT agencies on what to do with relevant scientific findings? Colt said that they seek a greater sense of appreciation from the BRWCT for the utility of the hard work that they have proposed.

BRWCT agreed to request that the SAC work with the BRWCT Chair to organize a workshop between agency managers and scientists to address the full suite of environmental and socio-economic impacts generated by climate change that Rhode Island will have to address in the future.

Public Advisory Committee Colt reported concerns on the part of Chip Young regarding engagement on the part of PAC members with the BRWCT because of the lack of clear evidence that the BRWCT agencies are publicly committing to SLP implementation.

Austin commented that part of what the PAC is supposed to do is to evaluate the work of the BRWCT, but PAC members still don't understand fully their responsibilities. What work products should they be assessing? Are they to take a lead in BRWCT communications? It is also not clear what the PAC can do in relation to the other BRWCT committees.

Uva advised that the BRWCT needs to do a better job of communicating broadly its accomplishments with help from the PAC.

Walker reminded all that they should not forget some of the gaps the BRWCT has filled in monitoring, assessment, and planning. There are lots of things happening that don't necessarily excite people, but they wouldn't be where they are today without the efforts of the BRWCT.

Meeting Adjourned at 4 pm. Next meeting scheduled for May 27, 2009.