



RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM

Meeting of September 28, 2011

**Conference Room A
2-4 pm
Narragansett Bay Commission
1 Ernest Street
Providence, RI**

DRAFT Minutes

Coordination Team Members in Attendance: Kathy Crawley, Guy Lefebvre, Alisa Richardson, Mike Walker, Nancy Hess, Jeff Willis, Tom Uva

BRWCT Staff: Ames Colt, Melissa Deciantis

Guests: Jane Austin

BRWCT Administration

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

Meeting minutes for the July 28 meeting were approved.

BRWCT Chair Progress Report:

Environmental Monitoring Collaborative

The next annual meeting of the RI Environmental Monitoring Collaborative (RI EnvMC) is scheduled for October 18th. Bob Stankelis, Director of the Narr. Bay National Estuarine Research Reserve will lead a workshop on October 5 to discuss Narr. Bay water quality monitoring fieldwork coordination, as well as NB water quality analysis, indicators and communications.

Colt will work with the co-chairs of the RI EnvMC to ensure that in the future it has the opportunity to review funding requests for monitoring on behalf of the BRWCT. Recently the BRWCT has reviewed such requests without direct input from the RI EnvMC. Colt also asked the RI EnvMC co-chairs to plan on releasing the next annual report from the EnvMC in January 2012. This deadline will put annual report release back in phase with the statutory deadline for this report. Chair Q. Kellogg has agreed. An initial draft report has been available for review since last summer.

The RI Environmental Monitoring Collaborative & Watershed Counts

Colt has expressed concern to Q Kellogg and Meg Kerr about the Watershed Counts initiative initiating development of the economic indicators. To do so will necessitate working with RI Economic Development Corp., and possibly a revived RI Economic Monitoring Collaborative. Additionally, there has already been work accomplished on economic indicators that was incorporated directly into the Bays, Rivers, and Watersheds Systems-Level Plan. The economic indicator work initially proposed by Watershed Counts involves a fresh assessment of indirect and direct economic values generated by Narragansett Bay; the purpose of which is to help persuade the public and the RI General Assembly to place a clean water referendum on the ballot for November 2012.

Colt expressed concerned that the Watershed Counts Initiative may lead to relatively less effort given to administration of the RI EnvMC and pursuit of its duties, which in general entail the creation and operating of an environmental monitoring system for Rhode Island. There has been a meeting scheduled for October 12 to discuss Watershed Counts and the RI EnvMC.

Colt strongly endorsed the work of Watershed Counts to enhance public communications on significant issues and trends regarding RI's fresh and marine waters. There is a lack of public communications from the agencies and even the NGOs about what is going on in RI's aquatic environments. Watershed counts is helping to fill that vacuum and has been well-received by numerous stakeholders. The BRWCT needs to continue to work toward coordinating and guiding the work of the RI EnvMC and subsidiary initiatives such as Watershed Counts and the Narragansett Bay Water Quality Working Group.

Colt mentioned Uva's suggestion that the indicators work could technically be considered the purview of the Public Advisory Committee, but there isn't at this time an active Public Advisory Committee. If the BRWCT wishes to devote more time and effort to public communications, then reviving the PAC should be looked into.

Lefebvre asked if progress could be made with the RI EnvMC if the BRWCT invested in administrative support for it. Colt said that is one of the means to advancing its overall agenda and he has tried personally to invest some effort into this. At this point, providing staff support would be necessary for additional progress to be made. (*S. Kiernan is also drafting an update to the RI Water Quality Monitoring Strategy- Colt.*) Lefebvre asked if the RI EnvMC is written into the legislation. Colt said yes. It is established in Ch. 46-31 (creating the BRWCT) as a BRWCT standing committee. In addition, it has its own organic legislation: The Comprehensive Watershed Water Monitoring Act of 2004.

In a draft paper Colt has sought to review the history of efforts to specify and follow through on statewide monitoring priorities dating back to the early 2000's; the purpose is to review how recommendations for monitoring have been made and pursued over the last ten years. Colt hopes it will help to re-engage the RI EnvMC.

DEM's Richardson reviewed her involvement with Watershed Counts. It was extremely complex. The exercise was challenging in terms of translating complex information on freshwater flows into clear public communications. She feels that the effort represents an important responsibility of the state. Colt added that the core functions they have engaged in such as meetings, and the direction and momentum to keep going is good.

Richardson agreed. The downside was that at the public event at the State House last September, it was “preaching to the choir”. It would be better if there were an opportunity to reach out to a broader public audience. But if water quality issues are going to be communicated, someone really has to think about how that message is communicated so that everyone can understand it.

Crawley mentioned Colt’s organizational concerns in terms of structure about Watershed Counts in relationship to the rest of what’s going on. She expressed interest in hearing what feedback he has received. Colt replied that his concern had been that the Watershed Counts Initiative is described as an organization distinct from the RI EnvMC. It could have been marketed as an initiative of the RI EnvMC led by the Coastal Institute and the Estuary Program.

Lefebvre asked if the agenda of the RI EnvMC identifies gaps where more funding could keep that agenda going forward. He suggested that the information be put on the internet for the public and that they have a good website that displays monitoring data clearly.

Uva stated that he thought that Watershed Counts was a RI EnvMC initiative, but now it is portrayed as an independent organization. The RI EnvMC is tasked with developing indicators with the help and assistance of the URI Coastal Institute. The RI EnvMC and the BRWCT should welcome that assistance but the two organizations should have some say in what Watershed Counts is working on and provide feedback and comment. A primary purpose of the BRWCT is to coordinate the many agencies, organizations, and quasi-state agencies, however everyone oftentimes seems to be doing their own thing. Uva added that at the CT meeting prior to the April press event that the EnvMC was preparing their annual report, and he suggested it might be a good opportunity for the CT to report on their successes, shortfalls and gaps in conjunction with the report card event. In other words, report the CTs accomplishments that can be reported, but also use this event as an opportunity to educate our legislators about our resource needs. At that meeting the CT Chair indicated that the report card event should be kept separate.

To him the April 2011 State House event was the perfect opportunity for everyone to come together and convey a unified message that these are the very important indicators. He thought this project would be a good task for the Public Advisory Committee because they were supposed to develop public communications and provide information to the public on what the BRWCT is doing. And as far as Watershed Counts developing economic indicators, there is an Economic Monitoring Collaborative that could be leading that effort. His recommendation to Colt was that they shouldn’t shoot a gift horse in the mouth. The work on Watershed Counts is quite good, so if the BRWCT can guide the work of the Watershed Counts and work with them so they develop the indicators needed by the EnvMC and the CT, with the right related public communications - that this is a unified effort and all the agencies are behind it - that would be the way to go.

Willis was concerned that the April press event was publicized with little or no mention of the BRWCT. Colt said they have always been listed as a partner in Watershed Counts communications about the April event.

Willis asked Colt if he thinks he will be able to convince the CI to take on the full agenda and purpose work of the RI EnvMC. Colt answered that whatever is done via Watershed Counts, it is important to consider the full agenda of the RI EnvMC. It’s either going to be the CI that leads the RI EnvMC with support of the vice-chairs and BRWCT agency staff. Willis wanted to know what his feeling is on this because it seems as if Watershed Counts wishes to pursue its “own track”. Colt agreed. These programs live in an entrepreneurial world, relying upon soft

money. Everyone seeks to claim their own credit in order to justify themselves to their funders. In the end it's not for the BRWCT to "order" what the URI Coastal Institute should do, or not do.

Willis questioned whether they really would benefit, because if they go off and do it on their own, it's just one more nail in the coffin to say the URI Coastal Institute is not doing what they're supposed to do under state law. Hess said that this also speaks to the lack of capacity within the BRWCT. For example, if the Public Advisory Committee were re-established, current BRWCT agency personnel would have to staff it, and they don't need the extra work.

Crawley felt that it is not an issue of bringing in another entity to do something similar to something that already exists. The issue is to somehow formalize the involvement of the BRWCT and ensure that the CT, Watershed Counts, and the EMC all have a relationship that is clear to everyone. Colt added that they need a prioritization of monitoring needs that's up to date, as well as an inventory of monitoring programs. Those are two duties of the RI EnvMC not being addressed that are of primary concern to him.

Science Advisory Committee:

Colt informed the CT members that he has agreed to work with Barry Costa-Pierce to sponsor and convene a Narragansett Bay Science Symposium in the second half of 2012. Sea Grant will put money into it as well as the BRWCT. He doesn't have a budget for it yet, but they are going to go forward. They hope to have Chris Deacutis involved.

Northeast Great Waters Initiative

A draft bill has been circulated by Congresswoman Pingree of Maine to create a New England Coastal Program Office in NOAA, which would resemble in function the Great Lakes Restoration Initiative Program Office in EPA. Passage of such legislation is a very long-shot.

Northeast Regional Ocean Council (NROC)

NROC has received over 2 million dollars to conduct coastal and marine spatial planning (CMSP) in New England: \$1 million from NOAA and \$1 million from the George and Betty Moore Foundation. NROC has also received \$250,000 from NOAA to support NROC operations. CMSP has attracted some opposition in Congress and funding proposed for it by the Obama Administration in FY 2012 has already been zeroed out by both the House and Senate. Fortunately, foundations such as the Moore Foundation are stepping up and there is certainly interest in attempting a regional CMSP in New England. CRMC Director Fugate may play a major role in leading the regional planning body responsible for CMSP development. Colt has sought confirmation from the Governor's office on whether he should continue to work on NROC, and CMSP, and it has been confirmed that he should continue to serve as an alternate delegate to NROC, with Directors Coit and Fugate serving as primary delegates.

They also confirmed that he should continue serving on the RI Renewable Energy Task Force. Walker asked about the purpose of this task force. Colt replied that it is a state advisory body set up by the Bureau of Ocean Energy Management Regulation and Enforcement as it goes forward planning and permitting offshore wind energy projects. It's a governmental advisory task force – only government representatives may sit on it. The RI task force has been meeting jointly with the MA task force.

RI Climate Change Commission

The first meeting is scheduled for November 3rd. Working groups will start meeting subsequently. DEM, CRMC, Planning and the BRWCT Chair each have seats on the Commission. A major report from the Commission is expected to be issued by July 2012.

Miscellaneous

Colt circulated a draft multi-year BRWCT agency budget review assembled per his request by Alisa Ferri, one of the 2011 summer interns. Walker asked Colt what he is trying to show with the analysis. Colt replied that the draft analysis should be viewed as a component of the SLP Implementation overview, given the need for comprehensive assessments of how state agency capacities for water management have varied over the long-term. Walker pointed out that there are significant data gaps, e.g., the EDC budget timeline only goes up to FY 2008 and that he is uncomfortable with such draft analyses being made public with major gaps in budget data, or no contextual explanations. He also noted that the data is for overall agency budgets, not those components of the agencies devoted to water resources. Hess advised that Colt should explain why the data was collected and make sure that every single page says that it's a draft.

Colt agreed with the comments and requests. He sees the value nevertheless of such analyses if done properly as it would be valuable for explaining how agencies can and cannot pursue priorities and actions delineated in the BRW SLP. Done properly such analyses can reduce the ability for some interests to manipulate budgetary data for particular political objectives. The BRWCT can be used by the agencies to present a unified picture of what they're doing, why they're doing it, the capacity they have to achieve their strategic objectives in order to improve understanding and support from the public and the legislature.

Proposal for Blackstone River National Historic Park

Lefebvre pointed out that since the last BRWCT meeting the National Parks Service has recommended creation of the Blackstone River Valley National Historical Park. The National

Park Service recommended inclusion of the Blackstone River and tributaries into the future Park. He stated that the prospects of Congress creating the Park are good despite the budget climate in Washington. Uva suggested that the Coordination Team provide a letter of support and recommendation. If so, who would they recommend that go to? Lefebvre said he would be happy to draft the letter with Ames and share it at the next CT meeting.

BRW Systems-Level Plan Implementation

Three proposals for BRWCT support were placed on this meeting's agenda:

- A funding proposal for \$5,000 from DEM to sponsor three stormwater management finance workshops.
- A funding proposal for \$40,000 from DEM to hire a consultant to work with selected municipalities to implement stormwater utility districts.

- A proposal to provide up to \$20,000 in cash match in a proposal to the 2012 Planning Challenge Grant program to assess “short sea shipping” opportunities for RI’s ports.

Colt noted that the proposals are circulated on BRWCT letterhead. He works with the proposers to ensure a detailed proposal is crafted for review and hence has put them on BRWCT letterhead. The BRWCT requested that

- Proposals in the future not written on BRWCT letterhead;
- The Chair should provide his assessment of the value of the proposal to the BRWCT;
- That funding proposals should be explicit about their connection(s) to the SLP and the BRWCT’s implementation priorities.

Proposal to sponsor three stormwater finance workshops

DEM has already received BRWCT funding to support a graduate student (Kate England) (see minutes for April 2011 BRWCT meeting). This project has proceeded well, on-schedule, and will be completed in late fall 2011.

DEM started working with other partners such as URI’s stormwater solutions program to organize a workshop series on financing municipal stormwater programs subsequent to the “Stormwater Collaborative” meeting of May 22, 2011, led by EPA’s Walt Galloway and NBNERR’s Jennifer West. (Colt has asked Walt to continue these informal Collaborative meetings in the future.) BRWCT’s sponsorship funds are necessary to bring AMEC’s Andy Reese to the late October workshop as well as underwrite the costs of two subsequent workshops.

BRWCT unanimously approved a motion to fund the proposal without modification.

Proposal to fund an independent consultant to develop a model stormwater utility ordinance and work with one or two municipalities for its passage

The second proposal is a request to hire a consultant for no more than \$40,000 in order to draft a model stormwater utility municipal ordinance, and work with Middletown and one or two other communities to get it passed. The proposal would entail developing an RfP and hiring a consultant competitively. Walker asked for more specifics on what the consultant would actually do. Colt reiterated that the funding would be used to develop a model ordinance, and work with Middletown and Westerly governments to pass the ordinance. Middletown is the most proactive town that DEM and CRMC have worked with regarding local stormwater management and it is hoped that they could serve as a model for RI’s cities and towns. Hess asked if the communities are set in stone because Newport could easily be included.

Colt said they are not, but that there wouldn’t be a problem if another community came forward and wanted to work with DEM and CRMC to advance stormwater management. However, \$40,000 is still a relatively small amount of funding, and they should focus on the town where they have the best chances of success. Colt acknowledged however that Middletown and Newport must work together on stormwater management. Hess noted that if there is only enough money to work with two communities, she would recommend those two. Colt stated that he would defer to DEM and CRMC on how exactly the state should work in this instance with Middletown and other RI localities. Richardson mentioned that she has heard a lot of positive things about

Middletown with regard to stormwater management. But she is not sure that Newport will be as receptive.

Uva stated that he was prepared to make a motion to approve the funding proposal, but was concerned that DEM might come back and seek additional funding to work with other municipalities.

Walker warned against strong local resistance to any increase in local fees and taxes. He expressed concern that the efforts of DEM to advance local stormwater management programs were not vetted sufficiently. Getting the ordinance drafted is the easiest part. Getting it heard will be tougher and getting it approved will be next to impossible. Richardson assured him that there is sufficient political will in Middletown. They have already spent seven million dollars and currently the costs are being borne directly out of general revenues. So Middletown would like to create a mechanism by which those who are generating stormwater to contribute. Uva said when it gets to the city council meeting and the citizens are upset because they're going to get another bill – that's when the political support will diminish.

Colt asked if Walker's recommendation was for DEM to work only where they have a decent chance of getting a stormwater utility ordinance passed. Walker said that if Middletown is on board and you've think you've got enough to get the ordinance passed, that might be all you are going to afford with this funding.

Colt summarized the discussion as follows: One recommendation is to focus this funding primarily on working with Middletown. The other concern he was hearing was, what next? Would DEM return to the BRWCT seeking additional funds? If so, a long-term plan needs to be laid out for the BRWCT to consider.

Crawley asked if the BRWCT should more rigorously evaluate proposals in relation to its mission and objectives. Does the BRWCT have criteria for evaluating funding proposals? Colt agreed. What the BRWCT should be doing is considering how the proposals support the priorities of the Systems Level Plan. Stormwater management is emphasized in the SLP and in the draft SLP Implementation Overview. But Colt agreed that their evaluation of funding requests should be more explicit and structured and he will work to achieve that for future proposals.

Hess said they are basing their review on the fact that these items relate directly to the SLP. Crawley stated that the meeting's minutes should reflect the general understanding of the BRWCT that these funding proposals contribute directly to the priorities of the SLP.

Uva cautioned that it in the future the BRWCT may receive more funding requests than they can handle. His other recommendation is that Colt not put funding requests on CT letterhead unless it is a memo to the CT from him and he should attach the letters requesting grant funding so that they have a clear record that it is from them and not Colt.

BRWCT unanimously approved a motion to fund the proposal with the request that DEM strongly consider focusing this project upon a successful partnership with Middletown

Proposal for the BRWCT provide match for a short sea shipping proposal to RI Planning's Challenge Grant Program

In late August, 2011, Colt received a letter from Senator Walaska, Co-Chair of the General Assembly's Port Facilities Commission, encouraging the BRWCT to submit a proposal to the RI Planning Challenge Grant program to continue assessments of RI's port development opportunities, specifically short sea shipping. Doing so would also respond to RI EDC's previous request for the BRWCT to continue working on port development issues in FY 2012. The

BRWCT can apply as a state entity. Colt is talking with consultants on what the proposal would entail. The maximum grant is for \$100,000 with a 20% match requirement. Colt requested permission from the BRWCT to submit a grant proposal with 20% match funds provided by the BRWCT.

Uva asked who else will oversee this grant. Colt replied that he would serve as PI and subcontract much of the work to consulting experts. Walker added that the intent would be to come up with a product that the General Assembly's Port Facilities Commission could use. He recommended that there should be a discussion with them to ensure that what is being proposed corresponds well with their needs. Walker noted that challenge grants have become more competitive and the proposals have improved in quality and that the penultimate source of the money is the US Dept. of Transportation. He also noted that a 20% match in cash strengthens the proposal. Willis asked where BRWCT funds would come from to match the grant. Colt replied that it would be committed to as part of the FY 2012 program. Hess said that Colt should speak to Planning's Karen Scott about the match requirements.

The BRWCT unanimously passed a motion grant permission to provide a 20% cash match in support of a proposal to the Planning Challenge Grant program to further assess short sea shipping opportunities for RI's ports.

Modifications to the BRWCT FY 2012 budget

Given BRWCT's willingness to fund all three funding requests, Colt reviewed how it would change the FY 2012 budget for BRWCT and promised to circulate an updated version of the budget to BRWCT members along with the draft minutes of the meeting.

Meeting adjourned at 4:00.