

Performance Partnership Agreement for Federal Fiscal Years 2024 - 2027

Between the Rhode Island Department of Environmental Management

235 Promenade St
Providence, RI 02908
<http://www.dem.ri.gov/>

and the

United States Environmental Protection Agency Region 1 - New England

5 Post Office Square, Suite 100
Boston, MA 02109-3912
<http://www.epa.gov/aboutepa/epa-region-1-new-england>

Prepared by:

Rhode Island Department of Environmental Management
and the
U.S. Environmental Protection Agency, Region 1 - New England

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EXECUTION OF THE AGREEMENT

This Performance Partnership Agreement (Agreement or PPA) between the Rhode Island Department of Environmental Management (RIDEM) and the U.S. Environmental Protection Agency, Region 1 - New England (EPANE), covers the time period from October 1, 2023 to September 30, 2027. It is consistent with the principles embodied in the U.S. Environmental Protection Agency and the Environmental Council of the States joint agreement to develop an effective National Environmental Performance Partnership System (NEPPS).

By entering into this Agreement, both agencies commit to: 1) improving communications using agreed upon outcomes and environmental measures; 2) aligning and integrating both agencies' goals, objectives, and targets; 3) investing resources on the identified Areas for Collaboration; and 4) ensuring that limited staff and financial resources are used judiciously to address the most significant environmental and programmatic issues in the state and region.

The undersigned execute this Agreement between the RIDEM and the EPANE for federal fiscal years 2024 - 2027. The Agreement, including the Areas for Collaboration, will be reviewed annually (as will the associated EPANE Priorities & Commitments Lists and RIDEM Comprehensive Work Plans), and modified as necessary to ensure that it remains relevant and current.

Terrence Gray
Director
Rhode Island DEM
235 Promenade St
Providence, RI 02908

David W. Cash
Regional Administrator
U.S. EPA Region 1 - New England
5 Post Office Square, Suite 100
Boston MA 02109-3912

This, the ____ day of April, 2024.

This, the ____ day of April, 2024.

II. OVERVIEW

A. Guiding Principles

This is the thirteenth Rhode Island Performance Partnership Agreement (PPA) between the Rhode Island Department of Environmental Management (RIDEM) and United States Environmental Protection Agency - Region 1 (EPANE) within the National Environmental Performance Partnership System (NEPPS). This PPA builds on previous PPA efforts to allocate resources to environmental priorities and to focus on producing environmental results. The PPA covers the FY 2024-2027 performance period.

This agreement covers a four-year period for federal fiscal years 2024, 2025, 2026 and 2027. Beginning in fiscal year 2017, the term of the Performance Partnership Grant (PPG) and the PPA have been synced and are now both on the same four-year cycle. In addition, the EPANE/RIDEM Priorities and Commitment List (P&C List) has been changed from renegotiating annually to renegotiating every two years with the opportunity to reopen during the second year for any necessary adjustments. The most recent P&C List for federal fiscal years (FFY) 2024 and 2025 is included in Appendix A.

B. Roles/Contributions of Each Agency

As in past agreements, the concept that strong environmental protection relies on effective State, Tribal and Local partnerships remain especially relevant today. Good government, as well as the reality of scarce resources, requires that DEM and EPA work in concert with local governments, and our sister state and federal agencies that constitute our country's environmental protection enterprise, to ensure the efficiency, efficacy, and coordination of our overlapping and complementary efforts. Work must be shared, roles must be refined, and stronger, more efficient and cost-effective partnerships must be built to ensure our continued joint success.

C. Strategic Investment/Disinvestment Process

In previous agreements, EPANE Senior Leadership and the commissioners of the New England state environmental agencies periodically entered into specific negotiations around high-priority, major shifts (i.e., strategic investments and disinvestments) in commitments. To date, the strategic investment/disinvestment work has given state partners the flexibility to identify priority investments and disinvestments to support the most critical environmental and public health priorities— operationalizing NEPPS in a new way. In FY2016, all states elected not to have a separate process and that any necessary disinvestment will be addressed and documented in their respective two-year P&C Lists going forward, as well as any comprehensive work plans generated.

While the development of the FFY 2024-2027 PPA did not entail a separate strategic investment/disinvestment exercise, this general approach is well embedded in the process for identifying potential Areas for Collaboration (see Section V), as well as the process for negotiating the two-year P&C Lists and any comprehensive work plans generated.

III. RI DEM and EPANE - Strategic Priorities

This section provides summarized versions of the RIDEM and EPANE Strategic Priorities and Plans. More detailed versions of the current RIDEM and EPANE Strategic Plans are presented in the Appendices to identify the current environmental goals of both agencies.

A. RIDEM Strategic Priorities

Goal 1: Take action to counter climate change and its effects, both locally and regionally.

Objective 1 - Reduce greenhouse gas emissions from human activities through programs that include open and transparent communication, outreach, and planning with local and regional partners.

Objective 2 - Preserve, protect, and restore the health of the natural environment to promote resilience, safety, and economic wellbeing of Rhode Island communities.

Objective 3 - Demonstrate leadership by integrating climate change considerations into all levels of decision-making including policies, permitting, plans, regulations, and projects by utilizing best available science and research.

Objective 4 - Advance adaptation measures in the built environment by addressing current and future threats resulting from our changing climate.

Objective 5 - Promote sustainable and equitable siting of land-based and marine renewable energy projects in ways that balance the state's clean energy priorities with established natural resource conservation goals.

Goal 2: Prioritize diversity, inclusion, and environmental justice in all programs

Objective 1 - Develop a diverse RIDEM workforce that reflects the make-up of the people we serve and includes individuals with a variety of life experiences.

Objective 2 - Build strong relationships with residents in overburdened and underserved communities and improve communication to ensure that residents are aware of RIDEM activities in these communities.

Objective 3 - Incorporate environmental justice considerations when making decisions regarding permitting, inspections, grant funding, and completing regulatory reviews.

Objective 4 - Ensure that all Rhode Islanders have access to the state's natural resources, including management areas, fishing access sites, ponds, lakes, and state parks and beaches, programs that teach safe recreation, hunting and fishing opportunities, and green space.

Objective 5 - Provide RIDEM staff with training opportunities to learn about environmental justice; diversity, equity, and inclusion; and customer service.

Goal 3: Protect and restore our environment to create greener, healthier communities.

Objective 1 - Promote fair and effective environmental compliance across communities and enforce the law and the rules to meet these standards.

Objective 2 - Promote clean air locally and regionally by supporting strong public policies and regional efforts.

Objective 3 - Ensure healthy communities through waste mitigation, brownfields reuse and sustainability initiatives.

Objective 4 - Protect and restore public, ecosystem and animal health, including coordinating our efforts with our partners to support public health policies and outreach.

Goal 4: Protect and improve water quality

- Objective 1* - Improve management of stormwater to promote green infrastructure, build state and local capacity for effective stormwater control, and achieve better permit compliance.
- Objective 2* - Adapt freshwater and marine water quality monitoring strategies and analysis capacity to identify areas with high potential for improvement in water quality to support designated uses.
- Objective 3* - Integrate issues such as changing climate, sea level rise, and emerging contaminants (pollutants of emerging concern) into water protection decisions.
- Objective 4* - Strengthen watershed management through policy, regulation, and partnerships to promote water resource protection, including focus on freshwater lakes and ponds.
- Objective 5* - Direct and leverage increased infrastructure funding to improve water quality, address resiliency, and/or provide ecological benefits.

Goal 5: Conserve, promote, and steward our natural resources

- Objective 1* - Protect and expand farms, forests, and open spaces to permanently safeguard the value of those lands.
- Objective 2* - Support healthy and sustainable fish, wildlife, and forests using sound science and management plans to ensure long term viability of these resources in the face of emerging issues.
- Objective 3* - Protect and restore fresh, estuarine, marine, and terrestrial habitats to ensure the long-term sustainability of these habitats and ecosystems.
- Objective 4* - Strengthen education, outreach and training programs and tools on Rhode Island natural resources stewardship for enhanced stakeholder understanding and appreciation.
- Objective 5* - Seek and secure new and longstanding funding opportunities that preserve the State's natural resources, habitats and the services they provide.

Goal 6: Promote and sustain outdoor recreation in Rhode Island

- Objective 1* - Improve access to our outdoor spaces by installing universally accessible trails where appropriate.
- Objective 2* - Improve our capital project planning process by implementing a project scoring system that ensures outdoor recreation opportunities for all persons are represented equally.
- Objective 3* - Invest in property modifications or new sites which will ensure continued access for all Rhode Islanders to a wide, resilient array of outdoor recreation activities, both coastal and inland.
- Objective 4* - Begin to develop management plans for RIDEM properties outlining site specific maintenance and upkeep needs, as well as planning for uses within those properties in a way that protects the human uses in conjunction with important habitats within those properties.
- Objective 5* - Bolster partnerships and internal processes to provide recreational opportunities and events to all Rhode Islanders.
- Objective 6* - Expand outreach and education regarding availability and accessibility of parks and recreation areas to increase public awareness, usage, appreciation, and shared stewardship of these iconic properties.

Goal 7: Expand and promote local agricultural and seafood industries

- Objective 1* - Evaluate barriers for fishers and farmers and provide long term solutions to overcome those barriers and foster a more inclusive, profitable, and food secure Rhode Island.
- Objective 2* - Provide business, educational, and marketing support for fishing and farming businesses and create opportunities for the next generation of fishers and farmers to learn, grow their business, and increase market access for their supplies.
- Objective 3* - Provide climate resilient infrastructure and promote climate adaptive management strategies tailored to the needs of the state's fishers and farmers that are sustainable for shifting

populations.

Objective 4 - Create coordinated branding for the state's food systems that can be marketed to residents, visitors, and nearby states, and be incorporated in the RI State Food Strategy, local food development initiatives, programs to eliminate food insecurity and reduce food waste.

Objective 5 - Support a sustainable aquaculture industry by promoting growers and businesses, involving stakeholders in planning initiatives, and working with industry partners to foster restoration efforts.

Goal 8: Demonstrate statewide leadership in organizational excellence and customer service

Objective 1 - Develop a robust professional development program with a focus on customer service, opportunities for advanced training and education, succession planning, and leadership development.

Objective 2 - Expand community engagement across the Department and identify opportunities to provide services and communications in multiple languages.

Objective 3 - Deliver modern information technology solutions to improve processes and increase information access.

Objective 4 - Build understanding and support for divisions in following management and budgeting best practices.

Objective 5 - Deepen staff's connection to RIDEM's overarching mission through increased employee engagement, communication, and coordination across the department.

B. EPANE's Strategic Priorities

EPA's *FY 2022-2026 Strategic Plan* communicates the Agency's priorities and provides the roadmap for achieving its mission to protect human health and the environment. In this Strategic Plan, the Agency renews its commitment to the three principles articulated by William Ruckelshaus, who served as the EPA's first Administrator (1970 – 1973, and then again from 1983 – 1985), to: follow the science, follow the law, and be transparent. The Agency also adds a fourth foundational principle: advance justice and equity. We add this principle to infuse the consistent and systematic fair, just, and impartial treatment of all individuals into all EPA policies, practices, and programs. These principles form the basis of the Agency's culture and will guide our operations and decision making now and into the future.

Building on work already begun under President Biden's Executive Orders (E.O.s) 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* and 14008: *Tackling the Climate Crisis at Home and Abroad*, and in alignment with the Administration's whole-of-government approach, we are charting a course in this Strategic Plan where tackling climate change and advancing environmental justice and civil rights are integral to all we do in carrying out EPA's mission.

In accordance with these priorities, we have established new strategic goals on addressing climate change and environmental justice to signal the importance of these issues. Goal 1 focuses on cutting pollution that causes climate change and increasing the adaptive capacity of Tribes, states, territories, and communities, and Goal 2 focuses on achieving tangible progress for historically overburdened and underserved communities and ensuring the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies. We will embed this

focus into the work we do to carry out our five programmatic strategic goals for enforcement and compliance, air quality, water quality, land revitalization, and chemical safety.

Our four cross-agency strategies describe the essential ways EPA will carry out our mission. These strategies include reinforcing science as foundational to Agency decision making; protecting children's environmental health; building back EPA's workforce with particular attention to equity and enhancing mission-support functions to achieve organizational excellence; and renewing our commitment to EPA's trust responsibility to Tribal nations and our engagement with Tribal, state, and local government partners, stakeholders, the regulated community, and the public.

EPA's Strategic Plan includes a suite of long-term performance goals (LTPGs) that reflect the quantifiable outcomes we will achieve for each strategic objective and cross-agency strategy by 2026. LTPGs will help us understand, monitor, and tell the story of progress we are making to partners and external stakeholders, Agency employees, and the public.

The EPA Strategic Plan identifies seven strategic goals to guide EPA's work, along with supporting Objectives under each of the key goals:

Goal 1: Tackle the Climate Crisis: Cut pollution that causes climate change and increase the adaptive capacity of Tribes, states, territories, and communities;

- Objective 1.1 – Reduce Emissions that Cause Climate Change
- Objective 1.2 – Accelerate Resilience and Adaptation to Climate Change Impacts
- Objective 1.3 – Advance International and Subnational Climate Efforts

Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights: Achieve tangible progress for historically overburdened and underserved communities and ensure the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income in developing and implementing environmental laws, regulations, and policies;

- Objective 2.1 – Promote Environmental Justice and Civil Rights at the Federal, Tribal, State, and Local Levels
- Objective 2.2 – Embed Environmental Justice and Civil Rights into EPA's Programs, Policies, and Activities
- Objective 2.3 – Strengthen Civil Rights Enforcement in Communities with Environmental Justice Concerns

Goal 3: Enforce Environmental Laws and Ensure Compliance: Improve compliance with the nation's environmental laws and hold violators accountable;

- Objective 3.1 – Hold Environmental Violators and Responsible Parties Accountable
- Objective 3.2 – Detect Violations and Promote Compliance

Goal 4: Ensure Clean and Healthy Air for All Communities: Protect human health and the environment from the harmful effects of air pollution;

- Objective 4.1 – Improve Air Quality and Reduce Localized Pollution and Health Impacts
- Objective 4.2 – Reduce Exposure to Radiation and Improve Indoor Air

Goal 5: Ensure Clean and Safe Water for All Communities: Provide clean and safe water for all communities and protect our nation’s waterbodies from degradation;

- Objective 5.1 – Ensure Safe Drinking Water and Reliable Water Infrastructure
- Objective 5.2 – Protect and Restore Waterbodies and Watersheds

Goal 6: Safeguard and Revitalize Communities: Restore land to safe and productive uses to improve communities and protect public health;

- Objective 6.1 – Clean Up and Restore Land for Productive Uses and Healthy Communities
- Objective 6.2 – Reduce Waste and Prevent Environmental Contamination
- Objective 6.3 – Prepare for and Respond to Environmental Emergencies

Goal 7: Ensure Safety of Chemicals for People and the Environment: Increase the safety of chemicals and pesticides and prevent pollution at the source;

- Objective 7.1 – Ensure Chemical and Pesticide Safety
- Objective 7.2 – Promote Pollution Prevention

In addition, EPA has identified three FY 2022-2023 Agency Priority Goals (APGs), which are intended to jumpstart actions and showcase progress toward Administrator Regan’s priorities:

- Phase down the production and consumption of hydrofluorocarbons;
- Clean up contaminated sites and invest in water infrastructure to enhance the livability and economic vitality of overburdened and underserved communities; and
- Housing and Urban Development (HUD) and EPA will reduce exposure to lead to protect families, particularly children, in overburdened and underserved communities.

C. Cross-Walk Between USEPA’s and RIDEM Strategic Plan:

State Goals	Goal 1: Climate Change	Goal 2: Prioritize DI and EJ	Goal 3: Healthy Communities	Goal 4: Clean Water	Goal 5: Conserve Natural Resources	Goal 6: Outdoor Recreation	Goal 7: Expand Local Ag & Seafood	Goal 8: Customer Service
US EPA Goals								
Goal 1: Tackle the Climate Crisis	X APG-1 APG-2 AFC-2							
Goal 2: Take Decisive Action to Advance Environmental Justice and Civil Rights		X APG-2 APG-1 APG-3 AFC-1						
Goal 3:			X APG-3					

Enforce Environmental Laws and Ensure Compliance			APG-5					
Goal 4: Ensure Clean and Healthy Air for All Communities			X APG-3 AFC-1 AFC-2					
Goal 5: Ensure Clean and Safe Water for All Communities			X APG-4 APG-3 APG-8 AFC-1 AFC-2					
Goal 6: Safeguard and Revitalize Communities		X APG-3 APG-5 APG-6						
Goal 7: Ensure Safety of Chemicals for People and the Environment								X APG-8 APG-3

* Agency Priority Goals (APG), Areas for Collaboration (AFC)

IV. Grants Management

A. Budget Narrative

This Performance Partnership Agreement (PPA) covers federal fiscal years 2024 – 2027 (October 1, 2023 to September 30, 2027). The PPA, together with work plans (as represented by the associated P&C Lists and the related comprehensive Rhode Island Department of Environmental Management (RIDEM) work plans), set forth the goals, sub-goals, objectives, programs, activities, deliverables, and measures of progress to address the full range of cooperative federal-state environmental programs under the Department’s jurisdiction. The Performance Partnership Grant (PPG) is a key vehicle for implementing the Agreement, in combination with other federal and state funding sources. The PPG currently combines the following federally-funded programs:

- Air Pollution Control- Clean Air Act, Section 105
- Hazardous Waste Program- Resource Conservation and Recovery Act, Section 3011
- Underground Storage Tank Program- Solid Waste Disposal Act, Section 9010
- Underground Injection Control Program, Safe Drinking Water Act, Section 1443(b)

- Water Pollution Control- Clean Water Act, Section 106
- Wetlands Development Grants Program – Clean Water Act, Section 104(b)(3)
- Nonpoint Source Management- Clean Water Act, Section 319
- Pesticides Cooperative Enforcement – FIFRA Sec.23(a)(1)
- Pesticide Applicator Certification and Training – FIFRA Sec. 23(a)(2)
- Pesticide Program Implementation – FIFRA Sec. 23(a)(1)

The Agreement and the associated work plans also include additional non-PPG funded work that is necessary to accomplish the environmental and public health goals set forth in the Department's and EPANE's Strategic Plans. RIDEM and EPANE will continue to explore opportunities for grant efficiencies, and measurement of environmental results.

Consistent with ***GPI 12-06, Timely Obligation, Award, and Expenditure of USEPA Grant Funds***, for multi-year awards, RIDEM should apply for the total amount of funds expected for the period covered by the award and include any required match in the application. The work plan should also cover the same time period. USEPA will fund the application incrementally as funds become available.

To be allowable under Federal awards, costs must meet the following general criteria, found in 2 CFR Part 200 (Subpart E), Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Award:

Except where otherwise authorized by statute, costs must meet the following general criteria in order to be allowable under Federal awards:

- Be necessary and reasonable for the performance of the Federal award and be allocable thereto under these principles.
- Conform to any limitations or exclusions set forth in these principles or in the Federal award as to types or amount of cost items.
- Be consistent with policies and procedures that apply uniformly to both federally-financed and other activities of the non-Federal entity.
- Be accorded consistent treatment. A cost may not be assigned to a Federal award as a direct cost if any other cost incurred for the same purpose in like circumstances has been allocated to the Federal award as an indirect cost.
- Be determined in accordance with generally accepted accounting principles (GAAP), except, for state and local governments and Indian tribes only, as otherwise provided for in this part.
- Not be included as a cost or used to meet cost sharing or matching requirements of any other federally-financed program in either the current or a prior period. See also [§ 200.306\(b\)](#).
- Be adequately documented. See also [§§ 200.300](#) through [200.309 of this part](#).
- Cost must be incurred during the approved budget period. The Federal awarding agency is authorized, at its discretion, to waive prior written approvals to carry forward unobligated balances to subsequent budget periods pursuant to [§ 200.308\(e\)\(3\)](#).

B. Federal Regulations and Key Policies

All categorical environmental state grants, including PPGs, are governed by [40 CFR Part 35](#), State and Local Assistance, Subpart A, Environmental Program Grants (commonly referred to as Part 35); and all state grants are subject to 40 CFR Part 31, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; all grants and agreements are also subject to 2 CFR Part 200 and 2 CFR Part 1500, Subpart E, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. PPGs and PPAs do not supersede any laws, regulations, or delegation agreements.

Some environmental program grants are awarded through a competitive process. An applicant and the Regional Administrator may agree to add funds available for a competitive grant to a Performance Partnership Grant. If this is done, the work plan commitments that would have been included in the competitive grant must be included in the Performance Partnership Grant work plan. After the funds have been added to the Performance Partnership Grant, the recipient does not need to account for these funds in accordance with the funds' original environmental program source, but remains accountable for delivering on work plan commitments.

Programmatic requirements. In order to include funds from an environmental program grant listed in §35.101 of this subpart in a Performance Partnership Grant, applicants must meet the requirements for award of each of the environmental programs from which funds are combined in the agency's Performance Partnership Grant, except the requirements at §35.268(b) and (c), 35.272, and 35.298 (c), (d), (e), and (g). These requirements can be found in the CFR beginning at §35.140.

PPG work plans are subject to the same requirements as any other grant work plan. The requirements can be found at [40 CFR 35.107](#). An approvable work plan must specify the following:

- The work plan components to be funded under the grant;
- The estimated work years and the estimated funding amounts for each work plan component;
- The work plan commitments for each work plan component and a time frame for their accomplishment;
- A performance evaluation process and reporting schedule in accordance with 40 CFR 35.115; and
- The roles and responsibilities of the recipient and USEPA in carrying out the work plan commitments.

The work plan must also be consistent with applicable federal statutes, regulations, circulars, Executive Orders, and USEPA delegations, approvals, or authorizations. The PPA or portion thereof that serves as a grant work plan must meet the same work plan requirements as for any state program grant. The portion(s) of a PPA that serve as a work plan must be clearly identified and distinguished from the rest of the PPA. The regulation at [40 CFR 35.107\(c\)](#) states:

“An applicant may use a Performance Partnership Agreement or a portion of a Performance Partnership Agreement as the work plan for an environmental program grant if the portions of the Performance Partnership Agreement that serve as all or part of the grant work plan: (1) Are clearly identified and distinguished from other portions of the Performance Partnership Agreement; and (2) Meet the requirements in §35.107(b). A PPG work plan should be the product of joint planning, priority setting and mutual agreement between the state and USEPA. The PPG grant work plan is the result of negotiations between USEPA and state program managers and staff. Successful PPG work plan negotiations rely on a

predictable process that fosters prompt resolution of issues, including elevation of issues to senior management levels if necessary. In successful work plan negotiations USEPA and the state will reach a mutual understanding and agreement about what will be accomplished under the agreement.”

Opportunities for Grant Process Streamlining (GPI 12-06, Timely Obligation, Award, and Expenditure of USEPA Grant Funds):

- ***Estimating Budgets:*** Consistent with applicable National Program Managers (NPM) Guidance, USEPA should request States to develop and/or submit their work plans and applications based on the previous year’s award amount or the amount derived from the President’s budget, whichever is higher. If amounts based on the President’s budget are not known, negotiations should be based on the previous year’s award amount.
- ***Focus Negotiations on New Priorities:*** Assuming that the level of funding is not significantly different from the previous year’s grant amount, the primary focus of work plan negotiations should be on new priorities consistent with applicable NPM guidance. Less emphasis should be placed on negotiating recurring activities/commitments where there is a satisfactory record of grant performance.
- ***Multi-Year Grant Awards:*** For multi-year grant awards, applicants should apply for the total amount of funds expected for the period covered by the award and include any required match in the application. The work plan should also cover the same time period. USEPA will fund the application incrementally as funds become available.
- ***Pen and Ink Changes:*** If the final amount of funding is lower than the amount applied for, Regions will work with States to identify necessary changes. The State will not need to submit a revised work plan or new application. Regions will document and date through pen and ink changes/email correspondence, agreed-upon revisions to the work plan, budget narrative, and application forms.

Environmental Results (USEPA Order 5700.7, Environmental Results Under USEPA Assistance Grants)

[USEPA Order 5700.7](#) directs program offices to ensure that the work plan contains well-defined outputs and outcomes. For state assistance agreements under 40 CFR 35, Subpart A, program offices may satisfy this requirement by ensuring compliance with 40 CFR 35.107 as stated above. Prior to approving an assistance agreement work plan, program offices must ensure that they can link the work plan to USEPA’s Strategic Plan architecture.

The term “output” in USEPA Order 5700.7 means an environmental activity, effort, and/or associated work product related to an environmental goal or objective that will be produced or provided over a period of time or by a specified date. Outputs may be quantitative or qualitative but must be measurable during an assistance agreement funding period.

The term “outcome” means the result, effect or consequence that will occur from carrying out an environmental program or activity that is related to an environmental or programmatic goal or objective. Outcomes may be environmental, behavioral, health-related or programmatic in nature, must be quantitative and may not necessarily be achievable within an assistance agreement funding period. Note: These terms and their uses are similarly defined in 40 CFR 35.102.

C. Range of Activities

RIDEM will use the Performance Partnership Grant, subject to the requirements below, to fund any activity that is eligible for funding under at least one of the environmental programs from which funds are combined into the grant.

RIDEM will use the Performance Partnership Grant to fund multi-media activities that are eligible and have been agreed to by the Commissioner and the Regional Administrator. The range of activities vary as needed by program but may include staff time for program design and implementation to achieve measurable environment and public health results. Examples of activities include multi-media permitting and enforcement; pollution prevention, sampling, analysis, ecosystem management, community-based environmental protection, and/or other innovative approaches and activities.

D. Work Plan Development Process

Starting with FFY 2016, USEPA released a two-year NPM Guidance planning process and encouraged the Regions and the States to move towards multi-year work plans. For FFY 2016 and FFY 2017, EPANE and the Region 1 States agreed to pilot an on-line (via a Microsoft SharePoint site), two-year P&C List process for documenting negotiated Performance Partnership Grant commitments for the time period FFY 2016 - 2017. Under this approach, there is an expectation that the negotiated work plan commitments will cover a two-year period absent changed circumstances, as defined below. The benefits of this approach include minimizing/eliminating the need for extensive work plan negotiations at the mid-point of a two-year cycle, with recurring commitments from year one typically carrying over into year two. This approach should also better align the priorities communicated through the NPM and individual programmatic grant guidances with the commitments and flexibilities negotiated in grant work plans.

Adjustments to year-two commitments will be necessary if there are changed circumstances such as changes in Administrator/NPM priorities, revisions required by USEPA's Annual Commitment process, a substantial reduction or increase in USEPA funding, and similar issues experienced at the state levels.

E. Reporting & Measures for Evaluating Performance

For this Agreement, the Department will continue to produce regular (at least annual) status reports for the elements outlined in the P&C Lists, and status reports for identified Areas for Collaboration. RIDEM and EPANE agree to meet as needed to discuss progress and address any areas of concern.

RIDEM and EPA may agree to changes in the work plan based on new priorities or challenges that were not evident when the PPA was signed. The deliverables and target dates in the work plan are based on current staffing levels and budgets. They may be revised if circumstances change. Agreed upon updates to the work plans will be completed by the end of September in each year covered by the Performance Partnership Agreement.

RIDEM annual assessments (also known as "End-of-Year" Progress Reports) will strive to summarize results, track progress on identified P&C List Commitments, and Areas for Collaboration, identify areas where progress met or exceeded expectations, as well as areas where there may have been difficulty in achieving projected outcomes.

RIDEM and EPANE agree to develop (and to continuously improve) a process for jointly evaluating and reporting progress and accomplishments that comply with 40 CFR Part 31.115.

V. Areas for Collaboration

A. Areas for Collaboration Development Process

Key Areas for Collaboration (AFCs) between EPA and the states are included in each multi-year PPA. In order to maintain a high level of attention on the new AFCs, and to gain the greatest benefits of a cooperative, problem-solving approach, close communication between both agencies is necessary throughout the Agreement period. Appropriate staff from the two organizations will provide coordinated, narrative updates to senior leadership at least annually to ensure that desired progress is being made on the selected AFCs. At the end of each year, the AFCs will be reviewed and amended, as necessary. As appropriate, the organizations will work together to identify specific priority projects to be included on the Priorities and Commitments Lists.

It should be emphasized that exclusion of a particular issue or program area from the “Areas for Collaboration” section does not indicate a low priority or that significant work is not being accomplished in that area. All core RIDEM and EPANE services are ongoing and remain essential to protecting the environment and public health in Rhode Island and in New England.

B. Description of Areas for Collaboration (AFC)

1. Environmental Justice

Description of Issue/Challenge:

The Rhode Island Department of Environmental Management (RIDEM) through the Fiscal Year (FY) 2024-2027 Performance Partnership Agreement (PPA), continues to ensure that environmental justice (EJ) is an integral consideration in the development and implementation of all its media programs.

RIDEM is committed to the fair treatment of all of its residents and believes that Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, English language proficiency or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies.

RIDEM addresses inequities by providing historically disenfranchised communities opportunities to learn and be meaningfully involved in projects that will impact their quality of life and the environment. RIDEM believes that environmental justice will be achieved when everyone enjoys a fair share of environmental benefits and the same degree of protection from environmental and health hazards, as well as equal access to the decision-making process to help ensure a healthy environment in which to live, learn, work, and play.

There is a growing body of evidence that minority and lower income citizens or neighborhoods or communities have faced an inequitable share of the risks associated with environmental hazards. The core issue is the fairness in siting, monitoring, and/or clean-up of facilities and the regulation of activities that

represent environmental hazards and increased focus on improving the quality of the environment and public health in areas that may not have traditionally benefited. RIDEM will also work with EPA Region 1 to meet the priorities and goal of the Justice40 Initiative, with at least 40 percent of the overall benefits of qualifying federal EPA investments flow to disadvantaged communities that are marginalized, underserved, and overburdened by pollution as outlined in Executive Order 14008.

RIDEM is committed to working with EPA Region 1 to jointly collaborate on projects in priority geographic areas including Central Falls, Pawtucket and Providence, Rhode Island and additional locations as jointly agreed. Joint activities include community engagement, identifying key local environment and public health priorities and identifying opportunities to focus available state and federal resources (e.g., education, outreach, training, compliance assistance, sampling, funding, etc.) to improve the quality of the environment and public health. Key activities will include:

- Environmental Justice Government to Government Cooperative Agreement: RIDEM has been selected to receive nearly \$1M through a cooperative agreement to collaborate with environmental and racial justice community-based organizations to build capacity for direct participation by impacted communities in the development and implementation of environmental policy decisions.
- Prioritize development and implementation of the Total Maximum Daily Load (TMDL) for Valley Falls Pond in Central Falls, RI to improve water quality, reduce presence of invasive species, and increase local public access to the pond for safe recreation and other uses.
- Develop and deliver annual planning and joint activities and investment across media programs in Central Falls, Pawtucket, and Providence to produce environmental and public health improvements in place-based areas that are overburdened and underserved and face cumulative impacts.
- Participate in bi-monthly EPA-State regional EJ calls and monthly EJ RI state calls.
- Host one or more in person, virtual and/or hybrid community engagement meetings to solicit community input on environmental and/or public health priorities in Central Falls, Pawtucket, and/or Providence.
- Provide a series of Environmental Justice trainings to RIDEM staff, management on a range of topics to help increase understanding of key concepts, share best practices and success stories, learn about ongoing work and community priorities, and empower action and investment in communities that are overburdened and underserved in Rhode Island.
- Continue engagement with the communities surrounding the Port of Providence.
- Work with EPA Region 1 to jointly design, deliver and coordinate engagement events and activities in Rhode Island to connect local community stakeholders with resources and services from the Thriving Communities Technical Assistance Center and Thriving Communities Grantmaker Program.

RIDEM/EPANE Technical and Senior Leadership Contacts:

RIDEM Technical Contact: Elizabeth Stone

USEPA Technical Contact: Kristi Rea Simoneau

2. Addressing Climate Change

Rhode Island will continue to experience a range of impacts from climate change including increases in air and water temperature, changes to precipitation patterns, sea level rise (SLR), more intense weather events and flooding, and seasonal shifts. The impacts of climate change are already affecting the lives and livelihoods of our residents and visitors, degrading ambient and indoor air quality, threatening public health, and damaging infrastructure, ecosystems, and social systems. As a result, there is broad consensus

of the need to holistically address mitigation of greenhouse gas emissions to limit the magnitude and rate of climate change while also adapting to those impacts that are unavoidable. This approach should be integrated across all programs and media to the greatest extent possible.

RIDEM and EPA share a common goal to tackle the climate crisis. Continuous coordination and communication can enhance and complement each agency's efforts. Meetings such as the New England State Climate Coordinator calls allow for peer-to-peer learning and discussion of barriers and lessons learned, as well as present new opportunities for interstate collaboration. Additionally, the Climate Pollution Reduction Grant (CPRG) Planning grant program, which is not funded as part of this PPA, provides an opportunity to plan, prioritize and implement multipollutant emissions reduction measures across key economic sectors. To support development of CPRG plans, EPA organized Technical Assistance Forums to facilitate dialogue among grant recipients, including RIDEM. The CPRG planning program encourages robust stakeholder engagement and interagency coordination. RIDEM, with the support of EPA-provided tools, training, and technical assistance, will continue to engage their partners to inform the development of the emissions mitigation plan and the and mitigation measures outlined in the Priority Climate Action Plan required under the CPRG planning program. EPA and RIDEM shall continue this dialogue and evaluate the opportunities for multipollutant emissions reductions under CPRG and other CAA, IIJA (BIL), IRA, and other EPA annual appropriations.

What a Successful Environmental, Public Health, or Efficiency Outcome Looks Like:

- Continued communication between RIDEM and EPA to share successes and lessons learned regarding climate resilient actions and GHG reductions;
- Collaboration within agencies in your state and across different states to consider how climate change may affect their work and any adaptive measures that may be taken to mitigate those vulnerabilities;
- Collaboration within RIDEM programs to ensure that the agency's outreach and education activities, loan and grant programs, rules and regulations, and public policy positions account for changing climatic and environmental conditions as well as minimize GHG emissions; and
- Continued education and engagement with communities—especially those most vulnerable to the impacts of climate change—to help respond to changing environmental conditions.

Actions Taken:

RIDEM will participate in quarterly New England State Climate Coordinator calls and similar meetings to increase collaboration and communication on priorities and implementation strategies among state agencies and EPA.

RIDEM will consider [climate smart investment opportunities](#) across all programs in this PPA as appropriate.

RIDEM, in collaboration with EPA, will increase community resilience through natural hazard prevention, planning, and response.

RIDEM will collaborate with EPA on voluntary energy reduction strategies. As resources allow, RIDEM will encourage communities and facilities to use EPA tools to reduce their energy consumption.

RIDEM will continue to provide assistance to wastewater treatment and drinking water facilities on:

- designing water systems upgrades and protecting existing infrastructure and water quality impacted by all hazards and extreme events, and
- increase energy efficiency and renewable energy generation and use.

RIDEM will continue to participate in the Regional Greenhouse Gas Inventory.

RIDEM will collaborate with EPA to support communities in analyzing local risks and vulnerabilities, design and implement mitigation strategies, and support emergency response capabilities, in order to minimize the negative effects of climate changes on infrastructure, public health and natural systems.

RIDEM will partner with EPA to strengthen watershed management practices through examination of policies, regulations, and standards to advance restoration actions and protect water quality impacted by climate hazards.

RIDEM, with EPA grant oversight, will continue to develop sector specific pollution reduction strategies in accordance with their approved and separately funded Climate Pollution Reduction planning grant workplan. EPA will provide tools and technical assistance to support the creation of an ambitious plan for reducing greenhouse gas emissions and other harmful air pollution through robust stakeholder engagement and interagency coordination.

RIDEM and EPA will collaborate to identify energy efficiency improvements to criteria pollutant control systems. Work will also explore opportunities to increase the use of renewable energy options to off-set energy demand at these facilities.

RIDEM/EPANE Technical and Senior Leadership Contacts:

RIDEM Technical Contact: Amanda Cantrell

USEPA Technical Contact: John Rogan

APPENDICES