



# **RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM**

## **Meeting of May 23, 2012**

**Conference Room A  
2:00-4:00 pm  
The Department of Environmental Management  
235 Promenade Street  
Providence, RI**

### **DRAFT Minutes**

#### Coordination Team Members in Attendance:

Kathy Crawley on behalf of Kenneth Burke  
Mike Walker on behalf of Keith Stokes  
Kevin Flynn  
Tom Uva on behalf of Ray Marshall  
Sue Kiernan on behalf of Janet Coit  
Guy Lefebvre

#### BRWCT Staff:

Ames Colt

#### Other:

R. Ribb, NBEP  
J. Austin, Save the Bay

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

*Meeting minutes for the March 29<sup>th</sup> meeting were approved.*

### **BRWCT Chair Report**

#### BRWCT Multi-Year Review

Colt recently met with Representatives Handy, Walsh, and Senator Miller to discuss status and progress of BRWCT, and their key water management concerns.

The legislators all recommended organizing a public event to review BRWCT progress since 2006. The event would draw from the BRWCT's multi-year review to be issued in October 2012. Colt will work with the Governor's Office on event details and communications.

### BRWCT Trans-Atlantic Telecommunications Cable Fee

The CRMC Policies and Procedures Subcommittee meet on May 22, 2012, and approved for full Council consideration a proposed process and agreement to promulgate the BRWCT fee on transatlantic cables. The fees could take affect as early as September 2012. Currently, one international telecommunications cable makes landfall in Rhode Island. After consultations with the cable's owner, AT&T, CRMC staff proposed establishing an annual fee of \$40,000 for each operating international telecommunications cable making landfall in Rhode Island, and levying a one-time charge of \$2,500 for each of the three inactive telecommunications cables, also owned by AT&T, also present in Rhode Island submerged lands (It is extremely unlikely that these cables will ever be utilized again.). Details on the levying of the BRWCT international telecommunications cable fees can be found at [crmc.ri.gov](http://crmc.ri.gov).

The RI Monitoring Collaborative has completed its 2010-2011 Summary of Environmental Monitoring Priorities. It is being prepared for paper distribution to the General Assembly and the Governor's Office. The Summary will also be delivered via email to a larger audience.

### BRWCT linkages in the Narragansett Bay Estuary Program draft Annual Workplan 2012-2013

Colt and NBEP Director Richard Ribb met in late March to review the draft NBEP annual work plan for 2012-2013. Colt proposed that the BRWCT provide \$50,000 of in-kind salary match and \$10,000 cash match for NBEP's Chris Deacutis's upper Narragansett Bay Bay Dissolved Oxygen field survey (via BRWCT's annual support of the URI GSO Coastal Hypoxia Research Program); in turn, the draft NBEP Work Plan would delineate NBEP staff support for the RI Environmental Monitoring Collaborative and the BRWCT Science Advisory Committee, and ensure that the 2012-2013 NBEP Climate Ready Estuaries Project would be well-coordinated with the work and priorities of the RI Climate Change Commission. Ribb requested that the proposed edits to the NBEP Annual Workplan be discussed by the BRWCT. Colt stated that the issue was on the agenda for later in the meeting and would be discussed then.

### BRWCT Proposal Review Process & Guidelines

Colt asked for feedback on the previously distributed draft BRWCT Discretionary Funding Application Cover Sheet, the proposal budget template, and the draft guidelines and requirements for a more formalized proposal review process for the BRWCT. (*Documents appended to these minutes.*)

Crawley stated that the new proposal review forms and guidelines are a good start to fulfilling the BRWCT request to the Chair to more clearly delineate the connections (or not) between a particular project proposal, and the priorities of the Bays, Rivers, and Watersheds Systems-Level Plan (SLP).

Colt noted how the new guidelines will make it particularly important to set and stick with a regular annual schedule of BRWCT meetings. In addition to the new proposal review forms, Deciantis went through the SLP's Strategy Tables and numbered each Objective, Strategy and recommended action to make it easier for proposal writers to refer to relevant SLP policies and strategies. Colt also revised the column headings in the Strategy Tables to bring them more in line with planning terminology utilized by RI Statewide Planning:

<b>2008 SLP Strategy Tables</b>	<b>2012 Revised SLP Strategy Tables</b>
Goal	Vision
Objective	Goal
Strategy	Policy
Action	Strategy

Colt requested input on whether proposals from the BRWCT agencies would continue to receive priority consideration. Flynn suggested that the BRWCT hold an annual proposal competition so that it had the opportunity to consider simultaneously multiple proposals. Uva noted the advantages of having the flexibility to target funds using the current approach of ‘rolling’ proposal reviews.

Colt suggested that an annual competition could be run with a large portion of BRWCT discretionary project funds along with creation of smaller program development fund that would provide the BRWCT the ability to allocate funds across the year.

Crawley noted concern that the BRWCT would still not have the opportunity to review multiple projects simultaneously unless two or more proposals happened to be submitted at the same time.

Kiernan expressed support for an annual proposal competition. If an initial round of review did not lead to the complete expenditure of the available funds, a second proposal competition could be run. Kiernan also noted that if they didn’t restrict the competition to state agencies, the BRWCT would be inundated with proposals for a relatively small amount of funding.

Colt agreed, noting that the BRWCT relies on three sources of project funds: the OSPAR allocation for economic and environmental monitoring; the DEM Septage Fee revenues and, later in 2012, the CRMC trans-Atlantic Telecommunications Cable Fee.

Colt agreed to draft guidance on an annual competition, suggesting that the BRWCT could allocate about \$200,000 annually to the competition, while reserving \$30,000 – 50,000 for a program development fund.

Uva stated that the BRWCT should require proposals to be explicitly linked to Systems-Level Plan priorities. Colt noted that the BRWCT Annual Work Plan should also provide discussion of updated SLP and BRWCT priorities for the annual competition.

Colt recalled Uva’s previous recommendation for the BRWCT to hire an environmental scientist. Colt noted that before such a hire could be made, the BRWCT needed to clarify further the mission and role of the BRWCT relative to BRWCT agency priorities for water resources strategic planning. In particular, more thought needed to be devoted to how the BRWCT should pursue and balance efforts project funding and implementation, and interagency coordination and strategic planning. Additionally, the BRWCT’s linkages to the Governor’s Office remain under-developed.

Uva noted how the BRWCT has yet to pursue development of elements of its mission, such as the RI Economic Monitoring Collaborative. A functioning Collaborative could help determine the economic payback of pursuing different SLP goals and priorities, and thus help the BRWCT set priorities.

Colt referred the BRWCT to his draft list of FY13 Workplan priorities distributed at the meeting, noting how the BRWCT, particularly his own efforts, will continue to emphasize maritime port development, municipal stormwater programs, climate change, and environmental monitoring. These priorities, and possibly others will be addressed in the FY13 Workplan that the BRWCT will have a chance discuss and possibly approve at the next BRWCT meeting in July

#### Additional BRWCT Chair Projects

##### *Rhode Island Ports and Maritime Transportation*

Colt continues to work with Abby Swinton and others of Governor's Policy Office on RI port development strategy. The Port Marketing Collaborative legislation remains under active consideration by the RI General Assembly. Additional recommendations of the General Assembly's Port Facilities Commission Final Report, February 2012, are being pursued by the General Assembly and Rhode Island Agencies.

##### *Chafee Administration Performance Measurement Initiative*

Colt spoke to Brian Daniels about linking SLP implementation analysis with the Chafee Administration's Agency Performance Measurement Initiative. He attended briefing meetings convened by Daniels in April and May 2012 on DEM and CRMC's proposed performance indicators. Daniels and he agreed to follow up to continue discussing further collaborations.

##### *Rhode Island Climate Change Commission*

The Commission met for the second time on April 25, 2012. They are finalizing a Commission "progress report" to the General Assembly. The next step is a conference call on working group co-chairs to be held May 24. Colt and BRWCT intern O'Hare continue to lead the Habitats and Natural Resources Working Group with Save the Bay's Jane Austin and were responsible for completing the Working Group section of the forthcoming Commission Progress Report. Colt presented for the Working Group at the April 25<sup>th</sup> meeting.

##### *The Northeastern Regional Ocean Council*

Colt met recently with Grover Fugate to discuss the Northeast Regional Ocean Council and its coastal and marine spatial planning initiative. They also discussed how to provide Colt the opportunity to learn more about each BRWCT agency such as temporary re-locations to other state agency offices.

Colt continues to serve as the Rhode Island alternate delegate to the Northeast Regional Ocean Council (NROC). Directors Fugate and Coit will serve as Rhode Island's representatives on the Northeast Regional [Ocean] Planning Board that is to be established in 2012 to the region's coastal and marine spatial planning project. Colt expects to continue to provide support to the DEM and CRMC Director's for this new organization and the NROC

#### **BRWCT Current Projects**

##### Large Marine Events Benefits Assessment Project

A project stakeholders group is being assembled to make sure that all benefits of significance are going to be covered by the survey instruments that will be developed and utilized in July.

### Municipal Stormwater Partnership Program

Scott provided the update to the BRWCT on the partnership between DEM, BRWCT, and the Town of Middletown.

Scott and Colt have nearly completed an RfP and Scope of work to provide outreach and planning support to the Town of Middletown for stormwater management and financing. The BRWCT will have primary responsibility for executing the bidding process and the contract. Colt and Elizabeth Scott of DEM Office of Water Resources plan to finalize the RfP with Middletown and issue the RfP in June 2012.

In the fall of 2011, the Office of Water Resources with support from BRWCT Intern England conducted an initial feasibility study for the Town of Middletown, working with the Town Manager and the Public Works Director and other local officials to identify what their current and future stormwater management needs are, and to develop an initial review of how a stormwater utility district (SUD) would work for Middletown.

Scott and BRWCT intern England presented on their work in December 2011 to the Middletown Town Council. No action at the meeting was taken by the Town Council in terms approving going forward with a more detailed SUD development and education assessment. Over the course of the spring of 2012, Middletown Town Manager Shaun Brown agreed that the town had a significant need for stormwater utility. When he presented this to the Town Council in March 2012, they agree that SUD assessment and education efforts should be pursued. The Council voted to agree to work with DEM and BRWCT on this project.

The project will establish a stakeholders group, further assess what the town's stormwater management goals and objectives should be, conduct a detailed cost of stormwater management services analysis, and develop an implementation strategy for stormwater utility. A "roadmap" of decisions the town will need to reach to establish a SUD will also be developed, including identifying additional studies. The project will also identify data systems that the town would need to implement a stormwater utility.

There is a concern, on the part of the Town Manager as well as other communities they have worked with, regarding local properties that border state roads as well as properties on town roads that lack any stormwater infrastructure. It isn't clear how stormwater utility fees could be applied to such properties. National stormwater utility experts have pointed out that fees can be assessed for such properties because the town must provide certain stormwater services that apply to all properties regardless of the type or presence of stormwater infrastructure. Scott and Colt have discussed with DEM Chief Legal Council, Mary Kay, a request to DEM Office of Legal Services and to the Department of Administration to analyze these matters further.

Flynn expressed concern about the uncertainties regarding a legal nexus between the stormwater fees assessed and services rendered for these types of properties. Scott agreed that is precisely the issue that needs additional legal analysis. The town needs to be able to demonstrate how all town properties require the services of a local stormwater program that a SUD would finance.

Colt complemented Scott on the strength and comprehensiveness of the project's proposed scope of the work. As a BRWCT project emphasis is on partnering with Middletown, not compelling them to take certain action to properly finance local stormwater management needs, and is a good example of how the BRWCT is pursuing the SLP's call for additional technical and financial

support to local governments for stormwater management specifically, and water resources management specifically.

Walker expressed concern that the amount of funding being made available, \$35,000, for the project was insufficient to pursue the entire scope of work. He noted the importance of persuading Middletown to “buy into” this project and being fully committed to its execution, including possibly providing some of its own funding to ensure the project is completed as intended. Colt agreed this was a legitimate concern and promised to pursue discussions with Middletown officials accordingly.

### **Proposals for BRWCT funding review**

#### Assessing Climate Risks to RI Wastewater Treatment Facilities

The BRWCT reviewed the DEM Office of Water Resources’ proposal for a statewide assessment of wastewater treatment facility risks and vulnerabilities to climate change, a proposal originally submitted to its March 29, 2012 meeting. TetraTech believes that the 2007 Blackstone River model can be used for this risk assessment.

The total proposed cost of the assessment is \$59,000; this price assumes that the project will be able to utilize the 2007 Blackstone River model. This project would build upon TetraTech’s current work with the RI Department of Health to assess climate change risks for Rhode Island’s drinking water supplies and infrastructure. Thus the proposal represents a great opportunity to leverage BRWCT funds.

Kiernan noted that the transfer of BRWCT funds to TetraTech, via a pre-existing USGS agreement, has not yet been reviewed and approved as a sole source contract arrangement by the Department of Administration.

Colt asked if Kiernan thought that such an approval was possible. Kiernan said the issue remained unresolved and agreed to investigate it further.

Crawley stated that this proposed project exemplifies well the leveraging potential of targeted BRWCT funds in that this project will build upon the ongoing work of a state agency (in this case the Department of Health).

In light of uncertainties about the proposed contracting mechanism to provide BRWCT funding for the project and the utility of the 2007 Blackstone model, Colt suggested that the BRWCT could defer again on deciding whether to fund it until more information was provided.

He asked for a motion to defer the funding decision on the proposal until the next BRWCT meeting in July pending approval of the proposed use of a USGS agreement with TetraTech, and the provision of additional information on project deliverables

*The BRWCT approved unanimously a motion to defer their funding decision on the proposal until it was provided additional information on project deliverables, cost, and contract administration.*

#### Update of Statewide GIS Data Layer for Impervious Cover

Last week Colt was informed that Statewide Planning could not provide the funding needed to implement this project, as was suggested by Statewide Planning at the March 29, 2012, BRWCT

meeting. At that meeting, the BRWCT had agreed to fund it if Statewide Planning could not come up with the necessary funds. The project cost has increased from \_\_\_\_ to \$25,000 because of the 5% USGS contract administration fee. Walker reiterated his concerns about the potential misuse of the data by town officials.

*The BRWCT unanimously approved a motion approve funding for the proposal.*

### **New BRWCT Initiatives**

#### Convening the Rhode Island Environmental Monitoring Collaborative and the BRWCT Science Advisory Committee to develop a statement of research and monitoring priorities for Narragansett Bay water quality

Colt distributed a draft resolution for the BRWCT to consider (*Draft resolution appended to these meeting minutes.*) He has discussed with DEM's Kiernan, Alicia Good, and Narragansett Bay Commission's Tom Uva.

The resolution calls for utilization of the BRWCT's of its standing committees, in this case the Environmental Monitoring Collaborative and the Science Advisory Committee, to convene a work group to lead this effort. The resolution addresses a need that is widely recognized as important for water quality management in Narragansett Bay. The BRWCT can help by spurring development consensus and greater understanding on the key priorities for monitoring and research regarding water quality in Narragansett Bay. Colt noted that this effort would need to dovetail with proposed science workshops being discussed by BRWCT, RI Sea Grant, and the NBEP. However he stated that the urgency of developing and communicating a set of common goals for Narragansett Bay water quality monitoring and research requires that this work start as soon as possible, especially given the uncertainties surrounding when such science workshops would actually be convened. He also noted that this effort would have to dovetail with work by the RI Environmental Monitoring Collaborative and Watershed Counts to develop overall environmental monitoring priorities and indicators for Rhode Island.

Walker asked that Colt refer to priorities and goals in the SLP the last paragraph of the draft resolution.

Colt asked the team members to examine the resolution, provide feedback in the coming weeks and be prepared to approve the resolution at its next meeting in July.

#### Proposed changes to the Narragansett Bay Estuary Program (NBEP) draft Annual Workplan 2012-2013 intended to increase linkages between the BRWCT and the NBEP

Colt distributed copies of proposed changes to the NBEP draft Annual Workplan for 2012-2013 and asked for feedback from the BRWCT. He reviewed how he and NBEP Director Richard Ribb had met in late March to discuss these changes and had he felt, achieved some agreement on them at that time. His proposed changes entailed identification in the NBEP work plan of the roles and responsibilities of the RI Environmental Monitoring Collaborative and the BRWCT Science Advisory Committee for those priority Workplan actions proposed by the NBEP that clearly overlap with the responsibilities and priorities of the BRWCT and the standing committees.

Colt noted that the BRWCT has provided match to the NBEP annual federal grant from EPA since 2007, primarily as in-kind match using his salary. In the current NBEP project year, 7/1/11 to 6/30/12, the BRWCT is providing over \$89,000 in match via Colt's salary and the funds the

BRWCT provides for large river monitoring. Colt stated his belief that the provision of such substantial match by BRWCT necessitates that the BRWCT should assess annually how the NBEP is contributing to the mission and functions of the BRWCT, and how it does could be improved over time. He stated that he was not asking the BRWCT at this time to require agreement on the proposed work plan changes in order for the BRWCT match to be provided for the next NBEP project year, running from 7/1/12 to 6/30/13.

Ribb stated that he did not agree with or accept the proposed changes to the NBEP Workplan because the NBEP was a bi-state program and therefore could not permit these changes to be made. He noted that these proposed changes resembled the requirements stipulated two years ago by DEM Director Sullivan whereby Sullivan required changes to the NBEP Workplan before he was willing to sign it.

Colt pointed out that the BRWCT also has a statutory responsibility to work closely with Massachusetts and upper watershed stakeholders on Narragansett Bay management.

Kiernan stated that she felt the proposed changes were acceptable and would not alter the intent and priority actions of the NBEP Workplan as drafted. She did not understand how they were not permissible simply because the NBEP seeks to work on a bi-state basis with regard to the Narragansett Bay watershed.

Walker stated that he agreed that BRWCT's ability to provide state match to federally or independently funded programs should be used first to advance projects and activities that furthered the BRWCT mission and responsibilities.

Uva expressed concern about the BRWCT requiring changes to another program's Workplans.

Crawley encouraged Colt to explore other means such as memoranda of agreement between the BRWCT and the NBEP that could be produced that would achieve the same goal of increasing the linkages between the BRWCT and the NBEP.

The BRWCT asked that Ribb provide comments and edits to the proposed changes to the NBEP workplan articulating his concerns regarding them further and in writing.

*The meeting was adjourned at 2:00 p.m.*





### How to apply for RI BRWCT Discretionary Project Funding

Proposals for funding must be submitted at least two weeks prior to the next RI BRWCT meeting. Please go to [www.coordinationteam.ri.gov](http://www.coordinationteam.ri.gov) for a schedule of upcoming RI BRWCT meetings.

Proposals to the BRWCT for discretionary project funds consist of three components:

- BRWCT Discretionary Project Funding Application Cover Sheet.
- A 1-3 page project proposal. This proposal should identify project goals, methods, and expected outputs, primary audiences, beneficiaries, project partners, and other funds and/or forms of project support. How will the project be executed and when will it be completed?
- A Project Budget that details proposed expenditures, overhead charges, and total costs. The project budget shall reflect total project costs. If other funds are to be utilized by the project, the expenditures for which BRWCT funds are sought shall be identified.

Proposals submitted by BRWCT agencies and other RI state agencies will receive priority consideration.

However, the RI BRWCT will consider proposals to fund projects led by federal-state partnership programs, non-governmental organizations, and academic institutions, and other external stakeholders. In project proposals for which the RI BRWCT or a RI state agency shall participate only as project partners or direct beneficiaries, they must be accompanied by written confirmation from an agency representative(s) regarding their participation or how they will benefit from the project.

#### Filling out the Funding Application Sheet

Please refer to the RI Bays, Rivers, and Watersheds Systems-Level Plan: FY 2009- FY 2013 when filling out Section III of the cover sheet, particularly the Strategy Tables (both available at [www.coordinationteam.ri.gov](http://www.coordinationteam.ri.gov)).

Please identify on the cover sheet the Strategies and Recommended Actions (with cataloguing number) that will be addressed by the project.

**BUDGET FORM: FY 2012-FY 2013**

<b>GRANT RECIPIENT:</b>			<b>STATE FISCAL YEAR:</b>	
<b>PROJECT LEAD:</b>			<b>DURATION (months) :</b>	
<b>SALARIES AND WAGES:</b>			<b>person-months</b>	<b>BRWCT</b>
			<b>No. of</b>	<b>Funds</b>
			<b>People</b>	<b>Other</b>
			<b>Amount</b>	<b>Funds</b>
			<b>of Effort</b>	
1. Senior Personnel				
a.				
b.				
Sub Total:				
2. Other Personnel				
<b>Total Salaries and Wages:</b>				
<b>B. FRINGE BENEFITS:</b>				
<b>Total Personnel (A and B):</b>				
<b>C. PERMANENT EQUIPMENT:</b>				
<b>D. EXPENDABLE SUPPLIES AND EQUIPMENT:</b>				
<b>F. PUBLICATION AND DOCUMENTATION COSTS:</b>				
<b>G. OTHER COSTS:</b>				
1.				
2.				
3.				
4.				
5.				
Etc.				
<b>Total Other Costs:</b>				
<b>TOTAL DIRECT COST (A through G):</b>				
<b>INDIRECT COST:</b>				
<b>TOTAL COSTS:</b>				

BRWCT Meeting  
May 23, 2012

**Draft Resolution for the RI BRWCT's Standing Committees  
to Develop a Statement of Science and Monitoring Priorities  
for Narragansett Bay Water Quality.**

WHEREAS, The RI Bays, Rivers, and Watersheds Coordination Team (RI BRWCT) is responsible for establishing "overall goals" for the management, restoration, & utilization of Narragansett Bay as established in the Rhode Island [Bays, Rivers, and Watersheds Systems-Level Plan: 2009-2013 \(SLP\)](#).

WHEREAS, The RI Environmental Monitoring Collaborative, a standing committee of the RI BRWCT, is responsible for designing and implementing a state-wide environmental monitoring system.

WHEREAS, The RI BRWCT Science Advisory Committee provides scientific and technical guidance to the RI BRWCT to support implementation and evaluation of the SLP, helps to develop and apply integrated environmental and economic monitoring systems for aquatic resources and their sustainable use, and assesses the status and efficacy of public and non-profit investments in scientific research relevant to Rhode Island's aquatic resources and its water-reliant economy.

WHEREAS, Together the RI Environmental Monitoring Collaborative and the RI BRWCT Science Advisory Committee provide an excellent platform for estuarine scientists, managers, and outreach specialists to communicate authoritatively and collaboratively to RI executive and legislative leaders on the scientific and monitoring priorities needs for cost-effectively managing and restoring the water quality of Narragansett Bay and its tributaries.

WHEREAS, Rhode Island, Massachusetts, and the US Environmental Protection Agency must address and remediate the consequences of eutrophication in Narragansett Bay and the point and nonpoint sources of nutrients discharged into Narragansett Bay and its watershed.

WHEREAS, In the next 2-7 years the beneficial consequences of reduced wastewater treatment facility nutrient discharges for Narragansett Bay, particularly increases in dissolved oxygen concentrations, should become discernable, chemically, physically, and biologically.

THEREFORE, The RI BRWCT respectfully requests that RI Environmental Monitoring Collaborative, RI Sea Grant, and the Narragansett Bay Estuary Program to organize and convene a joint working group of experts and stakeholders to develop and issue collaboratively a comprehensive statement of monitoring and research priorities for assessing ecological responses to and water quality improvements stemming from mandated reductions in wastewater treatment facility discharges of nutrients into

Narragansett Bay and its watershed. The statement should incorporate information on key scientific questions and monitoring parameters, as well as estimated costs and timeframes for successfully fulfilling the priority research and monitoring needs. This statement of scientific and monitoring priority should be dovetailed with ongoing work by the RI Environmental Monitoring Collaborative to establish overall environmental monitoring priorities for Rhode Island's fresh and marine water resources and environments, as well as with future science workshops convened under the auspices of the RI BRWCT Science Advisory Committee by the RI BRWCT, RI Sea Grant, and the Narragansett Bay Estuary Program.