RHODE ISLAND BAYS, RIVERS, & WATERSHEDS COORDINATION TEAM

Meeting of September 10, 2014

RI Commerce
315 Iron Horse Way, Suite 101
Providence, RI 02908

DRAFT Minutes

CT Members in Attendance: Narragansett Bay Commission: Tom Uva; Commerce RI: Mike Walker; RI Rivers Council: Veronica Berounsky; Statewide Planning: Jared Rhodes

BRWCT Staff: Ames Colt, Melissa Deciantis

Others: Caroline Carp, Brown University; Judy Hadley, RI Rivers Council

BRWCT Administration

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

Meeting minutes for the June 11 meeting were approved with amendments.

BRWCT FY 2015 Work Plan
Colt reported that there are currently ten projects being funded all or in part by the BRWCT. Hence the focus of the FY 2015 Work Plan is more upon implementing and completing in a time manner projects done, with relatively less emphasis upon the BRWCT's inter-agency strategic planning mandate. This aligns with how the BRWCT is currently functioning as a state interagency commission: as essentially a team of state agency officials overseeing how BRWCT funds are allocated and spent in project implementation. Colt pointed out that this also describes a large part of his daily responsibilities. Colt distributed a one-page summary of the projects he is involved with as well as related activities (appended to the meeting minutes).

Colt distributed an updated FY 2015 budget reflecting final FY 2014 revenues and expenditures. Colt projects a much reduced rollover amount from FY 2015 to FY 2016 of about $23,000. The budget incorporates $2,500 for an SLP update and $5,000 for an integrated stormwater and wastewater planning initiative (*for description of this proposed initiative, please see pp. 16-18 of the WorkPlan.-ed.)*.

Colt noted that if the BRWCT were to decide to allocate those funds ($7,500) to other uses and/or allocate in full the projected rollover amount in FY 2015, Colt would recommend funding a revisit and update of the Economic Baseline Indicator analysis reports issued in 2007 and 2008 by

the BRWCT Economic Monitoring Collaborative (developed with significant support from Kevin Hively and Kip Bergstrom).

Uva asked if cost estimates for conducting such a project could be solicited from natural resources economists from local universities and colleges. Colt replied that he would prefer to issue an RFP to solicit public and academic proposals for re-assessing the existing baseline economic indicators developed by the BRWCT Economic Monitoring Collaborative.

Uva added that state environmental projects in general continue to be constrained by weak budgets. If the BRWCT could provide compelling evidence that addressing environmental ills and/or risks could result in economic development and increased state revenues, the General Assembly might be more likely to provide more funding. Uva noted that developing such evidence was a major intent of creating the BRWCT in 2004.

Colt stated that he thought that the economic baseline indicators previously developed would help the General Assembly appreciate the importance of protecting and enhancing the natural and build assets essential to the current health and future sustainability of RI's water-reliant economy. How are those assets trending? How much industrially-zoned water front land remains for economic development and what is happening to it? The baseline indicators could provide important insights into key sectors of the water-reliant economy and hence guidance on how the BRWCT and Rhode Island could invest in them cost-effectively.

Colt acknowledged that Uva has also called for re-convening the BRWCT Public Advisory Committee many times. Uva replied that it helps that Watershed Counts seems to be doing a good job of getting the word out about water management issues and needs. Uva asked about seeking the support of the Coastal Institute in reconvening the BRWCT Public Advisory Committee. Colt replied he would rather see them staying focused on advancing the RI Environmental Monitoring Collaborative. Colt also noted that the Watershed Counts indicators annual report is designed to educate the general public, and less to provide more detailed guidance to state and local managers. Colt said the intent of the Watershed Monitoring Act was to set up an environmental monitoring system that included public communications but also a monitoring plan and an indicator strategy designed to improve how monitoring and science data are utilized state planning and management decisions. Colt said unless there is a compelling need for a BRWCT PAC they shouldn't create it just to fulfill a statutory requirement. However, there will be such a need when the BRWCT turns to updating the Systems-Level Plan.

With regard to providing staff support to the RI Executive Climate Change Coordinating Council (RIEC4) Colt reported that he checks in Jan Reitsma in the Governor's Office periodically to discuss potential linkages, particularly with regard to the tasks in the June 2014 RIEC4 report that identifies the BRWCT for implementation support, including possibly a strategic planning effort by the RIEC4.

Rhodes asked who assigned some of the tasks to Colt regarding participation in the Northeast Regional Ocean Council (NROC) and the New England Regional Association of Coastal Ocean Observing Systems (NERACOOS). Colt replied that participation in NROC as an alternative state delegate to the Council stems from a request in 2006 by Governor Carcieri to help NROC get started. Continued participation in NROC was subsequently endorsed by the Chafee Administration and it has been identified as a BRWCT staff responsibility in each BRWCT Annual Work Plan since. More recently, Colt was asked by CRMC's Jeff Willis (currently serving as State Co-Chair of NROC) to replace Malcolm Spalding on the NERACOOS Board as a representative for Rhode Island. Colt accepted because the partnership between NROC and

NERACOOS continues to be very productive and the issues and priorities of NERACOOS dovetail with the mandates of the RI Environmental Monitoring Collaborative.

Rhodes expressed concern as to how Colt will find adequate time for all these assignments. Colt acknowledged that he is stretched thin, there is plenty to do in-state on behalf of the BRWCT and the BRWCT has the authority to make minor and major adjustments to his work schedule and load.

With regard to feedback received by the BRWCT agencies on the Work Plan draft, Colt said that Crawley had reviewed the draft work plan and agreed that the integrated planning initiative is an intriguing idea that she would like to see further developed.

Colt noted that in the Work Plan he switched all references from stormwater utility districts to stormwater management districts because these projects are not just about persuading towns to create a new enterprise fund, they are also about helping the town understand the challenges they face. What are their stormwater assets? What are the assets' condition? What are the town's MS4 permit needs? What comprises their current stormwater management program and how much does it cost? What should such local programs expect to be doing in the future? Even if the town councils ultimately refuse to create stormwater management districts, at least the feasibility assessments funded by the BRWCT will have helped towns improve understanding of the needs for good stormwater management.

Rhodes said they are trying to push the same understanding with the development of the ***** handbook. They are going to propose that municipalities include that kind of baseline assessment within their comprehensive plans relevant to stormwater.

Rhodes recommended pushing back the completion date of the Freight Planning Project as stated in the Work Plan to the end of 2015. Colt agreed.

Berounsky asked about the status of the Rivers Council grant. They were granted one year and the completion for the first year is mid-2015, but in the text Colt discusses $40,000 for two years. Walker stated that the work plan is correct. They are all set for one year and they can come back to submit a request for an additional year.

Uva commented on the section about the Upper Bay Water Quality Stakeholders Group. He said there is a lot of discussion in that text about nutrient reduction even though the gist of the project is about dissolved oxygen levels. It is not just about alternate nutrient level strategies; the ultimate goal is to improve the DO levels in the upper bay and that may or may not include nutrient removal. He expressed concern over sending out the wrong message.

Colt said the challenge was to write succinct project descriptions that, particularly in this case, reflected the views of all involved in this project. Uva said he would make some revisions and send them to Colt. Colt agreed to do his best to incorporate them into the final version of the FY 2015 Work Plan.

Colt requested a motion to approve the BRWCT FY2015work plan.

Uva made a motion to support finalization of the work plan as discussed and approve it for public release. Rhodes seconded. With no further discussion, the motion was passed unanimously.

Updates on BRWCT-Funded Projects

Climate Change Vulnerability Assessment for RI Wastewater Treatment Facilities - Woodward and Curran were selected as the main consultant. The project start is imminent.

Upper Narragansett Bay Water Quality Stakeholders Process – Second meeting is scheduled for September 11. Per the recommendation of project consultants, the project steering committee has been expanded to include Jared Rhodes, Statewide Planning, Tom Borden, Narragansett Bay Estuary Program, and Hal Walker of the EPA Narragansett Laboratory has been added. Other representatives may be added in the future. In turn the project will not stand up a separate technical stakeholder committee. Technical expertise will be solicited as necessary as the consultants take a lead in analyzing the alternative water quality protection approaches.

Middletown Phase II Stormwater Management District Feasibility Assessment- Final project report was issued May, 2014. In August, the Middletown Town Council agreed to pursue and fund the third and final phase of the SMD Feasibility Assessment. The Town Manager will propose to the Town Council creation of a stormwater management district, possibly with a utility fee in the town's next annual budget. It remains highly uncertain if the Middletown Town Council will approve such a proposal next spring.

Upper Narragansett Bay Regional Stormwater Management Initiative – The Phase I "does it make sense" assessment final report was public released in June. Colt is working with DEM and the City of Providence to finalize the grant agreement to fund Phase II of this initiative, as described in the FY 2015 Work Plan. Colt distributed the Executive Summary of the Plan (appended to these minutes)

The RI Environmental Monitoring Collaborative – the 2013 annual report is nearly complete and should be released the end of September.

USGS Water Monitoring Joint Funding Agreements DEM and WRB are executing one joint funding agreement each with the USGS New England Office, DEM's JFA is funded by the BRWCT at $282,000 as per the FY 2015 Work Plan and WRB is contributing $55,000 to its JFA with the USGS utilizing its FY 2015 budget. Colt will continue to work with Kiernan and others to acquire additional state funding to pay for the operation of those stream gage stations critical for flood response and public safety. Colt stated that there is some support in the House to provide such funding, which would not exceed $80,000.

RI Rivers Council – Colt has a meeting scheduled with Berounsky to discuss implementation of its BRWCT-funded project in FY 2015.

West Warwick Stormwater Management Feasibility Assessment – The RFP is still under development by Colt and will be sent to Town Manager Fred Presley in the coming weeks for his review and approval.

Finally, Colt reported that Representative Naughton has requested for him to organize a special meeting of the BRWCT in January 2015 to review and celebrate successful examples of interagency coordination and water resources management.

Meeting adjourned by unanimous consent at 4:00 pm.

BRWCT Staff
FY 2015 Project & Activities List

9/10/2014

Projects

1. West Warwick SMD Feasibility Assessment
2. Bristol SMD Feasibility Assessment
3. Upper Narragansett Bay Regional SW Management Initiative
4. RI Rivers Council: Fostering Local Stormwater Management
5. Upper Narragansett Bay Water Quality Stakeholders
6. Coastal Hypoxia Research Program
7. RI Freight Planning
8. WRB Water Supply and Consumption Database
9. Shoreline Change SAMP
10. Climate Change Vulnerability Assessment for RI Wastewater Treatment Facilities
11. BRWCT Interagency Strategic Planning (SLP Update)
12. Transition to next RI Governor

Related Activities

1. RI Environmental Monitoring Collaborative
2. CSO Abatement Phase III Re-Evaluation
3. Technical/scientific support for RIEC4
4. SGP Element for Water Quality
5. Narragansett Bay Science Advisory Committee
6. Northeast Regional Ocean Council
7. Northeast Regional Association of Coastal Ocean Observing Systems (NERACOOS)
8. NBEP Management Committee
9. RISG Senior Advisory Committee
10. State Planning Council Technical Committee

Exploring Regional Solutions to Regional Problems

Upper Narragansett Bay Regional Stormwater Utility Feasibility Study Phase I

Final Report
June 20, 2014

Prepared for:

City of Providence
On behalf of the Upper Narragansett Bay Regional Stormwater Utility Feasibility Steering Committee (Central Falls, Cranston, East Providence, North Providence, Providence, Pawtucket, Warwick)

With funding from:
RI Department of Environmental Management

Prepared by: AMEC Environment & Infrastructure, Inc.
271 Mill Road, Chelmsford, Massachusetts 01824

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CONOVER STRATEGIC COMMUNICATIONS

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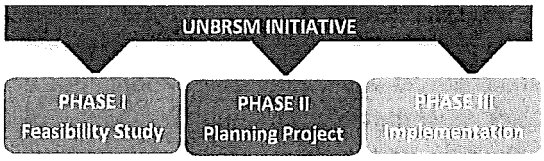
Executive Summary

Background

In 2013, seven municipalities at the head of Narragansett Bay began exploring regional approaches to addressing stormwater management. Central Falls, Cranston, East Providence, North Providence, Providence, Pawtucket, and Warwick identified a wide range of shared challenges including flooding, pollution and degraded infrastructure. A common thread in these early conversations was the lack of adequate resources to routinely maintain drainage infrastructure much less begin needed infrastructure improvements to address these challenges or meet regulatory requirements to comply with stormwater permits.

The Upper Narragansett Bay Regional Stormwater Management (UNBRSM) Initiative was convened in September 2013 to explore the creation of a regional stormwater utility as a coordinated approach that would provide a long term, sustainable solution to stormwater management for all of our communities.



This Phase I Study was structured to be the first of three phases. The primary purpose of this planning level assessment was to gather information to determine if a regional approach to funding stormwater management should be developed for the upper Narragansett Bay municipalities. Phase II will define the scope and governance of the utility, and Phase III will be implementation. The study included a Steering Committee with representatives from the study area communities and a Stakeholder Group with local representatives from various interest groups. At each phase of the study, participating municipalities will decide whether to continue along the path of implementation of a stormwater utility, either at the individual or the regional level.

The concept of a regional approach to stormwater management is not new, but it has not garnered much interest in New England until recent years. This Phase I Study is the first attempt in Rhode Island to seriously consider a regional solution to stormwater pollution, which is a watershed-based, regional problem.

Conclusions

The Phase I study drew five major conclusions:

1. The Upper Narragansett Bay region has real, growing, shared and unresolved challenges in managing stormwater.
2. With adequate resources, the expertise is available to address these challenges and the solutions would provide tangible benefits to each municipality.

3. The solutions will cost more than municipalities are now spending on stormwater management.
4. A regional approach will be more efficient and effective than an individual approach.
5. A stormwater user fee, based on how much a property contributes to stormwater run-off, is the best and fairest way to pay for the improvements.

These conclusions and the recommendations for next steps are further described below.

Stormwater Management Challenges and Opportunities in the Upper Narragansett Bay Region

The Steering Committee and the Stakeholder Group both identified numerous compelling reasons to develop a regional approach for stormwater management and funding:

Flooding Problems: The Pawtuxet River, Pocasset River and Woonasquatucket River regularly flood and have significantly impacted the communities of Cranston, Warwick, Providence and North Providence. A regional program would provide for consistent flood mitigation across the region.

Water Quality Issues: The Blackstone, Ten Mile, Woonasquatucket and Pawtuxet Rivers as well as Upper Narragansett Bay and Greenwich Bay all suffer water quality impacts from stormwater runoff. In order to restore the quality of these waters and protect the recreational and commercial uses that are dependent upon improved water quality, actions need to occur across the contributing watersheds that span multiple municipalities.

Lack of Individual Specialized Resources: Many communities do not have trained staff or adequate resources for detailed infrastructure assessment to adequately evaluate drainage needs, conduct water quality sampling, and investigate stormwater improvements to address the environmental permit requirements. An adequately funded regional program can more cost-effectively establish in-house technical capacity or contract out for the services needed to address local needs.

Interconnected and Aging Infrastructure: The drainage systems in nearly all communities are interconnected with adjacent communities and/or the Rhode Island Department of Transportation (RIDOT). Correcting a flooding or water quality problem often requires that multiple entities "fix" their system and coordination among independent departments can be very difficult. The delineation of drainage systems and combined sewer systems in the communities of Pawtucket and Providence are poorly defined and the management of this infrastructure has an impact on the Narragansett Bay Commission's interceptors and overall operations.

Stormwater Management Funding Not Meeting Current Needs

Many municipal stormwater management programs in the region are very limited and are only able to be reactive to maintenance needs such as infrastructure repairs, street sweeping, and catch basin cleaning rather than being able to proactively address the collection system needs. Capital expenditures are limited and there is no clearly defined approach to address impaired waters.

The participating municipalities currently fund their stormwater programs through tax revenue (the general fund) with some grants and low interest loans for planning and capital projects. That means stormwater programs have to compete with other programs for funding from the general fund. There is a lack of financial and operational resources to meet environmental permit requirements. For example, the separate storm sewer system is not completely mapped, and catch basins are clogged in some communities.

Compared to other programs across the country, the level of investment in stormwater programs for a region of this size is "minimal to low." Current annual stormwater expenditures across the region is estimated at approximately $3.8 million. The cost estimate for future stormwater needs is in the range of $7.8 million to $11 million annually, but may be even higher once additional infrastructure data is available and costs for combined sanitary and storm sewer infrastructure are included.

The results of the Phase I Study indicate that initial rates under a stormwater utility would be less than $4/month per single family residence in all communities. The national average fee is $4.57/month and the median fee is $3.75/month.

For the region, an average fee of $2.75 per month per household would provide approximately $11 million per year for stormwater management investments.

Developing a Regional Approach

After reviewing multiple options, the Project Steering Committee chose a regional stormwater management approach involving a shared responsibility approach with a new regional entity, municipal responsibilities and the Narragansett Bay Commission. The proposal will be reviewed and refined further in the Phase II study.

The new regional entity would be responsible for:

- Water quality programs,
- Municipal Separate Storm Sewer (MS4) collection systems & local flooding,
- Streams and floodplain management, and
- Program administration and collecting a uniform fee for its services, calibrated to varying local needs.

Local governments would be responsible only for development related stormwater reviews within their respective jurisdictions.

The Steering Committee proposed that the Narragansett Bay Commission would be given responsibility for all combined sewer system (CSS) infrastructure, including CSS laterals (everything up to the interceptors).

Recommendations and Next Steps

The information evaluated and discussed during the Phase I Study supports the following recommendations:

1. Continue to explore a regional approach with a stormwater user fee. Study participants from Central Falls, Cranston, East Providence, Providence, Pawtucket, and Warwick have agreed that there are compelling reasons to explore a regional stormwater management approach and it makes sense to continue with the Phase II Study.
2. Pursue additional funding for the implementation of next steps. Phase II is partially funded with $150,000 committed from the Rhode Island Bays, Rivers and Watersheds Coordination Team. A grant application for $500,000 was submitted to cover the remaining costs of the Phase 11 study as well as beginning to refine maps and identify solutions for problem areas.
3. Engage and update stakeholders in each of the participating communities. These meetings to present the results of the Phase I Study and develop support for next steps began at the end of the study and will continue through June 2014.
4. Engage the current stakeholder group in additional public presentations. Work with interested members to make presentations about the regional approach to other community leaders, including: trade associations, chambers of commerce, and other property owner groups.