

Rhode Island House of Representatives

Bay Trust Study Commission

**Findings and Recommendations**

Report Submitted to the

Rhode Island General Assembly

March 2004

## Rhode Island House of Representatives Bay Trust Study Commission

([http://www.rilin.state.ri.us/gen\\_assembly/baytrust/btsc.htm](http://www.rilin.state.ri.us/gen_assembly/baytrust/btsc.htm))

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# **Rhode Island House of Representatives Bay Trust Study Commission**

## **Findings and Recommendations**

Constitution of the State of Rhode Island and Providence Plantations - Article 1, Section 17:

“...it shall be the duty of the General Assembly to provide for the conservation of the air, land, water, plant, animal, mineral and other natural resources of the state, and to adopt all means necessary and proper by law to protect the natural environment of the people of the state by providing adequate resource planning for the control and regulation of the use of the natural resources of the state and for the preservation, regeneration and restoration of the natural environment of the state.”

### **I. Executive Summary:**

The Rhode Island House Bay Trust Study Commission was established by the passage of House Resolution H6577 on July 2, 2003. It was created to study the status of the state’s current system for policy formulation and planning for the environmental management and sustainable economic development of Rhode Island’s bays and watersheds, and to report its findings and recommendations regarding any needed improvements in the system to the General Assembly on or before March 9, 2004.

The Commission examined:

- Successful structures and processes being utilized in other areas of the country;
- Rhode Island’s current management structure, and the history of past planning and implementation efforts in the state;
- Potential economic impacts associated with bay and watershed management;
- Options for improvement.

Emphasis was placed on identifying and discussing the appropriate role of the Rhode Island General Assembly in managing the state’s bays and watersheds.

The Commission studied the structure and processes in other regions and states including the Chesapeake Bay, Puget Sound and San Francisco Bay. Through this investigation the Commission identified elements that formed the foundation of successful planning and implementation:

- Coordination of activities of state, federal, local government, and non-government entities through an established structure and process;
- Comprehensive plans or agreements identifying goals to be attained and strategies for attaining those goals;

- Short-term work plans identifying work task priorities;
- A coordinated funding approach for both annual and long-term funding needs;
- Monitoring programs to evaluate progress towards goals;
- Performance accountability;
- A structure and process defined in statute that best utilizes executive and legislative branches of government and which incorporates public participation.

In each of the models from other areas of the country, the structure and process were created by statute and are based on the establishment of a core group or team of appropriate state agencies charged with coordinating the planning and implementation of environmental restoration and protection initiatives and associated economic development. This is accompanied by requirements to develop and report on long-term plans, annual work plans and budgets, monitoring programs, and progress evaluations. State legislatures set overall goals and priorities and function in an oversight role. The responsibilities of the executive branches are plan development and implementation.

In contrast, Rhode Island lacks a structure and process codified in law that provides for coordination, performance accountability and continuity over time. Despite numerous planning initiatives in the past, the Commission finds that the state still lacks an up-to-date workable comprehensive plan that includes both environmental management and sustainable economic development of businesses that rely directly or indirectly on the state's bays and watersheds, a multi-year funding strategy for planning and implementation measures, and a consistent monitoring program. There is no structure required by law for the coordination of the entities involved with bay and watershed management. The overall goals have continually been shifted and priorities have not been set. Also, there is no clear means of providing for legislative oversight, or for providing continuity from one executive branch administration to the next.

The governance structure for bay and watershed management that evolved over time in Rhode Island is fractured. It is not an integrated system with functional interactivity and procedural regularity. Planning and management authorities need to be updated. The agencies involved with bay and watershed management need to function in a holistic way based on systems principles. There needs to be a more efficient and coordinated approach to bay and watershed management.

Review of economic performance indicators also reveals that opportunities exist to make better economic use of Rhode Island's bays while preserving and restoring them. The integration of environmental planning and management and promotion of economic development can be improved.

There is a need to define, in statute, a process and structure that provides for coordination, collaboration, and cooperation among all the entities involved, and that provides for continuity over time. Such a structure or body will provide a unified approach to bay and watershed management.

Establishing a structure for coordination is also important in that it will enable the legislature to exercise its goal setting and oversight roles more efficiently. The Commission finds that it is both appropriate and necessary for the General Assembly to set goals and priorities, and to exercise an oversight role regarding the planning, policy development, and implementation of protection and restoration measures for the state's bays and watersheds. This needs to include ensuring that this work is integrated with planning for sustainable economic development of businesses that rely directly or indirectly on the bays and watersheds. These roles of the General Assembly are particularly important in managing the state's bays and watersheds given its responsibilities as defined in Article 1, Section 17 of the state's Constitution.

Based on these findings, the House Bay Trust Study Commission's recommendations are as follows:

### **1) Establish a Rhode Island Bays and Watersheds Coordination Team**

The Commission recommends the establishment of a Rhode Island Bays and Watersheds Coordination Team to ensure that the work of coordination, collaboration, and cooperation among all entities is accomplished, and to report to the General Assembly and the Governor. The core membership of the Coordination Team should be comprised of representatives of state entities which have statutory authority pertaining to bay and watershed management, and which receive state funding to conduct activities impacting the state's bays and watersheds. Subject to senate confirmation, the Governor should appoint a full time chair of the Coordination team. The Governor should further provide adequate staff for the Coordination team.

- The Coordination Team should not have the authority to restrict or override constitutional, statutory, regulatory or adjudicatory authority or public trust responsibilities of any local, state or federal entity.

### **2) Provide for legislative oversight**

- To provide for legislative oversight, the Commission foremost recommends, for efficiency purposes, that a joint House of Representatives and Senate committee be established to provide oversight for the restoration and protection of the state's bays and watersheds and the promotion of appropriate economic development of businesses that rely directly or indirectly on them. Aspects of oversight should include:
  - Promoting intergovernmental and interagency coordination for the management of the state's natural resources;
  - Assuring consistency of statutory authority among state agencies;
  - Setting overall goals and priorities for the management of natural resources;
  - Ensuring that statutory and/or regulatory goals, missions, and purposes of the entities it oversees are being met;
  - Determining whether the powers granted to such entities are being properly used and are proper powers for such entities;

- Assuring that any money appropriated is being properly and efficiently spent in relation to those goals, missions, and purposes;
  - Assuring that there is sufficient funding to achieve the designated goals and priorities for the restoration and protection of the state's bays and watersheds.
- As an alternative, the Commission recommends that the Rhode Island House of Representatives' Separation of Powers Committee consider the possibility of establishing a general oversight committee in the Rhode Island House of Representatives that would team up with existing standing committees such as the Environment and Natural Resources Committee and the Finance Committee to carry out the aspects of oversight listed above.

## **II. Background Information:**

The General Assembly has recognized the need for appropriate planning, in particular for Narragansett Bay, in the past. During the 2002 session bills were passed in both the House of Representatives (H7311Aaa) and the Senate (S2840Aaa) to create a commission that would have started this work.

The Rhode Island House Bay Trust Study Commission, established by passage of House Resolution H6577 on July 2, 2003, was created to “*study the status of the state’s policy formulation for the environmental management and sustainable economic development of Rhode Island’s bays and watersheds, to examine models and best practices of planning for marine areas and their watersheds from other jurisdictions, to assess the goals and objectives for such planning in Rhode Island and to analyze the adequacy of authority and capacity of state agencies and other public bodies to undertake planning for marine areas and their watersheds.*” The Commission was charged with reporting its findings and recommendations regarding any needed improvements in policy development and planning for marine areas and their watersheds to the General Assembly on or before March 9, 2004.

To carry out its purpose as defined in the resolution, the Commission focused on the following areas:

- Examination of estuarine management in other states, including the marine planning, policy development, and implementation practices being utilized, and how these states work together with neighboring states on watershed and planning initiatives;
- Review of past planning efforts for Rhode Island’s bays and watersheds, and the governance structure that evolved over time;
- Examination of potential economic impacts associated with bay planning and management;
- Options for improving Rhode Island’s marine planning, policy development, and implementation practices.

Throughout the Commission’s deliberations, emphasis was placed on identifying and discussing the appropriate role of the Rhode Island General Assembly in managing the state’s bays and watersheds.

## **III. Findings:**

### **Case Studies:**

### ***Methodology:***

Staff presented information summarizing planning and implementation efforts for Puget Sound and Chesapeake Bay, and Commission members were provided an

opportunity to question spokespersons from each of these areas via telephone conferencing. A summary of these case studies is presented below.

In addition, Commission members reviewed background materials on the California Bay-Delta Authority Act 2003 establishing the California Bay Delta Authority for San Francisco Bay and the Sacramento-San Joaquin Delta Estuary, and the governance structure for Tampa Bay, Florida.

***Puget Sound:***

Puget Sound supports a variety of uses and faces similar management challenges as those facing Rhode Island's bays including Narragansett Bay: nutrient overloading from point and non-point sources, toxic chemicals from industrial discharges, contaminated sediments, habitat loss, bacterial contamination of shellfish beds, declining populations of marine species, and the spread of aquatic nuisance species. Given the numerous entities involved in managing Puget Sound at the state, federal, county, local, and international levels of government, along with the numerous non-government entities, coordination of restoration and protection efforts has also been a challenge.

In 1983 the state legislature created a 21-member commission to study Puget Sound and make recommendations on how to improve water quality. This initiative resulted in the establishment of the Puget Sound Water Quality Authority, which, through an intensive public participatory process, developed a comprehensive management plan for the Sound. The plan identified long-term goals and strategies for attaining the goals, and has been revised and updated several times since its original adoption.

In 1996 the state legislature established a new structure and process aimed at providing coordination of implementation measures and continual evaluation of progress being made. The new structure included the establishment of the Puget Sound Action Team, comprised of representatives from state agencies and departments, cities, counties, tribes, and federal agencies. The Action Team, led by a chair appointed by the Governor, facilitates the coordination of activities across all levels of government and with non-government entities. It develops work plans and budgets every 2 years to be submitted to the state legislature for review and approval.

The Puget Sound Council was also established by statute in 1996. It is comprised of representatives from business, the environmental community, the shellfish industry, agriculture, counties, cities, and tribes that are appointed by the Governor. Two state senators and two state representatives appointed by the President of the Senate and the Speaker of the House respectively also serve on the Council in a non-voting capacity. The Council advises the Action Team on work plan elements, coordination activities, and revisions to the comprehensive management plan.

In the Puget Sound example, the state legislature's role is focused on oversight and the executive branch's role is focused on implementation. Legislative oversight includes identifying the scope of work, fiscal decision-making, and performance

assessment. Implementation activities include establishing the Action Team and Council, and developing, prioritizing, and coordinating work plan elements.

### ***Chesapeake Bay:***

Chesapeake Bay is the largest estuary in the country with some 15 million people residing within its watershed. Bay management measures have been focused on reduction of nutrients and pollutants from densely inhabited areas within the watershed, as well as protection and restoration of the bay's vital habitats and living resources.

Two entities coordinate and carry out much of the work done to manage Chesapeake Bay. One is the Chesapeake Bay Commission, which is a tri-state legislative commission. Fifteen of the twenty-one members are state representatives or senators. The other is the Chesapeake Bay Program, which does much of the actual planning and is responsible for the implementation of the plan. The work of the Program is directed by the Executive Council, which is composed of the chair of the Commission who is a legislator, the Mayor of Washington D.C., a representative of the Environmental Protection Agency (EPA) and the three Governors (Maryland, Virginia and Pennsylvania). The Executive Council signs the Chesapeake Bay Agreements (the most recent was signed in 2000) that serve as the overall planning documents for the Program, and directs the Program's implementation committee. The Executive Council also meets annually to refine or supplement the policy direction for the Program as defined by the Agreement.

The Chesapeake Bay Commission is a tri-state legislative commission that reports to and advises the state legislatures of Virginia, Maryland and Pennsylvania on cooperative management measures for Chesapeake Bay. As a signatory to the Agreement, the Commission serves as the legislative arm of the Chesapeake Bay Program and is fully involved in all Bay Program policy and implementation decisions. Through statute the Commission is charged with:

- Identifying concerns requiring interjurisdictional coordination and cooperation;
- Collecting, analyzing, and disseminating information pertaining to the region and its resources for the respective legislative bodies;
- Recommending legislative and administrative actions necessary to encourage effective and cooperative management of the bay;
- Representing the common interests of the member states as they are affected by the activities of the federal government;
- Providing an arbitration forum to serve as an advisory mediator for conflicts among the states.

The Commission has been a catalyst for a number of important advances in the Chesapeake Bay Program and the states by developing and pursuing initiatives related to fisheries management, toxics reduction, land use, agricultural nutrient management, natural resource protection and nutrient-load reduction, among others. The Commission

published an annual report that evaluates the progress that has been made towards the goals as defined by the Agreement.

The Chesapeake Bay Program is a regional partnership that has been directing and conducting the actual restoration of Chesapeake Bay since the signing of the historic Chesapeake Bay Agreement of 1983. The partnership includes state agencies, federal agencies, academic institutions and non-governmental organizations. Since its inception in 1983, the Bay Program's highest priority has been the restoration of the bay's living resources- its finfish, shellfish, bay grasses, and other aquatic life and wildlife. Improvements include fisheries and habitat restoration, recovery of bay grasses, nutrient and toxic reductions, and significant advances in estuarine science.

The Program's implementation committee is composed of representatives from the three states, the District of Columbia, the Chesapeake Bay Commission, the EPA and ten federal and state agencies. The job of this committee is to implement the policies set forth by the Executive Council and to develop an annual work plan and budget. The committee is also given input from their scientific, citizens and local government committees.

In the year 2000, the Chesapeake Bay Program received \$20 million dollars from the EPA to carry out its work. It received an additional \$20 million from other federal agencies and \$30 million from the states.

***Key Elements for Success:***

In the Puget Sound and Chesapeake Bay case studies and the legislation establishing the California Bay Delta Authority a number of elements emerged as requirements for successful planning and implementation. These key elements include the following:

- **Coordination:** These case studies highlighted the need to establish a structure and process aimed at providing a means for state, federal, and local government entities, and non-government entities to coordinate existing and planned activities, work towards common goals, pool resources, and make best use of designated authorities.
- **Comprehensive plan/agreement:** In all the case studies, there was a comprehensive, long-term, plan or agreement identifying the goals to be attained and strategy for attaining those goals. These documents were developed and adopted with considerable support from implementing entities and stakeholder groups.
- **Work plans/priorities:** The comprehensive, long-term visions were accompanied by shorter-term work plans that established work task priorities, assignments, and costs.
- **Funding strategy:** Plans or agreements were also accompanied by multi-year budgets to provide for a coordinated and consistent approach to funding. In addition, funding plans associated with the work plans were also developed for each funding cycle of the legislature.

- **Monitoring Program:** Consistent and coordinated monitoring programs have proven to be critical in identifying and prioritizing management initiatives, and in evaluating progress using quantifiable measures.
- **Accountability:** Successful programs have incorporated a clearly visible planning and implementation process that provides for performance accountability and continuity over time.
- **Structure:** The case studies examined exemplified the need to establish in statute a structure and process that best utilizes the roles of executive and legislative branches of government, and which incorporates public participation.

In each of the models from other areas of the country, the structure and process were created by statute and are based on the establishment of a core group or team of appropriate state agencies charged with coordinating the planning and implementation of environmental restoration and protection initiatives and associated economic development. This is accompanied by requirements to develop and report on long-term plans, annual work plans and budgets, monitoring programs, and progress evaluations. State legislatures set overall goals and priorities and function in an oversight role. The responsibilities of the executive branches are plan development and implementation.

### **History of Planning Efforts for Narragansett Bay and Its Watershed:**

During the past 150 years, there have been 240 planning initiatives for Narragansett Bay and its watershed within Rhode Island and Massachusetts. Within the past thirty years, major efforts have included the development of the Rhode Island Coastal Resources Management Program (CRMP), the Comprehensive Conservation and Management Plan (CCMP), the Bay Summit held in April 2000, the formation of the Partnership for Narragansett Bay and the undertaking of the HUD/Chafee project, and most recently, the establishment of the Governor's Narragansett Bay and Watershed Planning Commission.

The CRMP was a major planning effort that was undertaken by the Coastal Resources Management Council (CRMC). It was begun in 1973 and approved by the CRMC in 1977. The CRMP has been a living document and since 1977 there have been both changes and additions including Special Area Management Plans for a number of sensitive areas in Rhode Island.

The CCMP was begun in 1985. A total of \$11 million was spent on its development, with most of it spent on research. In 1992 the CCMP was completed and adopted as part of the State Guide Plan. Since its creation in 1993, the Narragansett Bay Estuary Program (NBEP) has assisted with the implementing of the CCMP. The NBEP has also worked to coordinate planning, policy, science and outreach efforts pertaining to Narragansett Bay's environment. In 1992 legislation was also passed requiring municipalities to have Comprehensive Plans.

According to a study conducted for the National Academy of Public Administration (Imperial, Mark T., and Timothy Hennessey. 2000.), the CCMP produced

some successful actions particularly with respect to nutrient reduction. However, over time it was not implemented in any systematic way, and has not served as a guiding document to state agencies in their every day decision-making.

The Bay Summit in the year 2000 re-focused attention on Bay planning, addressing the topics of the Narragansett Bay ecosystem; marine transportation; economic impacts and economic development; research, technology and education; recreation and tourism; land use and transportation; industry; and fisheries and aquaculture. Participants agreed on a number of recommendations, and pointed to the need to revise the CCMP and seek federal grants for implementation of recommendations. (Ardito, T. 2000.)

The Bay Summit was followed by the formation of the Partnership for Narragansett Bay (PNB) housed at the Coastal Institute. The PNB received a grant of \$100,000 from the U.S. Department of Housing and Urban Development to begin development of a strategic planning process for Narragansett Bay. This project was completed in 2003. During the latter part of 2003 the Governor's Narragansett Bay and Watershed Planning Commission was created by Executive Order and charged with developing a vision and overall policies for Narragansett Bay and its watershed and a long-term plan.

Review of the overall planning process for Rhode Island's bays and watersheds to date indicates that Rhode Island lacks a structure and process codified in law that provides for coordination, performance accountability and continuity over time. Despite numerous planning initiatives in the past, the state still lacks an up-to-date workable comprehensive plan that includes both environmental management and sustainable economic development of businesses that rely directly or indirectly on the state's bays and watersheds, a multi-year funding strategy for planning and implementation measures, and a consistent monitoring program that allows for evaluation of bay and watershed management measures. There is no structure required by law for the coordination of the entities involved with bay and watershed management. The overall goals have continually been shifted and priorities have not been set. Also, there is no clear means of providing for legislative oversight, or for providing continuity from one executive branch administration to the next.

### **Evolution of Governance Structure:**

The current governance structure for marine planning and management in Rhode Island evolved in a piecemeal fashion over the past 50 years. (Payne, Kenneth. 2004.) In the 1950s, an overall government structure that included a centralized Department of Administration was developed. In the 1960s this began to be broken down into more specialized agencies and departments. In the 1970s, federal statutes aimed at "fixing" environmental problems came into effect and in the 1980s, efforts were made to use the system that had developed. Within the state, the 1990s might be described as a decade that lacked focus due to the uncertainty about the status of various regulatory agencies

and the overall state and local structures in place. In 2000 new efforts began to move the state forward with regards to bay planning and marine economic development.

The structure that evolved through this period is fractured, lacking the characteristics of a system. In addition, the current management structure as a whole is outdated in that updated planning and management authority based on systems principles is needed. There needs to be a more efficient and coordinated approach to bay and watershed management.

### **Overview of Associated Economic Impacts:**

Review of data on economic performance of key sectors in the state for 1990-2000 indicates Rhode Island's coastal related economy was slow growing, and in some areas, had declined. In comparison with other New England states in terms of commercial use of a coastal economy, Rhode Island lags behind. (Ciminero, Gary. October 2003.) (Ciminero, Gary. 2000.)

The state's ocean economy (tourism and recreational activities, fish harvesting and processing, transportation and boat building, U.S. Navy activities, and marine construction) currently contributes about 2 percent of Rhode Island's overall economic activity and about 3% of employment. (Rhode Island House Policy Office. January 2001.) One of the overall conclusions from the Bay Summit held in April 2000 was that the economic role of Narragansett Bay is declining, although opportunities exist "to make better economic use of the Bay while improving the quality and productivity of its ecosystem." (Ciminero, Gary. 2000.)

### **IV. Recommendations:**

In terms of identifying the appropriate role of the Rhode Island General Assembly in managing the state's bays and watersheds, the Commission recognizes that under Article 1, Section 17 of the state's Constitution, the General Assembly has the responsibility to provide for the conservation of the natural resources of the state and the protection of its natural environment, including the state's bays and watersheds. In addition, after reviewing the information from case studies in other areas, the conclusions from studies and analyses of past Rhode Island planning and implementation efforts, an evaluation of the current governance structure, testimony given at Senate hearings on bay issues, comments from Commission members and House and Senate policy staff, the Commission finds that it is both appropriate and necessary for the General Assembly to exercise an oversight role regarding the planning, policy development, and implementation of restoration and protection measures for the state's bays and watersheds, and to ensure that this work is integrated with planning for sustainable economic development of businesses that rely directly or indirectly on the bays and watersheds. With this, there is a need to define, in statute, a process and structure that enables the legislature to exercise its oversight role, provides for coordination, collaboration, and cooperation among all the entities involved, promotes an efficient approach to bay and watershed management, and that provides for continuity over time.

### ***Coordination – Process and Structure:***

To provide for the coordination of all the entities involved in managing, protecting, and restoring the state's bays, watersheds, and territorial waters and promoting sustainable economic development of businesses that rely directly or indirectly on the bays and watersheds, the Commission recommends the establishment of a Rhode Island Bays and Watershed Coordination Team. The Team should be primarily comprised of representatives from state entities with statutory authority and which receive state funding to conduct activities impacting the state's bays and watersheds. These would include representatives of the following Rhode Island entities:

- Coastal Resources Management Council
- Department of Environmental Management
- Department of Health
- Department of Administration
  - Statewide Planning
  - Budget Office
- Department of Transportation
- Narragansett Bay Water Quality Management District Commission
- Clean Water Finance Agency
- Water Resources Board
- Rivers Council
- Economic Development Corporation
- Rhode Island League of Cities and Towns

The Team should also include, in an ex-officio capacity, representatives from Massachusetts, Connecticut, and New York, and from federal agencies with pertinent regulatory authority.

The primary responsibility of the Coordination Team should be to ensure that the work of coordination, collaboration, and cooperation among all state, federal, local government entities gets done, and to report to the General Assembly and the Governor. The Coordination Team should not have the authority to restrict or override constitutional, statutory, regulatory or adjudicatory authority or public trust responsibilities of any local, state or federal entity.

The duties of the Coordination Team should include plan, budget, and monitoring program development, coordinating management initiatives, reporting on work task priorities and the status of completion, and developing and tracking performance measures in the environment for assessing the effectiveness of programs and actions. More specifically, the Coordination Team should be responsible for developing and reporting on 20-year plans for the state's bays and watersheds that identify goals and implementation strategies, annual work plans and budgets, and annual and interim

progress reports, as well as coordinating the activities of state government entities with the activities of local and non-government entities.

Subject to senate confirmation, the Governor should appoint a full time chair of the Coordination team. The Governor should further provide adequate staff for the Coordination team.

***Legislative Oversight:***

The Commission found that it is both appropriate and necessary for the General Assembly to set goals and priorities and to exercise an oversight role regarding the planning, policy development, and implementation of protection and restoration measures for the state's bays and watersheds. This needs to include ensuring that this work is integrated with planning for sustainable economic development of businesses that rely directly or indirectly on the bays and watersheds.

Aspects of oversight should include:

- Promoting intergovernmental and interagency coordination for the management of the state's natural resources;
- Assuring consistency of statutory authority among state agencies;
- Setting overall goals and priorities for the management of natural resources;
- Ensuring that statutory and/or regulatory goals, missions, and purposes of the entities it oversees are being met;
- Determining whether the powers granted to such entities are being properly used and are proper powers for such entities;
- Assuring that any money appropriated is being properly and efficiently spent in relation to those goals, missions, and purposes.
- Assuring that there is sufficient funding to achieve the designated goals and priorities for the restoration and protection of the state's bays and watersheds.

To provide for legislative oversight, the Commission foremost recommends, for efficiency purposes, that a joint House and Senate oversight committee be established to carry out the aspects of oversight listed above. As an alternative, the Commission recommends establishment of a general oversight committee in the Rhode Island House of Representatives as currently exists in the Senate that would team up with existing House standing committees such as the Environment and Natural Resources Committee and the Finance Committee. The Commission recognizes that the decisions about the most appropriate mechanism for House of Representatives legislative oversight need to be considered by the House of Representatives' Separation of Powers Committee and the House of Representatives.

## **References**

## **List of Acronyms**

## **Appendix**

- Meeting Minutes
- Briefing Papers

# Rhode Island House of Representatives House Bay Trust Study Commission

## References

### Case Studies:

#### Puget Sound:

- Puget Sound Action Team Website: <http://www.psat.wa.gov>
- 2000 Puget Sound Water Quality Management Plan
- Puget Sound Water Quality Work Plan – 2003-2005
- Washington Laws, 1983 – Chapter 243, Sections 1-7.
- Washington Laws, 1985 – Chapter 90.70 – Puget Sound Water Quality Authority
- Washington Laws, 1996 – Chapter 90.71 RCW – Puget Sound Water Quality Protection

#### Chesapeake Bay:

- Chesapeake Bay Commission's website: <http://www.chesbay.state.va.us>
- Chesapeake Bay Program's website: <http://www.chesapeake.net>
- Chesapeake 2000 Bay Agreement – found at website - <http://www.chesapeakebay.net/agreement.htm>
- Chesapeake Bay Commission, May 2002. Chesapeake Bay Commission Legislative Update, 12 pages.
- General Assembly of Pennsylvania, House Bill No. 117, 1985 session. An Act adopting an agreement relating to the Chesapeake Bay and creating the Chesapeake Bay Commission
- Chesapeake Bay Commission, January 2003. The Cost of a Clean Bay: Assessing Funding Needs Throughout the Watershed, 13 pages.

#### San Francisco Bay/Sacramento-San Joaquin Delta Estuary:

- California Bay-Delta Authority Act 2003

#### Tampa Bay:

- Tampa Bay Estuary Program website: <http://www.tbep.org>
- Tampa Bay Regional Planning Council website: <http://www.tbrpc.org>
- Florida State Senate, Senate Bill 1266, 1999 session. An Act creating a Tampa Bay Estuary license plate.

### History of Planning Efforts for Narragansett Bay and Its Watershed:

- State Planning Council, 1992. Comprehensive Conservation and Management Plan for Narragansett Bay.

- Imperial, Mark T., Timothy Hennessey, 2000. Environmental Governance in Watersheds: The Importance of Collaboration to Institutional Performance. Prepared for the National Academy of Public Administration, Learning from Innovations in Environmental Protection, Research Paper Number 18. Paper found at website: <http://people.uncw.edu/imperial/instructor/papers>
- Imperial, Mark T., Sally McGee, Timothy Hennessey, 2000. The Narragansett Bay Estuary Program: Using a State Water Quality Agency to Implement a CCMP. Prepared for the National Academy of Public Administration, 88 pages. Paper found at website: [http://www.napawash.org/pc\\_economy\\_environment/narragansett.pdf](http://www.napawash.org/pc_economy_environment/narragansett.pdf)
- Ardito, T. 2000. Narragansett Bay Summit 2000 Report, Narragansett Bay Estuary Program. Report found on website: <http://www.nbep.org/summit>
- ESS Group, Inc., 2003. Planning History of Narragansett Bay and Coastal Rhode Island Watersheds. Prepared for the Partnership for Narragansett Bay, 145 pages. Report found on website: <http://www.ci.edu/projects/PNB>
- Executive Order – 03-16 – Establishing the Governor’s Narragansett Bay and Watershed Planning Commission. Issued October 22, 2003 by Governor Donald Carcieri.
- “Summary of Governor’s Initial Charges to the Narragansett Bay and Watershed Planning Commission”, Coastal Institute website: <http://www.ci.uri.edu/govcom>
- “The Need for a Narragansett Bay Watershed and Planning Commission”, Coastal Institute website: <http://www.ci.uri.edu/govcom>

### **Evolution of Governance Structure:**

- Payne, Kenneth. 2004. The Management Structure of Marine Planning and Management in Rhode Island. Senate Policy Office. Briefing paper presented in support of Power Point presentation given at January 14, 2004 House Bay Trust Study Commission meeting. Copy available under briefing papers, House Bay Trust Study Commission website: [http://www.rilin.state.ri.us/gen\\_assembly/baytrust/btsc.htm](http://www.rilin.state.ri.us/gen_assembly/baytrust/btsc.htm)

### **Overview of Current Narragansett Bay Management Structure:**

- State Planning Council, 1992. Comprehensive Conservation and Management Plan for Narragansett Bay.
- Imperial, Mark T., Sally McGee, Timothy Hennessey, 2000. The Narragansett Bay Estuary Program: Using a State Water Quality Agency to Implement a CCMP. 88 pages.

Websites:

Rhode Island State Agencies:

- Coastal Resources Management Council: <http://www.crmc.ri.gov>
- RI Department of Environmental Management: <http://www.state.ri.us/dem>

- RI Department of Administration [RI Statewide Planning Program]: <http://www.planning.ri.gov>
- RI Department of Health: <http://www.healthri.org/>
- RI Economic Development Corporation: <http://www.riedc.com/>
- RI Department of Transportation: <http://www.dot.ri.gov>
- Narragansett Bay Commission: <http://www.narrabay.com/>
- Clean Water Finance Agency: <http://www.ricwf.ri.gov>
- RI Rivers Council: <http://www.planning.state.ri.us/rivers/>
- RI Water Resources Board: <http://www.wrb.i.gov>
- Narragansett Bay Estuary Program: <http://www.nbep.org>

#### Massachusetts State Agencies:

- Executive Office of Environmental Affairs: <http://www.state.ma.us/envir/>  
Above website has links to the following agencies and offices:
  - Coastal Zone Management
  - Division of Conservation Services
  - Mass. Environmental Policy Act
  - Mass. Environmental Trust
  - Mass. Geographic Information Systems
  - Mass. Wetlands Restoration Program
  - Office of Law Enforcement
  - Office of Technical Assistance
  - Water Resources Commission
  - Dept. of Agricultural Resources
  - Dept. of Conservation and Recreation
  - Dept. of Environmental Protection
  - Dept. of Fish and Game
- MA Dept. of Transportation: <http://www.state.ma.us/eotc>
- MA Dept. of Public Health: <http://www.state.ma.us/dph/>
- MA Water Resources Authority: <http://www.mwra.state.ma.us/>
- Southeastern Regional Planning and Economic Development District: <http://www.srpedd.org/>

#### Non-Governmental Organizations:

- Environmental Council of Rhode Island: <http://www.environmentalcouncilri.org/ecri.html>
- Save the Bay: <http://www.savebay.org>
- Rhode Island Marine Trades Association: <http://www.rimta.org/>

### **Overview of Associated Economic Impacts:**

- Ciminero, Gary. CFA, Rhode Island House Policy Office. October 2003. "Rhode Island's 'Touch-and-Go' Economy: Moderate Ascent Resuming after Last Year's

‘Soft Landing’”, Rhode Island Economy Outlook, in The New England Economic Project: Economic Outlook 2003-2007, pp. 179-210.

- Ciminero, Gary. CFA, Rhode Island House Policy Office. 2000. “Industrial Issues & Trends--RI’s Bay-Related Economy: The Challenge to Reverse Ebbing Opportunities,” presentation to: Narragansett Bay Summit 2000, April 25, 2000.
- Rhode Island House Policy Office. January 2001. “The Ocean Economy of Rhode Island,” prepared by Charles S. Colgan Ph.D., Edmund S. Muskie School of Public Service, University of Southern Maine and Hauke Kite-Powell Ph.D., Marine Policy Center, Woods Hole Oceanographic Institution.
- Rhode Island Senate Policy Office. July 2002. “The Marine Cluster: An Investment Agenda for Rhode Island’s Marine Related Economy”.
- US Department of Commerce, Bureau of Economic Analysis: “Gross State Product by Industry,” 5/22/03.
- US Army Corps of Engineers. Dredging statistics for various years, <http://www.usace.army.mil/>
- US Department of Transportation, Maritime Administration. “Waterborne Traffic Statistics—US Port Totals by Type of Service,” various years, [www.marad.dot.gov/Marad\\_Statistics/index.html](http://www.marad.dot.gov/Marad_Statistics/index.html).

## **List of Acronyms**

EPA – United States Environmental Protection Agency

CRMC – Rhode Island Coastal Resources Management Council

CRMP – Rhode Island Coastal Resources Management Program

SAM Plan – Special Area Management Plan

CCMP – Comprehensive Conservation and Management Plan

HUD/Chafee Project – Project funded by the U.S. Department of Housing and Urban Development procured by U.S. Senator Lincoln Chafee

NBEP – Narragansett Bay Estuary Program

PNB – Partnership for Narragansett Bay