

NARRAGANSETT BAY ESTUARY PROGRAM

Executive Committee Meeting
November 17, 2021

Agenda

Subject	Presenter(s)	Shared via Zoom	Committee Action Requested Today	Time
Meeting Open	Regina Lyons, Chair	Agenda	Approve June and August notes.	10 min
Program Report	Mike Gerel, NBEP Courtney Schmidt, NBEP	PPT	Offer questions or comments.	20 min
Draft NBEP Bylaws Outline	Mike Gerel, NBEP Allen Hance, RWU	PPT	Provide initial thoughts on draft NBEP bylaws outline.	45 min
Committee Member Updates	Committee members	None	Offer updates.	20 min
Plan for December Meeting	Mike Gerel, NBEP	PPT	Provide feedback/ideas for December 16 th EC and SC meeting.	15 min
Meeting Close	Mike Gerel, NBEP	None	None.	10 min

Financial Report

Table 1: Estimated NBEP Funds Budget, Expenditure, and Balance (11.16.21)

Expense Category	NEIWPC* [*]			RWU* [*]			Total Budget	Expenditure From 9.17.21 to 11.16.21**	Total Balance Remaining
	Budget	Expenditure From 9.17.21 to 11.16.21**	Balance	Budget	Expenditure From 9.17.21 to 11.16.21**	Balance			
Personnel and Fringe	\$ 102,219	\$ 18,760	\$ 83,459	\$ 834,476	\$ 30,349	\$ 804,127	\$ 936,695	\$ 49,109	\$ 887,586
Travel	(3,341)	\$ (1,197)	(2,144)	12,750	-	\$ 12,750	\$ 9,409	\$ (1,197)	\$ 10,606
Supplies	10,178	\$ 4,475	5,703	6,200	87	\$ 6,113	\$ 16,378	\$ 4,562	\$ 11,816
Contracts	146,988	\$ 108,456	38,532	130,000	6,000	\$ 124,000	\$ 276,988	\$ 114,456	\$ 162,532
Other (breakout below)									
Subawards	161,102	\$ (21,658)	182,760	650,000	-	\$ 650,000	\$ 811,102	\$ (21,658)	\$ 832,760
Other Administrative***	(15,184)	\$ (5,906)	(9,278)	32,892	151	\$ 32,741	\$ 17,708	\$ (5,755)	\$ 23,463
Total Direct	401,962	\$ 102,930	299,032	1,666,318	36,587	\$ 1,629,731	\$ 2,068,280	\$ 139,517	\$ 1,928,763
Total Indirect****	42,796	\$ 5,068	37,728	120,833	6,070	\$ 114,763	\$ 163,629	\$ 11,138	\$ 152,491
Total	444,758	107,998	336,760	1,787,151	42,657	\$ 1,744,494	\$ 2,231,909	\$ 150,655	\$ 2,081,254

*NEIWPC is holding FY18 and FY19 EPA Cooperative Agreement funds. RWU is holding all funds from the EPA FY21 cooperative agreement, which includes FY19 funds not kept by NEIWPC, all FY2020 monies, and the new award effective 10.1.21.

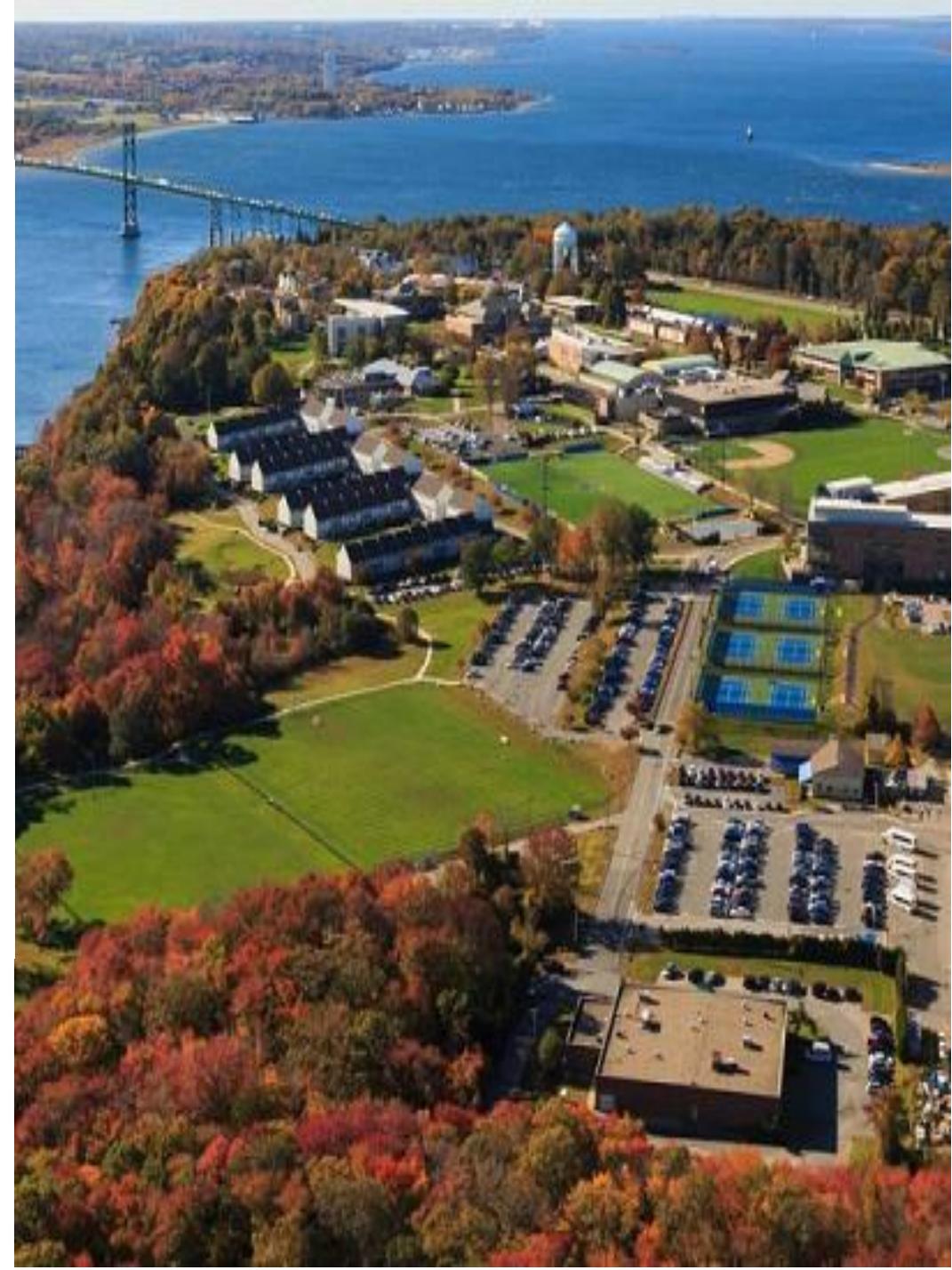
**Note that NEIWPC expenses are estimates as of 10.29.21 (final FY2021 numbers are not available as of the date of this report). Expenditures are provided since the 9.16.21 financials included in the September Program Report through the date this report was prepared, a period of 2 months.

***Includes Phone, Outside Printing, Internet, Research Supplies, Catering/Meals, Rental Space, Equipment Rental, Event Hosting, Event Meals, NBEP Meeting Meals, Meeting Attendance, Professional Development, Advertising, and Computer Support.

****The RWU budget takes all indirect "off the top" at the beginning of the year, and does not report indirect charged per period or otherwise on an ongoing basis. Therefore, the indirect included in this table is an NBEP calculated figure based on 20% of charged personnel and fringe during this period.

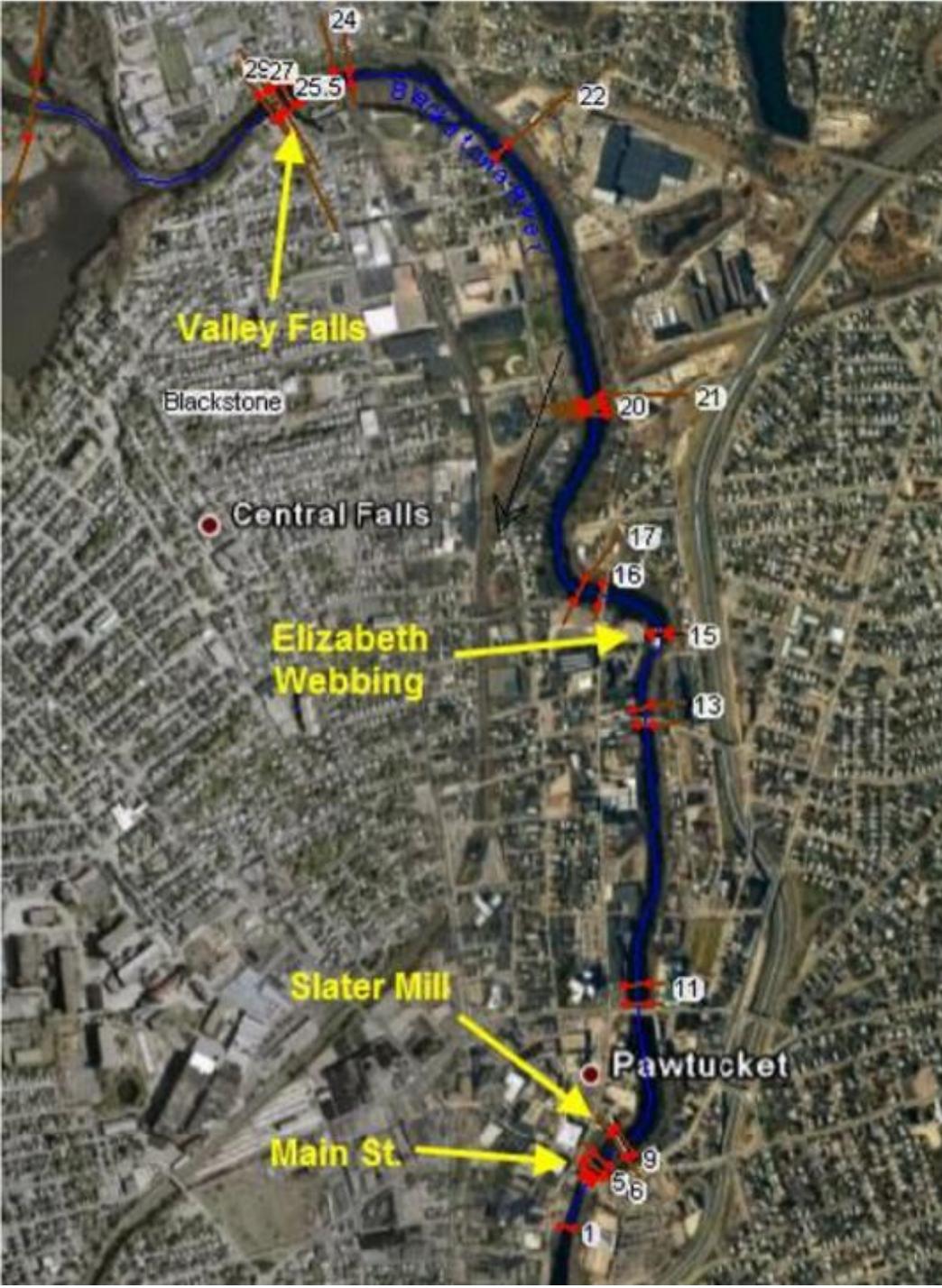
Host Transition

- Got a lot done the last month!
- Completed
 - Award received at RWU on 9/30/21 w/pre-award costs
 - Staff hired and benefits active as of 9/27/21
 - Published press release—Boston Globe piece
 - Files/email transferred to RWU cloud
 - Laptops set up and backed up
 - Printer/copier transferred to RWU
 - Retained NBEP.org email and website
 - NBEP staff has access to RWU finance and IT systems
 - Vision 2032 website maintenance contract done
 - NBEP workspace at RWU Bristol campus in place
 - RWU has designated its EC and SC members
 - Solution found for unmet 403b employer contribution obligation
 - Expense reimbursements submitted
 - Staff completed RWU HR and Harassment Training
 - NBEP meeting faculty 12/1/21 and welcome event 12/10/21
- Pending
 - Office **phone** (main number is held by RWU)
 - New **RIDEM office space** agreement (awaiting RIDEM signature)
 - Approve NBEP **bylaws** (will discuss today)



Blackstone Initiative

- Blackstone Needs Assessment Project
 - Held final meeting on 9/28/21 in Worcester, MA
 - Shared printed version of report
 - First Blackstone Collaborative meeting held 10/15/21
- Lower Blackstone Fish Passage Project
 - Held successful meetings with 12 key stakeholders on 9/30/21 and 11/9/21—established project purpose, reviewed all needs, and began to identify solutions
 - Key meeting being scheduled between RIDEM, NPS, Corps, and Old Slater Mill Assoc to discuss land control
 - Engineering Design Subgroup meet expected in January
 - Goal is to have a consensus agreement by summer 2022—very optimistic at this point



Vision 2032 Pause

- We have decided to pause work on Vision 2032 due to:
 - Need for the Subcommittee to meet in-person to complete the next phase of plan development, and
 - NBEP short staffing with two open positions
- Hope to host an in-person meeting in January based on COVID and travel restrictions
- Likely to request extension from EPA until 6/30/23 to complete plan





REQUEST FOR PROPOSALS

Planning for Green Infrastructure Projects in the Narragansett Bay Region

November 8, 2021

I. DEFINITIONS

The following definitions apply for the purposes of this Request for Proposal (RFP).

- **Planning activity** examples include stakeholder workshops, studies, assessments, concepts, plans, and permitting for future green infrastructure projects.
- **Green infrastructure** is an approach to water management (water quality and/or water quantity) that uses plant or soil systems, permeable surfaces or substrates; stormwater harvest and reuse; or natural areas or landscaping to store, infiltrate, or evapotranspire stormwater to improve water quality, reduce flooding, and increase efficiency of the water supply. This strategic alignment of natural and engineering processes can also offer a range of co-benefits, including climate resilience, wildlife habitat, public health, and other socioeconomic and community enhancements.

II. OVERVIEW

The [Narragansett Bay Estuary Program \(NBEP\)](#), through its host, [Roger Williams University \(RWU\)](#), is issuing this RFP for green infrastructure planning projects from the Narragansett Bay, Little Narragansett Bay, Coastal Ponds, and their watersheds in Rhode Island, Massachusetts, and Connecticut (Narragansett Bay region). Federal funding is provided under [§320 of the Clean Water Act \(CWA\)](#) and the United States Environmental Protection Agency's (EPA) Southeast New England Program (SNEP). Projects funded via this request will advance implementation of NBEP's mission and [Comprehensive Conservation and Management Plan \(CCMP\)](#) as it relates to the [SNEP vision and purpose](#). The specific purpose of this opportunity is to fund planning activities that advance future implementation of green infrastructure projects in the region. \$650,000 is available with a **proposal due date of December 20, 2021** and an **expected award date of January 26, 2022**. Project funding expires September 30, 2024.

III. FUNDING DETAILS

A total of \$650,000 is available, including \$500,000 from SNEP and \$150,000 from Section §320 of the CWA. Individual awards will range from \$50,000 to \$100,000. All funds are provided on a reimbursement basis. These funds expire on September 30, 2024, so all proposed work must be complete by that date.

IV. FUNDING TEAM

Financial Administration: RWU

With campuses on the coast of Bristol and in the heart of Providence, RI, RWU is a forward-thinking private university committed to strengthening society through engaged teaching and learning. At RWU, small classes, direct access to faculty and guaranteed opportunity for real-world projects ensure that its nearly 4,000 undergraduates – along with hundreds of law students, graduate students and adult learners – graduate with the ability to think critically along with the practical skills that today's employers demand. RWU is leading the way in American higher education, confronting the most pressing issues facing students and families – increasing costs, rising debt and job readiness. RWU is NBEP's fiscal sponsor and will make formal funding awards, establish agreements, and provide reimbursement to awardees.

Green Infrastructure RFP

- RFP released 11/8/21
 - New Scoring Sheet and Risk Form
- \$650K for green infrastructure planning projects
 - *Green infrastructure* is an approach to water management that uses plant or soil systems, permeable surfaces or substrates; stormwater harvest and reuse; or natural areas or landscaping to store, infiltrate, or evapotranspire stormwater to improve water quality, reduce flooding, and increase water supply efficiency.
 - *Planning* includes stakeholder workshops, studies, assessments, concepts, plans, and permitting.
- Added four new members to Grants Subcommittee with expertise in green infrastructure
- Proposals due 12/20/21—awards expected late January 2022
- **Share RFP with your networks!**

DEIJ Assessment

- Impact by Design (IbD) completed pre-interviews with selected Steering Committee (SC) members and partners
- IbD and NBEP developed separate 15-min surveys for SC members and the public
- NBEP submitted Fast-Track ICR for surveys to EPA and it was approved as of 11/5/21
- Survey distributed to SC and public on 11/8/21
- **Reponses due by 11/24/21—PLEASE complete!**
- Final report and workshop to share results in early 2022

Demographic Questions: We will ask you questions about yourself in this section, and all questions are completely optional.

#1

Do you live or work in the Narragansett Bay region highlighted in this map?



- Yes, I live here
- Yes, I work here
- I live and work here
- No (*Disqualifies them from the survey and takes them to the thank you page.*)

#2

Please provide your zip code: *[open-ended, for mapping analysis purposes]*

#3

How many years have you lived or worked in this region? *[open-ended]*

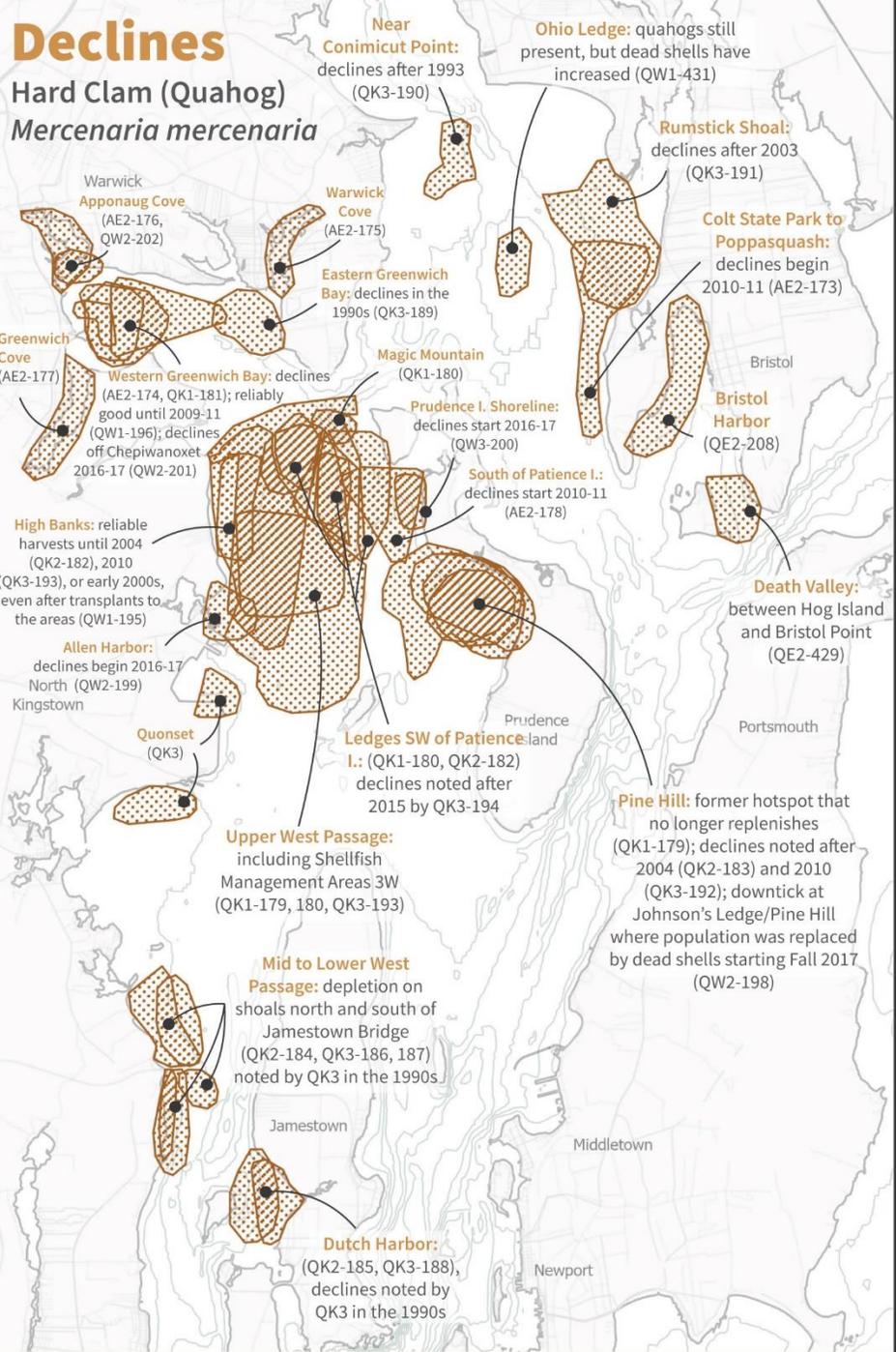
#4

Are you of Hispanic, Latino, or Spanish origin?

- Yes
- No

Declines

Hard Clam (Quahog) *Mercenaria mercenaria*

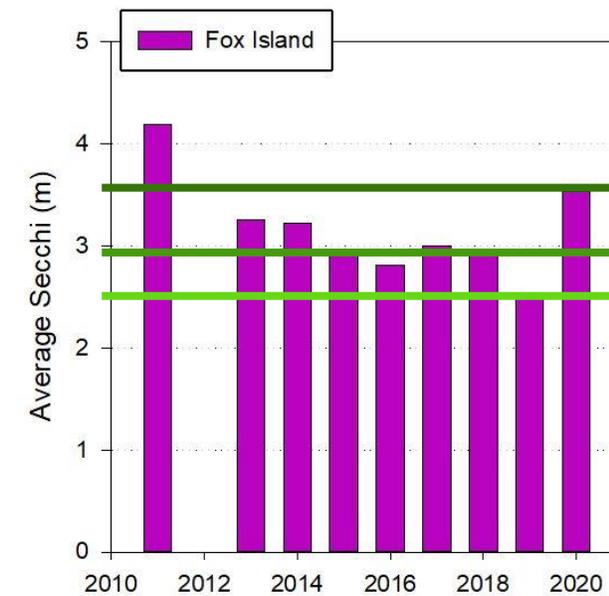
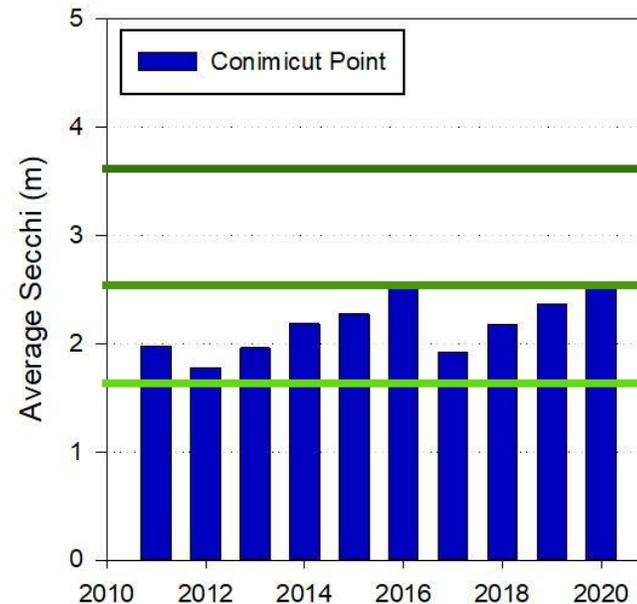
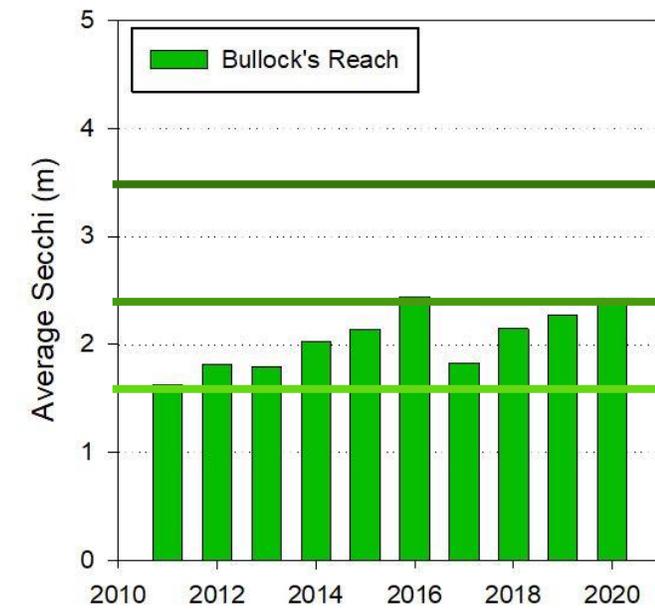
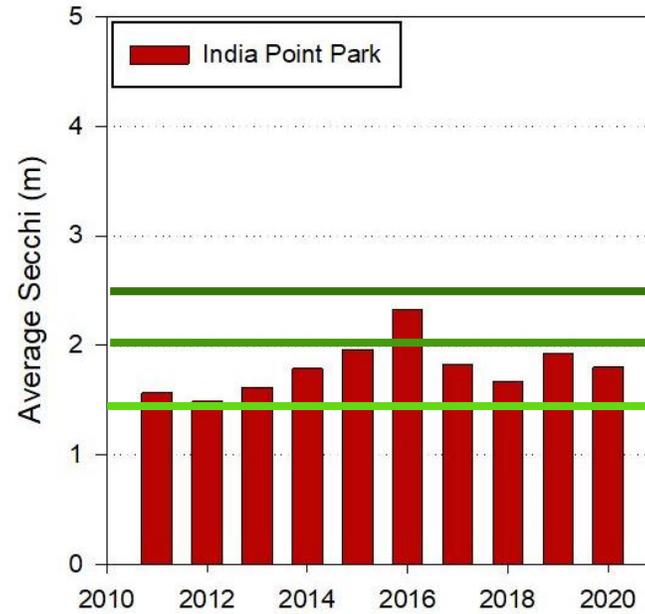


Fisher's Observations Project

- Draft report received much praise and comments
- Advisory panel convened (includes social scientist, coastal biogeochemist, commercial fisherman, fisheries management, and water quality management) and now reviewing draft
- Culminating workshop scheduled for 12/9/21 at 4pm via Zoom including report results and breakout sessions to discuss next steps for future fisher's data collection

Water Clarity Working Group

- Investigated best way to measure and show water clarity data to the public
- Used medians and percentiles to discuss if water clarity was better or worse than a selected period (we used pre-2012 before wastewater treatment plant nitrogen reduction in place)
- Will build into a new Science Update AND move discussion towards creating a management goal useful to RIDEM and MassDEP



Social Science Working Group

- Created list of potential social-science driven indicators
- Focusing indicators on three 3 topic areas: public health, economy, and public access
- At next meet on 11/19/21 the group will evaluate the indicators and help NBEP decide on the final three to develop for the next Status and Trends update



Public Health

1. Heat islands
2. Number of days above 90 degrees
3. Municipal participation in resiliency programs



Economy

1. Cost of beach closures annually
2. Ratio of seasonal worker salary to affordability
3. Commercial fish landings



Public Access

1. Number of access points
2. Distance to parks and public spaces
3. Transportation to access points



SALT MARSH
RAMP
RESTORATION, ASSESSMENT
& MONITORING PROGRAM

NBEP Science Event

- Current titled of event is “Innovative Solutions for Restoring and Sustaining Salt Marshes”
 - Topic strongly supported by SAC and Salt Marsh Working Group
- Tentatively scheduled for March 2022
- Will be designed and led by Events Subcommittee from NBEP, RWU, NBNERR, Mass Audubon, and others
- Planning keynote speakers, breakout sessions, and creating a tangible plan for future action



NBEP Bylaws Background

- A condition of EPA’s FY2021 award to RWU is that
“The Executive Committee and Steering Committee of the Management Conference will approve bylaws governing the Management Conference’s operation by December 31, 2021.”
- Bylaws once approved will replace GPs
- Draft bylaws have been under development by RWU and the NBEP Director
 - RWU Office of General Council currently reviewing second draft
- Plan was to hire a consultant to guide development but deadline required more rapid action
- Want final document to be more clear, concise, and adaptive than GPs so it can remain durable into the future—not tied to any specific organizations or people

NBEP Bylaws Next Steps

- Bring a solid second draft to the EC ASAP for review and comment
- Plan to reconvene the EC in December to discuss
- Hope to approve final document at 12/16/21 EC and SC meetings
- However—want to ensure EC and SC are equal partners in development of final document so may need to push approval date if RWU/EPA agree
- **Kick-start thinking on the bylaws today with presentation of an outline of the draft document, and for select Articles in the draft, some content highlights, a comparison to the Guiding Principles, and/or key questions**

Draft Bylaws Outline

Article 1: Name, Mission, Purpose of Bylaws

Article 2: Management Conference

Article 3: Host

Article 4: EPA

Article 5: NBEP Director

Article 6: Voting

Article 7: Grant Writing and Fundraising

Article 8: Advocacy

Article 9: Indemnification

Article 10: Conflict of Interest

Article 11: Certification

Article 2: Management Conference

- Includes Management Conference purpose from the Clean Water Act, general provisions that apply to all committees, and the make-up (membership, officers) and responsibilities of three standing committees: Executive, Steering, and Science Advisory Committees—so lots of information included in this Article
- Responsibilities and other governing provisions of the committees are better organized and more concise, specific, and up-to-date compared to GPs
- Questions

Question	Approach in Draft Bylaws
1. What is the appropriate term for committee members and officers?	Members: Three year term, with potential for reappointment for 2 additional years. Officers: One year term, with potential for reappointment for 2 additional years.
2. What is the most appropriate and additive role for the Executive Committee?	More specific and less redundant than SC by focusing on (1) offering counsel to NBEP Director and (2) providing advanced review and approval of key operational decisions (committee member nomination, annual EPA application, required NEP document, fundraising plan, NBEP Director performance).
3. Should the Executive Committee specify inclusion of state resource agencies?	More inclusive by calling for three “at-large” members. Required members are Chair and Vice Chair of Steering Committee, Chair of Science Advisory Committee, Host, and EPA.

Article 3: Host

- Provides responsibilities that would apply to any host
- Includes a vastly more concise suite of responsibilities compared to the GPs
- Questions:

Question	Approach in Draft Bylaws
1. Is this list of responsibilities inclusive of the host role? Anything missing?	<ol style="list-style-type: none">1. Developing and submitting applications/proposals, accepting and administering funds as NBEP's fiscal sponsor, and complying with terms and conditions of funders;2. Hiring, employing, and evaluating the performance of the NBEP Director and staff;3. Creating and ensuring compliance with contracts by subawardees, contractors, and vendors;4. Providing fiscal oversight, creating financial reports, and maintaining records, including adhering to eligible cost requirements which include a non-federal 50 percent match;5. Submitting progress reports and other required paperwork;6. Working with the NBEP Director on programmatic implementation;7. Serving on the Steering Committee, Executive Committee, and Scientific Advisory Committee, and8. Participating in external reviews, including EPA's Program Reviews and Steering Committee's Host Institution review.

Article 6: Voting

- Indicates that NBEP will use a consensus-based process for decision-making
- A majority of the specific committee membership shall constitute a quorum and a quorum must be present (in-person or virtual) to undertake a vote
- Where a vote is required as determined by the committee Chair, each member shall have one vote and a simple majority shall be required for approval
- This approach is consistent with GPs
- Questions:

Question	Approach in Draft Bylaws
1. If consensus cannot be reached and a vote is called, how many votes should be required to approve an action?	A simple majority of those present.

Article 7: Grant Writing and Fundraising

- Includes statement that NBEP is seeking to diversify its funding to improve the program’s effectiveness and sustainability.
- Notes that the NBEP Director shall work with the host to pursue grant writing and fundraising that such activities shall follow both EPA and host policies and procedures, with EPA rules carrying if there is a conflict
- This topic is not covered in the GPs
- Questions:

Question	Approach in Draft Bylaws
1. Are there other specific provisions that should be included in this Article?	Limited to text listed above. Did not cite specific EPA or host policies as they are apt to change.

Article 8: Advocacy

- States that NBEP’s Management Conference or staff are not permitted to use government funding to pursue lobbying activities defined at 2 USC§1602(7).
- Specifies that NBEP is not precluded from using government or other funds to educate elected officials by sharing facts about its mission, programs, and issues as long as it does not take a specific position on specific legislation as defined by the Internal Revenue Service.
- Specifies that letters of support for partners seeking funding are permitted.
- The GPs do not discuss lobbying/advocacy and specifically prohibit letters of support (letters of consistency with NBEP’s purpose and CCMP are allowed)
- Questions:

Question	Approach in Draft Bylaws
1. Any concerns with the proposed language above?	Specific text above is included to be clear and specifically permissive about educating elected officials and providing letters of support (two actions that were at times not permitted in past).

Article 10: Conflict of Interest

- This section is still under development—NBEP suggests consideration of the following:
 - Include a clear definition of conflict of interest and actions/instances that could be a conflict of interest
 - Some examples of specific provisions for avoiding conflicts:
 - Committee member recusal during discussion of any proposal from their organization (or letter of support for) that will provide funds to their organization
 - Grant Subcommittee member recusal during review of their organization’s proposals
 - NBEP staff shall not participate in discussions regarding their own compensation
 - Determination of conflict of interest is made by the EC using standard decision-making/voting procedures
 - Include a requirement that committee members execute a document at seating or annually that declares any potential conflicts of interest and acknowledges their understanding of NBEP’s conflict of interest provisions
- The GPs include a Conflict of Interest Policy as a addendum that is quite vague
- Questions:

Question	Approach in Draft Bylaws
1. What other conflicts of interest could arise for NBEP staff and Management Conference members?	TBD
2. Who should determine whether a conflict of interest is present? EC/SC Chair did so in past.	TBD

Article 11: Certification

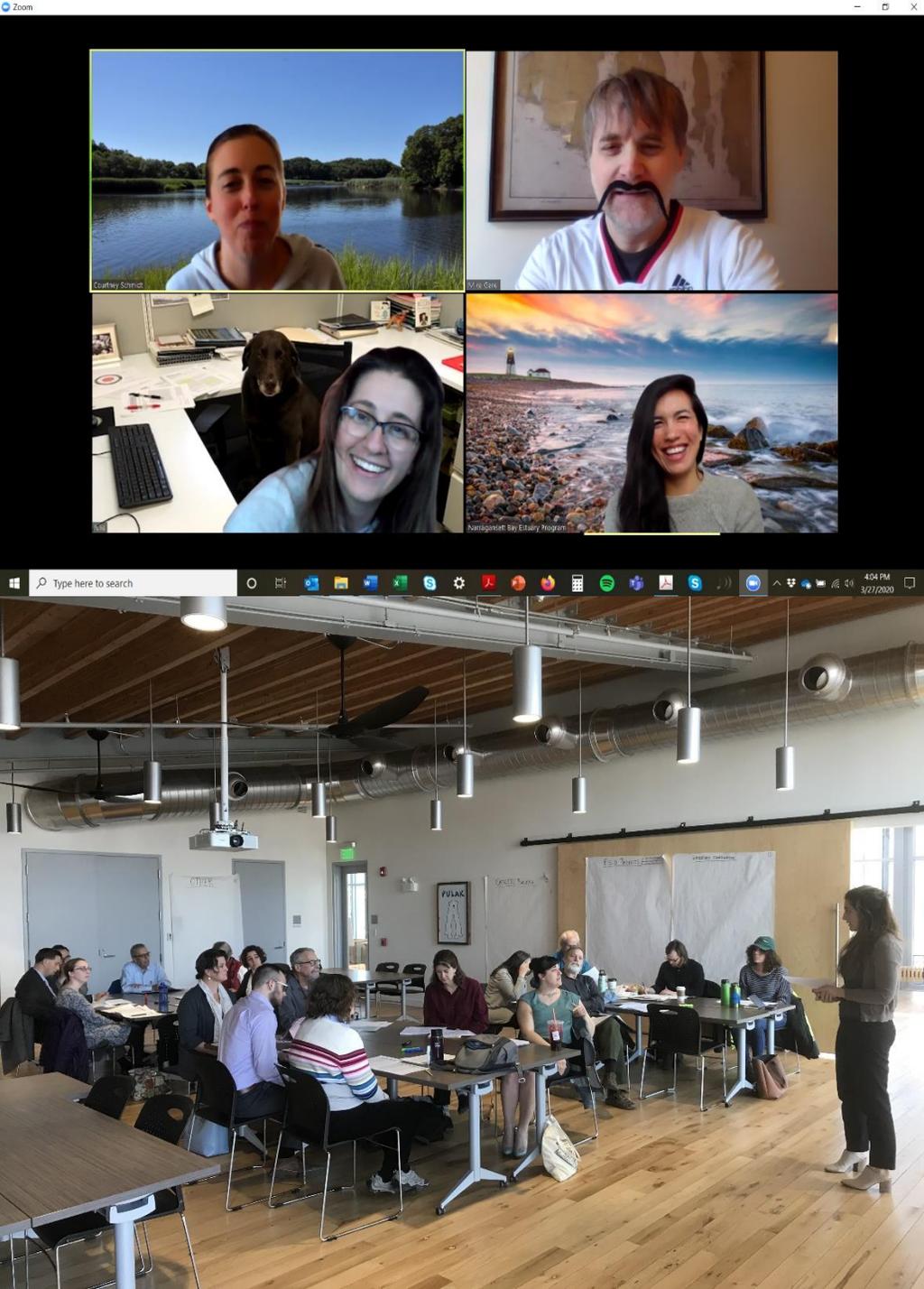
- Includes space for Steering Committee members that participated in the formal vote on the bylaws to sign and date the document
- This section is not included in the GPs—NEIWPC was unwilling to sign such a document and there was concern that members from government entities would be precluded from signing
- Questions:

Question	Approach in Draft Bylaws
1. Are there Steering Committee members that will not be able to sign the bylaws, such as government employees? What are some alternatives if they can't sign?	Space for this certification is included in the draft. Certification is viewed by some, especially funders, as a measure of enforceability and commitment.

Committee Round Robin Updates

December 16th EC/SC Meetings

- Full in-person not viable yet.
- Hybrid or all virtual?
 - Have not found a workable hybrid space
 - RWU may be option
- Main task will be to (hopefully) approve NBEP Bylaws.
 - Pushing new SC member nomination process to March 2022
- Virtual guest speaker planned: Kerri Arsenault, author of *Mill Town: Reckoning with What Remains*.
- Holiday celebration?



Meeting Close