

NARRAGANSETT BAY ESTUARY PROGRAM

Steering Committee Meeting
December 16, 2021

Agenda

Subject	Presenter(s)	Shared via Zoom	Committee Action Requested Today	Time
Meeting Open	Regina Lyons, Chair	Agenda	Approve September notes.	15 min
Short Program Report	Mike Gerel, NBEP Courtney Schmidt, NBEP	PPT	Offer questions or comments.	10 min
Town of Warren, RI Market to Metacom Project <i>A neighborhood plan that holistically addresses water quality and climate change challenges while promoting economic redevelopment. See more here StoryMap.</i>	Kate Michaud, Town Manager Bob Rulli, Planning Director Arnold Robinson, Fuss & O'Neil	PPT	Share questions and comments.	45 min
Committee Member Updates	Committee members	None	Offer updates.	20 min
Introduction to Draft NBEP Bylaws	Mike Gerel, NBEP Committee members	PPT	Offer initial response to overview of the draft bylaws and Executive Committee feedback and weigh in on next steps to get to a final version ready for approval in January.	30 min
Meeting Close	Mike Gerel, NBEP	None	Pick favored meeting dates for 2022.	15 min

Financial Report

Estimated NBEP Funds Budget, Expenditure, and Balance (12.13.21)

Expense Category	NEIWPC ⁽¹⁾			RWU ⁽¹⁾			Total Budget	Total FY2022 Expenditures	Total Balance Remaining
	Budget	FY2022 Expenditures ⁽²⁾	Balance ⁽³⁾	Budget	FY2022 Expenditures ⁽²⁾	Balance			
Personnel and Fringe	\$ 102,219	\$ 18,760	\$ 83,459	\$ 834,476	\$ 64,235	\$ 770,241	\$ 936,695	\$ 82,995	\$ 853,700
Travel	\$ (3,341)	\$ (1,197)	\$ (2,144)	\$ 12,750	\$ 62	\$ 12,688	\$ 9,409	\$ (1,135)	\$ 10,544
Supplies	\$ 10,178	\$ 4,475	\$ 5,703	\$ 6,200	\$ 117	\$ 6,083	\$ 16,378	\$ 4,592	\$ 11,786
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 ⁽⁴⁾	\$ (15,184)	\$ (4,219)	\$ (10,965)	\$ 32,892	\$ 511	\$ 32,381	\$ 17,708	\$ (3,708)	\$ 21,416
Total Direct	\$ 401,962	\$ 104,617	\$ 297,345	\$ 1,666,318	\$ 70,925	\$ 1,595,393	\$ 2,068,280	\$ 175,542	\$ 1,892,738
Total Indirect ⁽⁵⁾	\$ 42,796	\$ 6,366	\$ 36,430	\$ 120,833	\$ 12,847	\$ 107,986	\$ 163,629	\$ 19,213	\$ 144,416
Total	\$ 444,758	\$ 110,983	\$ 333,775	\$ 1,787,151	\$ 83,772	\$ 1,703,379	\$ 2,231,909	\$ 194,755	\$ 2,037,154

(1) On October 1, 2021, NEIWPC held ~\$444,758 of FY18 and FY19 EPA Cooperative Agreement funds. On October 1, 2021, RWU was awarded \$1,787,151 via the FY21 EPA Cooperative Agreement, which includes all FY20 and FY21 funds. NEIWPC is ready to submit paperwork to close-out the FY15 and FY17 grant awards.

(2) Note that expenditures for NEIWPC are as of 11.24.21 and RWU are as of 12.13.21.

(3) NBEP, NEIWPC, and EPA are discussing the best approach to address the estimated \$100K in funding that NEIWPC may not need to spent to complete their work plan.

(4) 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.

(5) 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.

Programmatic Report

- Host transition
 - Mostly done—awaiting office phones, office space agreement, bylaws
- People
 - New hires—two job announcements at RWU, hope to post by holiday
 - Completed informal performance review for Courtney
- Vision 2032
 - Objectives/“Action Buckets” in place
 - On pause until February 2022, seeking to extend deadline until June 2023
- DEIJ Assessment Survey
 - Fast-Track ICR approved for survey, survey shared 11/8/21
 - 27 of 50 NBEP committee members responded, 189 from communities
 - Final assessment and workshop in January/February
- NBEP Green Infrastructure Planning RFP
 - Released 11/8/21, 15 calls so far, proposals due 12/20/21
- Blackstone Initiative
 - Blackstone Needs Assessment—NBEP done with final meeting on 9/28/21, continue \$ support for Clark, first collaborative meet 11/15/21
 - Blackstone Fish Passage—two meetings 9/30/21, 11/9/21), great progress



Programmatic Report

- Fishers Ecological Knowledge Project
 - Final report complete
 - Advisory panel convened and reviewed report
 - Results of excellent 12/9/21 meeting inform next steps
- Science Working Groups
 - Water Clarity (10/27/21) and Social Science (11/19/21)—working on 2-pp summary documents on chosen indicators to be explored next year
- Science Update
 - Collaborating with RIDEM, MassDEP, and Mass Audubon to create 2-page “stimulator” on land use data aspect of solar development
- Subawards Contracts Status
 - All shovel-ready and planning subawards complete!
 - 2 subawards & 3 contracts remain at NEIWPC, 1 contract at RWU
- Presentations / Notable Meetings
 - Galveston NEP re EJ
 - Whitehouse staff re NBEP
 - Reed staff re Blackstone
 - LISS NEP re EJ
 - RWU Faculty re NBEP
 - RI Aquaculture SAMP
 - RWU researcher re plastics
 - Ocean Corps re HABS
 - Clary University re NBEP/solar data
 - Movement Education Outdoors re EJ
 - RWU Staff, Faculty, and Students re NBEP/RWU partnership
 - Latino Policy Institute re EJ
 - RI Habitat Trust Fund Review Committee
 - Groundwork South Coast re new place-based effort in Fall River



Photo Credit: Ayla Fox.

Market to Metacom Project

Committee Round Robin Updates

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.”*
 - EPA and RWU are OK extending deadline to February to get this right
- Bylaws once approved will replace Guiding Principles
- NBEP's original plan was to hire a consultant to guide development but deadline required more rapid action
- RWU and the NBEP Director have created a solid draft, EC comments were received on 12/13/21, and they were discussed earlier today
- Goal today is to introduce draft and top EC comments to SC via the following slides that compare the GPs to bylaws—no call for SC comment today

Draft NBEP Bylaws Outline

Article 1: Name, Mission, Purpose of Bylaws

Article 2: Management Conference

Section 1: Management Conference General

Section 2: Steering Committee

Section 3: Executive Committee

Section 4: Science Advisory Committee

Article 3: Host Institution

Article 4: EPA

Article 5: NBEP Director

Article 6: Voting

Article 7: Grant Writing and Fundraising

Article 8: Advocacy

Article 9: Conflict of Interest

Article 10: Amendment of Bylaws

Article 11: Certification

GPs vs Bylaws—General

- More concise (8-pp vs 18-pp)—focuses on language germane to governing
- Greater clarity about responsibilities
- Re-organized to include general provisions upfront and group like subject matter
- Consistent with EPA NEP requirements and current collaborative governance best practices
- More durable and adaptive so it can be applicable regardless of host, SC membership, staff

Article 2, Section 1—Management Conference

GPs

- Standing committees constitute Management Conference
- Purpose of Management Conference from CWA under 'Management Conference' and 'Officers and Members of Management Conference' sections
- Strive for membership diversity that represents study area
- Terms (3 years, **no limits on reappointment**), staggered cohorts
- Specifies who can nominate people and that the **EC formally recommends** to SC all committee members and officers
- Members may be removed, with cause, as determined by SC
- Requires annual meeting

Bylaws

- Purpose of Management Conference from CWA
- Standing committees, subcommittee, and ad hoc committees constitute the conference
- **Groups provisions that apply to all committees:**
 - Diverse membership goal
 - Terms (3 years term **+ 1 more term**), maintains cohorts started in 2019
 - **Nominating Subcommittee to nominate/add committee members**
 - **More specific process** for SC removing members
 - **Specifies host representation on all standing committees**

Article 2, Section 2—Steering Committee

GPs

- Defines Steering Committee (SC) as NBEP's primary **decision-making body**
- Purpose of SC
- Prescribes membership (20-35 people)
- Meetings frequency: quarterly
- **Long list** of SC responsibilities in 'Steering Committee' and 'Officers and Members of Management Conference' sections
- Officers terms (1 year + 2 more) and responsibilities
 - **Where feasible Chair and Vice Chair shall work in different states in the study area**

Bylaws

- Defines SC as NBEP's primary **governing body**
- Purpose of SC
- Prescribes membership (20-35 people), **including up to two members of host**
- Meetings frequency: quarterly
- **Concise** list of SC responsibilities
- Officers terms (1 year + 2 more) and responsibilities

Article 2, Section 3—Executive Committee

GPs

- Executive Committee (EC) is a designated subset of the SC that **conducts regular program business and implements SC direction between SC meetings**
- Prescribes 9-person membership of EC— Chair of SC, Vice Chair of EC, Chair of SAC, Host, EPA, **RI resource management agency, MA resource management agency, RI NGO member, MA NGO member**
- Meeting frequency: **8x/year**
- List of EC responsibilities, mostly high level oversight of major tasks and proposal of management policies
- Notes EC officer responsibilities

Bylaws

- EC is a designated subset of the SC that **provides council to the NBEP Director and on major decisions facing the SC/program**
- Prescribes 8-person membership of EC— Chair, Vice Chair, Host, EPA, and four more spots, 4 at-large members OR RIDEM, Mass DEP, and two NGO members
- Meeting frequency: 4x/year
- **Concise** list of EC responsibilities
- Notes that officers have same responsibilities as noted for SC

Article 2, Section 4—Science Advisory Committee

GPs

- Purpose of Science Advisory Committee (SAC)
- Prescribed number (16-21 people) and expertise of membership
- List of SAC responsibilities
- Meeting frequency: 3x/year
- Officers terms (1 year + 2 more) and responsibilities

Bylaws

- Purpose of SAC
- Prescribed number (15-21 people) and expertise of membership
- List of SAC responsibilities
- Meeting frequency: as needed
- Officers terms (1 year + 2 more) and responsibilities

Article 6—Voting

GPs

- States that NBEP's goals is to use consensus-based decision-making
- Chair of the committee can call for vote
- Defines quorum as majority of SC membership
- All committee members have one vote, **except Vice-Chair is non-voting unless acting as Chair and EPA is always non-voting**
- Simple majority required to approve action

Bylaws

- **All voting-related provisions grouped here**
- States that NBEP's goals is to use consensus-based decision-making
- Chair of the committee can call for vote
- Defines quorum as majority of SC membership
- All committee members have one vote, **except EPA is non-voting unless they are serving as Chair**
- Simple majority required to approve action

Article 7—Grant Writing and Fundraising

GPs

- SC and SAC is to help secure funding to implement the CCMP
- Host prepares and manages grants
- NBEP Director identifies sources of funding
- EPA to inform program of funding opportunities

Bylaws

- Notes that the NBEP Director will work with the host to specifically pursue grant writing and fundraising
- Activities will follow EPA and host policies, with EPA rules taking precedent if conflict

Article 8—Advocacy

GPs

- Appended conflict of interest policy prohibits letters of support unless NBEP is a project participant to avoid supporting competing partner projects
- NBEP may provide consistency letters (with mission, CCMP)

Bylaws

- May use non-government funds to pursue lobbying as consistent with the host and funder requirements
- NBEP is specifically permitted to educate elected officials
- NBEP is specifically allowed to provide letters of support

Article 9—Conflict of Interest

GPs

- Appends 2-pp policy
- EC/SC Chair determines if conflict exists

Bylaws

- Includes a 2-paragraph policy
- EC shall determine if a conflict of interest exists

Article 10—Amendment of Bylaws

GPs

- Must periodically revised by the SC as needed and shall be reexamined in 2020 and every five years thereafter, unless deemed appropriate earlier

Bylaws

- At any meeting of the SC by a two-thirds (2/3) vote, provided that notice of the substance of the proposed amendment has been sent to all members at least 30 days prior to the meeting

Article 11–Certification

GPs

- Notes date of approval and EC approved changes in **title of document**

Bylaws

- Bylaws are formally approved when **signed and dated by the SC Chair and Vice Chair**

Some EC Comments

- Management Conference
 - Should we maintain the Management Conference as “ an umbrella” language or should we switch to just Steering Committee, Executive Committee, and Science Advisory Committee?
- Steering Committee
 - How can we set guidelines for what Work Plan/Budget amendments require SC approval?
 - Should EPA be a voting member of the EC/SC if they serving as Chair?
- Executive Committee
 - Should RIDEM and Mass DEP have designated spots on the EC given their respective CWA responsibilities?
- Advocacy
 - Should the bylaws leave the door open for pursuing formal lobbying if the combination of host, funding, and SC determine it additive to the program?



Proposed Next Steps

1. Share draft bylaws with SC on 12/17/21.
2. Seek SC comments on bylaws by 1/21/22.
3. NBEP to create final version.
4. EC to meet on 2/8/21 to consider sending final version to SC.
5. SC to review and approve final version by the end of February via meeting or email.

Meeting Close

- 2022 SC Meetings Dates?
 - 3rd Thurs of March, June, Sept, and Dec
 - 3/17, 6/16, 9/15, 12/15
 - 3 hours, 1-4pm?
- Action Items
- Thank you!!!!



Photo Credit: Ayla Fox.