

**Rhode Island:
Coastal Resources Management Council
Department of Environmental Management
Division of Planning, Statewide Planning Program**

RI State Guide Plan Update:
Water Quality Management Plan Advisory Committee Meeting

**Tuesday, October 20, 2015
10:00 AM – 12:00 PM**

Room 300
Department of Environmental Management
235 Promenade Street, Providence

Agenda

- 1.** Welcome & Agenda Overview - *Sue Kiernan, DEM*
- 2.** Subject Topics and Technical Presentations:
 - A. 1st compilation of previous drafts – October 2015 - *Sue Kiernan, Ernie Panciera, DEM & Nancy Hess, DOP*
 - B. Integration of Aquatic Habitat Topics
 - C. DEM State Wildlife Action Plan
- 3.** Discussion: All
- 4.** Next steps in Update Process– *Nancy Hess, DOP*
- 5.** Adjourn 12:00 PM



Water Quality 2035

Rhode Island Water Quality Management Plan

Draft: October, 2015



Rhode Island Department of Administration
Division of Planning
One Capitol Hill
Providence, Rhode Island 02908

www.planning.ri.gov

The Rhode Island Statewide Planning Program, Division of Planning, Department of Administration is established by § 42-11-10, Statewide Planning Program, of the Rhode Island General Laws as the central planning agency for Rhode Island. The State Planning Council, comprised of federal, state, local, public representatives, and other advisors, guides the work of the Program. The objectives of the Program are to:

- prepare Guide Plan Elements for the State,
- coordinate activities of the public and private sectors within the framework the State Guide Plan,
- assist municipal governments with planning, and
- advise the Governor and others on physical, social, and economic planning related topics.

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Abstract

TITLE: *Water Quality 2035*

SUBJECT: Water Quality

DATE: Adopted by the State Planning Council on XXXXXX

AGENCY: Division of Planning
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PROJECT: Work Tasks # 11.5, Fiscal Years 2013-2016

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ABSTRACT: *Water Quality 2035* updates and replaces the previous State Guide Plan Element 731, Rhode Island's Nonpoint Source Management Plan adopted in 1995 on water quality. It serves to meet the need for both fresh and coastal water nonpoint source management programs as required by the United States Environmental Protection Agency and the National Oceanic and Atmospheric Administration. This plan describes existing practices, programs, and activities in major water quality areas and develops recommendations specific to each. It is intended to advance the effectiveness of public and private stewardship of the State's high quality waters. As an element of the State Guide Plan, this Plan sets forth goals and policies that must, under State Law, be reflected in future updates of comprehensive community plans.

State Planning Council

INSERT LIST OF NAMES WHEN ADOPTED

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Technical Committee

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Water Quality Management Plan Advisory Committee

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Acknowledgements

The Plan was developed through a Memorandum of Understanding involving, the CRMC, the DEM, and the Division of Planning of the Department of Administration. A working group guided the development of the Plan and coordinated the review of the Plan by the Advisory Committee, the DEM, the CRMC and the State Planning Council and its Technical Committee. The members of the working group were:

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Department of Agriculture, Natural Resources Conservation Service (NRCS)
National Oceanic and Atmospheric Administration (NOAA)
US Fish and Wildlife Service (USF&W)

State Government

Department of Environmental Management (DEM)
Coastal Resources Management Council (CRMC)

Statewide Coordinating Entities

State Conservation Commission
Regional Conservation Districts
Rivers Council
Rhode Island Environmental Monitoring Collaborative
Executive Climate Change Coordinating Council
Regional Planning Commissions

Municipalities

University of Rhode Island and Other Colleges and Universities
Watershed Councils & other Nongovernmental Organizations
Government Authorized and Other Regional Programs Operating in RI
Narragansett Bay Estuary Program (NBEP)
New England Interstate Water Pollution Control Commission
Northeast Regional Association of Coastal and Ocean Observing Systems (NERACOOS)
Northeast Regional Ocean Council
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Executive Summary

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Part 1 Introduction & Vision

Key Points:

- Why is Clean Water Important?
- What is Water Quality
- Vision & Goals
- Relationship to Other Plans

Introduction

In Rhode Island we are fortunate to have abundant water resources that when properly managed can meet societal needs for drinking water, recreation and commerce, and at the same time provide the foundation for healthy aquatic ecosystems. Historically degraded by human activities – the discharge of raw sewage and untreated industrial wastes, filling of coastal and inland wetlands and other damaging activities, in recent decades, the quality of our water resources has been significantly improved.

This Water Quality Management Plan looks forward with a focus on the continuing need for careful management of our water resources. The plan highlights current and emerging challenges to achieving our clean water goals. Maintaining acceptable quality and quantities of water while balancing the needs of natural systems with human activity and development can be complex. The plan highlights opportunities to improve and adapt management in response to this challenge.

Why is Clean Water Important?

Water is essential for life. In Rhode Island the importance of clean water cannot be overemphasized – just ask those in RI and elsewhere that have had to go without water due to contaminated supplies. As stated in State Guide Plan 721, *Water 2030*:

"Water is the most important natural resource to the future of our State."

Water quality impacts every RI citizen, and it is an important measure of the quality of life in RI. We depend on a healthy sustainable ecosystem to provide us with the clean water we need for drinking water, plentiful recreational opportunities and to support a vibrant economy. Consider the following:

Drinking Water -- Clean water safe for human consumption:

Both surface waters and groundwater are relied on as sources of Rhode Island's water supplies. Much of the water we consume requires some type of treatment before use. The extent of treatment depends on the condition of the source water. Degraded source water costs more to treat to meet public health standards. Extending public water to areas of private drinking water wells with quality problems increases costs to homeowners and suppliers.

Recreation – Clean water for swimming, boating and fishing:

Swimming -- Approximately one million people visit the seven state beaches in South County and close to 100,000 people visit state campgrounds annually. Adding the number of visitors to the State Beaches north of South County, along with the Town and private beaches, the total number of visitors



is well over 3 million (RIDOH). If beach closure rates increase due to a degraded water quality, not only does the State stand to lose key revenue but related industries such as hospitality, restaurant, transportation, etc. can be drastically affected.

Boating -- There were 34,772 boats registered in RI in 2014. According to the 2012 Northeast Recreational Boater Survey, Rhode Island saw a \$227.2 million increase in the State's total economic output due to direct and indirect spending by boaters (spending on equipment, repair, docking, loans, insurance, etc.). Spending by Rhode Island Boaters accounted for about 80% of that number. The total estimated year round number of jobs related to the marine recreational industry in Rhode Island is 2,008 as of 2012 according to the 2012 Northeast Recreational Boater Survey.

Recreational Fishing -- A total of 38,224 Rhode Island Saltwater Recreational Fishing Licenses were issued in 2011, resulting in \$249,746 in total license fee revenues. Over 40,000 freshwater licenses are issued on an annual basis in RI. Residents pay \$18 for a license while out-of-state people pay \$35. According to an American Sportfishing report, residents and tourists in RI spend about \$38 million in total on freshwater fishing, while generating about \$5.6 million in federal, state and local tax revenues.

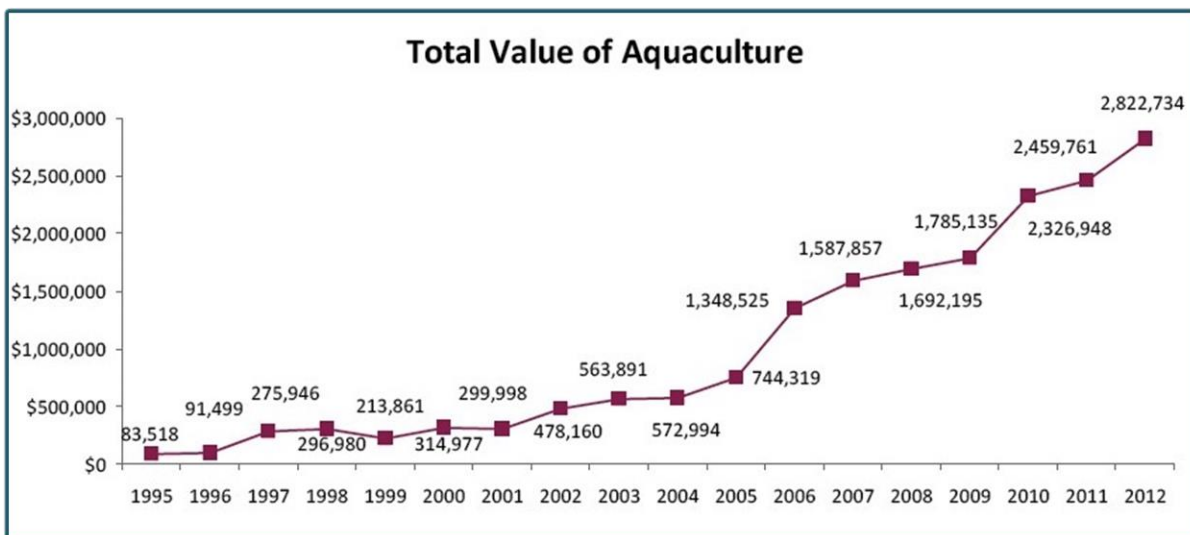
Vibrant economy – clean water for tourism, industry, commercial fishing and aquaculture:

Tourism -- Tourism is Rhode Island's second largest sector in terms of economic activity. Approximately \$7 Billion is generated annually from tourism in the State. There are approximately 80,000 jobs in Rhode Island's tourism industry. Clean water draws tourists to our state to enjoy its scenic beauty and participate in water related recreational activities.

Industry –Approximately 14,500 jobs and \$636 million in direct wages come from industries that rely on an adequate supply of quality fresh water. (XX) The manufacturing firms who require intensive water use make up about 28% of the state's manufacturing wage base. It is critical that the state maintain a high quality of available water in order to effectively suit the growing sectors of biotechnology and other sciences.

Commercial Fishing and Aquaculture – The National Marine Fisheries Service (NMFS) econometric model estimates the contributions of Rhode Island landings to the State's economy for all sectors in 2010 equated to total sales of \$150.4 million; total income of \$106.4 million; and total employment of 4,968. Although much of this catch was in off-shore waters beyond the scope of this plan, many of the species depend on the inshore habitats addressed by this plan for part of their life cycle and/or feed on prey that depends on inland waters. There are 55 active aquaculture farms growing shellfish over 206 acres at the end of 2014 (CRMC 2014). The total value of aquaculture in RI, including products grown for consumption and seed, in 2014 was \$5,229,067 continuing a growth trend depicted below.





Transportation – The ports located within Narragansett Bay, Port of Davisville and ProvPort, support import and export shipping activity important to the Rhode Island and regional economy. Together the ports lead New England in the import of break bulk cargo – goods that are palletized or handled in pieces including automobiles. The ports also receive bulk liquid and dry products including petroleum and salt and export materials such as scrap metals. The RI Pilotage Commission oversaw the travel of an average of 835 ships annually entering Narragansett Bay between in 2008-2011. (XXX)

Energy - Although there has been growth in renewable power generation through solar and wind, most of RI’s electrical power is obtained from generating facilities that depend on water withdrawals from either a river or coastal water for cooling purposes. These include the Dominion Manchester Street Power Station in Providence and Ocean State Power in Burrillville. Five small hydropower facilities also operate on the rivers in RI generating less than one half of one percent of the state’s daily electrical power need.

What is “Water Quality”?

There is no “pure” water in the natural environment. All water includes natural and man-made substances that constitute its “water quality.” Water quality conditions reflect what is in the water along with how much water is present. Over the years, standard methods have been developed that allow a variety of measurements of water quality to be made through water sampling, laboratory analysis and other techniques. To interpret the resulting data, standards and criteria have been developed for most, but not all, of the parameters measured in surface waters and groundwaters. For surface waters, the standards relate water quality conditions to the suitability of a water resource for particular uses such as recreation and propagation of fish and wildlife among others. Groundwater quality standards relate to its suitability for drinking water. Within this plan, the concept of water quality encompasses the condition of aquatic habitats including wetlands. The importance of aquatic habitats to Rhode Island’s biodiversity is detailed in the *RI State Wildlife Action Plan* (2015). Healthy aquatic habitats will have clean water and generally be free of other stressors including hydromodification. Various methods and tools, including

Water quality is often thought of as a sum of all of the physical, chemical and biological characteristics of a given water resource.



indices of biological integrity, can be used to assess the condition of aquatic habitats and the status of biological communities. The Monitoring and Assessment Section describes this topic in more detail.

Vision and Goals

This is the State's plan to protect and restore Rhode Island's water resources and establish goals, policies and actions for water quality management for the next 20 years to meet the challenges ahead. It describes the management framework and strategies for ensuring that Rhode Island's water resources are of a quality that supports healthy aquatic ecosystems and meets the needs of future generations. It sets forth a framework to guide the protection and restoration of the quality of Rhode Island's water resources which encompass freshwater and saltwater surface waters, groundwaters, and wetlands --from inland lakes and streams to Narragansett Bay and coastal saltmarshes.

Water quality is defined broadly to include the physical, chemical and biological characteristics of a water resource as well as the condition of its aquatic habitat. Central to this Plan is a greater focus on watersheds as the appropriate basis for management of water resources. It is intended that State agencies will integrate work at the watershed scale and identify ways that such work can align with and support the related activities of municipal, regional and federal agencies, watershed organizations and other entities.

The Water Quality 2035 Vision is that:

RI's water resources will support healthy aquatic ecosystems and meet the needs of current and future generations by protecting public health, supplying drinking water, providing bountiful recreation opportunities and supporting a vibrant economy.

Two goals have been established to meet the Vision:

WQ #1. Protect the existing quality of RI's waters and aquatic habitats and prevent further degradation.

WQ #2. Restore water quality of degraded waters and restore aquatic habitats to a level that meets the intended use of these waters and habitats.

Terminology: "Protect and Restore"

These two terms are used throughout this Plan as:

- Protect refers to actions aimed at maintaining the quality of a water resource and preventing future water quality degradation.
- Restore refers to actions aimed at improving the water quality conditions in a water resource that has already been degraded or impaired in some aspect.

The foundation for the Plan is a set of water quality management principles upon which the plan has been developed. These are:

- Watersheds are the appropriate unit for managing water quality and water resources.
- Protection and restoration are equally important to achieving RI's goals for water quality.



- Water pollution should be prevented whenever possible as it is a more cost-effective strategy than source control and restoration.
- Compliance with applicable federal, state and local regulatory programs is necessary for water quality protection and restoration.
- Water quality management is based on sound science and regularly integrates new information, including improved scientific understanding, technological innovations and knowledge of climate change.
- Monitoring is an essential component of water quality management that yields information necessary for effective management.
- Indicators of environmental conditions and performance, as well as analytical tools, are used to evaluate and report on progress toward water quality goals and objectives.
- Integrated, well supported data management systems are essential for water resource protection and restoration program management.
- Limited resources at all levels of government require and justify the prioritization of protection and restoration efforts.
- New technologies are adopted for use in water pollution management where beneficial.
- Interested stakeholders are involved in the planning and implementation of programs for water resource protection and restoration through meaningful public engagement.
- Rhode Island citizens are informed and aware of water quality management priorities and efforts to prevent and abate water pollution problems.
- All levels of government (federal, state, local), non-governmental organizations (NGOs) including watershed organizations, private entities and individuals share in the responsibility and duty to protect and restore RI's water resources.
- A collaborative effort is necessary across all governmental jurisdictions, agencies and programs to ensure success in protecting and restoring RI's water resources.

Implementing the Vision will require that RI residents recognize the vulnerable nature of our water resources, and the importance of that resource to our health, the environment and the economic well-being of the State. All levels of government (local, state and federal) as well as all of RI's residents have a role to play.

Clean water is everyone's responsibility.

The State Guide Plan and Relationship to Other Plans

This Plan is part of a tiered system of centralized state planning that supports water resource management. As an Element of the State Guide Plan (SGP), it is the intent of this Water Quality Management Plan to consolidate - at the statewide scale - all relevant policies and actions targeting the protection and restoration of water quality and aquatic habitat into one document. This includes drawing from the content of four existing State Guide Plan elements that had protection and restoration of water quality as a primary purpose:

- #162 Rivers Policy and Classification Plan (2004)
- #711 Blackstone Region Water Resources Management Plan (1981)
- #715 Comprehensive Conservation and Management Plan for Narragansett Bay (1992)
- #731 Nonpoint Source Management Plan (1995) & incorporated therein by reference;
RI Groundwater Protection Strategy, and
Rhode Island Wellhead Protection Program.

All of these existing noted above SGP are rescinded by the adoption of this Plan. By creating a unified document, this Plan will clarify and more clearly communicate water quality management policy and support



the overarching goal of consolidating and simplifying the SGP as a whole. The intention is to make it easier for users, on all levels, to understand water quality topics and properly address them as appropriate within their respective authorities.

Given the issues involved in water resource management, including the relationship between land use and water quality, it is not unexpected that water topics are also addressed in several other existing SGP elements. The goals, policies, and actions in these other elements of the SDGP have been reviewed to ensure consistency with the content of this Plan. While striving to minimize duplication through cross-referencing, in select cases, important water quality actions in these other plans are repeated in this Water Quality Plan and so noted.

- "*Rhode Island Water 2030*, SGP 721 (2012) is a Plan to ensure that the State has enough drinking water to meet its future needs. The relationship between *Water 2030* and this Plan is clear – adequate drinking water supplies depend on high quality water. Whereas this Plan will address the protection and restoration of all waters, including drinking water resources, the plan will not address issues of drinking water use, supply, availability, and infrastructure management that are covered in *Water 2030*.
- *Land Use 2025*: State Land Use Policies and Plan, SGP 121 (2006) is Rhode Island's plan for growth management and conservation in the 21st century. It is the overarching Element of the SGP which combines the goals and policies of all other Elements with those for conservation and development. The impact of what happens or does not happen on the landscape is felt in the downstream waters. The development goals, policies and strategies of *Land Use 2025* impact local land use decisions, which in turn will potentially impact the water resources of the State. *Land Use 2025* recognizes the importance of water resources to the health and welfare of the State. It makes recommendations to protect water quality, to maintain the water and wastewater infrastructure and to implement a holistic planning approach at the watershed level.
- *Transportation 2035*, SGP Element 611 (2012) provides goals, policies, and recommendations for the movement of both goods and people. It encompasses the highway system, public transit, transportation system management, bicycle travel, pedestrian, intermodal, and regional transportation needs. The Plan acknowledges our transportation network impacts water resources via stormwater and includes goals for managing stormwater to minimize these impacts.
- *Ocean State Outdoors*: Rhode Island's Comprehensive Outdoor Recreation Plan, SGP Element 152 (2009) sets policies and actions for providing priority recreation needs while protecting the State's open space and recreational resources. Specific policies are identified to protect water resources based upon recreation needs.
- *A Greener Path: Greenspace and Greenways for Rhode Island's Future*" SGP 155 (1994) sets policies and program initiatives to create a system of state and local greenspaces and greenways, including natural corridors, trails, and bikeways. It identifies that these areas have multiple values as open space including protecting water resources.

[Relationship to Other Plans](#)

Additionally this Plan draws upon other statewide agency plans or other strategies of relevance to water quality and aquatic habitat management that exist for other purposes. These include the *RI State Wildlife Action Plan* (2015) and *RI Nonpoint Source Management Program Plan* (2014) prepared by DEM.



The State Wildlife Action Plan includes detailed discussion and assessment of both terrestrial and aquatic habitats and wildlife species. Information and recommendations concerning aquatic habitats has been incorporated into this element. The RI Nonpoint Source Management Program Plan is a 5-year plan required by EPA. It guides program implementation and identifies specific actions that will be undertaken and identifies targeted watersheds. Other plans reviewed included: the *Systems Level Plan* of the Bays Rivers and Watersheds Coordination Team (2009)¹, the *RI Aquatic Invasive Species Management Plan* (2007) and *RI Wetland Program Core Elements Plan* (2015).

Comprehensive Conservation and Management Plan (CCMP) for Narragansett Bay - Narragansett Bay Estuary Program (NBEP)

Rhode Island benefits from the designation of Narragansett Bay as one of 28 national estuary programs. The Narragansett Bay Estuary Program was established in 1987 by Section 320 of the Clean Water Act. The Program targets the bi-state watershed of Narragansett Bay and constitutes a *regional program* with involvement from both Rhode Island and Massachusetts. It is guided by a management committee with representation of both governmental and non-governmental entities engaged in the protection and restoration of Narragansett Bay. The NBEP generated the first federally required Comprehensive Conservation and Management Plan (CCMP) for Narragansett Bay in 1995. This CCMP was adopted into the SGP as a separate Element (715) in 1992 but as noted above the 1992 CCMP is repealed by this Plan.

More information on the NBEP and the CCP can be found at:

<http://www.nbep.org/index.html>

In 2013, a new CCMP was issued by the NBEP. The new CCMP is not a SGP Element. It has been reviewed to foster consistency in this Plan with respect to recommendations that are applicable to RI statewide water quality policy. Relevant recommendations from the CCMP have been included in this Plan to fulfill integration between these related planning efforts and support the CCMP implementation. This will also allow the CCMP to serve its intended federal function as a regional management plan but the CCMP is no longer a SGP Element.

¹The Systems Level Plan was developed by Rhode Island Bays, Rivers and Watersheds Coordination Team as authorized by RIGL 46-31 and adopted in 2004. In 2015, state law was modified to repeal the mandate for the plan and eliminate the team as a state coordinating body.



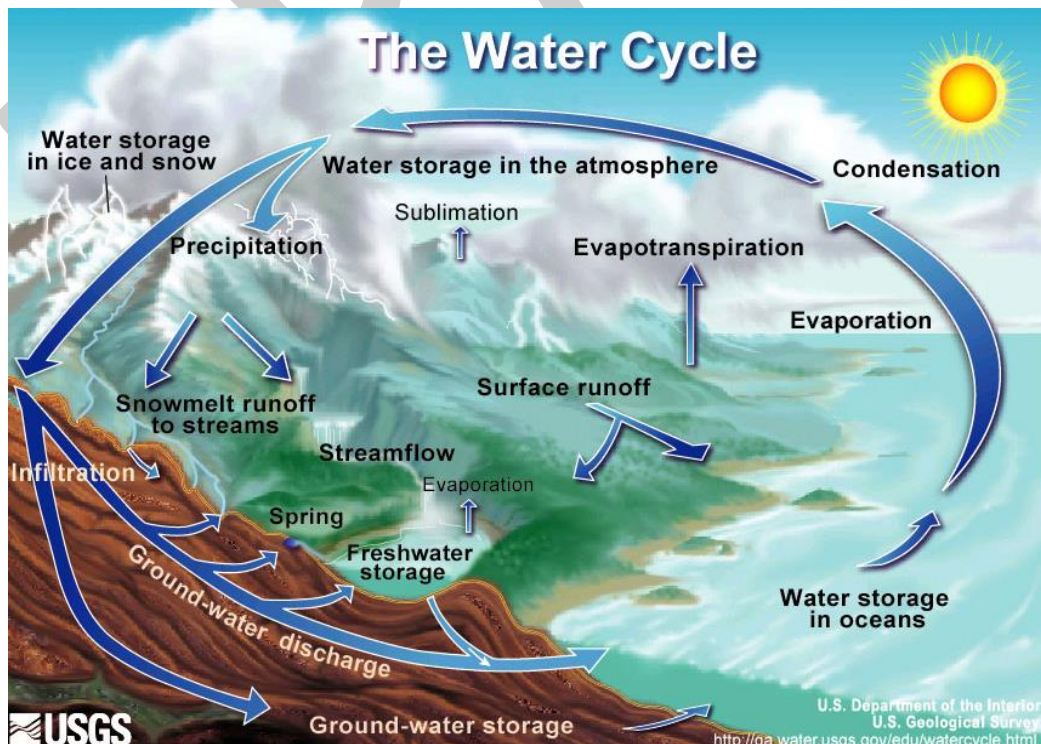
Part 2 Rhode Island's Water Resources & Trends

Key Points

- What is a Watershed
- Rhode Island's Watersheds
- Coastal Water Resources
- Freshwater Resources
- Trends in Water Quality
- Trends in Aquatic Habitat Conditions
- Water Quality Impairments and Threats

The Water Cycle

The water resources of Rhode Island consist of rivers and streams, lakes and ponds, groundwaters, wetlands and estuarine and marine waters. Their form today was shaped by the regions' geologic history including the advance and retreat of glaciers which carved bedrock and deposited layers of sediments in the creation of the landscape thousands of years ago. Our water resource features are interconnected by the continuous movement of water through our environment in a process known as the water cycle. The basic underlying principle is simple: all water is recycled. There is no new water. Small streams, fed primarily by groundwater, drain into larger streams, which in turn flow into river systems. All rivers in RI eventually empty into coastal waters. Most RI lakes are manmade – formed by impounding rivers. Freshwater wetlands exist in areas of where the groundwater table is close to the surface and often in proximity with other surface waters. Coastal wetlands interact with estuarine and marine waters in the intertidal zone. Precipitation replenishes groundwater aquifers and surface water reservoirs. This *hydrological connectivity* reinforces the need for integrated, holistic management approaches developed on a watershed scale which will support the State's economy, to protect public health, and to maintain healthy natural systems.



What is a Watershed?

Surface waters and wetlands can be mapped on a watershed basis. Figure X depicts Rhode Island watersheds as commonly identified for management utilizing standardized watershed delineations generated at various scales by the United States Geological Survey. When needed smaller sub-watersheds can be delineated for an individual waterbody, such as a stream or a lake.

Activities in the watershed landscape affect surface water and groundwater quality and quantity. Within a watershed, pollutants enter the waters in a variety of ways including through direct discharges, stormwater runoff, spills and other man-made releases and atmospheric deposition. These pollutants move through a watershed and when present in sufficient quantities have the potential to adversely impact the quality of downstream water resources.

Figure 1, Rhode Island Watersheds, also illustrates watersheds that cross state boundaries and are shared with neighboring Massachusetts and Connecticut. These highlight the need for regional collaboration on water quality management in these areas. The sections which follow provide additional descriptions of the various components of RI's water resources.

Watershed: Precipitation that falls on the land surface flows as either surface water or groundwater to the lowest points in the landscape. A watershed is the land surface that drains, or "sheds", water (and the pollutants in that water) to a single waterbody, such as a river, lake, coastal bay or ocean. Every body of water, no matter how large or small, has a watershed. Watershed boundaries are defined by topography and are often divided into smaller "sub-watersheds" based on the management scale employed. Rarely do they correspond with the political boundaries; e.g. town boundaries.



Snapshot of Rhode Island Water Resources

	<p><i>Freshwater Rivers and Streams:</i></p> <ul style="list-style-type: none"> • 1,420 miles of rivers and streams • 86% of which are small headwater streams (1:24,000, RIGIS)
	<p><i>Freshwater Lakes and Ponds:</i></p> <ul style="list-style-type: none"> • 20,749 acres of lakes, ponds and reservoirs (1:24,000 RIGIS) and many other very small ponds • DEM estimates 75% of lakes 20 acres and larger are manmade impoundments
	<p><i>Groundwater Aquifers:</i></p> <ul style="list-style-type: none"> • 22 major stratified drift aquifers covering 190 square miles • 4 federal sole source aquifer designations. (RIGIS)
	<p><i>Freshwater Wetlands:</i></p> <ul style="list-style-type: none"> • About 66,493 acres or approximately 10% of Rhode Island's land area is comprised of freshwater wetlands including swamps, marshes, bogs and fens • Wooded swamp is the most abundant wetland type in RI. (USFW, 2014)
	<p><i>Estuarine Waters:</i></p> <ul style="list-style-type: none"> • 159 square miles of estuarine waters including Narragansett Bay and its sub-embayments, Little Narragansett Bay, • 11 coastal lagoons are located along the southern RI shore and salt ponds on Block Island (RIGIS)
	<p><i>Salt Marshes:</i></p> <ul style="list-style-type: none"> • 3,630 acres of salt marsh located along RI's coastal shorelines (RI Ecological Classification -2011, RIGIS)
	<p><i>Marine Waters:</i></p> <ul style="list-style-type: none"> • Rhode Island Sound • Block Island Sound



Figure 1: Rhode Island Watersheds

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Coastal Water Resources

Rhode Island's *coastal waters* consist of both estuarine and marine waters. Estuaries constitute transition zones from freshwater to salt water and are considered among the most productive ecosystems, creating more organic matter each year than comparably sized areas of forest, grassland or agricultural land. ¹ RI *estuarine waters* provide nursery habitat for important commercial and recreational fisheries. More than 70% of Rhode Island's recreationally and commercially important finfish species depend on estuaries for a portion of their life cycle.² *Marine waters* have salinities comparable to ocean waters.

Narragansett Bay

*"Narragansett Bay is central to our identity and culture—from Battleship Cove to Beavertail, from Waterplace Park to the Newport Bridge. Our rich history of native communities and colonial settlement; our historic mill towns; our soaring bridges and waterfront parks; our fishing and sailing traditions; our boatbuilding expertise; our Naval heritage—even our recipes for quahog chowder—have all been shaped by the Bay, just as we, in turn, shape the Bay, and have done so for hundreds of years."*³

At a glance:

- 147 square miles including Mt. Hope Bay and Sakonnet River
- Occupies 12% of RI's total area
- Three main tributaries: Blackstone River, Pawtuxet River and Taunton River (MA)
- Average Depth: 26 feet⁴; Maximum Depth: 184 feet
- Supports a diversity of estuarine habitat types important to biodiversity

It is Rhode Island's most prominent geographic feature, is a temperate, well-mixed estuary covering 147 square miles (including Mt. Hope Bay and the Sakonnet River) and occupying 12% of the total area of the State. The Bay and its watershed are shared with Massachusetts. While a large majority -94%- of Narragansett Bay waters lie within RI, a larger portion of its watershed- about 60% - lies in Massachusetts. The Bay receives freshwater inputs from its major tributary rivers - the Blackstone and Pawtuxet Rivers, and as well as the Taunton River in Massachusetts.



In Rhode Island, the head of Narragansett Bay forms where the Blackstone River empties into the estuarine Providence and Seekonk Rivers. Narragansett Bay connects to the ocean through three passages known as the East Passage, West Passage and Sakonnet River. The Narragansett Bay system includes many named coves and sub-embayments, the largest being Mount Hope and Greenwich Bays as well as a few coastal ponds. Water quality in the Bay is influenced by its circulation patterns which are dominated by tidal mixing. Additional factors affecting circulation include winds and non-tidal currents produced by salinity and temperature gradients.

Narragansett Bay is a phytoplankton-based ecosystem that is dominated by open water, or pelagic, habitat that supports a number of commercial and recreational fisheries including mackerel, herring and butterfish. The health of the pelagic habitat is tied to the bottom habitats which are essential to fish and invertebrate spawning, foraging, resting and hiding from predators. Consisting of primarily

¹ United States Environmental Protection Agency(EPA)

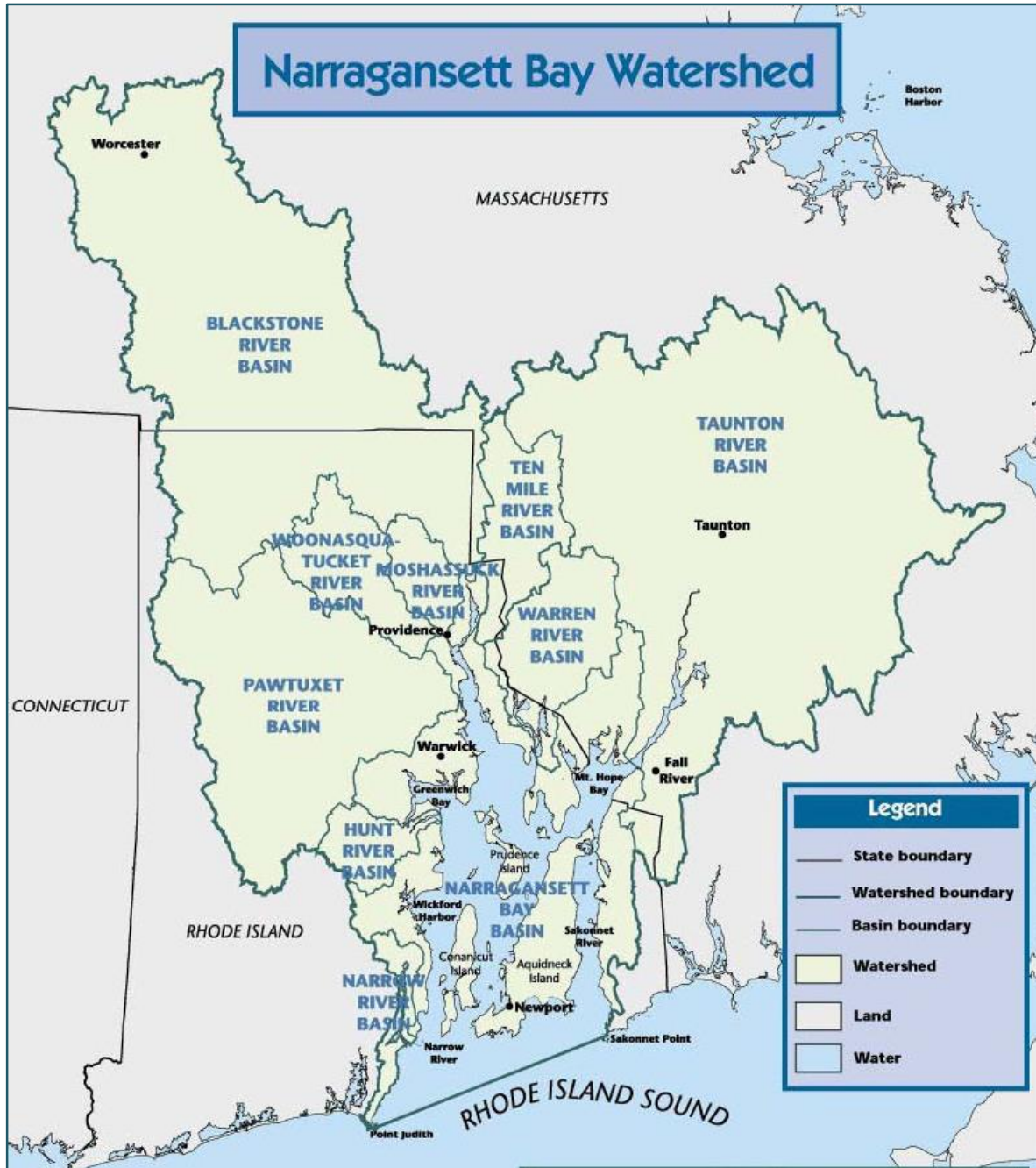
² Meng L. & Powell, J.C., 1999

³ Narragansett Bay Estuary Program



soft sediments, this benthic habitat type provides nursery habitat for commercially important finfish (winter flounder), crustaceans (lobster) and mollusks (clams). A variety of other habitats occur in and along the bay: saltmarshes, tidal creeks and brackish marshes, rocky shores and reefs, eelgrass beds, mud and sand flats and rocky intertidal zones. Together these support the biodiversity in the bay.

Figure 2, Narragansett Bay Watershed⁴



⁴ <http://www.nbep.org/maps/map-watershed.pdf>

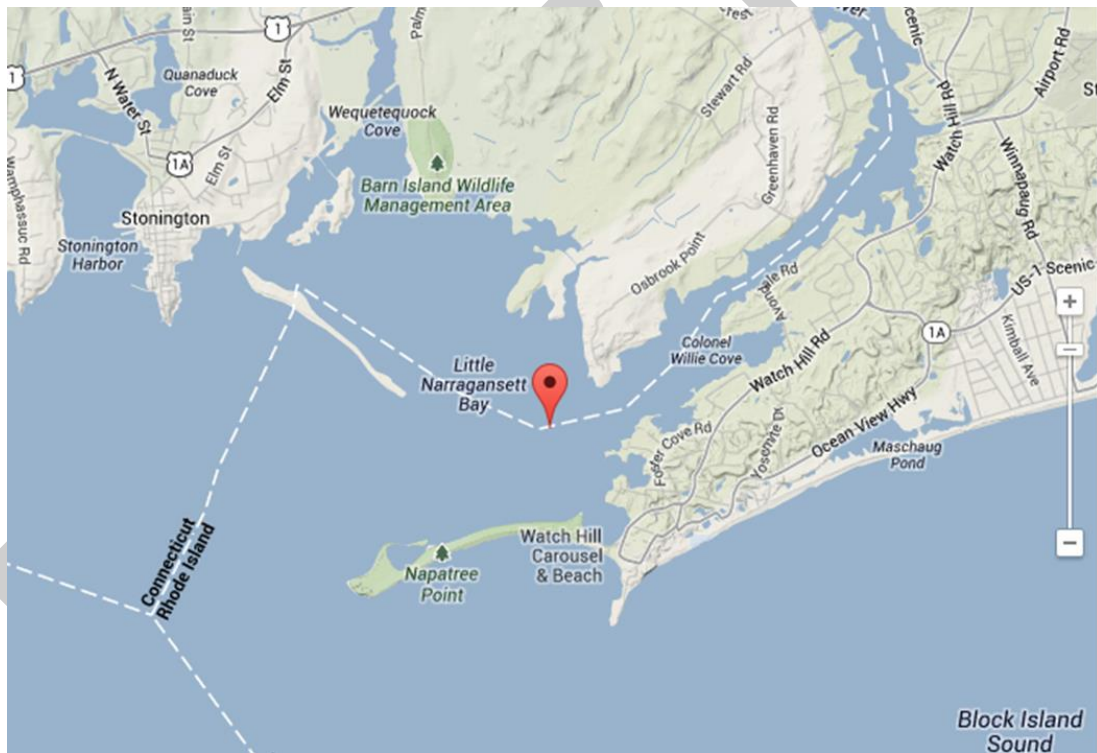


Little Narragansett Bay and Pawcatuck River EstuaryAt a glance:

- *2.1 square miles (Rhode Island portion only)*
- *Average depth: 6-7 feet*
- *Tributary: Pawcatuck River*

Little Narragansett Bay is a small estuary formed where the Pawcatuck River empties into coastal waters. The tidal portion of the Pawcatuck River separating RI and CT is estuarine. The Pawcatuck River estuary is highly stratified while Little Narragansett Bay is considered well mixed. These bodies of waters, which in combination cover about 4 square miles, are shared with Connecticut. Although much smaller than Narragansett Bay, this estuary also provides important habitat for a diversity of marine life.

Figure 3, Little Narragansett Bay- Pawcatuck River Estuary⁵

Coastal PondsAt a glance:

- *Total of 6,583 acres*
- *Range from 43 to 1,711 acres in size*
- *Located behind coastal barriers*

Rhode Island's coastal ponds, often referred to as salt ponds, are coastal lagoons: shallow, productive marine embayments separated from the ocean by barrier spits.⁶ Eleven salt ponds are located along RI's

⁵ <http://itouchmap.com/?d=1217580&s=RI&f=bay>

⁶ CRMC



southern shore; in addition to the Great Salt Pond, found on Block Island. Salt ponds are dynamic, forming and reforming due to coastal processes involving erosion, sediment transport and gradually rising sea levels. The ponds typically have an inlet through which water and sediment is exchanged. The expansion of commerce in the 20th century led to the construction during the 1950s of permanent breachways (inlets) to several of the ponds resulting in alteration to the salinity and aquatic life; e.g. fisheries. During storm events, the barrier spit separating the pond from the ocean can be overwashed. Rhode Island's coastal ponds vary in salinity from brackish to more highly saline. RI salt ponds are highly productive ecosystems that contain both intertidal and subtidal habitats including tidal marshes, eelgrass beds, oyster reefs, and soft bottom sediments. These support important fishery spawning and nursery grounds and serve as prime feeding areas of migrating waterfowl.

Figure 4, Rhode Island Coastal Salt Ponds



Saltmarshes

At a glance:

- *Cover about 3,800 acres*

A salt marsh is a type of wetland that is located between the land and coastal waters.

Salt marshes are characterized by plants that can handle regular tidal flooding by salt water and typically contain several different types of plants located in zones called upper marsh, high marsh, and low marsh. In Rhode Island, salt marshes are found along the shores of salt ponds, in the Narragansett Bay and estuarine rivers (such as the Narrow River estuary). Statewide mapping in 2011 determined RI had about 3,800 acres of saltmarshes, with the majority (2,500 acres) located within Narragansett Bay.

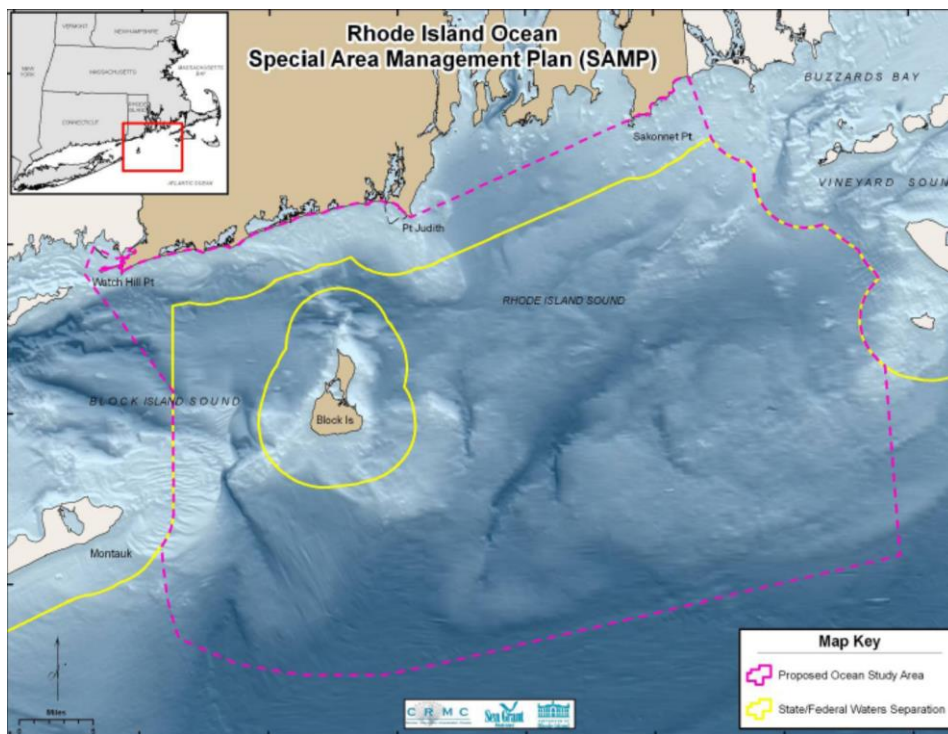
While covering a small surface area, salt marshes are among the most ecologically valuable habitats in associated with our coastal water resources. They are highly productive ecosystems that provide nursery grounds and foraging habitat for hundreds of species of fish, shellfish, birds, and mammals. They are an important habitat for economically important fish, crustacean, and bird species including migratory waterfowl. In addition to their habitat value, salt marshes serve as natural pollution treatment systems by filtering out pollutants before they reach our coastal waters. The location of salt marshes helps protect coastal areas by buffering against storm surges and floods.

Marine Waters

Rhode Island marine waters includes nearshore waters along the southern coast as well as open ocean waters of Rhode Island and Block Island Sound. DEM tracks information on about 79 miles of shoreline marine waters along the State's southern shore extending from Westerly to Little Compton. This area hosts major state and municipal saltwater beach facilities on the seaward side of the barrier spits that form the salt ponds discussed above. The State's jurisdiction in marine waters extends out to the three nautical mile territorial limit, where waters are then considered federal. Rhode Island's marine waters include Block Island and Rhode Island Sounds. In addition, in 2011, as part of the federal NOAA approval of the Ocean Special Area Management Plan, CRMC's jurisdiction was expanded to apply state jurisdiction to federal waters. For this purpose, an off-shore boundary, called a Geographic Location Boundary, was designated. It extends well beyond the three-mile limit and allows the CRMC to review any federal activity or project out to 30 miles off the coast of Rhode Island, including activities like offshore wind energy development, underwater transmission cables, or LNG pipelines or terminals. The Geographic Location Description, a tool unique to Rhode Island and the Ocean SAMP, will enable the CRMC to apply the policies of the SAMP to waters beyond the State's 3-nautical mile jurisdictional boundary, within the Ocean SAMP area, through the Coastal Zone Management Act (CZMA) Federal Consistency Provision." Habitats in marine waters have been categorized into nearshore and offshore – both of which are important to valuable commercial and recreational fisheries

Figure 5, Ocean SAMP Boundaries





Freshwater Resources

Rivers and Streams

At a glance:

- Total miles of rivers and streams: 1,420
- 84% of total river miles are small, headwater streams
- Three major river basins: Blackstone, Pawtuxet, Pawcatuck
- Most rivers have been altered by the construction of dams

A river or stream is a body of water that flows through a defined channel. Rhode Island has approximately 1,420 miles of freshwater rivers and streams that flow year round. Referred to as perennial rivers and streams, these consist of 452 named waterbodies along with dozens of unnamed small streams. Figure X. The channel or streambed of these rivers and streams is typically below the water table allowing groundwater to be a continual source of streamflow. Two other types of streams also occur in Rhode Island: intermittent and ephemeral. Intermittent streams cease flow during certain periods; e.g. may be dry during the summer. Ephemeral streams are those which form temporarily to flow in response to precipitation events.



Rivers can be categorized based on their size and placement within the network of rivers within a watershed. A widely used hierarchy of stream order includes categories ranging from first order (the



smallest) to 12th order (the largest). First order streams generally do not have other surface waters regularly flowing into them and typically are fed from groundwater sources. First and second order streams, referred to as headwater streams, are the most abundant in both number and length in RI's river network as well as in the United States. These streams constitute the origins of our larger rivers and therefore influence what happens downstream.

DEM estimates that headwater streams make up 84% of the total river and stream miles in RI.

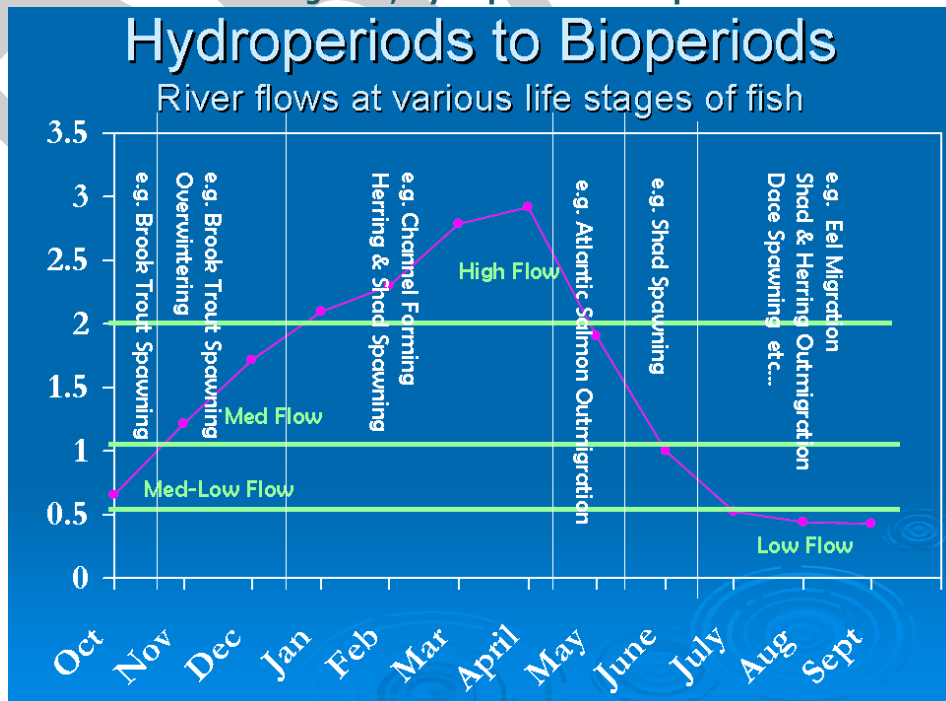
The topography of RI results in most rivers and streams categorized as low gradient – meaning that they are not steeply sloped. Most are also shallow and wadeable. Rhode Island has few large rivers. Table 1, Large Rhode Island Rivers, lists the rivers categorized as 4th and 5th order. The three deepest and largest rivers – the Blackstone, Pawtuxet and Pawcatuck - drain 58% of Rhode Island's land area and have average flows well above all other RI rivers.

Table 1, Large Rhode Island Rivers

River Name	Length (miles)	Average Flow (gpm)	Average Flow (MGD)
Blackstone River	48 total length 16.1 in RI	450,176	648
Pawcatuck River	28.8	308,360	444
Pawtuxet River	28.3	155,150	223
Branch River	8.8	73,648	106
Wood River	13.8	67,410	97
Woonasquatucket River	12.5	32,448	47

All rivers function with a natural hydrologic regime that reflects variations inflow throughout a year. In our State, rivers generally exhibit higher flows during spring, due to snowmelt and other precipitation, and exhibit lower flow periods during the drier summer months. Both plants and animals have adapted to this regime with certain species dependent on differing riverine flow conditions for specific parts of their life cycles. See Figure7, Hydroperiods to Bioperiods.

Figure 7, Hydroperiods to Bioperiods



Rhode Island’s rivers and streams are an important habitat for a large variety of animals and plants. Fish, amphibians, birds, insects, invertebrates and reptiles live in rivers or forage there for food. Five freshwater and eight anadromous fish species found in riverine habitats are identified as species of greatest conservation need in RI. The American Brook Lamprey, found only in northeast RI, is considered a state threatened species. About one-third of RI’s stream miles have been formally designated as coldwater habitat suitable to support brook trout.

Rivers play a vital role in connecting natural habitats which extends their benefit to both flora and fauna well beyond the surface area they cover. By connecting habitat both upstream and downstream, rivers can help to form corridors of natural habitat. This reinforces the need for management approaches that take into account the entire watershed area of a river and stream.

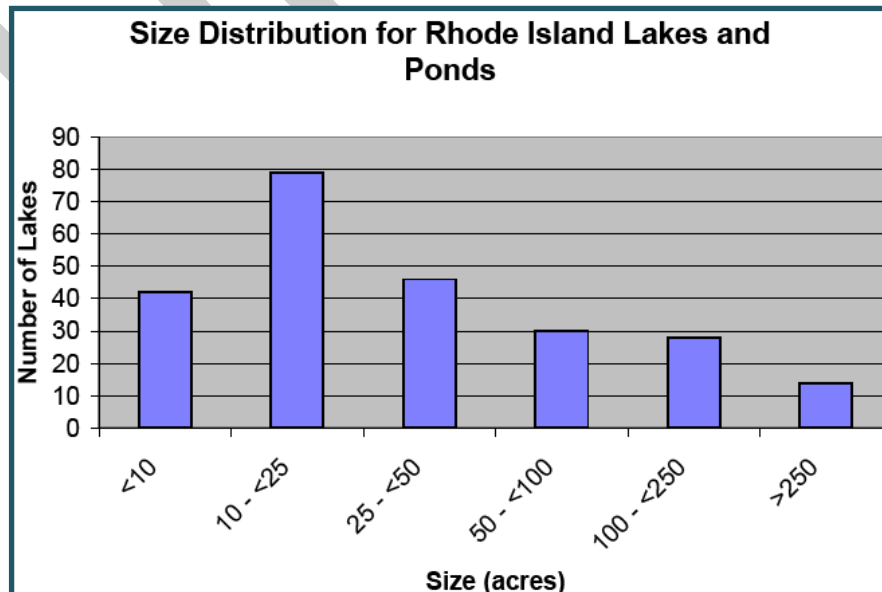
Rhode Island rivers and streams connected to coastal waters are essential to the life cycles of certain migratory species of fish that spend portions of their lives in both fresh and salt waters. These include American eel, river herring, American shad and Atlantic salmon among others. DEM has identified watersheds considered suitable for anadromous fish restoration through improvements to fish passage.

Freshwater Lakes and Ponds

Rhode Island’s landscape includes hundreds of freshwater lakes and ponds covering 20,749 acres (mapped at a 1:24000 scale). DEM tracks 236 named lakes, ponds and reservoirs (hereafter referred to as lakes) which are widely distributed throughout the State although some communities have only one sizable pond. See Figure 6, Rhode Island Freshwater Hydrology. Generally lakes are thought of as being larger than ponds, but this isn’t necessarily the case in RI where historically both terms were used to name waterbodies without a clear relationship to size. From a national perspective, most of RI’s lakes would be considered relatively small - 70% are 50 acres or less in size. Only 4 exceed 500 acres - Watchaug Pond, Flat River Reservoir, also known as Johnson’s Pond, Worden Pond and the Scituate Reservoir.

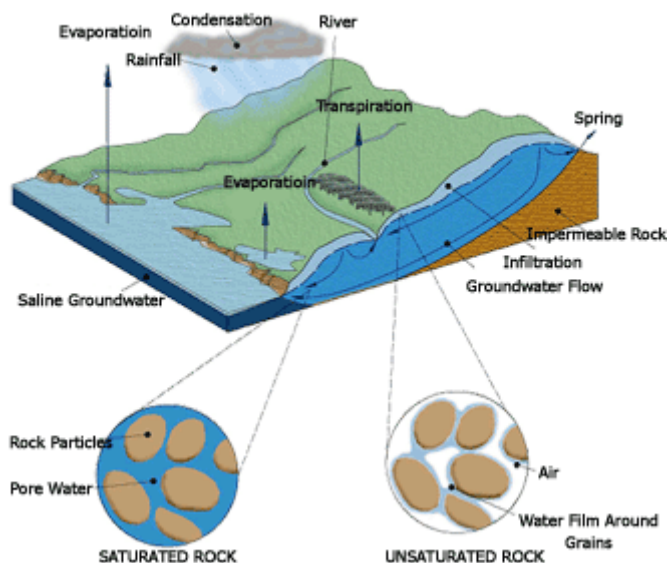
Worden’s Pond is the State’s largest natural pond covering 1.051 acres.

Most RI lakes and ponds are in fact man-made impoundments resulting from the construction of dams of varying sizes and types on rivers or streams. Among the 237 lakes tracked by DEM, only 25% are considered natural lakes or ponds and of these only 5 are larger than 100 acres. Rhode Island’s lakes and ponds, including their shorelines, are rich habitats for fish and wildlife. They provide breeding locations, food resources, nesting sites, refuge from predators and migratory stop-over locations for numerous species. Thirty-seven freshwater fish species have been found in RI lakes.



Groundwaters

Groundwater is a locally abundant resource and widely used resource that supplies an estimated 26% of RI's population with drinking water through public and private wells⁷. An estimated 27 million gallons a day of groundwater are used for water supply, irrigation and other beneficial uses. Two-thirds of RI communities rely on groundwater to a significant degree for their water supply. Four aquifers have been designated as a "sole source aquifer" by the EPA. These are on Block Island, in Jamestown, within the Pawcatuck River Watershed and the Hunt-Annaquatucket-Pettasquamscutt region, primarily in North Kingstown. State Guide Plan 721, *Water 2030*⁸ details goals and polices for sole source aquifers.



Subsurface geology influences the amount of groundwater that is available and the ease by which it can be extracted from the ground in a particular location. Glacial deposits of stratified drift and till overlie fractured bedrock across the State. In river valleys, glaciers deposited deep deposits of stratified drift (sands and gravels) that characteristically have large amounts of pore space that store groundwater. This type of aquifer, referred to as a stratified drift aquifer, covers about one-third of the State. The deposits range from a few feet to 100 feet or more in depth. Twenty-two major stratified drift aquifers have been mapped and are shown on Figure 8. These aquifers are the most productive groundwater resource and most support large capacity public water supply wells; e.g. wells that pump a million gallons or more per day.

The land areas surrounding the stratified drift aquifers exhibit a different type of subsurface geology. Covering most of the State, these areas contain glacial till, which is mix of sediments and rock of varying sizes that limits the space available for storage of water. The depth of glacial till deposits to the bedrock formation varies considerably but averages twenty feet⁹. Till deposits are not a suitable water supply source and they function primarily to recharge the underlying bedrock. In a few locations along Route 1 in Southern RI and on Block Island, the till and stratified drift are mixed in a deposit formed by glacial end moraines. Bedrock underlies all of the stratified drift and till deposits. Water is stored and moves through narrow fractures in the rock. Bedrock is the most common source of water in rural areas, supplying private wells and small capacity public wells.

Groundwater in the glacial deposits generally follows topography and the pattern of surface water flows, although there can be exceptions. Groundwater movement in fractured bedrock is less well understood and predictable. Wells that extract groundwater may also exert influence on the velocity and direction of groundwater movement. Compared with surface waters, groundwater naturally moves very slowly at rates that may be inches per day in till to feet per day in stratified drift. This has implications for managing water quality in that actions taken to reduce pollutant loadings transported by groundwater may take long periods, even decades, to achieve results.

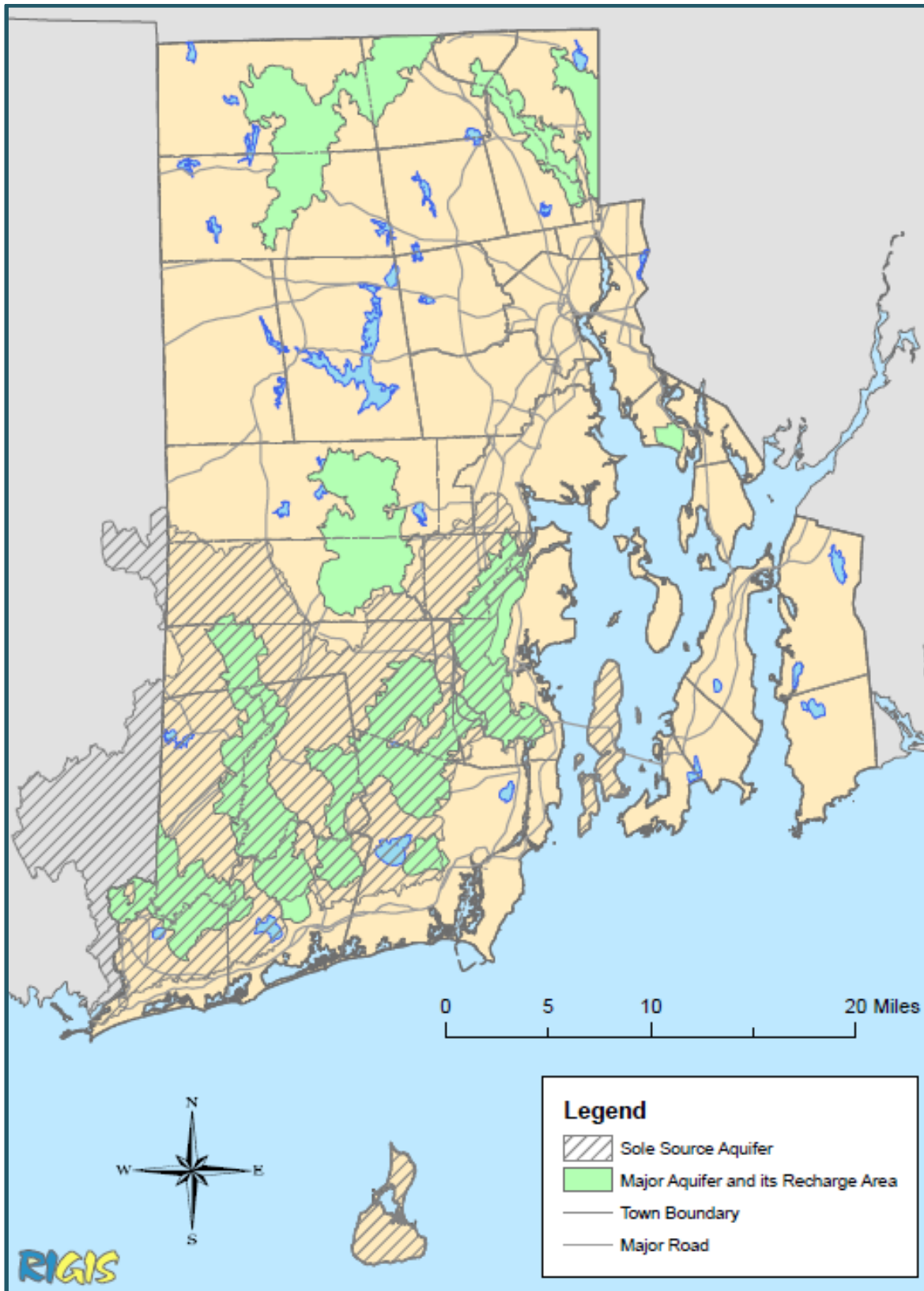
⁷ (USGS)

⁸ http://www.planning.ri.gov/documents/guide_plan/RI%20Water%202030_06.14.12_Final.pdf

⁹ (USGS)



Figure 8 – Rhode Island Groundwater Resources



Freshwater Wetlands

Freshwater wetlands are areas where water covers the soil, or is present at or near the surface of the soil for some or all of the year. Vegetated wetlands support both aquatic and terrestrial species many of which have specially adapted to the conditions present in wetlands. Wetlands often represent a transitional zone between land and water, exhibit hydric soils and a rich species diversity of plants and animals. In addition to their ecological functions, wetlands provide ecoservices with significant value to society including flood storage, protection from shoreline erosion, groundwater recharge, natural water quality improvement, natural resource products and opportunities for recreation and aesthetic appreciation¹⁰.

The most abundant wetland type in RI is forested wetland, commonly known as "Red Maple Swamp".

According to the most recent National Wetlands Inventory, freshwater wetlands cover 66,493 acres, or approximately 10% of the State's land surface area. They are widely dispersed across the landscape and vary in size and type. Freshwater wetlands are grouped into four broad categories: swamps, marshes, bogs and fens. Bogs and fens are scarce.

¹⁰ EPA 1995



Trends in Water Quality and Aquatic Habitat Conditions

Rhode Island waters have endured a long history of human impact that stretches back over two centuries. Understanding these impacts can help shape effective management strategies for today and the future. With the establishment of the first mill to spin cotton using water power on the Blackstone River in the late 1700s, Rhode Island is widely acknowledged as the birthplace of the Industrial Revolution in the United States. (cite) The subsequent invention of the power loom and cotton cleaning machinery spurred a rapid expansion of the textile industry and its associated base metals and machinery industries during the 1800s that would turn portions of Rhode Island's estuaries into urban waters of national importance¹¹. During this period, small and large mills were built on nearly every tributary to Narragansett Bay¹². As our population grew, raw sewage was discharged directly into rivers or coastal waters for decades until improved treatment practices were adopted. The United States Geological Survey (USGS) noted "The damming of rivers and the historical disposal of untreated industrial, municipal and domestic wastes from industry, cities and homes made some of the rivers in New England Coastal Basins among the most contaminated in the Nation in the early 20th century." Stress on our water resources continued into the 20th century with the expansion of manufacturing in the jewelry and silver industries, continued population growth and the introduction of the automobile and the subsequent building of roads and interstate highways leading to increased urbanization.



Initial State Response to Water Pollution

As impacts were recognized, government acted to address water pollution and improve sanitary conditions. The first sewage treatment works were built in Woonsocket in 1897 and Providence in 1901. Rhode Island's first water pollution act was enacted in 1920. It created a Board of Purification of Waters and directed that pollution from oil, domestic sewage and manufacturing wastes be regulated. The Board became a division of the Department of Health in 1935 evolving into the Division of Water Pollution Control in 1963. A 1946 report on water pollution by the Department of Health concluded "*The latest studies of the waters of the state made by the Division of Sanitary Engineering, Rhode Island Department of Health, indicate that with population growth and increased industrial activity, pollution has reached farther down Narragansett Bay than ever, causing extensive damage to natural resources. The war years prevented the taking of remedial measures because of governmental restrictions on the use of scarce materials for such work. This has magnified the problem to a degree which makes immediate action to abate pollution an urgent necessity.*" The formation of the Blackstone Valley District Commission followed in 1947 with construction of centralized wastewater services to Pawtuxet, Central Falls and parts of Cumberland. By 1956, when the federal water pollution control act was amended to provide some financial assistance for treatment plant construction, twelve wastewater treatment plants were operating but water pollution was still prevalent. A map from this period depicts a characterization of water pollution at that time.

¹¹ Nixon

¹² NBNERR



Federal Clean Water Act Accelerates Water Pollution Abatement

In the 1970s, in response to environmental degradation, major federal and state environmental laws were adopted ushering in the development and expansion of the state regulatory programs aimed at water, air and hazardous waste. Federal law referred to as the Clean Water Act (CWA), enacted in 1972, set as a goal the attainment of “*fishable and swimmable waters*” – something managers today continue to strive for. Section 208 of the Act resulted in a statewide planning process to identify sources of water pollution, determine the seriousness of the water pollution problems and identify workable means to control each type of pollution. The CWA and the resulting 208 Water Quality Management Plan (cite), approved by EPA in October 1976, laid the groundwork for future legislative actions and spurred development of RI’s state water pollution control programs, including mandatory permits for point source discharges. Implementation of the CWA also led to significant investment in the modernization of wastewater treatment which in turn significantly reduced pollutant loadings discharged into our rivers and coastal waters. Rhode Island received \$284.2 million via the EPA Federal Construction Grants Program that was matched by \$64.6 million in state bonds resulting in a total investment of over \$348 million in wastewater treatment facility and system improvements from the mid 1970’s to 1998. Between 1977- 1980, construction of five new wastewater plants was completed and plants providing the lowest level of treatment (primary) were all upgraded to secondary treatment by 1995. This progress was documented in the 2000 Status and Trends Report of the Narragansett Bay Estuary Program which noted significant reductions in the organic waste and biochemical oxygen demand (BOD) discharged by wastewater treatment plants as a result of the upgrades to secondary treatment and improved disinfection.

Primary, Secondary, and Advanced Treatment

Primary Treatment is the initial stage of wastewater treatment that removes floating material and material that easily settles out.

Secondary Treatment is the second stage in most wastewater treatment systems in which bacteria consume the organic matter in wastewater. Federal regulations define secondary treatment as meeting minimum removal standards for BOD, TSS, and pH in the discharged effluents from municipal wastewater treatment facilities.

Advanced Treatment, often referred to as tertiary treatment, involves treatment levels beyond secondary treatment. This may involve various technologies to further reduce the pollutants of concern, such as nutrients.

Progress toward clean water goals is reflected in the following major accomplishments in water pollution control in Rhode Island that occurred through the year 2000:

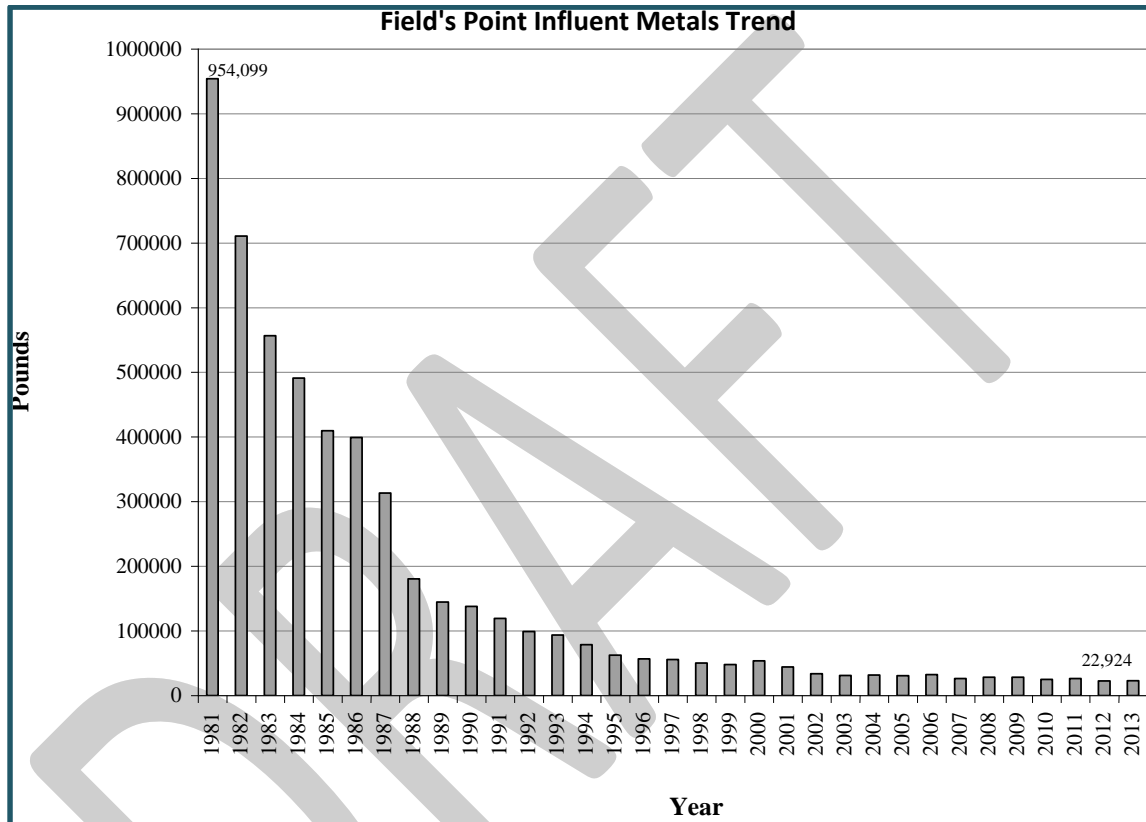
- Construction of 5 new wastewater treatment facilities between 1977-1980 & expanded public sewer service to areas in need.
- Upgrade of 14 existing WWTFs to secondary treatment technology standards by 1989.
- Significant reductions in discharge of toxics from WWTFs with implementation of industrial pretreatment programs in 198X.
- Upgrade in the technology used for underground storage of oil and gasoline products and removal of abandoned USTs.
- Elimination of floor drains discharging into the ground at facilities with a high potential to pollute groundwater including automotive garages.
- Construction of more effective caps on closed landfills.
- Completed remediation actions at hazardous waste sites designated as national priority sites under the EPA Superfund Program.

Insert graph on transition to more advanced treatment



During the 1980-1990s, there was also success in reducing the release of toxics via wastewater discharges. The implementation of industrial pretreatment programs in the early 1980s, which regulated the pollutants being discharged into sewer systems, led to dramatic reductions in the discharge of toxic metals such as cadmium, copper, and nickel, and toxic organic compounds such as cyanide. The Narragansett Bay Commission has reported a 97% reduction in total metal loadings at its Field’s Point WWTF, from 950,000 lbs. in 1981 to 22,924 lbs. in 2013. The reductions in turn led to lower trace metal concentrations being found in the surface sediment samples taken from the most industrially impacted area of the Bay, including the Providence and Seekonk Rivers, in 1997-1998. (King)

Figure 9, Fields Point Waste Water Treatment Facility



Expansion of Pollution Control Regulatory Programs

During the 1980s, state environmental regulatory programs were created or strengthened to better control sources of pollution associated with petroleum products, hazardous materials and solid and hazardous wastes. The RI Groundwater Protection Act was adopted in 1985 following notable instances of pollution in public and private drinking water wells. DEM first promulgated comprehensive rules for hazardous waste management and underground non-sanitary discharges in 1984, underground storage tanks in 1985 and above ground storage of oil in 1991. All these programs, which have evolved and been modified over time, have proven successful in abating both surface and groundwater pollution as evidenced by:

- Reduction in number of leaking underground storage tanks used to store oil and gasoline products;
- Elimination of abandoned USTs.
- Elimination of floor drains discharging into the ground at facilities with a high potential to pollute groundwater including automotive garages.
- Construction of more effective caps on closed landfills.



- Completed remediation actions at hazardous waste sites, including those designated as national priority sites under the EPA Superfund Program.
- Elimination of lead in gasoline reducing air deposition of this pollutant.

Recognition of the Need for Watershed –based Approaches

In 1987, the federal Clean Water Act was amended to provide funding for states to develop non-point source pollution management programs. This reflected growing recognition that water quality conditions in many waterbodies are cumulatively affected by numerous and diffuse sources of pollution that are distributed across the landscape such as on-site wastewater systems, soil erosion and stormwater runoff. Rhode Island developed its first Non-point Source Pollution Program Plan in 1995 which laid out the need to involve partners, plan and carry out work on a watershed scale. Other key program developments during this time included the establishment of the Narragansett Bay Estuary Program and water quality restoration plans, known as TMDLs, the first of which was approved in 1999.

During the last twenty years, state environmental programs have continued to evolve and adapt to new understanding of the nature of stressors to water quality. Wastewater permits have been refined to reflect water quality based effluent limitations derived from technical analysis and modeling rather than minimum technology requirements. Areas of focus have included further reductions in nutrient pollutant loadings from WWTFs, abatement of combined sewer overflows (CSOs), improving management of stormwater runoff, and phasing out the use of inadequate septic systems. These topics and more are reviewed in [Section X](#). [Figure X represents select milestones in the governance of water pollution including major environmental events that](#)

“The story of water quality in New England is thus one of both remarkable progress and significant remaining challenges.” EPA

Water Quality Trends

Determining trends in ambient water quality requires that data be collected in a similar manner over long periods of time. With passage of the Clean Water Act, water quality monitoring activities were expanded but limitations in data collection have persisted in RI. Changes in methods and sampling designs overtime also constrain attempts to discern trends. The result is that there are relatively few long-term datasets from which to determine trends in the ambient condition of our water resources. The USGS, often in partnership with the State, has described long-term trends for rivers and for coastal basins in New England that are informative and applicable to Rhode Island waters. Among their findings:

- Total phosphorus concentrations declined between 1965- 2000 in the Blackstone River. The change was attributable to ban on phosphates in detergents, improved wastewater treatment and reduced use of phosphorus fertilizers by farmers.
- Nitrate concentrations in the Blackstone River rose 400% from 1900 to 2000 with the rate of increase slowed in the last twenty years of the 20th century. The concentrations in the Blackstone River are significantly higher than the Connecticut and Merrimack Rivers.
- Upward trends in chloride concentrations in streams are likely the result of increased use of de-icing compounds.



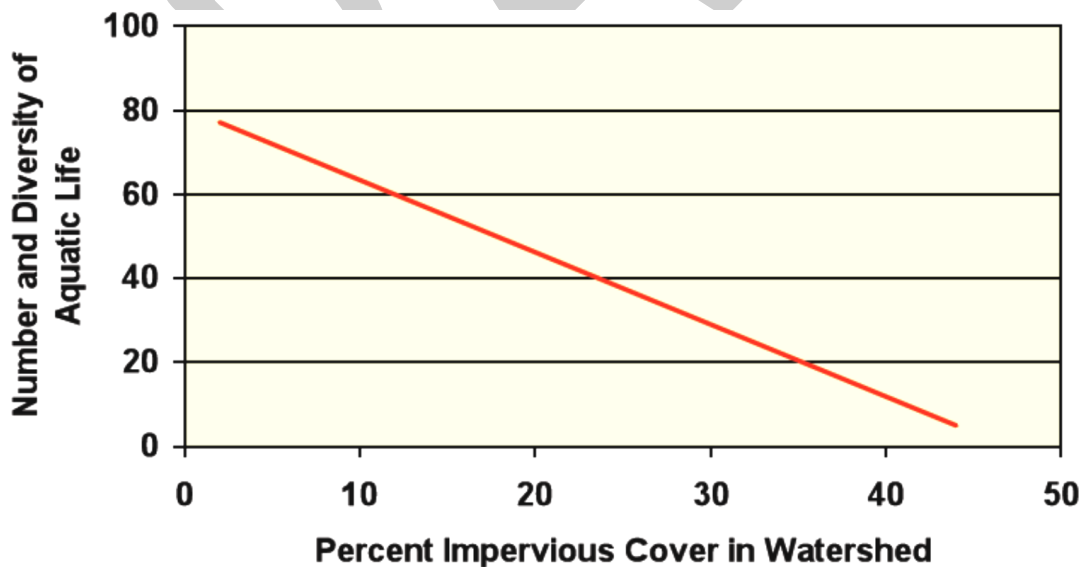
Urbanization and Impervious Cover

Another long-term trend noted by USGS and other researchers has been the degradation of rivers and streams due to urbanization. One way this relationship between urban land uses and water quality is evaluated is by measuring the extent of impervious cover in a watershed. Impervious cover is used as an indicator of the intensity of land development and has been scientifically linked to adverse impacts on surface water quality. The negative impacts result from both the pollutant loadings transported by stormwater runoff and the physical changes that occur with increased volumes and velocities of runoff; e.g. eroded stream channels and reduced biodiversity of existing streams. Because water runs more rapidly off of an impervious area, flooding also becomes both more common and more intense downstream. Meanwhile, because less water is soaking into the ground, water tables may be altered with potential impacts to wetlands, streams and wells fed by groundwater.

Impervious cover refers to any man-made surface (e.g., asphalt, concrete, rooftops and compacted soil) that water cannot infiltrate and therefore generates stormwater runoff when it rains.

The Center for Watershed Protection developed the “Impervious Cover Model” which has been supported by over 200 scientific and technical studies. The Model is based on the average percentages of impervious cover at which stream quality declines, and classifies those impacts into three categories:

- Sensitive streams have watersheds that are below a 10% impervious cover. Impacts are generally minor and the water quality and habitat is good to excellent.
- Impacted streams have water quality and habitat impairments. These are found in watersheds between 10 and 25% impervious cover.
- Non-supporting streams have severe water quality and habitat degradation in watersheds with over 25% impervious cover. The impacts are so significant that they are not considered suitable for restoration.



These ranges are part of a continuum, and there can be variation between individual streams. The model is most reliable when impervious cover exceeds 10%. In watersheds below 10%, water quality and habitat can be still be degraded, in fact recent studies by the Center, have shown water quality degradation at levels above 5% impervious cover.



Over last fifty years, with population growth, the extent of impervious cover in RI has increased. Based on data from 2004, Figure 10, RI Impervious Cover, shows that RI has a statewide average impervious cover of 12%. However, large areas outside of the Urban Services Boundary (USB) from the Future Land Use Map of SGP 121, *Land Use 2025*¹³ are 4% impervious cover, whereas the area within the USB has an impervious cover of 25%. See Figure 11, Urban Services Boundary and Impervious Surfaces.

Rhode Island data is generally consistent with the model revealing a higher percentage of rivers and streams within the urbanized watersheds having been found to have more water quality impairments than those in more rural watersheds. This has implications for the prevention and restoration goals that will be pursued on a watershed basis. Those areas already above 25% present challenges with respect to water quality restoration and will require a sustained effort to retrofit the existing landscape over time to abate the pollution stemming from urban runoff. In contrast, the emphasis in watersheds with low percentages of impervious cover can prevent pollution problems from developing by using smart growth land use principles, planned growth and low impact development (LID) practices. From a water quality perspective, the State land use policy in *Land Use 2025* encouraging that future growth be concentrated within the USB and growth centers should serve to help prevent degradation in these watersheds.

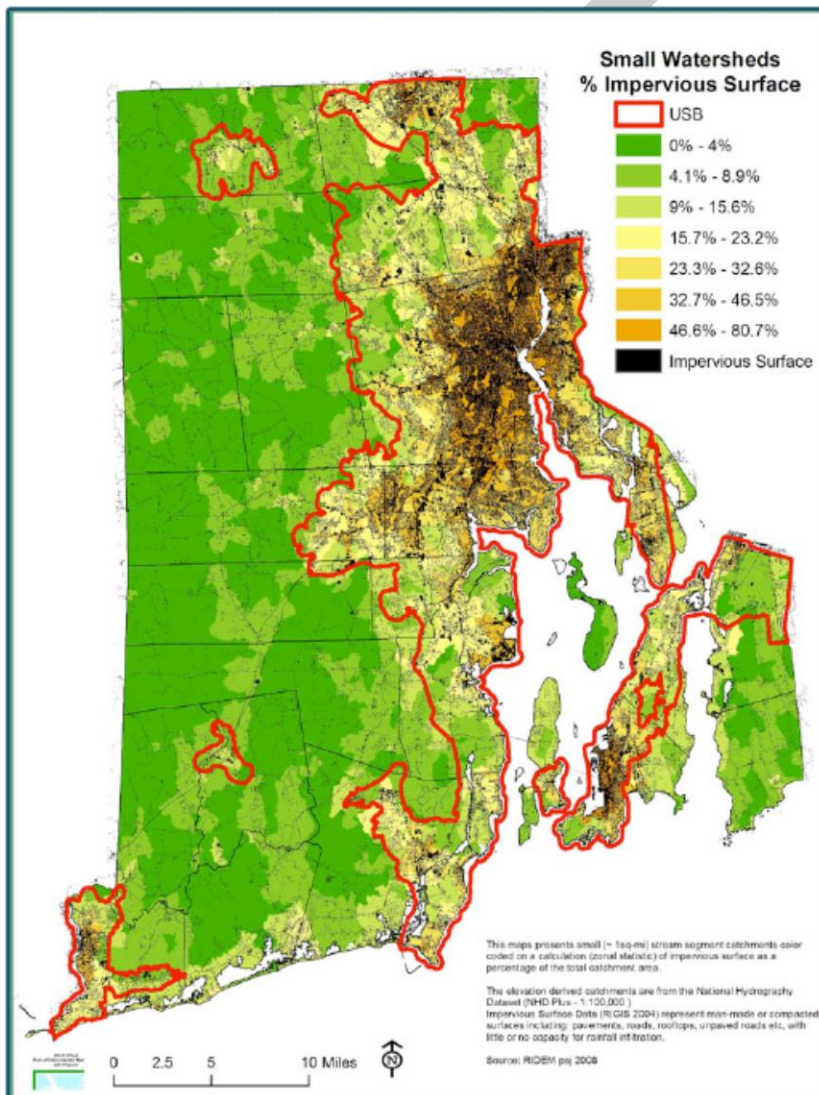
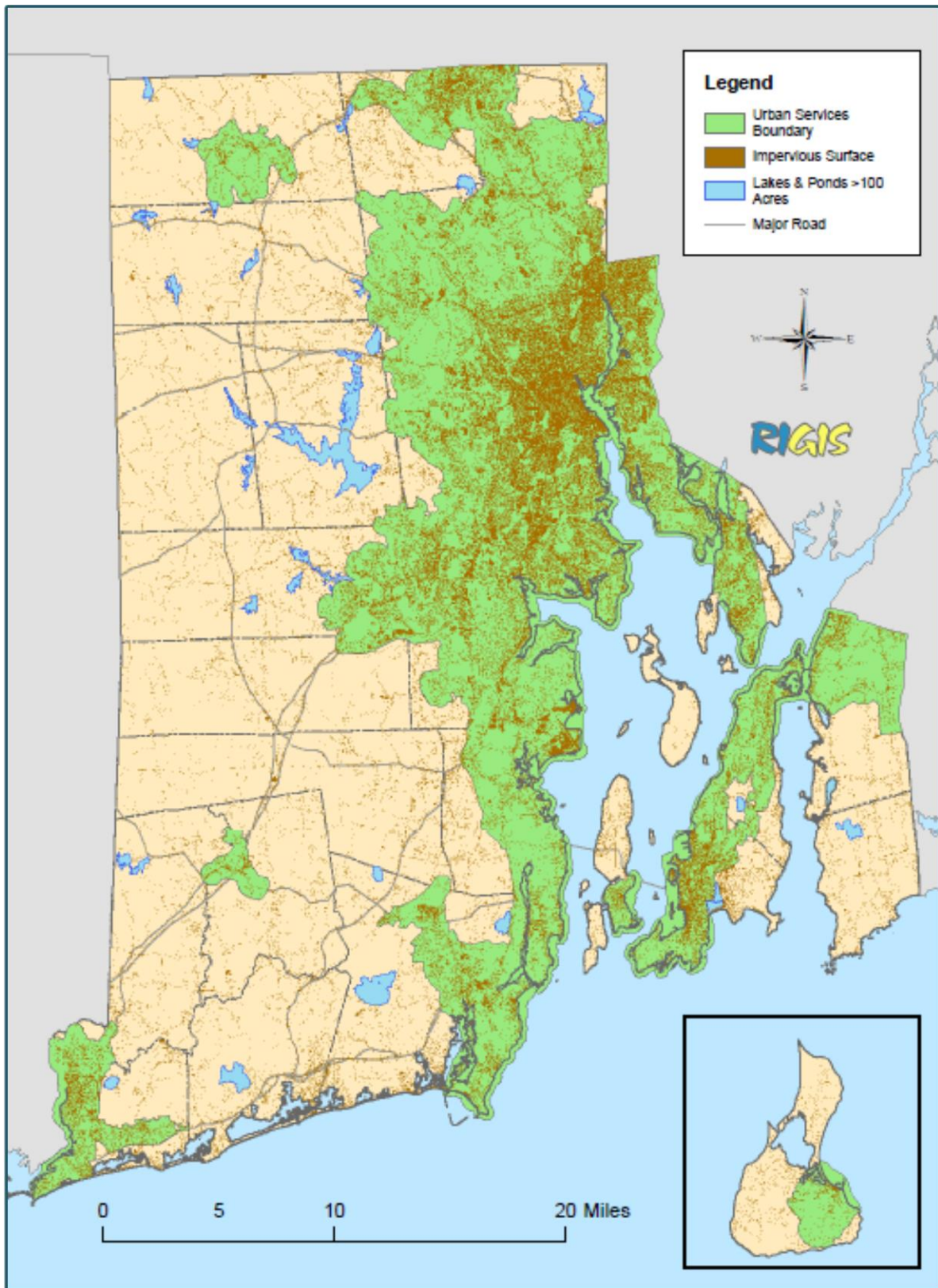


Figure 10, Rhode Island Impervious Cover Percentage -2004

¹³ <http://www.planning.ri.gov/documents/LU/Final/LU2025.jpg>



Figure 11, Urban Services Boundary and Impervious Surfaces



Habitat Protection and Restoration

Rhode Island's historic population growth also resulted in the destruction and degradation of aquatic habitats including significant loss of freshwater and coastal wetlands. Eelgrass beds have been lost as well as coastal waters were polluted. Researchers (CITE) estimate that extensive areas of salt marsh along the coastal United States were either outright destroyed or otherwise degraded by humans dating back to colonial times. Estimates of the loss of salt marsh acreage in RI are 50% or more with one researcher (CITE) finding the highest rate of loss in New England has been along the heavily-developed coast. Downtown Providence was once known as the Great Salt Cove, prior to filling and conversion to uplands. Salt marshes have also been altered, by partial filling, ditching and construction of road and rail crossings. Mosquito ditches are very straight, narrow channels that were dug to drain the upper reaches of salt marshes. Historically, it was believed that ditching marshes would control populations of mosquitoes that breed there. It is now known that ditching, in fact, drains standing water which support populations of mosquito-eating fish (*e.g.*, killifish), leading to increases in mosquitoes. The various physical disturbances in marshes can lead to changes which leave areas vulnerable to invasive species, in particular *Phragmites* which out-competes native salt marsh vegetation, and reduces local biodiversity. Some 1200 of the existing 3700 acres of salt marsh in Narragansett Bay are impacted by *Phragmites* and other invasive plant species¹⁴.



Polluted runoff from adjacent uplands can degrade salt marshes. Runoff from roads and other paved surfaces, and nutrient-rich runoff from fertilized lawns, agricultural areas, and septic systems can degrade marshes by encouraging growth of *Phragmites* and other invasive species. Forested buffer zones between populated areas and salt marshes have diminished as population growth in coastal areas increases. Approximately 58% of Narragansett Bay's marshes are impacted by polluted runoff. Some 30% of the Bay's marshes have inadequate or non-existent buffer zones¹⁵.

Insert discussion of documented impacts on freshwater wetlands

Insert discussion of connectivity of streams

Insert discussion of positive trend in restoration projects undertaken

¹⁴ Save The Bay 2002

¹⁵ Ibid



Water Quality Impairments and Threats

Overview of Threats

The condition of Rhode Island's water resources is adversely impacted by stressors which cause water pollution and degradation of aquatic habitat. The stressors result largely from human activities related to how we use our land and waters. **Table X provides a summary.** The stressors reflect activities which negatively impact our waters by causing changes to their chemical, physical or biological characteristics. **As further discussed below, the most widespread water pollutant concerns are currently nutrients and pathogens.** This mirrors findings by the EPA that names these groups of pollutants as two of the top three causing water quality problems across the nation. EPA reports sediment (dirt) as the third.

This Plan focuses on eight broad categories of stressors that account for the large majority of impairment or degradation of our water resources.

The two most widespread causes of water pollution documented in Rhode Island are:

Pathogens - Waterborne pathogens include bacteria, viruses and other organisms that may cause disease or health problems in humans. Sources of pathogens include various discharges of sanitary wastewater including Waste Water Treatment Facilities (WWTF), on-site waste water systems (OWTS), combined sewer overflows, pet wastes, agricultural animal wastes, as well as, waterfowl and wildlife. Stormwater runoff plays a major role in washing pathogens from many of these sources into surface waters.

Nutrients - Nutrients are chemical elements that all living organisms need for growth. Problems arise when too much of a nutrient is introduced into the environment through human activities. In surface waters, excess nutrients fuel algal blooms that upset the ecological balance and can lead to water quality degradation in a process known as eutrophication. Severe algal blooms can result in the depletion of oxygen in the water that aquatic life needs for survival. They reduce water clarity preventing desirable plant growth; e.g. sea grasses, reduce the ability of aquatic life to find food and clog fish gills. Certain types of blooms may result in the release of natural toxins that can be harmful to pets, marine mammals, fish and shellfish. In groundwater, excess nitrogen can cause nitrate concentrations to rise to levels unsafe for drinking water. Freshwaters are primarily affected by excess phosphorus, while in coastal waters nitrogen is the nutrient of highest concern. In some cases, both nutrients may interact and contribute the water pollution problem. Major human sources of nutrients in RI include WWTF discharges, fertilizer use, on-site wastewater discharges, animal manure, pet wastes and air pollution sources.



Surface Water Quality

The federal Clean Water Act (CWA) requires all states to assess and report on the overall quality of their waters. DEM implements a water quality assessment program to fulfill this mandate for RI. For surface waters, the process involves determining how well waters support their designated uses to measure progress toward state and federal CWA goals. Seven designated uses are evaluated:

- fish and wildlife habitat (aquatic life use)
- drinking water supply
- shellfish consumption
- shellfish controlled relay and depuration
- fish consumption
- primary contact recreation, and
- secondary contact recreation.

In the assessments, use support status is determined by comparing available water quality information to the applicable water quality standards. The results of this comparison are then used to assess each waterbody's specific designated uses as "Fully Supporting" or "Not Supporting". If data is not available to evaluate a designated use, it is considered "Not Assessed". Waterbodies that are not meeting their criteria or designated uses are placed on the State's List of Impaired Waters. Results are summarized in biennial reports referred to as Integrated Reports. **See Section X for further description of water quality standards and the assessment process.**

The following section draws from the 2012 Integrated Report¹⁶ and other information to provide a summary description of water quality conditions in Rhode Island. For purposes of assessment, DEM has assigned waterbody identification numbers to most of Rhode Island's surface waters. The 2012 Integrated Report, which tracked 880 waterbody units statewide, found the following overall results:

- Data allowed full or partial assessment of 55%, or 486, of the waterbody units. Data was lacking in 45%, or 394, of the units. These consisted primarily of small streams as well as some lakes. Recent targeted monitoring in streams is expected to narrow the gap in future assessment cycles.
- Twenty-three percent (23%), or 206, of the assessed units were found to have acceptable water quality.
- About 32%, or 280, assessment units were found to have unacceptable conditions with most (84%) exhibiting a water pollution problem caused by pollutants including pathogens, nutrients, metals and a few others. See the regional Figures 12 -14, **and Table X**. These include 132 rivers/stream units, 96 lake/pond units and 52 coastal water units.
- When considering *only* those surface waters for which an assessment could be completed, about 58% of the waterbody units were reported as having unacceptable conditions.

¹⁶ <http://www.dem.ri.gov/pubs/303d/303d12.pdf>



Figure 12, Impaired Waters in Northern RI

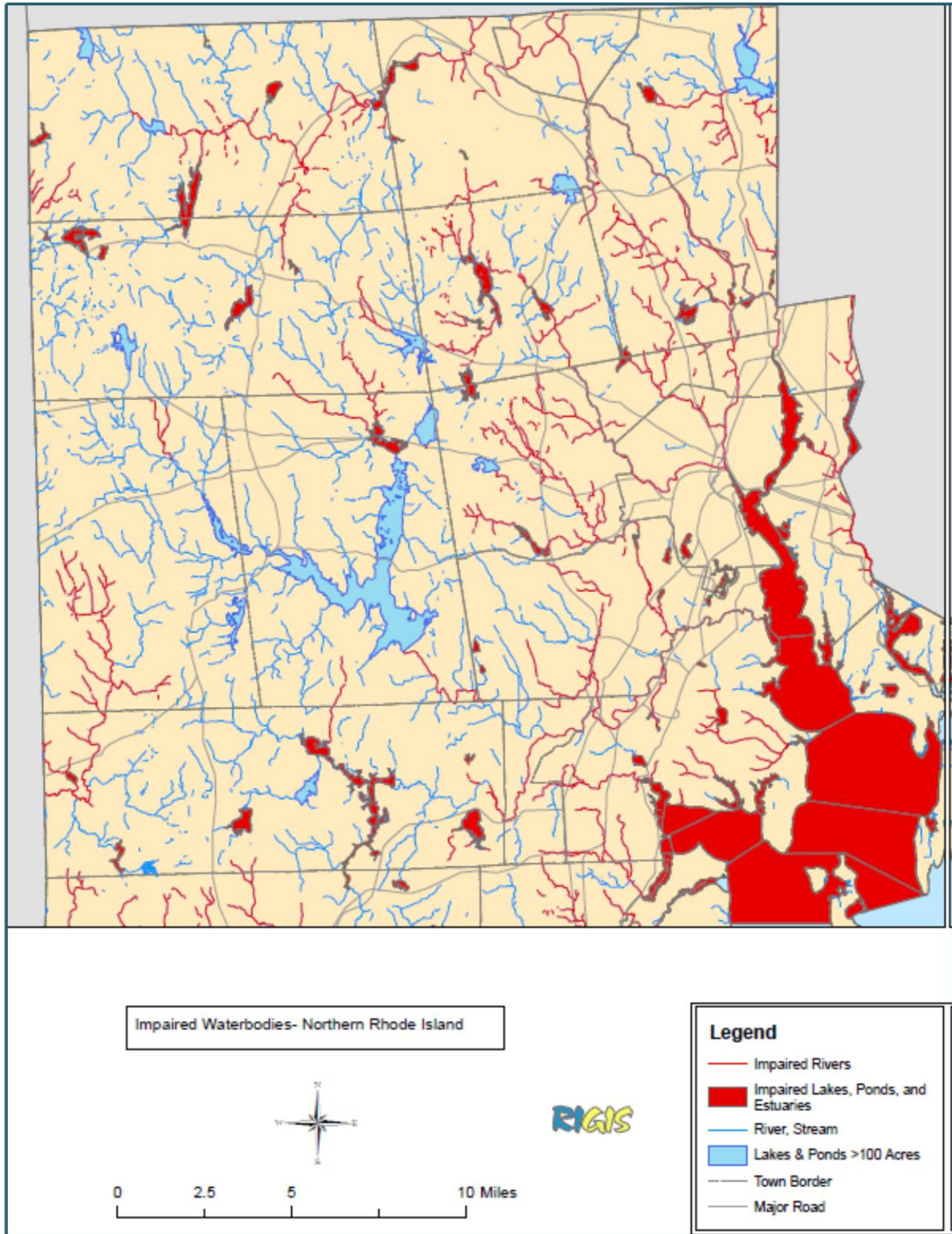


Figure 13, Impaired Waters in Southern RI

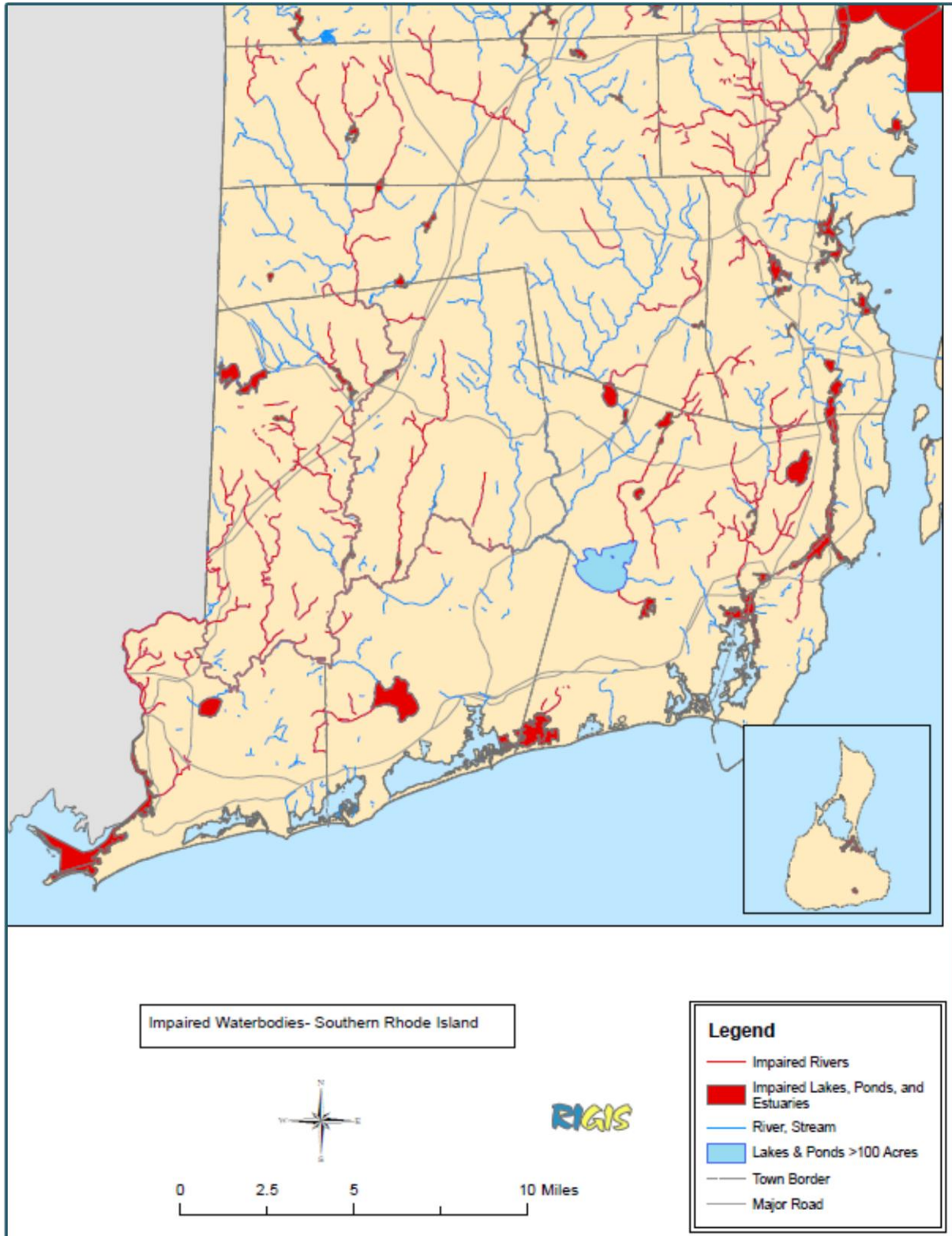
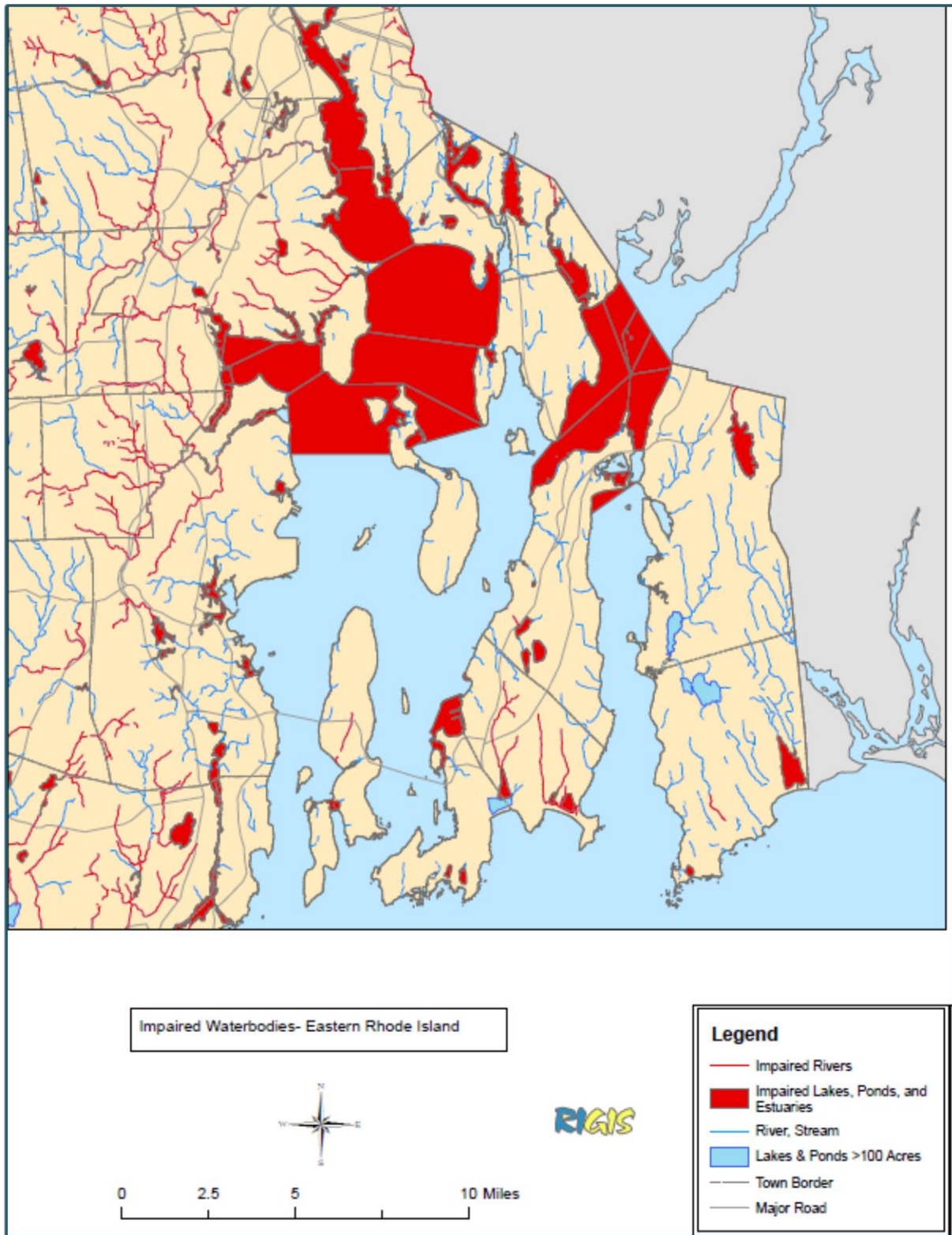


Figure 14, Impaired Waters in Eastern RI



Coastal Water Quality

Data exists to characterize water quality in all of Rhode Island's estuarine waters. **See table X.** While a majority of waters are of good quality, there are certain areas which continue to persistently reflect water quality degradation due to human activities. **Depicted in Figure X,** water pollution affects both the availability of shellfish harvest areas and suitability of estuarine habitat to support the desired diversity of fish, invertebrates and other marine life. The most heavily impacted areas continue to be the upper reaches of Narragansett Bay and urbanized tidal rivers and embayments such as Greenwich Bay. In these areas, the major sources of water pollution are combined sewer overflows, wastewater treatment plant discharges and urban runoff. RI's southern coastal ponds, while located in less developed watersheds, remain vulnerable to pollution. Major sources of pollution to the coastal ponds include on-site wastewater systems, fertilizer use and pet and animal wastes. Stormwater runoff plays a significant role in carrying pollutants into the ponds. The coastal shoreline waters along Rhode Island's southern shores were found acceptable for both swimming and shellfishing.



Overall

- Over a third of estuarine waters (35%) are impaired for one or more designated use.

Pathogens –

- 23%, or 31.7 square miles, of Rhode Island's shellfishing waters are closed and unavailable for harvest due to elevated levels of pathogens. (excludes off-shore waters)
- Over 87% of estuarine waters are categorized as acceptable for swimming and other recreation; about 10% are not safe for recreation.

Nutrients

- About one-third (32.5%) of Narragansett Bay exhibits low dissolved oxygen levels associated with excess amounts of the nutrient nitrogen.
- All RI coastal ponds are considered vulnerable to nutrient enrichment.

Toxics

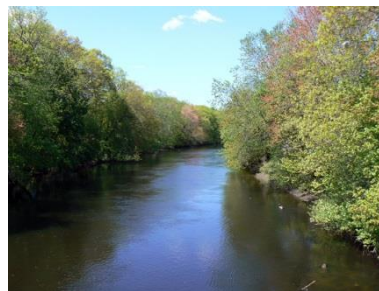
- Recently generated data on mercury in the tissue of marine finfish in Narragansett Bay is prompting continued research in order to support assessment of public health risks.

Thermal Stress – to be added

Research has documented a general gradient of improving water quality in Narragansett Bay as one moves from north to south, down and away from the concentration of pollution sources in the urbanized Providence region. 😊

Rivers and Streams

Rhode Island's land use development has impacted the condition of its rivers and streams. About 65%, or 917, of the total river miles in Rhode Island were fully or partially assessed for the 2012 Integrated Report. **As seen in Figure X,** poor water quality affects both the recreational use and ecological health of portion of the RI's rivers and streams. Elevated pathogens are the most common problem and are widely distributed through the State. Other pollution problems, including metals and nutrients, affect fewer streams and occur most frequently within the urban services boundary.



Overall

- Almost 40% of river and stream miles are impaired for one or more designated use.

Pathogens

- 34% of river miles exhibit elevated levels of pathogens unsafe for recreational use; data is lacking for 36%.

Biological condition

- 20 % of river miles exhibit poor conditions for aquatic life; data is lacking for 36%.

Toxics

- About 17% of river miles are been found to elevated levels of metals or other toxic compounds. Lead was the metal most commonly detected.
- Elevated mercury levels in fish tissue were found in about 44 miles of rivers. A large data gap exists with data unavailable for 96% of river miles being tracked by DEM.

Lakes and Ponds

Rhode Island lakes and ponds exhibit both the impacts of urbanization but also the degradation of native habitat by invasive aquatic plants. Unlike the other types of waters, DEM has found the largest cause of impairment in lakes and ponds to be invasive species.



Overall

- 41% of lake acres are impaired for one or more designated use.

Invasive Aquatic Plants

- About 25% of lakes and ponds are categorized as impaired by aquatic invasive species. However, invasives are in fact much more widespread having been found in 133 lakes which constitute 74% of the total lake acreage in RI. This suggests the problems associated with invasives are likely to grow worse without additional management intervention.

Pathogens

- Most lakes support the recreational uses. Elevated levels of pathogens have been found in 8 lakes located in urbanized watersheds.

Nutrients

- 36 lakes covering 2,251 acres exhibited elevated nutrients that can fuel algal blooms. This represents about 12% of total lake acres in the State.
- 23 lakes and ponds were documented to have blooms of cyanobacteria, also known as blue-green algae, during 201X – 2013.

Toxics

- Data availability is limited as toxics are not routinely monitored for in lakes and ponds.
- Elevated mercury levels in fish tissues were found in 12.7 % of lakes acres. A large data gap exists with data unavailable for 83% of lakes acres tracked by DEM.

Groundwater Conditions

To be added – under development

Aquatic Habitat Conditions

To be added



Part 3 Water Quality Management Framework

Key Points

- Water quality management is a shared responsibility among all levels of government, non-governmental organizations and individuals.
- RI's water quality management framework includes the following steps: monitor, assess, plan strategies, implement strategies, and evaluate results.
- State government has the primary authority for managing water quality in RI. Monitoring is essential to providing managers the information they need to be effective.
- Water quality is most effectively managed on a watershed basis. Watershed plans provide a mechanism to align resources and coordinate actions within a watershed to accelerate progress.
- Collaboration and partnerships among those working on water quality and watershed management is necessary to advance progress toward clean water goals.
- Local watershed organizations play important roles in watershed management.
- Resources limitations justify prioritizing actions to protect and restore water resources within and among watersheds.

Management Approach

Rhode Island's water quality management framework is a systems management approach purposefully designed to address water resource protection and restoration in a holistic manner. It acknowledges the continuing implementation of established governmental programs to regulate various water pollution sources, protect aquatic habitat and facilitate water quality improvements. Building on these programs, it incorporates the use of a watershed-based approach as a means to facilitate more effective management of our water resources. The aim is to *integrate* management activities related to water quality and aquatic habitats within a given watershed. The framework provides a process for government and other stakeholders to prioritize problems and work collaboratively on a watershed basis to optimize results in terms of both environmental outcomes and the other societal benefits associated with improved water quality and habitat.

The watershed-based approach is a means to facilitate more effective management of our water resources.

The Environmental Protection Agency (EPA) has described the benefits of taking a watershed approach this way: operating and coordinating programs on a watershed basis makes good sense for environmental, financial, social, and administrative reasons. For example, by jointly reviewing the results of assessment efforts for drinking water protection, pollution control, fish and wildlife habitat protection and other aquatic resource protection programs, managers from all levels of government can better understand the cumulative impacts of various human activities and determine the most critical problems within each watershed. Using this information to set priorities for action allows public and private managers from all levels to allocate limited financial and human resources to address the most critical needs. Establishing environmental indicators helps guide activities toward solving those high priority problems and



measuring success in making real world improvements rather than simply fulfilling programmatic requirements.

Using science as its foundation, the water quality management framework consists of a five step process -- Monitor, Assess, Plan, Protect/Restore, and Evaluate. This framework, depicted in Figure 15, Watershed Planning Process, at the end of this Part, can be used to support statewide water resource programs as well as management applied at varying watershed scales. At the State level, the framework recognizes the on-going need for statewide assessments of water quality and habitat condition to provide information that drives the refinement and adaptation of state protection and restoration programs. At the watershed scale, the framework identifies watershed plans as the coordinating mechanism to strategically align water resource protection and restoration activities among all involved stakeholders. Through the watershed plans, the framework will provide greater focus on the water resources, improve assessment of the cumulative impacts of multiple stressors, place emphasis on priority problems and integrate protection and restoration actions to optimize progress toward goals for clean water and productive aquatic habitats.

The water quality management framework consists of 5 steps:

- 1) Monitor the quality and condition of water resources.
- 2) Based on an assessment of available data, characterize the condition of the water resource and identify stressors or causes of degradation;
- 3) Develop a plan or strategies to restore and protect water resource conditions to achieve specified goals;
- 4) Implement the strategies to protect and restore water quality and aquatic habitat;
- 5) Evaluate results and cycle through the process again using information to adapt management in light of new information.

Roles and Responsibilities

Among the management principles underlying this plan is the tenet that we all share in the responsibility and duty to protect and restore RI's water resources. While acknowledging the State's important role in this management framework, this plan recognizes the meaningful roles of public and private organizations as well as individuals in securing clean water and healthy aquatic habitats. This is especially true with respect to the implementation of the wide range of actions that are needed to achieve water quality goals. Given resource limitations, **collaboration and partnerships among those working on water quality management are essential to enhancing progress.** This section provides an overview of the primary role that organizations play in water resources management in RI.

Federal Government - Federal agencies fulfill multiple roles in RI's management of water quality and aquatic habitats. The roles of agencies with significant involvement are described briefly below:

- US Environmental Protection Agency (EPA) – Administers a number of pollution control statutes including the Clean Water Act establishing regulations and policy to support their implementation. Sets minimum water quality criteria and delegates certain authority to DEM. Exercises regulatory authority and takes enforcement actions. Provides annual funding to DEM to implement water quality and other pollution control programs as authorized by Congress. Operates a research laboratory in Narragansett. Recently launched a new program known as the Southeast New England Program to promote restoration of coastal watersheds.
- US Geological Survey (USGS) –Operates a network of streamflow gages and monitors groundwater levels and water quality in large rivers pursuant to joint funding agreements with state agencies and other partners. Provides access to data via federal website. Carries out scientific research at national, regional and local scale; with local projects usually done in collaboration with partners.



- US Department of Agriculture, Natural Resources Conservation Services (NRCS) – Promotes conservation of natural resources. Administers programs that provide funds and technical assistance to farmers and forest owners to implement best management practices for water quality management and habitat improvement. Administers a State Technical Team as a means to facilitate coordination and input from partners. Conducts mapping of soils.
- National Oceanic and Atmospheric Administration (NOAA) – Administers federal statutes related to coastal zone management and marine fisheries. Operates the National Weather Service and the PORTS network of coastal observing stations under agreement with DEM. Conducts research and provides services to state and local governments on a range of topics including coastal hazards. Provides funds for coastal habitat restoration. Provides annual funding to DEM and CRMC for related state programs.
- US Fish and Wildlife Service (USF&W) – Administers a number of federal statutes related to fish and wildlife addressing threatened and endangered species, migratory waterfowl, fisheries, invasive species among other topics. Exercises regulatory authority and may take enforcement action. Provides annual funding to DEM for related state fish and wildlife programs. Provides technical assistance to state programs; e.g. expertise in fish passage. Provides funds for habitat restoration. Operates five national wildlife refuges in RI.

State Government - State government has the primary responsibility for managing water quality in Rhode Island. Through water quality management and related environmental programs, it carries out responsibilities assigned by both federal and state statutes. The responsibilities of state government in water quality management are:

Everyone shares in the responsibility and duty to protect and restore RI's water resources.

- To coordinate monitoring of Rhode Island's natural environment, including its water resources, in order to generate information that supports effective management of our natural resources.
- To administer water quality standards and conduct assessments of water quality conditions on a statewide basis.
- To regulate the discharge of pollutants from various sources into or onto water, air and land.
- To protect wetlands by regulating land disturbances and other activities in and adjacent to these resources;
- To manage fish and wildlife including the operation of state owned forests, wildlife preserves and fish hatcheries; and
- To provide leadership and opportunities for public engagement in planning for protection and restoration of Rhode Island's water resources.
- To adopt effective water quality management practices within its own operations.
- To provide financial and technical assistance and partner with other governmental and non-governmental entities for water quality and habitat protection and restoration actions.

The two agencies with broad responsibility and involvement in natural resources management are: The Department of Environmental Management (DEM) and the Coastal Resources Management Council (CRMC).



Department of Environmental Management (DEM)



DEM is RI’s largest environmental agency with a broad range of responsibilities for protecting water, air and land and managing natural resources. State law designates DEM as RI’s water pollution control agency and assigns authority to administer federal Clean Water Act programs under delegated authority from the EPA. Within the Environmental Protection branch, the DEM Office of Water Resources implements over a dozen programs and is well positioned to reinforce watershed-based approaches to water quality protection and restoration. See box for the listing of OWR programs. Additional programs in this branch regulate solid and hazardous waste and air pollution, facilitate site remediation, respond to oil spills and other environmental emergencies and promote pollution prevention. DEM receives annual funding from EPA for many of these activities.

DEM Office of Water Resources Programs and Activities

- Water Quality Standards – Surface Water and Groundwater
- Water Quality Monitoring and Assessment
- Nonpoint Source Pollution Management Program
- Water Quality Restoration Planning (TMDLs)
- Water Quality Certification Program
- Rhode Island Pollutant Discharge Elimination System (RIPDES) including stormwater management
- Wastewater System Planning and Design
- Wastewater Facility Operation and Maintenance Program
- Onsite Wastewater Management Program
- Groundwater Discharge Program (includes Underground Injection Control Program)
- Freshwater Wetlands Program
- Shellfish Growing Area Management Program

Among its responsibilities, the DEM Natural Resource Branch houses programs dedicated to fish and wildlife management, forestry, agriculture and open space preservation. With respect to protecting and restoring aquatic habitats, RIDEM has statewide responsibilities for managing fish and wildlife through programs that encompass planning, protection, regulation and management, land acquisition and habitat restoration among other activities. This includes anadromous fish restoration. The DEM routinely receives federal funds from the United State Fish and Wildlife Service and NOAA for some of these activities.

- Financial Assistance – State grants, Project Priority List, certification for Clean Water State Revolving Fund
- Technical Assistance – various topics including stormwater management, lake management etc.

Coastal Resources Management Council (CRMC)











Created in 1971, the RICRMC is the lead management agency for coastal zone management in RI. Its primary responsibility is for the preservation, protection, development and where possible the restoration of the coastal areas of the state via the implementation of its integrated and comprehensive coastal management plans and the issuance of permits for work with the coastal zone including all activities within tidal waters. Per state law, CRMC has responsibility for freshwater wetlands protection in designated coastal areas and has the lead role in implementing programs related to dredging in marine waters, aquaculture and coastal habitat restoration with a focus on saltmarshes and the coastal ponds. CRMC receives annual financial support from NOAA.


In addition to RIDEM and CRMC, a number of state and quasi-state agencies have specific responsibilities that contribute in significant ways to the protection and restoration of our water resources. These are listed in Table 2, State and Quasi-state Water Quality Responsibilities and depicted in Figure 9, Watershed planning Process.



Table 2, State and Quasi-state Water Quality Responsibilities

Agency Name	Program Activities Related to Water Resource Management
Department of Health	 Regulates public water suppliers to ensure water provided to the public meets drinking water standards; licenses bathing beaches and monitors water quality at most public saltwater bathing beaches; advises the public concerning environmental health risks; e.g. fish tissue contamination, cyanobacteria, toxics.
RI Infrastructure Bank	 Formerly RI Clean Water Finance Agency. Administers programs that provide financial assistance in the form of low interest loans for municipal wastewater and water quality improvement projects.
Narragansett Bay National Estuarine Research Reserve	 Located on Prudence Island, a partnership program managed by DEM that preserves, protects and restores coastal and estuarine ecosystems of Narragansett Bay through long-term research, monitoring, education and training.
Department of Administration, Division of Planning	 Creates long-term plans for the state’s development and management of its natural resources via the State Guide Plan; administers requirements for local comprehensive planning. Coordinates the State Planning Council and its Technical Advisory Committee.
Water Resources Board	 Part of the Department of Administration Division of Planning, oversees the management and use of drinking water resources: identifies potential sources, allocates drinking water supplies and administers financial programs to ensure adequate supplies of drinking water.
Emergency Management Agency	 Hazard mitigation planning; floodplain mapping.
Department of Transportation	 Stormwater management associated with state roads; storage and application of road salt and sand.
Narragansett Bay Commission(quasi-state)	 Regional wastewater utility providing wastewater collection and treatment services in the Providence metropolitan region. Activities also include monitoring and public outreach.

Statewide Coordinating Entities - Rhode Island includes the following governmental coordinating bodies established through state law that help foster effective management of water resources.

- State Conservation Committee – By state law, the Rhode Island State Conservation Committee has been established within the Department of Environmental Management to serve as an agency of the State and to foster coordination of the activities of three regional conservation district with other federal, state and local entities regarding natural resources within the State of Rhode Island. The RI State Conservation Committee provide assistance and support to the three Conservation Districts in their efforts to assist local landowners and municipalities in the proper stewardship of our lands and waters. The State Conservation Committee, with the regional conservation districts and the Natural Resources Conservation Service are collectively known as the Conservation Partnership.
- Regional Conservation Districts - Authorized by state law, RI has three conservation districts organized with volunteer board of directors as quasi-public, non-profit organizations. Rhode Island's three regional conservation districts share a mission of promoting proper stewardship of natural resources and have a long track record of carrying out initiatives involving education and outreach, training, and various forms of technical assistance as well as project management support on projects involving non-point source pollution, wetlands and other topics. Map?
- Rivers Council – Rhode Island General Law § 46-28 acknowledges and encourages the role of regional organizations in watershed management. Adopted in 1991, this Law creates the RI Rivers Council¹ to help coordinate efforts to improve the quality of the state's rivers and their watersheds. The Council is charged with coordinating state policies to protect rivers and watersheds and strengthening local watershed councils as partners in river and watershed protection. The Council also designates official watershed council status to watershed organizations. (See watershed organizations.).

- Rhode Island Environmental Monitoring Collaborative (RIEMC) – RI Comprehensive Environmental and Watershed Monitoring Act (R.I.G.L. § 46-31) in 2004 established the Rhode Island Environmental Monitoring Collaborative to develop and, through its members, implement comprehensive environmental monitoring to support management of Rhode Island's natural resources. Chaired by the URI Coastal Institute, the RIEMC provides a forum for government agencies, university-based programs, non-governmental organizations, and volunteers, to collaborate on monitoring activities, determine monitoring priorities and identify critical gaps in data collection.
- Executive Climate Change Coordinating Council – Codified in state law (RIGL §42-6.2) in July, 2014, the Executive Climate Change Coordinating Council (EC4) is charged with incorporating consideration of climate change into the powers and duties of all state agencies. It is responsible for setting specific greenhouse gas reduction targets, and advance planning for mitigation and adaptation to climate change. The Council, chaired by DEM, works with an advisory board and a science and technical advisory board.
- Regional planning Commissions – RI General Law enables regional planning commissions. The two that have been formed serve Aquidneck Island² and the

<p>Regional Planning Commissions – 2015</p> <ul style="list-style-type: none"> ▪ Washington County Regional Planning Council ▪ Aquidneck Island Planning Commission
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¹ <http://www.ririvers.org/>

² <http://aquidneckplanning.org/>



Washington County³ region. While involved in a broader range of topics, these regional commissions have from time to time taken on projects related to water quality and watershed management.

Municipalities

There is a strong relationship between land use and water quality, therefore, municipal governments have a critical role to play in water quality management through the exercise of their authorities to govern land use. Municipal land use planning and zoning establishes the type and level of intensity of development on the landscape, which determines to a major degree the potential impacts to water quality. Development patterns, including poorly managed sprawl, have stressed our water resources. Changing land use planning and land use controls in RI can improve water quality and move us towards one of the goals of *Land Use 2025*:

"A sustainable Rhode Island that is beautiful, diverse, connected, and compact with a distinct quality of place in our urban and rural centers, an abundance of natural resources, and a vibrant sustainable economy."

Municipalities have many tools available to comply with the goals and policies for development specified in *Land Use 2025* that will reduce the impacts of development on water quality, such as:

- Using smart growth planning to ensure development matches the capacity of the land and infrastructure available to support it.
- Acquisition of open space, primarily in drinking water source areas; and
- Low impact development (LID) practices, which uses site planning and design techniques to mitigate the impacts of stormwater and site disturbance on our water resources. LID practices include but are not limited to¹(Also discussed in Part X , Stormwater)
 - Riparian buffer standards
 - Site clearing and grading standards
 - Roadway and parking design guidelines
 - Landscaping guidelines and standards

In addition to their primary role in regulating land use, many municipalities implement local onsite wastewater management programs, local stormwater management programs and may operate other programs that support water quality management including acquisition and management of open space and wellhead protection activities. Sixteen municipalities also own or operate public wastewater systems with treatment facilities; while another X have responsibility for maintaining sewer lines within their communities. XX municipalities operate public water supplies. Collectively, these responsibilities are often burdensome to local governments which may not have the resources or necessary expertise to manage these tasks effectively. Limitations on local capacity to carry out such work is further discussed under Resources in Part X.

University of Rhode Island and Other Colleges and Universities

Higher education institutions contribute to water resources programs through research and other activities. The University of Rhode Island has significant involvement in state water resource issues. Programs play a variety of important roles and collectively provide services that support state water quality management

³ <http://wcrpc.org/>



including acquisition, mapping and dissemination of data, water quality monitoring, policy analysis, program development, scientific research, training and technical assistance, and public outreach. The following programs have long records of involvement.

College of Life Sciences and Environment

- Environmental Data Center/GIS
- New England Onsite Wastewater Training Program
- RI Nonpoint Education for Municipal Officials (NEMO)
- URI Home* A* Syst
- URI Watershed Watch
- Watershed Hydrology Laboratory (new)

College of Engineering

- RI Water Resources Center

Coastal Institute – advances knowledge and develops solutions to environmental problems in coastal ecosystems. Per state law, chairs the RI Environmental Monitoring Collaborative.

Graduate School of Oceanography

- Coastal Resource Center
- RI Sea Grant Program
- Long-term monitoring and surveys (Narragansett Bay)
- Various research including hydrodynamic modeling

Other institutions with long involvement include Brown University (bay monitoring, policy analysis) and Roger Williams University (shellfish/aquaculture research, law and policy analysis).

Watershed Councils & other NGOs

Watershed councils are non-profit organizations officially designated by the RI Rivers Council to represent watershed interests. They are important partners in river and watershed protection. The existing councils/organizations vary in capacity from those with paid professional staff to solely volunteer organizations. However, they all fulfill a critical role in stewardship in their watersheds by raising awareness, coordinating and implementing projects and advocating for protection and restoration actions. Other non-government organizations are active in water quality and watershed management including long established environmental groups such as Save The Bay, The Nature Conservancy, Audubon Society of RI, etc. as well more recently established groups such as Save The Lakes, Clean Ocean Access and Clean The Bay. The Environmental Council of Rhode Island is a coalition of non-governmental environmental group that coordinates advocacy among other activities.

Rivers Council Designated Watershed Councils -2014

- Blackstone River Watershed Council/Friends of the Blackstone
- Buckeye Brook Coalition
- Friends of the Moshassuck
- Kickemuit River Council
- Narrow River Preservation Association
- Pawtuxet River Authority & Watershed Council
- Salt Ponds Coalition
- Ten Mile River Watershed Council
- Wood-Pawcatuck Watershed Association
- Woonasquatucket River Watershed Council



Government Authorized and Other Regional Programs Operating in RI

- Narragansett Bay Estuary Program - The Narragansett Bay Estuary Program is one of 28 programs authorized by EPA to foster collaboration to protect and restore estuaries designated by Congress as being of critical importance. Created in 1987, the NBEP is a bi-state program that engages stakeholders from across the watershed through its management and science advisory committees. The program is responsible for producing a status and trends report every five years. Other on-going activities include data analysis and synthesis, grant-making, public outreach, providing input to policy and program development and supporting strategic projects to advance stewardship.


- New England Interstate Water Pollution Control Commission - Established by an Act of Congress in 1947, the New England Interstate Water Pollution Control Commission is a not-for-profit interstate agency that supports the water resource management programs of its member states which includes RI. NEIWPC serves and assists RI by coordinating activities and forums that encourage cooperation among the states, developing resources that foster progress on water and wastewater issues, initiating and overseeing scientific research projects and providing technical assistance and support on specific projects. NEIWPC is the institutional host of the NBEP.
- Northeast Regional Association of Coastal and Ocean Observing Systems (NERACOOS) - NERACOOS is a non-profit organization formed in association with the federally authorized International Ocean Observing System (IOOS) – a federal partnership initiative managed by NOAA. Its focus is on developing a sustained regional observing (monitoring) system for the northeast US. Its activities include the design of a sentinel network to track climate variability in coastal and ocean waters.
- Northeast Regional Ocean Council - The Northeast Regional Ocean Council (NROC) is a state and federal partnership formed in 2005 that facilitates the New England states, federal agencies, regional organizations, and other interested regional groups in addressing ocean and coastal issues that benefit from a regional response. Ocean and coastal ecosystem health is an identified area of focus.
- Narragansett Water Pollution Control Association - Established in 1952, the Narragansett Water Pollution Control Association (NWPCA) is a non-profit organization created to promote the advancement of knowledge concerning the wastewater management. The association works closely with DEM on the licensing and training of wastewater treatment plant operators among other topics.

A variety of other organizations play meaningful roles in water quality management activities. These include, but are not limited to:

- academic institutions
- other researchers
- professional associations
- local land trusts, and
- various user groups (fishing, boating)

Implementation of this framework and development of watershed plans requires active public engagement and stakeholder involvement. While the State may have a lead role in monitoring and assessing water resources, the participation of all entities most affected by management decisions is needed throughout the planning, implementation and evaluation steps in the process. This includes all levels of government (federal, state, local), quasi-governmental agencies, watershed councils and other non-governmental organizations, interested business and individuals. Effective public engagement ensures environmental objectives are well integrated with related economic, social and cultural goals which in turn



builds support for implementation of needed actions. Challenges at each step in implementing this approach will be discussed in later sections along with proposed strategies.

Setting Priorities

Watershed Priorities

The long-term goal for all Rhode Island watersheds is to achieve clean and healthy waters and aquatic habitats. This plan acknowledges that it is a priority to prevent pollution and degradation. Many regulatory programs that *protect* water quality and *prevent* pollution or degradation from a variety of stressors are administered equitably on a statewide basis across all watersheds. However, with respect to certain protection and restoration actions, there is a need to strategically set priorities in order to optimize progress. Given resource limitations, at the state scale, it is important to identify which water quality stressors and which watersheds or waterbodies will be the focus of state attention during a specific period of time. At the watershed scale, it is equally important to build consensus among a broad group of stakeholders on specific water quality objectives and to prioritize actions that address those objectives. A clearly articulated set of priorities helps to facilitate the alignment of resources from various parties such that needed action moves forward to successful implementation. On both levels, priorities need to be periodically re-visited to incorporate new information gained through updated water resource assessments and scientific research. The following discusses priority setting as undertaken in RI.

Water Quality Priorities

Priorities within the state water resources programs are influenced by federal and state law, federal funding guidance, state policy and information concerning environmental conditions. The Environmental Protection Agency requires frameworks for prioritization within the programs associated with administration of the federal Clean Water Act. DEM has procedures to both establish and periodically review a common set of priorities which can be described in relation to water resource uses. Well-established priorities related to the use of surface and groundwaters have been incorporated into DEM statewide water quality programs including regulations which afford added protection to drinking water sources through tighter restrictions on activities that present pollution threats. These priorities, which emphasize protection of public health, are:

- Protection and restoration of drinking water supply source waters – both surface waters and groundwaters;
- Protection and restoration of shellfish growing area waters;
- Protection and restoration of waters used for public recreation including public beach waters;
- Restoration of waters degraded due to excess nutrients; and
- Protection and restoration of water quality to support high quality aquatic habitats.

These priorities are reflected in various aspects of state water quality programs and influence the planning and implementation of actions that involve the state, including award of financing. A primary way in which the priorities are expressed is through the direction of state financial assistance to water quality improvement projects. The priorities are reflected in both the ranking criteria for the priority project list associated with the Clean Water SRF and the scoring criteria in competitive state grant programs (nonpoint source, water quality improvement projects).

As reflected in the Nonpoint Source Pollution Program Plan, DEM has also established a prioritization process for watershed planning. The process results in the selection of watersheds to be targeted by the State for planning every few years. In addition to the priorities articulated above, the process will take into account the willingness of local partners to participate in both watershed planning and implementation initiatives and the opportunities to leverage additional resources. This will allow the State to continue to



be responsive to opportunities that lead to strengthened partnerships and enhanced local capacity. Under this approach:

- Priorities in watershed planning areas with less than 10% impervious cover and few surface water impairments will be pollution prevention and protection. These areas may support some of RI's cleanest waters and highest quality aquatic habitat, although there may also be scattered waterbodies that may also need targeted restoration;
- Priorities in a majority of designated watershed planning areas, with existing impervious cover up to 25%, will need to reflect a mix of protection and restoration actions. Water quality impairments are more prevalent within these watersheds/sub-basins that are more urbanized.
- The priority in a small number of watershed planning areas that have the highest extent of urbanization will largely be on restoration. These lie largely within the urban services boundary designated in the State Guide Plan Element, *Land Use 2025: State Land Use Policies and Plan*⁴. The emphasis in these areas is on restoring water quality with recognition these heavily developed watersheds will require sustained investment in retrofitting the existing landscape and infrastructure over many years in order to achieve water quality goals.

⁴ <http://www.planning.ri.gov/statewideplanning/land/landuse.php>



Part 4 Water Quality Monitoring and Assessment

Key Points

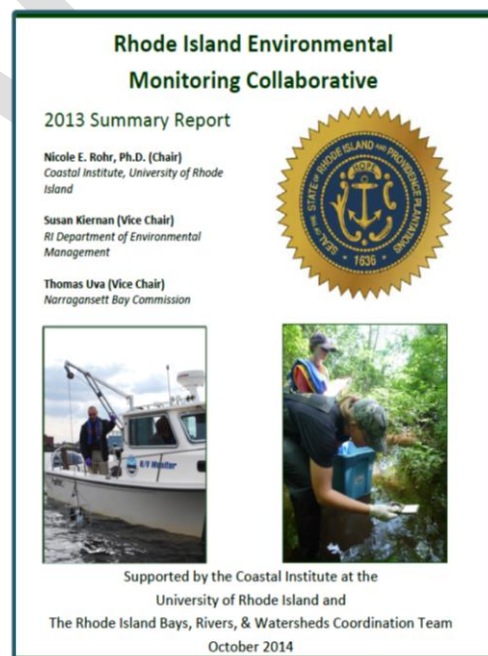
- Water quality monitoring is essential for effective water resources management.
- The capacity of the State and its partners to sustain important monitoring programs is an on-going concern.
- Unlike the more extensive surface water quality monitoring efforts, Rhode Island lacks a comprehensive groundwater quality monitoring strategy.
- Stewardship of aquatic habitats requires monitoring to characterize the ecological health and functioning of the targeted habitat.
- Climate change reinforces the need for monitoring in habitats that are most vulnerable to its impacts.

Environmental Monitoring

Monitoring generates insight into progress towards meeting protection and restoration goals. Without an unwavering commitment to monitor our water resources and their uses, we will not be able to accurately characterize and respond to current and future threats to water quality in a changing environment.

Rhode Island State law directly addresses the topic of environmental monitoring. Established by Rhode Island's *2004 Comprehensive Environmental and Watershed Monitoring Act* (RIGL § 46-23.2), the Rhode Island Environmental Monitoring Collaborative (RIEMC)¹ was formed to develop and coordinate implementation of a comprehensive environmental monitoring strategy to support management of Rhode Island's natural resources. Monitoring is carried out by the members of the Collaborative that includes federal and state agencies and sponsored programs, universities, non-governmental organizations and other monitoring practitioners. The RIEMC works to coordinate existing monitoring activities, establish statewide monitoring priorities and identify and address, as resources allows, critical gaps in data collection. The RIEMC has focused on development of strategies for monitoring the ambient environment in order to characterize resource status (condition) and in some cases track trends. While continuing work toward fulfilling the charge of preparing a comprehensive monitoring program, in its 2013 annual report the RIEMC has described 21 priority monitoring programs listed in Figure 16, Active Environmental Monitoring Programs Described by the RIEMC (2013) - most of which involve monitoring water quality or aquatic habitats. All but one have been implemented. The collection of monitoring activities described to date are part of a larger system of monitoring that includes other data collection efforts that serve additional objectives related to research, targeted studies and site specific pollutant sources (effluent monitoring).

Water quality monitoring is essential for effective water resources management.



¹ <http://www.coordinationteam.ri.gov/envirocollab.htm>



While RI’s small geographic size is an advantage in terms of achieving comprehensive monitoring program, **the capacity of the State and its partners to sustain important monitoring programs is an on-going concern.** Recent annual reports of the RIEMC, including the 2012 report, note that reductions in federal and state funding for environmental monitoring have eroded the State’s capacity to collect the biological, chemical, and physical data essential for evaluating the condition of our water resources and guiding management decisions. Additional investment is needed and discussed further in **Part X, Implementation Resources.**

Figure 15, Active Environmental Monitoring Programs Described by the RIEMC (2013)

Narragansett Bay and Coastal Waters	Lead Organizations
Narragansett Bay Fixed-Site Monitoring Network	DEM, URI-GSO, NBNERR, NBC
Narragansett Bay Spatial Dissolved Oxygen Surveys	Brown U., URI-GSO, STB, DEM
Shellfish Growing Areas	DEM
Saltwater Beach Water Quality	DOH
Shoreline Erosion, Accretion and Sediment Transport	CRMC, URI
Submerged Aquatic Vegetation - Eelgrass	NBNERR, STB, URI
Salt Marshes	CRMC, NBNERR, STB
Marine Fishery Surveys	DEM, URI-GSO
Ventless Lobster Trap Survey	DEM
Marine Aquatic Invasive Species Surveys	CRMC, DEM, NBNERR
Volunteer Monitoring – coastal ponds, coastal beaches	URI-WW
Freshwaters	
Large River Water Quality	USGS, DEM, NBC
Wadeable Rivers and Streams – Rotating Assessments	DEM
Freshwater Beach Water Quality	DOH
River and Stream Flows	USGS, DEM, WRB
Toxics in Freshwater Fish Tissue (Mercury)	DEM, EPA
Harmful Algal Blooms and Cyanobacteria	DEM, DOH
Freshwater Wetlands	DEM, RINHS
Freshwater Aquatic Invasive Species Surveys	DEM
Volunteer Monitoring – lakes, ponds, rivers, streams	URI-WW

Surface Water Monitoring

Rhode Island has an established strategy for the monitoring of surface waters. The Rhode Island Water Monitoring Strategy, first prepared by DIEM in 2005, documents the surface water monitoring activities that are needed for the State to achieve its goal of comprehensively assessing its waters. The DEM has a leading role in implementing this strategy by both conducting monitoring programs and supporting monitoring by other entities. Collectively, the monitoring programs are aimed at gathering ambient data to assess water quality conditions, identify water quality impairments and support management decision-making. Among many applications, the data generated are used in establishing and reviewing the State’s water quality standards, measuring progress toward achieving the state and federal water quality goals, supplying information for use in development of permit limits for wastewater discharges and development of water quality restoration of studies, TMDLs². A mix of monitoring strategies is employed to collect data from estuarine waters, freshwater rivers and

TMDL = Total Maximum Daily Load

² <http://www.dem.ri.gov/programs/benviron/water/quality/rest/index.htm>



streams, and lakes and ponds. It includes fixed-site networks, adoption of a rotating basin approach to rivers and streams, targeted surveys and an expansion of the use of biological indicators. The strategy is periodically updated to support adaptive management.

Over the last decade progress has been made at reducing data gaps. A network of fixed –sites in Narragansett Bay expanded from 5 sites to 13 locations between 2001 and 2008. The adoption of a rotating basin strategy for river and stream sampling is organized on a watershed basis. It has resulted in the creation of over 200 sampling stations statewide and increased the percentage of rivers and stream miles that can be characterized (assessed). However despite the progress, as noted in Part 2, Rhode Island’s Water Resources & Trends, there remain significant gaps in the available water quality data in the State. These include: 26% of lake acres and 35% of river miles are unassessed. Additionally, there is a scarcity of fish tissue contamination data to evaluate suitability for consumption.

Groundwater Monitoring

Unlike the more extensive surface water quality monitoring efforts, **Rhode Island lacks a comprehensive groundwater quality monitoring strategy.** A strategy should be developed and integrated into the larger environmental monitoring strategy being prepared via the RIEMC. Limited activities to measure both groundwater elevations and groundwater quality are on-going. Groundwater monitoring presents particular challenges associated with the manner in which pollutants move in different aquifer settings. In general, groundwater moves very slowly (only inches to feet per day) compared to flowing surface waters. Once introduced into an aquifer, groundwater contaminants may form plumes that move very slowly, with very little mixing and at different depths depending on the topography, subsurface geology, contaminant and types of soils. It can be difficult to predict contaminant movement, particularly in bedrock aquifers. Certain contaminants are known to persist in groundwater for decades. The result is that groundwater quality can vary greatly within the landscape which presents challenges when designing groundwater quality monitoring programs.

Currently, the best source of available information on ambient groundwater quality is the Department of Health’s data on public drinking water wells that are regularly tested to ensure compliance with drinking water standards. The major public water supply wells serving municipalities and water companies are generally located in areas considered less susceptible to contamination due to acquisition and protection of land in the vicinity of such wells. However, the public wells serving businesses (e.g., restaurants, hotels, apartment complexes) are often located in fairly dense areas of development. Although these public wells may withdraw significant volumes of groundwater from a large area diluting the impact from small pollution sources, the results are nonetheless used as representative of the local groundwater quality condition.

More than over 150,000 Rhode Islanders drink groundwater supplied by a private well on their property. The Department of Health also maintains data on private wells. These wells are primarily residential wells that do not serve enough people to be considered a public water system. DEM regulates the distance a private well should be from potential contamination sources. Homeowners dependent on an onsite drinking water well are encouraged to regularly test their well water quality. Until 2008, Rhode Island did not require any testing of private wells. Individual well owners are responsible for the quality of their water as they do not benefit from the public health safeguards provided by a regulated public water supply system. Prior to 2008, private drinking water wells have occasionally been sampled to evaluate local groundwater quality, typically in areas of dense development dependent on OWTS where the groundwater quality is known to have increased levels of contaminants. These studies usually focus on nitrate as the primary indicator of the level of contamination, since it is a contaminant that does not readily degrade in the subsurface and the primary sources of nitrate are OWTS and fertilizers.



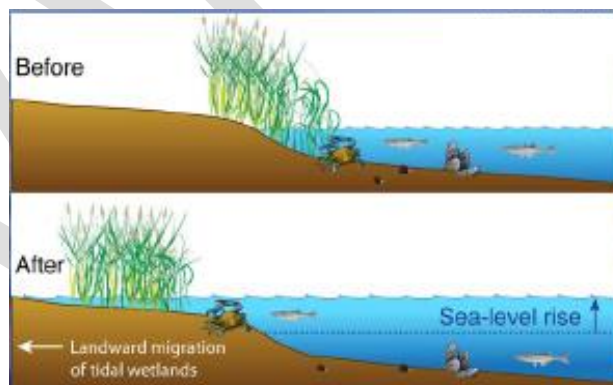
Aquatic Habitats

Stewardship of aquatic habitats requires monitoring to characterize the ecological health and functioning of the targeted habitat. Eight of 20 active strategies noted in the RIEMC report are primarily designed to collect data on the biological communities or physical traits of aquatic habitat. These include programs that collect data from freshwater wetlands, salt marshes as well as populations of shellfish and finfish. The methods employed vary from recently developed, such as the rapid assessment methods of assessing freshwater wetland conditions, to long-established data collection program such as surveys of finfish populations in estuarine waters. The objectives of the programs are to monitor the extent and conditions of certain habitat types, monitor ecological health and track biological communities. As with water quality, there are currently gaps in available data on location and condition of aquatic habitats. As with water quality, there are currently gaps in available data on location and condition of aquatic habitats. Both the State Wildlife Action Plan and the RI Aquatic Invasive Species Management Plan detail recommendations about needed monitoring.

Climate Change

According to the EPA, climate change can have a variety of impacts on surface and ground water quality. Higher water temperatures and changes in the timing, intensity, and duration of precipitation can affect water quality. Higher air temperatures (particularly in the summer), earlier snowmelt, and potential decreases in summer precipitation could increase the risk of drought. The frequency and intensity of floods could also increase. In addition, sea level rise may affect freshwater quality by increasing the salinity of coastal rivers and bays and causing saltwater intrusion—the movement of saline water into fresh ground water resources in coastal regions.

Climate change reinforces the need for monitoring in habitats that are most vulnerable to its impacts. All aquatic ecosystems are expected to change in response to changing climatic conditions. Regional initiatives have produced plans for regional sentinel networks for both wadeable streams and coastal estuaries. At present, RI lacks the resources to fully participate in implementing these strategies in the State. State managers are particularly concerned with coastal ecosystems, including saltmarshes, which has heightened interest in measuring sea level rise and other physical changes along the coast.



State Monitoring Policy: State monitoring is an essential component of water resource management.

Actions:

- A. Complete development of comprehensive environmental monitoring strategy, prioritize gaps and continue to strengthen coordination of monitoring activities through the RIEMC.
- B. Complete update of the RI Water Monitoring Strategy and Freshwater Wetlands Monitoring Strategy. Incorporate groundwater monitoring.
- C. Secure additional resources to support implementation of essential state monitoring programs. Prevent disruption in important on-going data collection efforts; e.g. streamflow.
- D. Prioritize gaps in existing data collection efforts. Through collaboration and new investment, initiate monitoring to reduce priority gaps including but not limited to surveillance of conditions that present public health threats (cyanobacteria, fish tissue contamination).



- E. Establish sentinel networks to collect data on a long-term basis to detect and characterize environmental change associated with changing climate, including participation in regional networks.
- F. Collaborate with and support volunteer monitoring programs that contribute data useful to state management planning and decision-making.

Assessment of Water Quality and Aquatic Habitats

Monitoring data must be assessed in order to translate it into meaningful information for state resource managers, other stakeholders and the public. This is accomplished through water quality regulations that establish enforceable standards and criteria as well as the application of other tools, such as environmental indicators or models, when standards are lacking.

Water Quality Standards and Classification

Surface Waters - DEM has established water quality standards and classifications for both surface and groundwater resources that provide a basis for assessment of water quality conditions. The surface water quality standards, which are a part of the State Water Quality Regulations³, are subject to approval by the EPA pursuant to the federal Clean Water Act (CWA) and may not be less stringent than federal requirements. The surface water quality standards consist of three basic elements:

- **designated uses** of the waterbody (e.g., recreation/swimming, drinking water supply, aquatic life, etc.)
- **water quality criteria** to protect the designated uses (numeric pollutant concentrations and narrative requirements); and
- an **antidegradation policy** to maintain and protect existing uses and high quality waters.

All surface waters of the State are assigned to a classification. The classification is associated with specific designated uses. Every waterbody in the State is designated for swimming (primary and secondary recreational contact), fish consumption, and aquatic life (fish and wildlife habitat) uses. Some waters are also designated for shellfish consumption, or shellfish controlled relay and depuration, or drinking water supply uses. There are four freshwater (Class AA, A, B, B1) and three saltwater (Class SA, SB, SB1) classifications. Each classification is defined by the designated uses which are the most sensitive and, therefore, governing water use(s) which it is intended to protect. Surface waters may be suitable for other beneficial uses, but are regulated to protect and enhance the designated uses. In addition, the state has incorporated partial use classifications into the Water Quality Regulations for waters which will likely be impacted by activities such as combined sewer overflows (CSOs) and concentrations of vessels (marinas and/or mooring fields).

RI Water Quality Standards are intended to restore, preserve and enhance the physical, chemical and biological integrity of the waters of the State, to maintain existing water uses and to serve the purposes of the Clean Water Act and RI General Law 46-12.

Associated with each classification and use are water quality criteria which specify the conditions that will support the designed use. The criteria may be numerical, such as a concentration of a particular chemical compound, or narrative in which a description of the conditions is described. To maintain their effectiveness, water quality criteria are periodically updated in response to both federal guidance and improved scientific understanding. DEM is continuing work to refine existing criteria in two areas: the development of numeric nutrient criteria and the development of biocriteria to describe aquatic life conditions.

³ <http://www.dem.ri.gov/pubs/regs/regs/water/h2oq10.pdf>



To measure progress towards meeting the federal water quality goals, states are required to assess and report on the quality of their state's waters every two years pursuant to Section 305(b) of the Clean Water Act. In Rhode Island, this responsibility falls to DEM which assesses available data against established water quality standards and reports the results of this assessment in the State's Integrated Water Quality and Assessment Report (known as the Integrated Report). The water quality assessment process for surface waters results in a determination of whether or not the current water quality conditions in a specific waterbody fully support its designated uses (swimming, shellfish consumption, aquatic life, etc.). To evaluate the level of use support attainment, available water quality data is compiled and compared to the appropriate criteria for each designated use. A detailed description of the assessment methods is available in the document entitled "Consolidated Assessment and Listing Methodology". While existing water quality monitoring programs provide a sizable amount of information, data gaps exist and currently prevent a comprehensive assessment of all uses in all waters. The assessment process leads to an assignment of individual waterbodies or portions of waterbodies (assessment units) to one of five categories that reflect its attainment status. A significant outcome of the assessment process is the identification of those surface waters not meeting water quality standards and considered "impaired." These consist of waters listed in Category 4A, 4C and Category 5 of the Integrated Report⁴.

Groundwaters - The DEM Groundwater Quality Rules classify all of the state's groundwater resources and establish groundwater quality standards for each class. Protection of drinking water sources is a primary objective of these rules. The four classes are designated GAA, GA, GB, and GC in accordance with the RI Groundwater Protection Act of 1985 (RI General Laws 46-13.1). Groundwater classified GAA and GA is to be protected to maintain drinking water quality, whereas groundwater classified GB and GC is known or presumed to be unsuitable for drinking water use without treatment. Greater than 90% of the state's groundwater resources are classified as suitable for drinking water use (i.e., class GAA and GA). Groundwater classifications are shown on Figure 17, DEM Groundwater Classification.

In addition, wellhead protection areas have been delineated for each of the State's 667 public wells which serve municipal systems, private water companies, businesses, schools, hotels, restaurants, etc. A wellhead protection area is the portion of an aquifer through which groundwater moves to a well. DEM is responsible for delineating a wellhead protection area for each of the public wells in the State. These wellhead protection areas are used in the same way as the groundwater classifications -- to establish facility design standards and to set priorities in DEM's regulatory and enforcement programs that address groundwater quality. The public water suppliers and the water supplied provided by the suppliers are regulated by the Department of Health.

The GAA and GA standards are numerical and narrative in form. The numerical standards are the federal drinking water standards and additional standards for substances frequently encountered in RI groundwater for which MCLs have not been adopted (naphthalene and MTBE). No pollutant shall be in groundwater classified GAA or GA in any concentration which will impair the groundwater as a source of drinking water or which will adversely affect other beneficial uses of the groundwater.

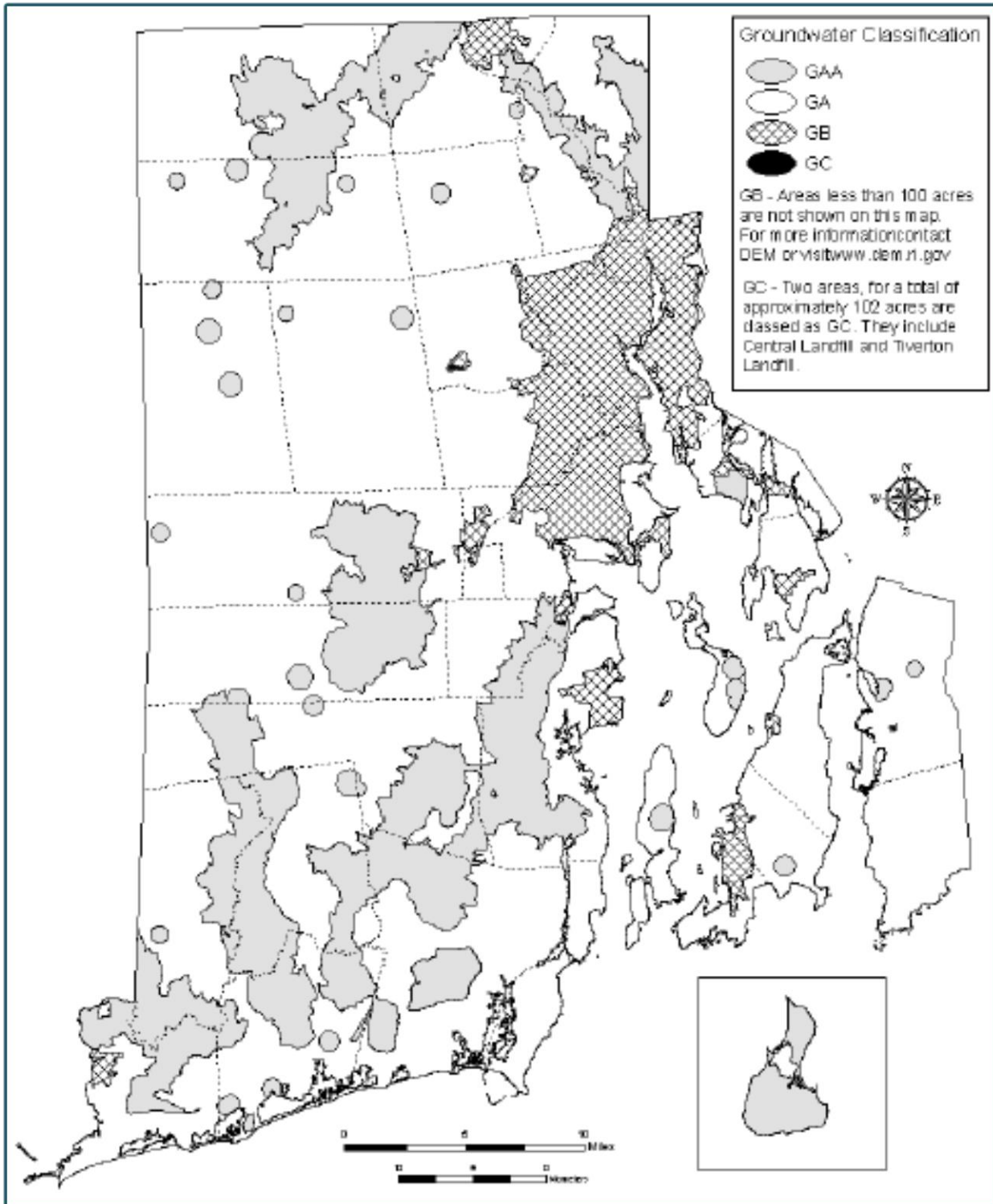
Greater than 90% of the state's groundwater resources are classified as suitable for drinking water use (i.e., class GAA and GA).

Groundwater classified GB and GC shall be of a quality that does not: threaten public health or the environment; adversely impact current or future uses of property, groundwater, or surface water; or violate any surface water quality standards or surrounding groundwater quality standards. There is no goal to restore groundwater classified GB or GC to drinking water quality, however, groundwater remediation may be required in order to protect public health and the environment.

⁴ <http://www.dem.ri.gov/pubs/305b/index.htm>



Figure 16, DEM Groundwater Classification



Other Use Classifications Applied to Rhode Island Waters

Coastal Resources Management Council (CRMC) Water Categories (Types)

The CRMC has established a use classification system for coastal waters within its jurisdiction that is directly linked to the characteristics of the shoreline. The system has six categories that reflect varying intensities of human disturbance.

- Type 1 waters abut shorelines in a natural undisturbed condition and CRMC restricts most alterations in these areas.
- Type 2 waters are adjacent to predominantly residential areas, where docks area allowed but other more intensive use of the waters are not.
- Type 3 waters are dominated by commercial facilities that support recreational boating; e.g. marinas.
- Type 4 waters consist of the open waters of the Bay and Sounds where a balance must be maintained among fishing, recreational, boating and commercial traffic.
- Type 5 and Type 6 waters are assigned to ports and industrial waterfronts.

The waters along 70% of Rhode Island's 420 miles of shoreline are assigned to Type 1 and Type 2 waters by CRMC.

Rivers Council Classification Plan

The RI Rivers Council, in accordance with the requirements of RI Gen. Law 46-28, established a classification system to promote the establishment of river, lake, pond, estuary, and adjacent land uses that work toward the attainment of the goals of the CWA. The designations must be consistent with the DEM water quality classifications so that uses are not promoted or proposed that could place public health or environmental integrity at risk. Differing from the DEM classification system, the Rivers Council attempted to classify the freshwater rivers of the State in a holistic approach by integrating water quality objectives with land uses and land use management. The classification of estuaries adopts the CRMC classifications. As such, the classification of rivers, estuaries and watersheds is based on land use, habitat, open space values, historic and cultural values, as well as water quality. The Rivers Council established five freshwater classes (pristine, water supplies, open space, recreational, and working) and the CRMC classifications for estuaries. These classifications are in Appendix A, Rivers Councils Classification System 2004.

Aquatic Habitat Assessment

Discussion to be added.

Water Quality Assessment Policy: Water quality standards and criteria serve to protect the quality of RI waters and aquatic habitats.

Actions:

- A. Periodically review and update state water quality standards and criteria to reflect new scientific understanding and ensure appropriate levels of protection.
- B. Incorporate new tools, such as the biological condition gradient and tiered aquatic life uses, into the framework of water quality standards as a refinement which strengthens protection of high water quality waters.
- C. Develop numeric nutrient criteria as a refinement to existing narrative criteria.
- D. Develop and apply biocriteria, such as indices of biological integrity, as refinements to state water quality standards and criteria.
- E. Expand state capacity to synthesize and interpret data through the development and use of refined environmental indicators and metrics.



Part 5 Planning

Key Points

- Watershed management is the management of land use, water use and human activities in a comprehensive manner to protect and restore water quality in a watershed.
 - 27 watershed planning areas established
- Water quality monitoring is essential for effective water resources management.
- Land Use planning for Water Quality
- Planning for Aquatic protection and restoration
- Policies and Actions for Planning

Watersheds as a Basis for Planning and Management

Water quality is best managed on a watershed basis. This concept is not new but has been embodied in several State Guide Plan Elements and has been a rather long-standing state goal. It has evolved into a core management principle that is reflected in the work across both governmental and non-governmental water related programs. For over thirty years, DEM, CRMC and WRB have been carrying out work that recognizes the importance of watersheds and that is organized to support the watershed approach. Examples include:

- Design of state water quality monitoring programs for rivers and streams which are carried out on a watershed basis.
- Permits for wastewater discharges into rivers are derived from watershed-based quality models that take into account upstream conditions and downstream impacts.
- Water quality restoration studies (TMDLs) are developed taking into account pollution sources located throughout the watershed of the impaired surface water.
- Special Area Management Plans are often aligned with the watershed boundary of the coastal resources targeted for protection; e.g. Greenwich Bay, Coastal Ponds
- Water Supply System Management Plans, prepared by major water suppliers, address water quality protection in drinking water supply watersheds.
- Water withdrawals are evaluated based on the effect it will have on watershed hydrology.
- Targeted water quality protection initiatives, such as requirements for advanced onsite wastewater treatment systems have been implemented on a watershed basis in the Salt Pond and Narrow River watersheds

Watershed management is the management of land use, water use and human activities in a comprehensive manner to protect and restore water quality in a watershed. Why use a watershed approach?

- Necessary due to hydrologic connectivity because water does not follow political boundaries.
- Recognizes what happens upstream will impact downstream.
- Keeps the focus on the water resources being managed.
- Allows management goals and actions to be more effectively tailored to specific needs in a given watershed.
- Provides a basis for building partnerships and focusing actions to achieve substantive results.



This Element outlines strategies and actions that will strengthen the implementation of watershed-based management in RI. Specifically, it describes changes to the water quality planning framework that will result in the generation of watershed specific plans throughout the state. Previous attempts to do the same were not sustained due to a loss of resources among other factors. Drawing upon lessons learned from these experiences, this Plan emphasizes the value-added role that watershed plans can serve as a coordinating mechanism to share water quality information among entities in the watershed, identify priorities, and align resources to drive forward implementation of needed actions.

4Rs Premise: providing the right information to the right people in the right manner will result in the right actions.

A watershed plan serves as a mechanism to integrate the full range of actions recommended for protecting and restoring water quality and aquatic habitat within a given watershed. The watershed plan provides an opportunity to identify partners and to collaborate across all levels of the public and private sectors to determine and implement actions that are supported by sound science. As reflected in Figure 9, Watershed Planning Process in Part 3, water Quality management Framework, actions or initiatives from other plans and reports can be compiled into one unifying vision and action plan for the watershed. The other plans will be referenced for those who want to or need to delve deeper on a particular topic or strategy. The goal for the watershed plan is to:

- Describe the water resources and their status.
- Describe the current actions in the watershed by all parties.
- Create an Action Plan with specific prioritized actions to protect and restore water quality identified and the responsible entity and timeframe designated. Actions identified in other plans will be compiled herein with additional actions added as necessary.
- Establish coordinating mechanisms between towns and others for plan implementation.
- Promote public understanding about the values of clean water and the actions necessary to achieve clean water goals.

The planning process is on-going. Once the plan is adopted, success toward implementing the plan is regularly evaluated and the plan must then be updated accordingly.

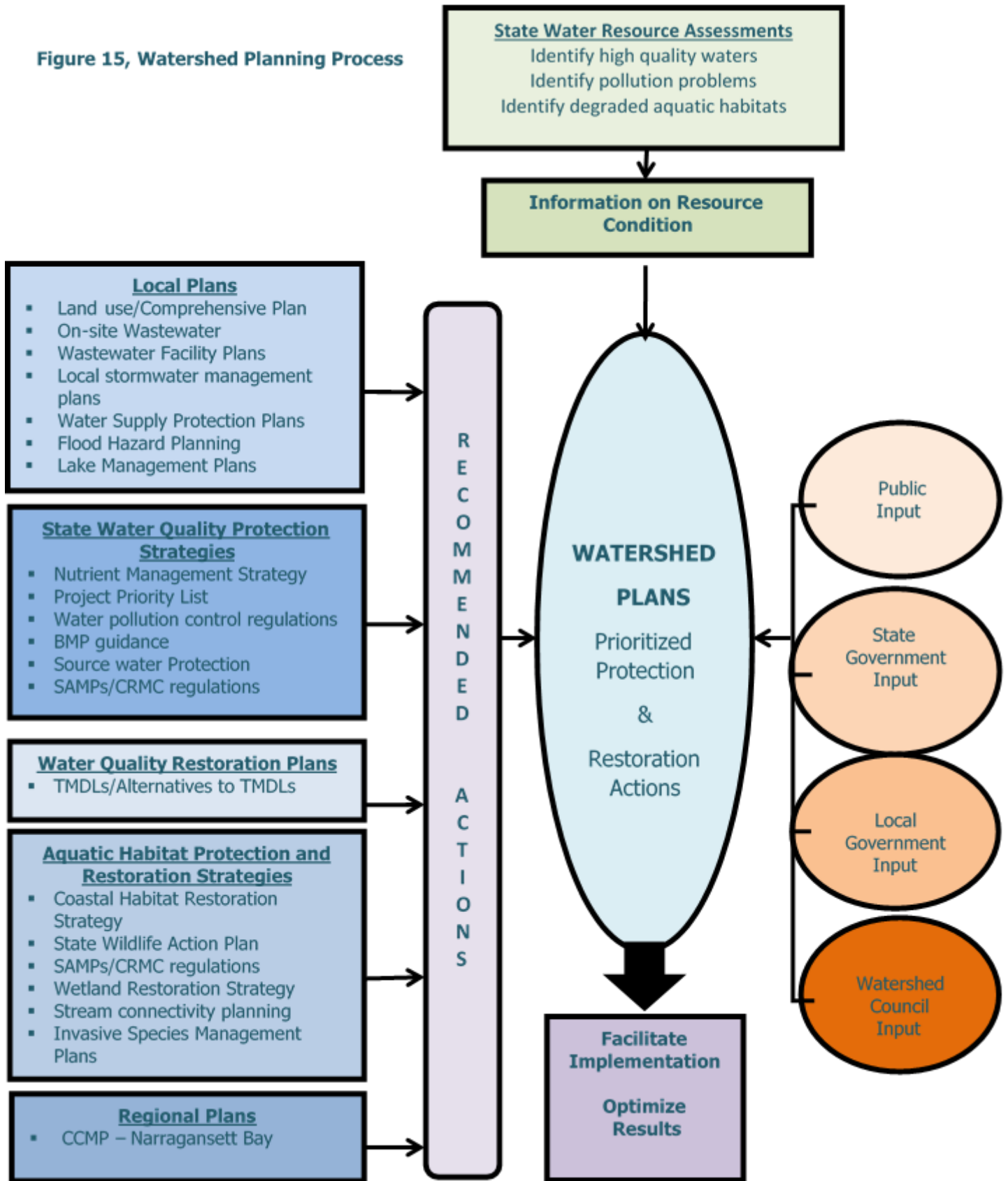
Although watershed boundaries usually extend beyond local and/or state boundaries, much of the actions called for in a watershed plan will be municipally based. That is where the authority lies for managing land use and for taking many other steps to improve water quality. In fact, as will be apparent after reading this State Water Quality Management Plan much of this Plan's implementation strategy depends on municipal involvement. Therefore, it is necessary that the watershed plan be closely integrated into the local comprehensive planning process. The watershed plan can take a holistic approach by integrating water quality planning with land use planning and planning for activities such as recreation and habitat preservation. For example, the creation of greenways in the watershed, which improve water quality, provide recreational resources and vital habitat.

The "best" plans – ones that will be successfully implemented – are created with significant input from the people living, working and playing in the watershed. Some of these people may be part of a local watershed association. Active watershed associations play a critical role by educating the public, generating support for water quality initiatives, managing restoration projects, advocating for water quality at state and local administrative proceedings, providing input on local plans and providing other valuable services.

Several excellent watershed plans have been produced over the past 2 decades for some of RI's watersheds. The difficulty has been and always will be implementation of these plans and sustaining support for the plans. This is a challenging task with often limited local and state resources.



Figure 15, Watershed Planning Process



What is the appropriate scale for a watershed delineation used for watershed planning?

The choice of scale for watershed delineations should be appropriate to serve the purpose for its use. Attempts have been made over the years to standardize the nomenclature and scale for watershed delineations. The approach most commonly used by hydrologists and regional planners is the USGS Hydrologic Unit Code (HUC) system¹. These delineations were the starting point from which DEM delineated 27 watershed planning areas determined to be best suited for the development and implementation of watershed plans by taking into account: watershed size, uniqueness or similarities of particular watersheds, water quality management issues of concern in a watershed, and level of local citizen involvement as demonstrated by River Council designations. Twenty-one (21) of the 27 watershed planning areas in RI shown in Figure 18, DEM Watershed Planning Areas, are part of the larger Narragansett Bay Watershed.

Figure 18, DEM Watershed Planning Areas

¹ <http://water.usgs.gov/GIS/huc.html>



Integration of Planning Activities to Support Watershed Management

As noted in Figure 9, Watershed Planning Process, water-related planning activities occur on different scales (federal, regional, state, local) and for varying purposes. These plans provide direction to enhance the development and coordination of statewide and watershed-wide programs and activities. Where sufficiently specific, they may also reflect actions appropriate for inclusion in watershed-based plans. Described below, these plans, typically prepared with a specific focus, can contribute content related to the protection and restoration of water resources. These plans often serve as a source of watershed specific recommended actions that should be reflected in a watershed plan.

Water Quality Management Planning

Water Quality Restoration Plans (TMDLs) - The Clean Water Act requires that a water quality restoration study be completed for waterbodies that do not meet their water quality standards. DEM is responsible for conducting such a study and developing what is referred to as a total maximum daily load analysis (TMDL). The goal of the state's TMDL program is to develop and implement water quality restoration plans aimed at restoring impaired waterbodies to an acceptable condition that meets water quality standards and supports the waterbodies' designated uses (e.g. fishable and swimmable condition). Through the TMDL development process, water quality conditions are thoroughly characterized for the pollutants triggering the impairment and pollution sources are identified providing the technical basis for the pollution abatement actions specified. TMDLs are subject to EPA approval. As reported in the 2012 Integrated Monitoring and Assessment Report, the Office of Water Resources has completed TMDLs addressing a total of 168 impairments/causes on 134 distinctly named waterbodies. Ninety-six named waterbodies remain on a schedule for TMDL development which extends through 2022.

Special Area Management Plans (SAMPs) - The Coastal Resources Management Council prepares these comprehensive plans that provide for natural resource protection and reasonable coastal-dependent economic growth in policies and actions set forth for a specific coastal area of the State. Protection of water quality is a key component of SAMPs. The CRMC coordinates with local municipalities, as well as government agencies and community organizations, to prepare the SAMPs and implement the management strategies. The following SAMPs have been prepared: Metro Bay, Greenwich Bay, Aquidneck Island West Side, Narrow River, Salt Ponds Region, Pawcatuck River, and the Ocean, and Shoreline Change. In addition to the strategies to protect water quality, the SAMPs, in conjunction with the CRMC coastal management program, direct allowable land uses and activities within the coastal zone jurisdictional area. The CRMC coordinates with local municipalities, as well as government agencies and community organizations, to prepare the SAMPs and implement the management strategies.

Lake Management Plans - Stronger management of lakes is needed in Rhode Island both to prevent further degradation of lake conditions and restore lakes currently in poor condition. While lacking a formally organized lake management program within state government, DEM has encouraged the development of lake management plans which integrate topics related to water quality and management of aquatic invasive species taking into account the larger watershed within which the lake is located. A lake management plan provides the framework for fostering more effective management by identifying the threats to water quality and habitat conditions, actions needed to prevent degradation and restore and manage existing conditions. During last decade, several lake associations have taken steps toward developing plans. Lake management plans were prepared for two lakes in Gloucester in 2010 using state and federal funds as a pilot project (Bowdish Lake and Smith and Sayles Reservoir).



Water Supply System Management Plans - Water Supply System Management Plans are required by the Water Resources Board for the 29 large suppliers -- those supplying greater than 50 million gallons of water per year. These management plans include information on the water supply infrastructure and water use which is relevant to watershed hydrology and watershed plans. The plans have a water quality protection component wherein the supplier is required to identify actions for protecting water quality in its source water protection area (reservoir watershed and/or wellhead protection area). Plans must be updated every 5 years.

Source Water Protection Assessments/Plans - (Large supplier)-- These plans were prepared by the Department of Health for the 29 large water suppliers in RI in 2003 in response to federal Safe Drinking Water Act requirements to conduct source water assessments. Plans included an assessment of the vulnerability of the water supply based on water quality data and activities in the source water protection area and recommendations to protect the water supply. Since there are no requirements to update these plans, any source water protection planning for the large suppliers should be integrated into the Water Supply System Management Plans.

Source Water Protection Plans (Small supplier) -- Source water protection/supply system plans for the smaller suppliers (all those not subject to Water Supply System Management Plan requirements) are not required, but are strongly recommended. A number of plans have been prepared for willing suppliers using state and federal resources as they become available.

Water Related Infrastructure Planning

Land Use 2025 - Urban Services Boundary - Land Use 2025, an Element of the State Guide Plan, identifies an Urban Services Boundary, based upon a detailed land capability and suitability analysis that demonstrates the capacity of this area to accommodate future growth; e.g. availability of public water, sewers, etc. The Plan directs the State and communities to concentrate growth inside the Urban Services Boundary and or within locally designated centers in rural areas, and to pursue significantly different land use and development approaches for urban and rural areas.

Wastewater Treatment Facility Plans -- Wastewater treatment facility plans are long-term (20 year) planning documents that document the needs of wastewater treatment systems. They identify needs related to enhanced treatment, system capacity and existing and future service areas. Facility plans are prepared by the operators of WWTFs and certain municipalities that have responsibility over portions of a sewer collection systems but not treatment facilities. Consistency with a facility plan is a pre-requisite for decisions by DEM to authorize modifications to existing wastewater infrastructure. It also is a factor in determining projects as qualifying for funding via the Clean Water State Revolving Fund.

On-Site Wastewater Management Plans - Local communities that rely on on-site wastewater systems have been encouraged to develop local on-site wastewater plans and programs. The plans identify specific actions a community expects to carry out to promote proper operation and maintenance of OWTS. The plans also identify actions that would enhance local programs.

Stormwater Management Plans - Most RI municipalities have developed local stormwater management plans which outline actions needed to prevent and abate impacts to water quality from stormwater runoff. The plans may identify actions municipalities want to take to enhance locally administered programs, such as pre- and post – construction oversight of stormwater BMPs, as well as specific projects that are needed to retrofit existing infrastructure in support of water quality restoration goals.



Land Use Planning for Water Quality

Comprehensive Community Plans - Rhode Island cities and towns must have a locally adopted Community Comprehensive Plan that must be updated at least once every 10 years. Municipal plans are required to be reviewed by the State for consistency with State goals and policies including all elements of the State Guide Plan. In turn, State agency projects and activities are to conform to local plans that have received State approval. The local comprehensive plan sets the basis for the exercise of key local implementing powers for land use – zoning and development review ordinances. The Rhode Island Comprehensive Planning and Land Use Regulation Act (RIGL 45-22.2) specified the requirements for municipal comprehensive plans, calling each “*a statement (in text, maps, illustrations, or other media of communication) that is designed to provide a basis for rational decision-making regarding the long term physical development of the municipality.*” There are nine required topics with many opportunities to include provisions for the protection and restoration of water quality.

Planning for Habitat Protection and Restoration

State Wildlife Action Plan - Rhode Island has prepared a State Wildlife Action Plan that is part of a national program created by Congress in 2000 to address the longstanding need to fund actions to conserve declining fish and wildlife species before they become threatened or endangered. The plan, subject to USFW approval, allows RI to remain eligible for matching grants. DEM updated the plan in 2015. Intended to be proactive, the plans assess the health of each state's wildlife and habitats, identify the problems they face, and outline actions needed to conserve them over the long term. It encompasses both marine and freshwater habitat types and provides recommended actions on conservation relevant to watershed plans.

Coastal Habitat Restoration Strategies - The growing interest in habitat restoration has prompted a commitment by CRMC and DEM to update and further develop habitat restoration strategies. DEM, in collaboration with NBEP, will produce an updated statewide plan for fish passage to support anadromous fish restoration that includes site specific recommendations for dam locations on coastal tributary rivers and streams. CRMC is leading an initiative to developing a restoration plan targeting saltmarshes.

Aquatic Invasive Species Management Plans - to be added

Riparian Buffer Plans – to be added



Policies and Actions for Planning

Planning Policy 1: Support, promote and facilitate sustainable land use practices and planning that protects water quality from new development and improves water quality on redevelopment.

Planning Policy 2: Watershed plans are the basis for implementation actions at the state and local level.

Planning Policy 3: Ensure planning for water quality protection and restoration is effectively coordinated to maximize efforts.

Planning Policy 4: Support the development of a state lake management program.

Actions:

- A. implement existing TMDLs and Develop new TMDLs where necessary.
- B. Municipalities adopt LID ordinances. (see also stormwater)
- C. Promote alternative approaches to development that reduce potential impacts to water quality.
- D. Municipalities adopt resource specific overlay protection zones in their zoning ordinances for sensitive resources (e.g., aquifer recharge areas, wellhead protection areas, drinking water reservoir watersheds, etc.).
- E. Incorporate maps of all tributary streams, wetlands and other sensitive areas into the community comprehensive plan. This supports the basis for guiding growth away from these sensitive resources.
- F. Evaluate use of the urban services boundary as a tool in prioritizing water quality protection and restoration activities.
- G. Continue to acquire land or development rights for water resources protection, primarily drinking water supplies.
- H. Integrate watershed planning into the local comprehensive planning process.
- I. Review and comment on comprehensive plan updates provided to the State Division of Planning for approval.
- J. Large water suppliers comply with water supply system management plan requirements by including an updated water quality component of their plan.
- K. Develop watershed plans for each of the 27 watershed planning areas. Update the plans on a regular basis.
- L. Hold periodic workshops on progress in meeting watershed protection strategies.
- M. Increase public understanding of water resources and watershed management issues.
- N. Foster public involvement in river and watershed planning, decision-making, and management.
- O. Establish a lake management program at the state level to respond to lake water quality and management concerns.
- P. Develop guidance on the preparation of lake management plans and support the development and implementation of these plans.
- Q. Encourage formation of additional lake associations to support local lake management.
- R. Support existing watershed organizations/River Councils and secure the development of such organizations in those watersheds where none exists.
- S. Evaluate strategies to integrate the Rivers Council Rivers Classification system into local comprehensive planning and other State planning initiatives.
- T. Review the Rivers Council classifications to ensure consistency with DEM and CRMC Programs and adopt an alternative designation for "pristine", since this implies a level of water quality not attainable in RI.



Part 6 Pollution Source and Aquatic Habitat Management and Recommended Actions

Educate – Regulate – Enforce

Pollution source management is built on these 3 primary elements:

Educate (Inform) – inform the public and businesses of the actions (voluntary and required) to take to prevent pollution. (Section X)

Regulate – implement regulatory programs to set standards and specify required actions for water quality protection. (Section X)

Enforce – regulatory programs must be adequately enforced to ensure protection. (Section X)

There are four pollution source management issues that extend beyond the specific pollution source/programmatic discussions later in this section. They are nutrient management, pollution prevention, compliance and enforcement, and data management.

1. Nutrient Management - As is evident from Section X, excess nutrients – nitrogen and phosphorus -- are a major contributor to water quality degradation in RI. The sources of these nutrients are many and include the following, all of which are discussed in detail later in this section: wastewater treatment plant discharges, OWTS, stormwater, agriculture, atmospheric deposition, lawn fertilizer, pet waste and waterfowl. In 2005 DEM prepared the “Plan for Managing Nutrient Loadings to Rhode Island Waters”. This Plan focused on implementation of the legislative charge to reduce nitrogen loadings from wastewater treatment facilities by 50% compared to the 1995-96 pollutant loadings (See Wastewater Treatment Section later in this Part).

Nutrient Management Overarching Policy: Nutrient management to protect and restore RI’s water resources requires a coordinated approach to effectively manage nutrients from multiple sources.

Action:

- A. Develop an updated comprehensive nutrient management plan for the state’s waters – surface water and groundwater.

2. Pollution Prevention- Pollution prevention is putting into practice the common sense idea that the best way to manage waste is to avoid generating it in the first place. It is any practice which reduces the amount of any hazardous substance, pollutant or contaminant entering any waste stream or otherwise released into the environment prior to recycling, treatment or disposal. Pollution prevention focuses attention away from the traditional end-of-pipe treatment and disposal of waste, toward eliminating or reducing substances used in the production process itself. Pollution prevention practices include the cost effective use of resources through source reduction, improved housekeeping, energy efficiency, reduced water consumption, and reuse of input materials during production.

DEM Office of Customer and Technical Assistance, as part of its pollution prevention efforts, has developed evidence-based, self-certification programs aimed at improving environmental performance in the automotive refinishing, underground storage tank, construction site management (storm water runoff) and auto salvage yard facility sectors. In addition, the Office has established green certification programs for the RI hospitality industry, higher education facilities, golf courses,



landscapers and has worked with CRMC on the Clean Marinas Program (see section X). Collectively, these Environmental Results Programs have shown statistically significant improvements across a range of human health and environmental indicators leading to better outcomes at less cost.

Pollution Prevention Overarching Policy: Water pollution should be prevented whenever possible as it is a more cost-effective strategy than source control and restoration.

Actions:

- A. Increase and support continued efforts to encourage industries and specific businesses to adopt pollution prevention strategies.
- B. Expand the Environmental Results Program to other industry sectors.

3. Compliance and Enforcement - Many of the pollution sources identified below are managed by federal, state and local regulatory programs. The regulations are only as good as the programs in place to enforce them. Protecting and restoring water quality requires effective enforcement of the regulations. The public expects that the laws and regulations are being followed to protect the resources they care about. Businesses expect to operate on a “level playing field” where competitors do not gain an unfair advantage by not complying with water quality laws and regulations.

Compliance and Enforcement Overarching Policy: Compliance with federal, state and local regulatory programs is essential for protection and restoration of water quality.

Actions:

- A. Ensure resources are available for enforcement of federal, state and local laws and regulations for water quality protection.
- B. Enforce laws and regulations fairly and consistently. Impose and recover penalties in an amount sufficient to deter future non-compliance.

4. Data Management - Any particular site (location, property, facility) may be subject to permitting and compliance with many of the regulatory programs discussed in detail below. A better integrated database management system for facility application and compliance review would greatly enhance agency program coordination, tracking and reporting. In addition, the large volumes of water quality monitoring data would be more useful if it is better coordinated and integrated. Any improvements in state and federal data management must be done with the complementary goal of improving the public’s access to the data.

Data Management Overarching Policy: Integrated, well supported data management systems are essential for water resource protection and restoration program management.

Action:

- A. Enhance the state data management systems to improve agency effectiveness and public access to the data.



Wastewater Discharges to Surface Waters and Collection Systems (Sewers)

Pollutants: pathogens, nutrients, organic wastes, toxic contaminants, pharmaceuticals and personal care products (and other contaminants of emerging concern).

**Key points:**

- Untreated discharges from combined sewer overflows must be controlled to restore water quality in Narragansett Bay.
- Although pollutant loadings have been reduced through advanced treatment, WWTFs continue to be a major source of nutrient pollution in RI waters.
- Planning for expansion of wastewater systems should be strengthened and aligned with statewide land use and economic development plans and policies.
- On-going investment in the repair, replacement and maintenance of aging public wastewater infrastructure is necessary to sustain the gains achieved in water quality.
- Wastewater infrastructure capital investment needs far exceed the current capacity of financial assistance programs.

Most Rhode Islanders (~70%) rely upon public sewer systems to handle residential and commercial wastewater flows. Over 140 million gallons per day of wastewater is collected via sewer systems and treated by Rhode Island's nineteen major wastewater treatment facilities. Over 75% of this treated wastewater is discharged by thirteen major wastewater treatment facilities (WWTFs) directly into coastal waters, including the state's largest WWTF at Fields Point operated by the Narragansett Bay Commission. The remaining six major WWTFs discharge into four freshwater rivers: the Blackstone, Clear, Woonasquatic and Pawtuxet Rivers. Additional permitted discharges into rivers or coastal waters include 54 minor sanitary wastewater, eleven cooling water and four industrial wastewater. No wastewater is authorized for direct discharge into lakes in RI. As part of their operations, the major WWTFs operate thirteen septage receiving facilities which accept over 40 million gallons of septage waste from OWS primarily delivered by licensed haulers. WWTFs also generate sludge, 27,000 dry tons per year, which is most often disposed of off-site, with the majority going to RI's Central Landfill.

DEM exercises oversight of the planning, design, construction and operation of wastewater facilities. With authority delegated from the EPA, DEM administers the Rhode Island Pollutant Elimination Discharge System (RIPDES) permitting program for discharges to surface waters. All major WWTFs and most minor permittees now operate with water quality based permits that reflect effluent limits developed using water quality assessments of their receiving waters and corresponding wasteload allocations. Thirteen of 19 major WWTFs have effluent limits for ammonia, nitrogen and/or phosphorus which require advanced treatment. Effluent monitoring data is collected monthly, reported to DEM and shared with EPA. As part of an adaptive management approach, permits are periodically re-issued allowing advancements in scientific understanding to be incorporated into discharge permits as necessary.

In RI, public wastewater systems are developed in accordance with facility plans that provide the technical basis for planning and design. The plans identify areas that should be serviced by sewers and provide estimates to properly size the collection system, pump stations and treatment facilities. Currently, DEM does not require that facility plans be updated on a given schedule. The practice has been to update plans when the need arises including applications for funding assistance through the Clean Water State Revolving Fund (CWSRF). Disadvantages of this approach include the difficulty of aligning local land use plans, which must be regularly updated, with facility plans that may be considered outdated. In addition, occasions may arise in which an outdated facility plan may be considered a short-term obstacle to the pursuit of economic development; e.g. approval to extend sewers to an area is withheld because of inconsistency with a facility plan. Strengthening facility planning by ensuring regular



updates to keep plan reasonably current would be beneficial to both wastewater management and local comprehensive land use planning.

Ensuring WWTF effluent limitations are met requires controlling the flows into WWTFs. Through oversight of wastewater facility plans, expansion of sewer service districts and other system modifications, DEM works with the WWTFs to ensure plants operate within their design flows. This oversight, coupled with state mandated operator certification and training, and state inspections has resulted in a high level of compliance with WWTF effluent limits around Rhode Island. However, as more plants are upgraded and treatment systems become more complex, continued training for operators will be important to sustain the overall excellent performance of Rhode Island's WWTFs.

While there has been significant recent investment in WWTF plant upgrades, the age and condition of the sewer collection system infrastructure remains a management challenge. RI does not have an inventory to accurately characterize the age of the over 2,600 miles of pipes associated with the 19 major systems, but is aware that portions of such systems are decades old or known to have been constructed in a manner that leaves them vulnerable to leakage and breakage. DEM receives reports of dozens of sewer system overflows (SSOs) annually and is encouraging WWTFs to adopt or expand asset management approaches to the operation and maintenance of their collection systems. NBC is one system that has been actively reducing the number of SSOs in its system through implementation of an Assent Management Program, by eliminating CSO discharge points, reconstructing regulator pipes and by instituting inspection and monitoring initiatives. Oversight of industrial and smaller wastewater discharges is also an important component of RI's overall wastewater management program. *Add details – includes cooling water.*

Controlling Nutrient Pollution

As described previously, WWTF discharges are major sources of nutrient pollution in Rhode Island waters. The three major WWTFs discharging to the Pawtuxet River (Warwick, West Warwick and Cranston) were among the first in Rhode Island to move to advanced treatment to remove nutrients – both phosphorus to protect the river and nitrogen to protect downstream coastal waters. Revised permits issued in 1989 compelled WWTF upgrades to reduce discharges of ammonia and organic material. Construction was completed by 2006 and all three WWTFs have achieved compliance with their current effluent limits. Subsequent monitoring during the expected worst condition period found that dissolved oxygen in the Pawtuxet River had been restored to acceptable levels.

Aware of evidence of hypoxia in the Providence River dating, and reflecting a national trend in estuarine management, in the mid-1990s DEM began focusing on reducing WWTF loadings of nitrogen in order to abate persistent hypoxic conditions in the upper Bay. As WWTFs designed upgrades for other purposes, nutrient reduction was incorporated. In 2004, on the basis of recommendations from the Governor's Commission on Narragansett Bay and its watershed, the General Assembly established a goal of achieving a 50% reduction in seasonal summer nitrogen pollutant loadings from Rhode Island's WWTFs. Building on work already underway, in 2005 DEM released a nutrient reduction plan that targeted eleven RI WWTFs to achieve a 50% reduction in the summer seasonal nitrogen loadings into upper Narragansett Bay over levels from 1995-1996. The plan reflected an adaptive management approach to nutrient controls that phased in the necessary nutrient reductions and allows for continued monitoring and re-assessment of the need for further reductions. Revised permits with effluent limits ranging from 5-8 mg/l of total nitrogen were issued and WWTF upgrades proceeded. Work was largely completed by the end of 2014 with some continuing construction scheduled for completion in 2017. In addition to reductions in RI, several WWTFs in Massachusetts which discharge upstream of RI waters have been required by the EPA to curb nutrient pollutant loadings. The largest of these, the Upper Blackstone Water Pollutant Abatement District WWTF serving the Worcester metropolitan region, achieved its limit of 5 mg/l in 2011. Recent data indicate the 50% reduction goal for targeted RI WWTFs has been achieved and attention has turned to monitoring the response in Narragansett Bay. Preliminary



indications of improvement at certain monitoring stations will need to be confirmed by multiple years of data collection due to the variability that occurs in conditions year to year. Researchers and managers are also continuing to collaborate on the development of water quality models that may be applied to support future decisions on further pollution control actions. Ideally, one or more models will be available to support decisions regarding the need for development of a water quality restoration plan, or TMDL, currently scheduled for 2020.

Combined Sewer Overflows (CSO):

The primary sources of bacteria in upper Narragansett Bay are combined sewer overflows (CSOs) that discharge a combination of untreated sewage and stormwater. The Narragansett Bay Commission (NBC) has been implementing a three phase CSO control plan, developed with stakeholder input in the 1997-98, to address the 86 CSO outfalls known to discharge into the Providence River and its tributaries in 2008. CSOs also degrade water quality in Newport Harbor and Mt. Hope Bay (from Fall River, MA.).

NBC established a goal of reducing annual CSO volumes by 98% and achieving an 80% reduction in shellfish bed closures. Phase 1 and 2 of the CSO Abatement strategy have completed. Phase 1, which cost \$375 million, entailed construction of a bedrock storage tunnel with 66 million gallons of capacity under the City of Providence, two stub tunnels and a major facility upgrade of the Bucklin Point WWTF. The Phase I bedrock storage tunnel became operational in late fall 2008. On average, the tunnel captures over 900,000 gallons per year and directs that flow for treatment to the Fields Point WWTF. As a result, DEM has been able to raise the rainfall amount that triggers the closure of shellfishing in the upper bay region and thereby allow for more open days of shellfishing. (Insert quantity) Completed in December 2014, Phase II, costing \$213 million, included construction of two near-surface interceptors, one to receive overflows along the Woonasquatucket River and one to receive overflows along the Seekonk River. Phase II also entailed construction of sewer separations for the CSO located on the Seekonk River and the CSO located on the Moshassuck River, and construction of a wetlands facility in Central Falls. Following re-evaluation through a stakeholder process, NBC approved a multi-part plan for Phase 3 that is estimated to cost \$815 million. It includes a deep rock tunnel in Pawtucket, green stormwater infrastructure (GSI), new interceptors and related conveyance system improvements including sewer separation in the Blackstone River Valley region. NBC's plan, which is subject to DEM approval, indicates full implementation will be complete in 2038.

Incorporating Sustainability into Wastewater Management

Another area of recent attention has been energy efficiency. Energy is often the second largest expense behind labor in running a WWTF. Advanced treatment processes at WWTFs consume even more electricity. In many municipalities, wastewater treatment facilities are the largest municipal user of energy. (EPA, 2008) EPA, through its energy challenge program, is offering technical assistance to encourage the adoption of energy efficiency measures that often present major operating cost savings. Four RI communities to date have chosen to participate leading to projects such as the installation of wind turbine generator at Field's Point. Ranking criteria for the Project Priority List (maintained by the Clean Water Finance Agency and DEM) have been updated to favor energy efficiency and sustainable infrastructure practices when considering funding requests.

Climate Change: By their design and function, a wastewater treatment facility is typically located downgradient from the majority of its service districts. This places them in low-lying areas adjacent to the waters to which they discharge. As a result, wastewater infrastructure is vulnerable to climate change impacts associated with both sea level rise and changing precipitation. Assessments of each system are planned and will lead to prioritization of adaption measures that minimize impacts on the functioning of public wastewater infrastructure.



In 1990, the Clean Water State Revolving Loan Fund (CWSRF) program replaced the construction grant program. Co-managed by DEM and the Rhode Island Clean Water Finance Agency, the CWSRF has awarded over \$1 billion in below market interest rate loans for XXX projects in 27 communities and it remains the state's largest financial assistance program. The capacity of the CWSRF and limited other financial assistance programs is far exceeded by the wastewater infrastructure needs documented in the 2012 Statewide Needs Survey. Funding concerns as further discussed in [Section X](#).

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 1: Plan, design and construct wastewater systems to protect public health and water quality. Use the facility planning process to guide the expansion and utilization of public wastewater systems, including the extension of public sewers to those areas deemed necessary to achieve water quality protection goals.

Actions:

- A. Mandate all publicly owned wastewater systems maintain and periodically update facility plans.
- B. Develop incentives for wastewater system owners to develop, update and implement facility plans.
- C. Strengthen the state oversight of facility planning, ensure modifications to such plans are done in a manner that is cost-effective and supports the optimal use of existing infrastructure, and ensure such plans are consistent with policies reflected in Land Use 2025.
- D. Evaluate opportunities for regional approaches to wastewater management, especially within the urbanized service districts in which different authorities maintain portions of a common system.
- E. Reduce information gaps on location and ownership of public sewer lines.
- F. Complete vulnerability assessments of wastewater systems relative to potential impacts from climate change.
- G. Devise and implement adaptation strategies that will improve wastewater system resiliency to a changing climate.
- H. Strengthen state authority to compel municipalities to develop community –based solutions to persistent on-site wastewater management problems; e.g. develop sewer systems or extend service.
- I. Foster the development of community-wide wastewater plans that integrate facility planning and on-site wastewater management planning.
- J. Strengthen state oversight to require that comprehensive plans, local wastewater management plans and facility plans are consistent.
- K. Strengthen municipal regulations and/or state law to ensure properties with ready access to public sewer systems are connected. Such law should allow for reasonable waiver period for properties that have recently installed or repaired an OWTS.
- L. Identify and prioritize areas statewide where sewers are needed as determined by water quality data or public health risks.
- M. Assist municipalities in developing community based solutions and targeted financial assistance programs to facilitate sewer extensions and connections in priority areas.
- N. Develop policies to ensure privately constructed WWTFs are properly operated and maintained.
- O. Continue state oversight of the design of major components of wastewater system infrastructure.
- P. Ensure standards for the design of wastewater systems accommodate advancements in technologies and allow for innovative technologies.
- Q. Inspect wastewater infrastructure projects to ensure they are constructed as designed.



Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 2: Ensure discharge permits to surface waters are protective of water quality.

Actions:

- A. Continue to maintain the state discharge permitting program (RIPDES) as delegated by the EPA pursuant to the federal Clean Water Act.
- B. Implement water quality monitoring programs to ensure data is available to support the development and re-issuance of RIPDES permits.
- C. Continue to develop, refine and apply improved scientific tools and data systems, e.g. water quality models, to support permitting decision-making.
- D. Issue and periodically update water quality based permits for public and industrial wastewater discharges with discharge limits that support water quality standards.
- E. Issue and periodically update permits for cooling water discharges to ensure thermal impacts do not degrade aquatic ecosystems.
- F. Stay abreast of technological innovations in wastewater management and utilize advanced treatment technologies where warranted to abate water quality degradation associated with wastewater discharges.
- G. Improve data management systems to ensure data on wastewater treatment performance is reported and reviewed in a timely and efficient manner among federal, state and local entities.
- H. Adapt data systems to support the electronic submittal of permit applications and associated reports in coordination with EPA requirements.
- I. Develop strategies to address pollutants of emerging concern discharged from wastewater facilities in their effluent or solids (sludge).

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 3: Encourage and support efforts to achieve effective control of upstream wastewater discharges in MA which affect downstream water quality in RI.

Actions:

- A. Continue to collect, synthesize and share scientific information that characterizes the upstream contribution from MA to water pollution problems in RI waters.
- B. As needed, participate in EPA decision-making to ensure downstream impacts on RI waters from MA wastewater sources are properly considered in EPA permit decisions.
- C. Encourage timely implementation of WWTF upgrades in MA portion of the Narragansett Bay watershed.

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 4: Prevent the introduction of toxics and other substances into wastewater systems in quantities that may cause disruption of desired treatment processes.

Actions:

- A. Continue to implement effective pretreatment programs at the state and local/system level.
- B. Develop policies to improve coordination among municipal pretreatment programs and private operators of WWTFs.
- C. Expand programs that collect grease from restaurants and other sources for beneficial re-use.



Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 5: Ensure wastewater systems are operated and maintained to provide effective wastewater treatment.**Actions:**

- A. Require operation and maintenance plans for all WWTFs to be followed. Continue to conduct periodic inspections of WWTFs.
- B. Maintain wastewater operator certification program to ensure qualified staffing at wastewater treatment facilities.
- C. Expand wastewater certification requirements to ensure effective operation of privately owned and industrially operated wastewater treatment systems.
- D. Provide sufficient training of WWTF operators including the use of more advanced and complex treatment technologies.
- E. Provide training and professional development opportunities to attract and develop effective managers to serve in wastewater systems.
- F. Establish asset management programs within all major public wastewater systems to facilitate preventative maintenance and prompt replacement or repair of wastewater infrastructure.
- G. Continue to implement policies that require prompt reporting and response actions in the event of sewer system overflows.
- H. Provide technical assistance to wastewater dischargers to foster improved performance, in particular small businesses.
- I. Ensure sludge generated via wastewater treatment is handled and disposed of in a manner that is protective of public health and the environment.
- J. Maintain and update a statewide sludge management plan to ensure sufficient disposal for sludge generated at WWTFs.
- K. Revise policies to broaden the use of sustainable practices in wastewater operations.
 - Facilitate the broader reuse of sludge and biosolids generated via wastewater treatment
 - Promote the practice of wastewater reuse where appropriate and cost-effective.
 - Reduce the amount of chemical use where feasible.
- L. Expand utilization of informal and formal enforcement procedures to deter non-compliance by wastewater dischargers.
- M. Maintain and periodically update a statewide plan to ensure Rhode Island has adequate septage disposal capacity distributed throughout the State.

Was in OWTS section. WWTF will drive this in municipalities that have sewer and OWTS

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 6: Improve coordination of wastewater management planning for OWTSs and sewered areas.**Actions:**

- A. Communities prepare one wastewater management plan addressing elements from facilities planning onsite wastewater management planning.
- B. Facilities planning for municipal/public sewer systems properly assess areas for OWTS suitability.
- C. Sewer extensions are consistent with Land Use 2025 Future Land Use Map and sewers are extended to areas currently served by OWTSs where it is shown to be necessary to mitigate an existing water quality impairment caused in part by OWTS or to eliminate a threat to public health.
- D. Require connection to sewer systems where access exists.



Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 7: Reduce nutrient pollutant loadings from wastewater treatment facilities.

Actions:

- A. Complete implementation of strategy to upgrade WWTFs to reduce pollutant loadings of nitrogen from 11 RI WWTFs affecting upper Narragansett Bay.
- B. Complete implementation of upgrades for phosphorus controls at targeted WWTFs.
- C. Develop improved decision-making tools that can be applied to support future decisions on nutrient reductions from WWTFs discharging to the Narragansett Bay watershed including its tributaries.

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 8: Minimize untreated discharges from Combined Sewer Overflows.

Actions:

- A. Implement CSO abatement strategies for Providence metropolitan region and City of Newport.
- B. Evaluate the effectiveness of Phase 2 of the NBC CSO Abatement Program and use information to review and refine plans for Phase 3 of the Program.
- C. Encourage CSO abatement in MA portion of Narragansett Bay watershed (Fall River).
- D. As practicable, minimize the generation of combined sewer overflows by redirecting and capturing stormwater runoff through application of green infrastructure practices in urbanized areas.

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 9: Reduce discharges that result from sewer system overflows.

Actions:

- A. Develop and implement effective programs to detect, replace or repair conveyance systems and pump stations in order to prevent sewer systems overflows within all public wastewater systems.
- B. Conduct infiltration and inflow detection programs to identify and eliminate sources of excessive amounts of water entering into sewer systems.
- C. Continue to provide state technical assistance to aid in the investigation of sewer system overflows.

Wastewater Discharges to Surface Waters and Collection Systems (Sewers) Policy 10: Ensure wastewater systems have necessary financial resources.

Actions:

- A. Continue to provide financing via the Clean Water SRF Program.
- B. Periodically (*set a duration, 5 yrs, 7 yrs...*) survey wastewater systems statewide to identify, document and prioritize capital needs.
- C. Evaluate long-term infrastructure financing needs and identify options for supplementing existing funding mechanisms including increasing capacity of the State Revolving Fund.
- D. Encourage the use of enterprise funds as an appropriate means of managing WWTF financial resources.
- E. Lower annual operating costs through by incorporating energy efficiencies and use of sustainable energy sources in wastewater operations.
- F. Provide guidance to wastewater systems to foster sewer assessments and use fees that are fair and equitable.
- G. Ensure privately operated WWTFs have sufficient financial resources to repair and upgrade such systems as needed in the future.



Onsite Wastewater Treatment Systems (OWTSs)

Pollutants: pathogens, nutrients, pharmaceuticals and personal care products (and other contaminants of emerging concern), household hazardous materials

Key points:

- Alternative OWTSs provide opportunities for improved treatment, but they require greater oversight, therefore strategies must be implemented to ensure their proper operation and maintenance.
- Local government must play a major role in ensuring OWTS maintenance.
- Local planning for wastewater facility systems and OWTSs should be integrated into one local wastewater plan.
- Cesspools are a substandard means of wastewater treatment and disposal that should be eliminated statewide.



Water Quality Concern: Wastewater from any structure not served by a sewer system is disposed of onsite using an onsite wastewater treatment system (OWTS, also referred to as a septic system). This is a system of pipes, tanks, and chambers used to treat and disperse sanitary wastewater into the soil (rather than into a river, bay or the ocean as with a sewage treatment plant). Sanitary wastewater is water from toilets, sinks, showers and baths. Wastewater from commercial and industrial processes (non-sanitary wastewater such as car washes, cooling waters, etc.) that is disposed of onsite where there is no sewer system is regulated as a Groundwater Discharge (see Section xx)

An OWTS most commonly serves an individual building (residence, business, industry or institution) and is located entirely on a single lot. One system may also be designed to serve groups of buildings or even a neighborhood. There are approximately 154,000 OWTS in Rhode Island, serving about 36% of the state's population and 80% of the state's land area.

Wastewater from an OWTS moves downward through the soil into groundwater carrying with it bacteria and viruses, nutrients (nitrogen and phosphorus), pharmaceuticals and personal care products and other contaminants improperly disposed of into the system. The level of treatment provided depends on many factors – system design and installation, system use and maintenance and the onsite soil characteristics. A properly sited, designed, installed and maintained OWTS will provide decades of use and provide treatment such that the system does not adversely impact public health or the environment.

In many areas of the State, it is not cost-effective or desirable to extend public sewer service. In addition, *Land Use 2025* discourages the expansion of sewer service outside of the State's designated Urban Services Boundary. Therefore, communities dependent on OWTS will continue to use them to treat their wastewater into the foreseeable future. The exception to this are the limited areas identified and targeted for future sewer service in facility plans prepared for public wastewater treatment systems.

Minimizing Impacts: All OWTS are regulated and permitted by DEM through implementation of the DEM "Rules Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Onsite Wastewater Treatment Systems." These rules set prescriptive standards for the OWTS components, size of systems based on intended use and soil conditions on each site, and the location of systems based on maintaining minimum separation distances from drinking water wells, wetlands and waterbodies, property lines, and other structures. Design flow from OWTS range from 345 gallons per day for a 3 bedroom residence to greater than 20,000 gallons per day for some schools and other



institutions. Private sector professionals are licensed by DEM to conduct an evaluation of the proposed site soil conditions, design and install the systems.

In addition to conventional system designs specified in the Rules, DEM has established a procedure for approval of alternative or experimental OWTS technologies and drainfields. As of January 2015, 20,827 systems with alternative or experimental technologies and drainfields have been installed in the State. These are more complex systems that require a greater level of oversight to ensure they operate as designed in order to achieve the desired level of treatment.

Alternative systems are used on difficult sites where a conventional system cannot be installed due to site limitations (e.g., high water table, small lots, nearby private wells). The alternative system can be installed with a smaller footprint or provide a higher level of treatment, resulting in an equivalent or better environmental condition than a conventional system on an acceptable lot with no site constraints. An acknowledged concern with this approach is the inevitable development of sites formerly considered undevelopable due to new OWTS technologies. The approval of the OWTS allows the lot to be developed, creating impacts not related to OWTS, such as stormwater runoff. Municipalities should be prepared for this and plan for development accordingly. Alternative systems are also used in sensitive areas to meet water quality objectives as demonstrated by the requirement for denitrification systems in the Salt Pond and Narrow River watersheds for any new or repaired system.

Cesspools are an older substandard method for wastewater disposal into the ground. They are essentially just a hole in the ground that is more likely to fail and which does not provide an acceptable level of treatment. As of 2015, DEM estimates there are approximately 25,000 cesspools still in use in RI. All cesspools in the state pre-date 1968, the first year regulations for septic systems took effect. The RI Cesspool Act of 2007 (RIGL Chapter 23-19.15) requires cesspools within 200 feet of the coastal shoreline, public drinking water wells and drinking water reservoir impoundments to be removed from service by January 1, 2014. Of the cesspools subject to the Act, as of February 2015, 526 cesspools have been replaced, 148 have connected to a sewer system, and 361 have been identified that need to be replaced. In addition, the use of large capacity cesspools (those serving any non-residential facility that has the capacity to serve greater than 20 people per day or serves any multi-family residence or apartment building) is prohibited statewide by state and federal rules. Phasing out the use of cesspools has been a major initiative of state and nongovernmental organizations, and in 2015 the RI General Assembly passed amendments to the Cesspool Act requiring cesspools statewide to be replaced within one year of the time of property sale or transfer.

Operation and maintenance of existing systems is the responsibility of the property owner. All OWTS, both conventional systems and alternative treatment systems with pumps and other electronic components, require periodic maintenance to achieve expected levels of treatment performance. Lack of maintenance is considered to be the primary cause of system failure causing health and water quality concerns as wastewater backs up onto the land surface and flows directly into surface waters, stormwater collection systems or moves untreated into groundwater. Eighteen towns in RI have adopted onsite wastewater management plans to encourage or require maintenance activities such as system inspections and pumping of septic tanks (as enabled by RI General Law Chapter 45-24.5). These plans make the towns eligible for the Community Septic System Loan Program (CSSLP), in which the towns can access funds from the Clean Water Revolving Loan Fund for low interest loans to homeowners for OWTS repairs. As of December 2014, 41 loans have been issued to 14 towns over the past 16 years totaling \$11,500,000.



Elements of a Comprehensive Municipal OWTS Program

Local governments are best suited to oversee proper operation and maintenance of OWTS. DEM has identified the suggested elements of a comprehensive municipal program (Note: None of the elements below are required by state or federal rule or law):

- Approved Onsite Wastewater Management Plan
- Participation in the Community Septic System Loan Program
- Adoption of an Onsite Wastewater Management ordinance
- Mandatory inspections are part of the Onsite Wastewater Management Plan
- Web-based tracking system
- Website for information and education on OWTS issues
- Town staff person whose primary responsibility is management of the municipal onsite wastewater management program
- Cesspool phase out program

Climate Change: The impacts of projected climate change through sea level rise and warmer soil temperatures may decrease the effectiveness of OWTS in treating wastewater by means of:

- Sea level rise will increase the vulnerability of systems in the coastal zone to storm damages;
- Rising water tables (due to sea level rise) in the coastal zone will decrease the available aerated soil to treat wastewater beneath the system. Wet and saturated conditions beneath the system favor pathogen survival and transport; and
- Warmer soil temperatures statewide will potentially reduce available oxygen for wastewater treatment in the soil.

OWTS Policies and Actions

OWTS Policy 1: Ensure proper siting, design and construction of onsite wastewater management systems to protect groundwater and surface water quality and public health.

Actions:

- A. Implement current OWTS Rules and continually evaluate the effectiveness of these Rules
- B. Provide sufficient training opportunities to meet the needs of OWTS design and installation professionals.
- C. Evaluate DEM licensed professionals through DEM oversight, including field inspections.
- D. Strengthen disciplinary process for DEM licensed professionals.
- E. Support development of alternative technologies to provide advanced treatment options to address site limitations.

OWTS Policy 2: Ensure OWTSs are properly operated and maintained.

Actions:

- A. Evaluate performance of alternative treatment OWTSs and the required level of maintenance. Revise state rules, guidance and technology approvals accordingly.
- B. Establish a technical working group to develop standards and processes to ensure operation and maintenance of alternative treatment OWTS.
- C. Establish operating permits for large OWTS that are subject to renewal in order to ensure permit compliance.
- D. Evaluate the need for additional treatment standards for discharges with high-strength wastewater, e.g., restaurants.
- E. Provide public information on the proper use of OWTSs.
- F. Promptly repair or replace failed OWTSs.



OWTS Policy 3: Implement municipal onsite wastewater management programs to facilitate proper OWTS operation and maintenance.

Actions:

- A. Develop, implement, and update municipal onsite wastewater management programs in communities that rely in whole or in part on OWTS.
- B. Provide funding for the CSSLP to enable municipal onsite programs to provide financial assistance to homeowners for repair and replacement of OWTS. Increase participation in the Program where appropriate.
- C. Improve state and local data management systems to facilitate data sharing among the state agencies and local government programs.

OWTS Policy 4: Ensure that OWTS are protective of public health and the environment.

Actions:

- A. Continue implementation of denitrification requirements in the Salt Pond and Narrow River critical resource areas.
- B. Expand denitrification requirement to other poorly flushed coastal embayments that are documented to have nitrogen caused water quality impairments due in part to OWTS.
- C. Evaluate technologies/strategies for reducing phosphorus from OWTSs in areas documented to have phosphorus caused water quality impairments due in part to OWTSs.
- D. Develop an approach for assessing and responding to the cumulative impacts of OWTS.
- E. Evaluate the need for more intensive OWTS management in 1) densely developed areas that are dependent on private drinking water wells and 2) wellhead protection areas where nitrogen in the public well exceeds one-half the drinking water standard.
- F. Evaluate the performance of OWTS on treating emerging contaminants of concern.
- G. Continue to evaluate the effects of climate change on OWTS performance; amend Rules as necessary.

OWTS Policy 5: Eliminate use of cesspools.

Actions:

- A. Complete 2007 Cesspool Phaseout Act requirements.
- B. Eliminate continued use of large capacity cesspools as required by state and federal rules.
- C. Implement the 2015 legislation for cesspool replacement at time of property sale or transfer.

Stormwater

Pollutants: sediment, pathogens, nutrients, metals, petroleum products, salt, pesticides, heat

Key points:

- Stormwater is a widespread source of water quality degradation in RI.
- Stormwater is a critical component of our water infrastructure that must be effectively managed along with wastewater and drinking water.
- Stormwater from existing impervious surfaces, not just from new development, must be addressed in order to achieve improvements in water quality.
- Maintenance of stormwater management practices is often neglected and must be improved.
- The major obstacle to abating stormwater pollution is the lack of a reliable source of funding.
- Low impact development strategies are a key focus for long-term stormwater management.



Water Quality Concern: Stormwater runoff is a widespread source of water quality degradation in RI with xx% of our water quality impairments known or suspected to be caused in part by stormwater. (maybe



xx% of TMDLs have specified stormwater as a source of the impairment – some quantifying statement.) Stormwater impacts include: pathogen contamination resulting in beach closures and closure of shellfish growing areas, nutrient enrichment of waterbodies resulting in algal blooms (including toxic cyanobacteria), elevated levels of other pollutants (e.g., metals), and stream bank erosion, and aquatic habitat alterations from high flows. The degree to which stormwater impacts water quality in any particular watershed is primarily a function of the amount of impervious cover and how stormwater generated from the impervious cover is managed. (See discussion on impervious cover in section xx Land Use Planning. This section will focus on stormwater management.)

Many of the sources of pollution discussed in other sections of this Plan adversely impact water quality due to their conveyance by stormwater into our surface waters and to a lesser degree groundwater. See discussions on combined sewer overflows, road salt and sand application, agriculture, lawn care, pet waste, atmospheric deposition, surface mining, and Silviculture.

Proper design, siting and installation of stormwater BMPs as property is developed or redeveloped are not enough to achieve state water quality goals. Two challenges associated with stormwater management include:

- *Proper maintenance of BMPs:* Maintenance of the existing stormwater infrastructure is a glaring weakness at the state, local and private sector levels. Stormwater management BMPs for improving water quality must be maintained or the water quality benefits of the BMP will largely be lost; and
- *Improving treatment of stormwater from existing developed lands:* Accelerating the pace at which performance of stormwater management on existing public and private property is improved continues to be a significant challenge. Many of the completed TMDL's identify the need to improve stormwater management from existing properties in the watershed to reduce pollutant loadings to impaired waters. The responsibility for upgrading stormwater infrastructure rests largely with municipal governments and the Rhode Island Department of Transportation. However, stormwater from private property often flows into the public system. In many watersheds it will also be necessary to reduce pollution from stormwater runoff generated from private properties by taking action to properly manage this stormwater on-site.

Minimizing Impacts: Management of stormwater from impervious surfaces and from site construction is a multi-faceted approach at both the state and municipal levels that includes:

- Managing new construction: managing construction activity runoff and post construction runoff with appropriate BMPs;
- Managing the existing stormwater systems: identification of the components of the system and maintaining the system, including repairs and upgrades; and
- Controlling sources of pollution that contribute pollutants to stormwater.

Stormwater management at the state level involves the regulatory programs below:

- State permitting for projects subject to Rules pursuant to: DEM and CRMC Freshwater Wetlands Programs, DEM Water Quality Certification Program, DEM Groundwater Discharge Program, DEM RI Pollutant Discharge Elimination System Program, and CRMC Coastal Management Program. Development permitted by state programs must comply with the following:
 - The RI Stormwater Design and Installation Standards Manual (RIDEM and CRMC 2010) includes specific provisions to ensure stormwater is treated to protect water quality and is managed as specified in the Smart Development for a Cleaner Bay Act of 2007 (RIGL 45-61.2-2):



- Maintain pre-development groundwater recharge and infiltration on site to the maximum extent practicable;
 - Demonstrate that post-construction stormwater runoff is controlled, and that post-development peak discharge rates do not exceed pre-development peak discharge rates; and
 - Use low impact-design techniques as the primary method of stormwater control to the maximum extent practicable.
- Soil Erosion and Sediment Control Handbook (updated in 2015) -- The Handbook will assist property owners, developers, engineers, consultants, contractors, municipal staff and others in planning, designing and implementing effective Soil Erosion and Sediment Control Plans for the development and redevelopment of properties in Rhode Island. Implementation of the practices in this Handbook, as required by the RI Stormwater Design and Installation Standards Manual, will significantly reduce sedimentation in surface waters associated with construction activities.
- Implementation of the federally required Phase II MS4 (Municipal Separate Storm Sewer System) Program. Pursuant to DEM regulations and general permit, municipalities, DOT, Universities and others must comply with 6 minimum stormwater management measures: public education and outreach, public involvement/participation, illicit discharge detection and elimination, construction site runoff control, post construction runoff control, and pollution prevention/good housekeeping.
 - DEM Industrial Activity Multi-Sector General Permit that establishes standards for listed activities to minimize impacts from stormwater, such as material handling and storage, equipment maintenance and cleaning, industrial processing or other operations that occur at industrial facilities that are often exposed to stormwater.

Local governments must also take an active role in implementing their local land use authorities and administering the MS4 Phase II Program if stormwater is to be effectively managed. Local stormwater management is an essential service that must be integrated into all relevant aspects of local government, including planning, engineering and public works.

In many cases, local planning ordinances need to be amended in order to implement innovative land use controls, including conservation development and LID. To support local efforts, DEM and CRMC prepared the "RI Low Impact Development Site Planning and Design Guidance Manual (RIDEM and CRMC 2011)," which provides information on different LID strategies from roadway design to conservation development and examples of how to improve local ordinances. Implementation of LID will also reduce the burden on combined sewer overflow systems (see section x) by significantly reducing the flows into these systems.

Currently, the effectiveness of local stormwater management varies widely with many municipalities lacking the financial resources, staff or expertise to fully meet the MS4 Phase II requirements (see discussion of local capacity in section x). State bond funds (2004 and 2012) have been and will be used to distribute state grants to enhance local capacity to implement stormwater management through equipment purchases, support for illicit detection work, and construction of BMPs. Additional local needs include improved guidance on BMPs, training and technical assistance related to Phase II, and continued financial assistance to build and implement local stormwater programs. RIDEM is working with partners, including RIDOT, URI, and others, to expand technical assistance as resources allow.

Here or in Funding/Local Capacity??

The major obstacle to abating stormwater pollution is the lack of reliable funding. DEM has been able to utilize certain state bond funds and limited federal funds to provide matching grants to municipalities and other entities, but the funding sources are variable. In order to address local funding



shortfalls, DEM has been advocating for the establishment of sustainable local (or regional) funding sources, such as a stormwater enterprise or utility fund. A stormwater utility fee is based on the demand placed on the municipal stormwater system by each user, not on property's assessed value. It is therefore considered more equitable than other funding methods since users with a large burden on the stormwater system will pay their fair share. As with a water or sewer utility, a stormwater utility fee generates revenue based upon the amount of stormwater generated on a property and conveyed to a public stormwater system. These fees are assessed by measuring the amount of impervious cover within a parcel and are determined by the stormwater management financing needs of the municipality. They can be adjusted over time to continually meet those needs.

Stormwater Utility District Feasibility reports have been completed for three communities and discussions are underway for an Upper Narragansett Bay Regional Stormwater Utility that would include up to six municipalities. A stormwater utility provides a means for:

- Consolidating or coordinating responsibilities that were previously dispersed among several departments and divisions;
- Generating funding that is adequate, stable, equitable and dedicated solely to managing stormwater; and
- Developing stormwater management programs that are comprehensive, cohesive and consistent year-to-year.

Climate Change: Climate change will produce wetter and more variable precipitation conditions in the decades ahead with more frequent intense storms that have large amounts of precipitation falling over shorter time periods. Stormwater management systems are designed based on the average precipitation rates in the recent past. The capacity and performance of these systems will be an issue to closely evaluate as precipitation patterns in RI change in response to climate change.

Stormwater Policies and Actions

Stormwater Policy 1: Manage stormwater to protect RI's water resources consistent with water quality goals.

Actions:

- A. Implement, and update as necessary, the requirements of the RI Stormwater Design and Installation Standards Manual and the Erosion and Sediment Control Handbook.
- B. Continue management of the DEM Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity.
- C. Require self-certification of compliance with the construction site requirements issued by the stormwater permitting programs.
- D. Evaluate the performance of approved stormwater BMPs.
- E. Support the development of new technologies/BMPs for stormwater management.
- F. Investigate strategies for source reduction (e.g., improve/increase street sweeping, prohibit coal tar based pavement sealants).
- G. Develop strategies to protect high quality waters from further degradation due to stormwater (e.g., by requiring increased emphasis on LID, limiting effective impervious cover).
- H. Evaluate the utility and practicality of establishing goals for reducing and limiting effective impervious cover by watershed.
- I. Track the amount of impervious cover by watershed that is being treated for stormwater management.



Stormwater Policy 2: Use low impact planning and design techniques and associated BMPs as the primary method of stormwater management to maintain and restore pre-development hydrology of the state’s watersheds.

Actions:

- A. Identify strategies to more fully implement LID in state and municipal programs.
- B. Incorporate LID in local development review ordinances.

Stormwater Policy 3: State and regulated MS4s effectively manage, maintain and upgrade their stormwater systems to minimize impacts to water resources.

Actions:

- A. Continue implementation of DEM MS4 General Permit Program -- evaluate compliance and effectiveness.
- B. Prioritize stormwater drainage systems for retrofitting (coordinate with TMDLs).
- C. Strengthen and enforce requirements for retrofitting as part of TMDL implementation.
- D. Improve maintenance of stormwater management systems to increase longevity and maximize performance.
- E. Manage connected state and local stormwater as integrated systems. Consider municipal and state collaboration on system maintenance (e.g., state reimburses the town for its maintenance of key state system components and the town receives credit for this under the MS4 program).

Stormwater Policy 4: Provide public officials and private contractors with access to training on stormwater management.

Actions:

- A. Establish integrated and continual training programs for public officials and private contractors (design and construction professionals) that addresses: updating local LID ordinances; BMP design and installation; BMP maintenance, and other aspects of stormwater management.
- B. Consider certification programs for specific aspects of stormwater management.

Stormwater Policy 5: Improve stormwater management from significant areas of existing impervious surface on private properties.

Actions:

- A. Improve maintenance of stormwater systems on private property.
- B. Develop tools to incentivize stormwater management retrofit on private property.
- C. Evaluate regulatory options for requiring management of stormwater from existing development on private property (e.g., requirements that take effect at changes of ownership or changes of use).

Stormwater Policy 6: Support the development of dedicated and sustainable funding mechanisms and strategies to manage local, regional and state stormwater programs.

Actions:

- A. Provide technical and financial assistance to municipalities to establish funding mechanisms, such as stormwater utilities.
- B. Investigate the potential for establishing stormwater credit markets and trading.
- C. Establish regional stormwater management approaches where practical.
- D. Evaluate opportunities to integrate management of wastewater and stormwater systems.



Stormwater Policy 7: Ensure that stormwater management programs address climate change impacts.**Actions:**

- A. Evaluate the impact on existing stormwater management systems of intensifying precipitation events, rising sea level and rising water tables.
- B. Evaluate stormwater management design standards to ensure that they incorporate new data on climate change in order to adequately protect water resources.

Road Salt and Sand Application

Pollutants: salt, sand

Key point:

- Minimizing impacts to water resources from road salt and sand application while at the same time maintaining public safety presents a difficult challenge.

Water Quality Concern: White stained pavement and layers of sand at the edge of the road are ample evidence of our efforts to maintain the safety of our roadways in winter. But there is a water quality cost for the application of salt and sand. Salt and sand wash into surface waters impacts aquatic life, and salt can enter groundwater and contaminate drinking water wells.



Salt and sand is applied to RI roads by RI Department of Transportation (DOT) staff, municipal staff and private contractors generally either as a mixture of 1:1 salt to sand ratio or as just sand. Weather conditions ultimately determine how much is applied. Municipal data is not available, but DOT annual average number of pounds of salt per lane mile from 2005 to 2013 ranged from a high of 791 to a low of 382, averaging 516 pounds per lane mile per year (RIDOA 2014).

The sand that remains on the roadway after the winter season is either washed into our waters, affecting aquatic life and streambed habitat dramatically, or it becomes a major contributor to stormwater BMP failure by clogging the systems. DOT estimates that only about five to 10 percent of the sand applied is recovered as street sweepings (RIDOA 2014).

Minimizing Impacts: Steps can be taken to reduce the amount of salt and sand applied to roads without compromising winter travel safety. The following actions are being taken by DOT:

- Anti-Icing (Brine) -- Liquid brine (23.3% salt-water solution) applied before or early in a snowfall prevents the formation of frost and bonding between snow and ice and pavement. This practice has only been in wide use since February of 2012. The pavement appears wet temporarily, but as the water evaporates, a layer of salt bonds to the semi-porous road surface, preventing the snow from bonding to the road. The use of brine is effective in reducing the total amount of salt used during snow storms.
- Pre-wetting -- Pre-wetting adds chemical solutions to the salt and sand mixture, causing the mixture to stick to the road instead of bouncing and blowing off to the shoulder.
- Spreader Technology --Sixty-nine of DOT's fleet of 100 snow plow/spreader trucks are equipped with "closed loop spreader control systems". These automated additions allow the operators to accurately administer and monitor the exact amount of salt applied. DOT has seen a significant reduction in pounds per lane mile of salt applied with the use of closed loop system.
- Road Temperatures --DOT uses real-time information systems capable of monitoring road temperatures. This technology is especially useful in spots such as the Newport Bridge where air temperatures may significantly vary from road surface temperatures.



- Reduced Salt Zones – DOT uses an alternative mixture of sodium chloride and calcium chloride in the Scituate Reservoir watershed at 170 pounds per lane mile.

The technology and practices utilized by DOT is much more advanced than that used by municipal governments and by private contractors. For example, no vehicles other than DOT use the advanced spreader technology and only one community is known to apply a brine solution. Private contractors play a significant role in winter maintenance in support of state and local governments on public roads and on private property. Up to 300 private contractor vehicles can be used by DOT depending on the severity of the winter¹.

The sand and salt must be stored in a manner to reduce impacts to water quality, primarily by covering of the salt pile in a structure and containing runoff from the site. DEM Groundwater Quality Rules require covering of all piles (public and private) with at minimum a durable cover in areas where groundwater is classified GA and GAA. All but 5 of the 20 state salt piles are under cover in a permanent structure².

Road Salt and Sand Policy: Minimize impacts to water resources from road salt and sand application on all roads, private paved areas and from product storage areas while maintaining public safety.

Actions:

- A. As resources allow, upgrade RIDOT and municipal equipment (e.g., install closed loop system technology) and adopt new and innovative techniques for more effective control of snow and ice on roadways at the state and municipal level (e.g., brine applications and pre-wetting).
- B. Evaluate economically feasible alternatives to sodium chloride that show promise of being effective and environmentally safe.
- C. Consider establishing training and certification mechanisms for road salt/sand applicators, including private contractors used by RIDOT and municipalities.
- D. Establish minimal equipment standards for use by road salt/sand applicators, including private contractors used by RIDOT and municipalities.
- E. Identify areas that should be designated as reduced salt zones – focusing on locations near drinking water sources and in watersheds of chloride impaired waters. Determine these areas with input from state and local officials and water suppliers.
- F. Properly maintain all salt and sand storage areas and cover salt piles (public and private).
- G. Dispose of snow in accordance with the DEM snow disposal policy.

Discharges to Groundwater (Non-OWTS)

Pollutants: petroleum products, toxic chemicals, metals, and stormwater inputs.

Key points:

- There are many suspected unauthorized groundwater discharges that must be identified and regulated, either through the approval or closure process.
- The emphasis on groundwater discharge of stormwater must always consider the value and sensitivity of the groundwater resource such that stormwater impacts are not simply shifted from surface water to groundwater.

¹ <http://www.planning.ri.gov/statewideplanning/land/water.php> Technical Paper 163 Road Salt

² Ibid



Water Quality Concern: Discharges of non-sanitary wastewater (any wastewater not regulated by the OWTS Program) to groundwater occur throughout the state in both sewered and non-sewered areas. Just about any type of activity may have such a discharge into a floor drain, piped into a subsurface system (dry well, leaching chambers, etc.) or piped to the ground surface. Common discharges include stormwater (see Stormwater Policy Section), car washes, commercial and industrial process waters, cooling waters, and rinse waters, injections of chemical and biological materials to remediate contaminated groundwater and floor drain drainage from a wide variety of activities, including vehicular and motorized equipment repair shops. Localized instances of soil and groundwater contamination have occurred because of these unregulated groundwater discharges. The primary contaminants of concern are petroleum products and a variety of chemical wastes which may include volatile organic compounds and inorganics.

It is particularly important in dealing with groundwater resources to prevent such contamination from occurring in the first place. Once in the groundwater, contaminants may persist for decades and can also impact surface waters. The process of completely remediating groundwater is generally very lengthy, very expensive, and often technically infeasible.

Minimizing Impacts: The DEM "Groundwater Discharge Rules" (Rules for the Discharge of Non-Sanitary Wastewater and Other Fluids To or Below the Ground Surface) regulate discharges into the ground and onto the ground surface that will infiltrate to the groundwater. The Rules also incorporate the requirements of the federal Underground Injection Control (UIC) Program for specific discharges below the ground surface, as delegated to the state by EPA pursuant to the Safe Drinking Water Act. In short, the Groundwater Discharge Rules address all non-sanitary discharges to groundwater that are not addressed under the OWTS Program. Program activities under these rules include the review of discharge applications and the subsequent issuance of discharge system approvals and registrations, the oversight of voluntary and involuntary closures of groundwater discharges, and the on-going monitoring review of facility discharge operations to ensure compliance with program approval conditions (e.g., review of required analytical data of facility effluent and groundwater quality, system maintenance records and any modification to approved activities). As of August 2015, the Groundwater Discharge Program has:

- Reviewed and approved groundwater discharge system closures at 525 facilities; and
- Reviewed and approved the construction and installation of groundwater discharge systems at 974 facilities. 62 of these facilities are required to regularly submit maintenance records and analytical monitoring data of facility effluent and groundwater quality.

It is estimated that there are likely hundreds of unauthorized groundwater discharges within the State that have not yet been identified or evaluated. Lack of awareness on the part of facility owners contributes to this continuing problem of non-compliance with the Groundwater Discharge Program requirements. Recent program efforts have focused on the identification, review and closure of unauthorized discharges at higher risk facilities including those with prohibited discharges such as floor drains at motor vehicle-related facilities.

As described previously under Stormwater Management, infiltration to groundwater is one of the primary principles of stormwater management within the state, ultimately intended to decrease flow volumes and pollutants to surface water. Stormwater infiltration uses engineered BMPs and the natural groundwater flow system to treat pollutants. Infiltrating increasing volumes of stormwater necessitates proper management of these groundwater discharges to prevent impacts to groundwater used for drinking water and other beneficial uses.



Discharges to Groundwater (Non-OWTS) Policy: Groundwater discharges are properly designed, sited, constructed and monitored to protect groundwater quality and public health.

Actions:

- A. Implement the Groundwater Discharge Rules for permitting groundwater discharges, monitoring of major discharges and closure of groundwater discharges.
- B. Continue to maintain state primacy for the Underground Injection Control Program (UIC) as delegated by EPA pursuant to the Safe Drinking Water Act.
- C. Identify facilities with unauthorized discharges that are subject to the Rules and review for permitting or closure as appropriate.

Agriculture (See also discussion of Pesticide Application)

Pollutants: nutrients, pathogens, sediment, pesticides, petroleum wastes

Key point:

- The most important step to minimize the impact of agricultural operations on water resources is for a farm to develop and implement a Farm Conservation Plan that addresses water quality issues.

Water Quality Concern: Rhode Island's farms contribute to the state's economic development and provide Rhode Islanders with local food and farm vistas, as well as tourism opportunities and wildlife habitat. But the nature of farming in RI has changed significantly over the past 20 years. There are fewer large farms (particularly fewer dairy farms) but more of the smaller specialized farms. The smaller farms are producing more locally consumed farm products. Farming will continue in Rhode Island, and thus it is important to ensure that these operations are conducted in a manner that avoids water quality impacts.

US Department of Agriculture 2012 Census of Agriculture shows there are 1,243 farms in RI using 69,589 acres (USDA 2014). A farm is defined by USDA as "Any place from which \$1,000 of agricultural products were produced and sold, or normally, would have been sold, during the Census year." These latest numbers show essentially a doubling of the number of farms and acres in farmland from 1990 (580 farms, 33,000 acres) to today. The average size of a farm is 56 acres with the median 24 acres. Farms with 9 acres or less increased from the last census in 2007, and now account for 35% of all farms.

The potential water quality contaminants associated with agricultural operations include nutrients (from fertilizers and animal wastes), pathogens and organic materials (primarily from animal wastes), sediment (from field erosion), pesticides, and petroleum products. Well managed farms can operate with minimal adverse impacts on water resources. However, instances of contamination of surface water and groundwater have occurred.

In addition, water withdrawals are a management issue of increasing concern in certain watersheds, particularly in the southern portion of the state. The need for irrigation water can place high demands on local groundwater or surface water supplies which, in turn, can cause a low flow condition in streams potentially resulting in dramatic negative impacts on stream ecology. (See water withdrawal section)

Minimizing Impacts: An important means to minimize the impact of agricultural operations is for a farm to develop and implement a Conservation Plan that addresses water quality issues. Plans are usually developed in consultation with DEM and the US Department of Agriculture, Natural Resource Conservation Service (NRCS). A farm Conservation Plan describes the implementation practices needed to solve natural resource concerns and may include multiple components to address particular resource



issues, such as nutrient management, erosion control, irrigation management, integrated pest management, wildlife and habitat management, forest management and others. In addition to protecting natural resources important to the farm, many of the practices included in such plans offer additional benefits to the farmer including cost-savings. Conservation Plans are not currently required in RI. However, a significant number of farms (almost 900) have developed plans as a result of participation in the RI Farm, Forest Open Space Program, which is a state program to allow eligible properties to be assessed at its current use, rather than its value for development. Conservation Plans are a requirement in this program. Some farms also follow recommended conservation practices voluntarily without the preparation of a written plan.

There are no state regulations that establish standards for specific farm management practices to control or prevent water pollution. However, DEM has created standards and specifications for agricultural best management practices which aim to prevent or minimize pollution of surface waters and groundwater. These standards and specifications are guidelines only. The guidelines are designed so that farmers may understand and identify on-farm sources of water pollution and implement effective strategies to address them.

In those instances, where farmers decide to take actions to prevent contamination or upgrade their existing structural or management practices, DEM Agriculture and the USDA NRCS will work with farmers to identify the appropriate corrective strategies. Funding to implement best management practices may then be available through the NRCS Environmental Quality Incentives Program (EQIP). This program provides financial and technical assistance to farmers to help plan and implement conservation practices that address natural resource concerns. Farmers that apply through EQIP may be eligible for 75% cost share on projects built in accordance with the NRCS standards. Since the adoption of the 2008 USDA Farm Bill, 284 EQIP contracts have been awarded in RI. In addition, NRCS has dedicated 5% of the EQIP funds for projects in priority watersheds chosen jointly with DEM under the joint EPA/USDA National Water Quality Initiative to work with farmers to implement approved strategies to improve water quality. NRCS estimates that for each watershed (HUC-12), farmers representing only 2-10% of the total farmland acreage in that watershed have participated in the EQIP Program. (E. Boettger 3-11-14)

Agriculture Policy: Manage agricultural operations to protect groundwater and surface water quality, aquatic habitat and public health.

Actions:

- A. Investigate opportunities to encourage or require farmers to prepare Conservation Plans. Require farmers participating in the State's Purchase of Farmland Development Rights Program to prepare Conservation Plans.
- B. Regularly inspect farms with required Conservation Plans (e.g., farms enrolled in Farm, Forest, Open Space Program) for compliance.
- C. Investigate means to encourage farmers to participate in NRCS cost-sharing programs.
- D. DEM and NRCS continue to collaborate on implementing the National Water Quality Initiative.
- E. Encourage farmers to establish and maintain effective riparian buffers (see Section on Habitat Management).
- F. Selectively monitor groundwater and surface water quality near agricultural operations.
- H. ensure farm operations are compliant with all relevant water quality regulations, e.g., closing unauthorized floor drains, properly managing wastewater.
- I Consider the need for regulations to better address specific agricultural threats to water quality(e.g. covering manure storage, limiting animal access to water resources).



Lawn/Turf Management (See also discussion of Pesticide Application)

Pollutants: Nutrients, pesticides

Key Point:

- Education of homeowners on proper turf management continues to be the primary strategy to minimize water quality impacts.



Water Quality Concern: The care and maintenance of residential lawns and other landscaped areas such as golf courses, cemeteries, athletic fields, and parks, can contribute to water quality degradation. Turf is a major feature of all but the highest density urban landscapes, and how it is managed impacts water quality. Excessive amounts of fertilizer and pesticides, application of inappropriate formulations of fertilizer, and poor timing of applications of fertilizers and pesticides can result in losses to the environment via leaching to groundwater or stormwater runoff.

Turf is often referred to as the largest "crop" in the United States. Over 22,070 tons of fertilizer (including lime) was sold in RI from July 2012 to June 2013 (RI Division of Agriculture). This data is broken down by amount sold by bag, bulk and liquid. Bag sales represented 18,516 tons of the total (84%). If one assumes that bags are generally for the consumer market, whereas bulk and liquid shipments are for farmers, and that most of the bagged materials are for lawns – we can see a picture forming of the relative potential impact of turf grass management on our water resources.

Minimizing Impacts: Proper turf management depends on the use of the turf. Athletic fields, golf courses and other heavily used grassed areas are managed much differently than residential lawns. There is no single maintenance approach that is applicable to all turf areas whether due to type of use or the site's soil characteristics. Athletic fields, golf courses, etc. are usually professionally managed and represent a small fraction of the overall turf area compared to home lawns. Most homeowners are not aware of the appropriate best management practices to reduce the impacts to water quality in managing their lawns.

Many states, including five in the New England/New York region have enacted state laws to minimize pollution from the overuse and misuse of fertilizer on turf grass. RI has no state law to address fertilizer use. Local government actions to address fertilizer use have been limited to resolutions, ordinances requiring the use of sustainable vegetation and placing conditions on permit approvals. These state and local laws regarding turf management are difficult to enforce, therefore, strategies for managing fertilizer and pesticide use on turf are focused on education and training. The URI Cooperative Extension Program and other associations have produced public information materials and provided onsite training and education on proper lawn management. The intent has been for RI residents, landscaping companies, turf managers for golf courses and athletic fields, and garden centers to be aware of and to implement the appropriate strategies to reduce water quality impacts from turf care activities.

Lawn watering is the primary use of our water resources in the summer -- the time when water levels in streams and groundwater are at its lowest. This water use stresses public supplies, jeopardizing public safety (water for fire suppression) and the resulting low stream flows have devastating effects on stream ecology (See section on Watershed Hydrology). The most effective way to minimize water quality impacts associated with lawn care is simply to minimize lawn area. To the extent that some landscaping is desired, minimum maintenance/minimum disturbance and xeriscaping strategies (the use of plant materials that require low moisture and/or nutrient requirements) should be pursued.

With regard to both residential and non-residential turf management, problems can also originate from storage and disposal practices for fertilizers and pesticides. Chemicals can leak from hoses and containers, either accidentally or because of carelessness or negligence.



Lawn/Turf Management Policy: Prevent adverse water quality impacts from lawn and other areas of turf management.

Actions:

- A. Continue to develop and implement homeowner outreach programs.
- B. Develop and implement green certification programs for business sectors engaged in lawn care and turf management.
- C. Consider establishing training and certification requirements for lawn care professionals.
- D. Municipalities adopt ordinances to reduce areas of disturbance that would become turf and encourage xeriscaping and alternative landscaping strategies.
- E. Municipalities and water suppliers enact strategies to limit lawn watering.

Pesticide Application

Pollutant: pesticides

Key point:

- No permits are necessary for pesticide applications (farm or home), except for application of pesticides directly into the aquatic environment.

Water Quality Concern: Pesticides applied to our lawns, parks and agricultural fields have been detected in RI's groundwater and surface water. The detections are generally at low concentrations below drinking water and water quality standards, but their occasional presence indicates that the potential exists for greater impacts to water quality. Contamination by leaching into groundwater or carried into surface waters by stormwater can result from over application, applying the wrong chemical or applying at the wrong time (e.g., just before a storm).

Minimizing Impacts: The DEM Division of Agriculture is responsible for enforcing state laws and regulations developed to protect people from poisonings and to prevent environmental degradation that might result from improper use of pesticides on farms, in yards, and inside homes. Through this program, commercial pesticide applicators are trained, tested, and licensed to achieve a minimum level of competence in the pesticide application industry.

Pesticides that are applied by a licensed applicator in accordance with the EPA approved label directions are considered protective of environmental quality, and such application is not reviewed by DEM. The only applications reviewed by DEM are herbicides applied directly to surface waters and wetlands to control nuisance and invasive aquatic and emergent species. This use of herbicides has increased over the years as these species have had dramatic impacts on aquatic habitat and use of the State's waters (65 applications reviewed in 2014). (See also section on Aquatic Habitat Management).

The best means to minimize the impacts from pesticides is to use the least amount necessary, the proper pesticide for the targeted pest, least toxic effective form of pesticide and to employ alternative physical and biological controls wherever practicable.



Pesticide Application Policy 1: minimize the use of pesticides wherever possible.

Pesticide Application Policy 2: Ensure pesticides are used in RI in a manner that minimizes impacts to water quality.

Actions:

- A. Implement the DEM Rules and Regulations Relating to Pesticides, including the application of aquatic herbicides.
- B. Encourage farmers to incorporate an integrated pest management component into their Farm Conservation Plan.
- C. Promote proper homeowner use of pesticides and encourage alternatives.
- D. Incorporate latest research on impacts of new and previously approved pesticides into state decision-making on pesticide use in RI.

Boating and Marinas

Pollutants: Pathogens, nutrients, petroleum waste, chemicals, metals

Key Points:

- RI's No Discharge Area designation must be enforced and adequately supported by well-maintained pumpout facilities.
- RI's Clean Marina Program is an underutilized Program that provides a unique opportunity to minimize marina impacts on water quality.

Water Quality Concern: Boating is a major recreational activity and economic generator in RI. There were 34,772 boats registered in RI in 2014 (over the last 6 years, the highest number was 41,584 in 2010). The primary water quality concern from boating is the illegal discharge of sanitary waste (pathogens and nutrients). There are over 140 marinas located in the tidal waters of RI. Although marinas are not one of the leading sources of water pollution, just their location at the water's edge means that there is always the potential to release pollutants directly into the water, thus causing a localized impact on water quality. Water quality concerns from marinas include pollutants released from vessel maintenance, handling of petroleum products, sewage (see above regarding pumpouts) and stormwater management. Boats require a great deal of maintenance over the course of a year: engines must be tuned and lubricated; hulls must be washed, sanded and painted; and vessels must be prepped to withstand the cold of winter. Each of these tasks—along with a myriad of other vessel maintenance activities—has the potential to release pollutants onto land and into the water.

Minimizing Impacts: Under the federal Clean Water Act it is illegal to discharge untreated sewage from a vessel within 3 miles of shore. This includes all of Narragansett Bay. In 1998, Rhode Island became the first state in the country to receive the US Environmental Protection Agency's No Discharge Area designation for all of its marine waters. A No Discharge Area is a designated body of water in which the discharge of untreated and treated boat sewage is prohibited (this does not include grey water or sink water).

To maintain the No Discharge Area designation for the state's marine waters, DEM must assure that there are pumpout facilities available to RI boaters and that the pumpout facility infrastructure is in sound operating condition. As of 2013, 67 marine sanitation pumpout facilities were operating in RI waters -- 51 dockside pumpout facilities and 16 pumpout boats. From 1994 to 2012, DEM has awarded 110 grants of federal funds to towns and private marinas totaling \$1,668,138 for the development and maintenance of pumpout facilities. The grants averaged approximately \$15,000 each with approximately 60% of the funds used for new facilities and 40% for facility maintenance. This public-private partnership has successfully reduced a significant source of pathogen contamination to the state's coastal waters. A



survey in 2013 documented 708,717 gallons of wastewater was collected through pumpout facilities – the highest volume recorded since the surveys began in 2000.

In 2007, the RI No Discharge Law (RIGL 46-12-39.1) went into effect requiring all boats with permanently installed marine toilets to be inspected and certified that they have taken the steps necessary to prevent overboard discharges of sewage when operating or moored in Rhode Island waters. All boats subject to the program must obtain and display a no discharge certificate decal valid for four years issued by a DEM authorized certification agent (typically a harbor master or marina/boatyard staff).

The RI Clean Marina Program was developed by CRMC, DEM, Rhode Island Marine Trades Association, and Save the Bay in 2007 to support and encourage the efforts of marina owners to better manage their facilities to prevent water pollution. This is a voluntary, incentive-based program designed to recognize and promote environmentally responsible marinas, boatyards, and yacht clubs that employ water quality best management strategies to prevent pollution and conserve resources. The State developed the RI Clean Marina Guidebook to aid marina operators in their efforts to obtain a Clean Marina designation. While all marina facilities need to be at a minimum compliant with any federal and state regulatory issues to receive a Clean Marina designation, it is the implementation of BMPs for additional water quality protection that earns a marina the designation. Unfortunately, only 4 marinas have been designated as of January 2014. Marinas that participate in the Clean Marina Program are recognized for their environmental stewardship and once certified as a Clean Marina facility can expect positive publicity and will likely attract new, environmentally responsible boaters.

Boating and Marinas Policy: Ensure boating activity and marinas do not adversely impact water resources.

Actions:

- A. Provide and maintain an adequate number of pumpout facilities.
- B. Oversee compliance with the No Discharge Area designation.
- C. Foster partnership with RI Marine Trades Association to educate, inform and encourage additional participation in the Clean Marina Program.

Hazardous Material and Petroleum Product Spills

Pollutants: petroleum products, toxic chemicals

Key Point:

- Prompt and effective response to hazardous material and petroleum product releases is crucial in order to mitigate potentially greater impacts on water quality.

Hazardous Material or Hazardous Waste?

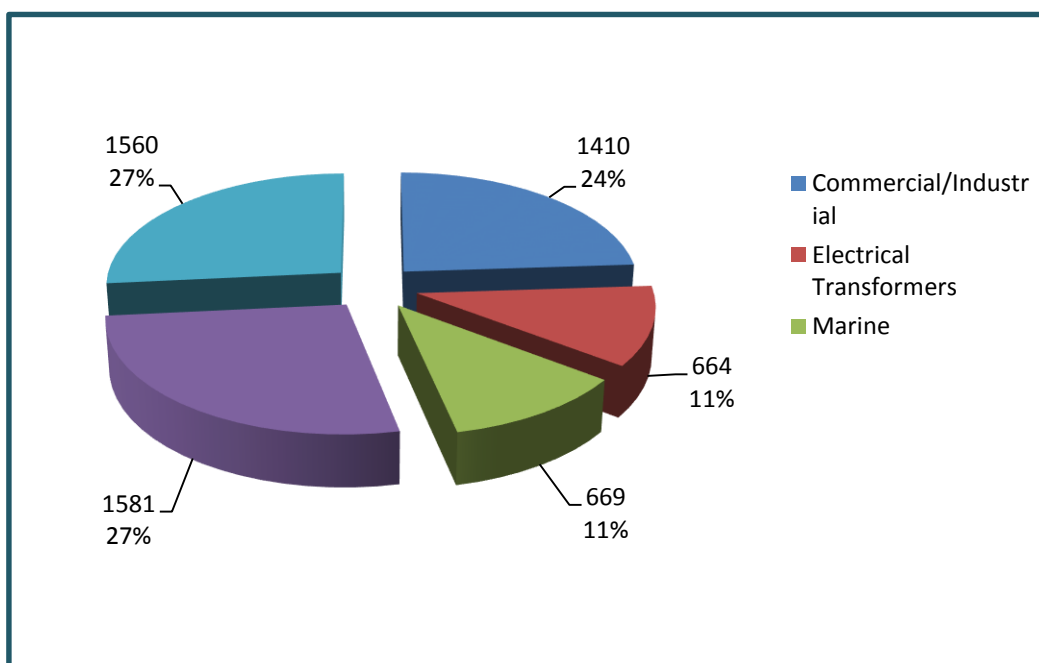
Hazardous materials are chemicals in their virgin form that are defined by certain state and federal lists as "hazardous;" that is of a quantity, concentration, or of certain physical or chemical characteristics that may cause or significantly contribute to an increase in mortality or an increase in serious illness; or pose a substantial present or potential hazard to human health or the environment. Once the "material" is no longer needed or capable of being used for its intended use, and it is to be disposed of or has been released to the environment, it is a "waste."



Water Quality Concern: It could be a grounded oil barge on our coast leaking oil, a tanker truck accident on Interstate 95, or it could be a small spill or leak from a home heating oil tank – accidents are inevitable. These inadvertent releases of hazardous materials and petroleum products can have significant impacts on groundwater and surface water quality.

The most common spills are spills of petroleum products. Data from the DEM Office of Emergency Response from 2004 - 2013 on the category of oil spills in RI is presented in Figure 19 below. It is noteworthy that residential fuel oil spills from delivery and storage are consistently the largest or next to largest category of oil spills by number annually. Few homeowners know that homeowner’s insurance policies often do not cover damages and cleanup costs due to heating oil spills and leaks.

Figure 19, Total Number of Oil Spills by Sector, 2004-2013



Minimizing Impacts: RIDEM’s Office of Emergency Response is the first line of defense in protecting public health and safety and environmental quality in the event of a release through implementation of actions pursuant to the RI Emergency Response Plan. Emergency responders are prepared to limit the risks from oil and chemical spills, failed tanks or pipelines, fires or fumes, overturned trucks, sunken vessels, litter, abandoned drums, and the like. This Office responds to approximately 600-1000 incidents each year.

Industrial and commercial facilities (“Tier 2 facilities”) that exceed certain volume thresholds for the storage of hazardous materials are required to prepare emergency response plans that are shared with local and state officials. These plans outline clear areas of responsibilities and actions to be taken in the event of a chemical release caused by accident, fire or natural disaster.

Hazardous Materials Management

Effective hazardous materials management requires a multi-phase approach to ensure that water resources and the environment and public health and safety are protected:

- *Ability to respond to accidents and leaks in a timely and effective manner to limit the environmental impact;*
- *Proper storage and handling to prevent accidents and leaks (see section xx underground storage tanks and section xx above ground storage tanks);*
- *Proper disposal of waste generated in the use of the hazardous materials (see section xx on Waste Management); and*
- *Strategy to clean-up the environmental impacts from any accidental or illegal releases (see also Contaminated Site Clean-up Section)*

Hazardous Material and Petroleum Product Spills Policy: Prevent or minimize impacts to RI's water resources and public health and safety from spills of hazardous materials and petroleum products.

Actions:

- A. Ensure adequate capacity at the state and local levels to respond to spills of hazardous materials and petroleum products in a safe, timely and effective manner.
- B. Implement and update as necessary the RI Emergency Response Plan.
- C. Ensure "Tier 2" facilities have updated emergency plans and test their plans appropriately. Inspect such facilities for hazardous material and oil spill preparedness.

Underground Storage Tanks for Hazardous Materials

Pollutants: petroleum products, toxic chemicals, metals

Key Point:

- Although spills and leaks from underground storage tanks (USTs) cannot be completely prevented, the number, size and impact of these events on RI's water resources can be decreased by ensuring proper management of these facilities.

Water Quality Concerns: Underground storage tanks (USTs) are used throughout Rhode Island to store petroleum products such as motor fuels and heating oils and to a lesser degree other types of chemicals. UST facilities have potential to cause significant pollution of groundwater should a leak or spill occur.

Leaking underground storage tank systems (tanks, piping and dispensers) were for many years considered the major threat to groundwater quality in RI. Leaking USTs have caused significant impacts, including the contamination of numerous private wells, temporary and permanent disruption in the use of public wells, explosions and fires at construction sites, explosion hazards within buildings, and the leaching of petroleum into surface waters. This threat has decreased dramatically since the first DEM UST Program regulations were enacted in 1984. Since the DEM Program was established, 15,184 of the 17,737 regulated tanks in RI have been removed (as of January 2013).

Since 1984, 1,946 leaking underground storage tank (LUST) cases have been investigated. As of May 19, 2014, DEM had 220 active LUST cases. Leaks/spills may result from equipment failure or operator error at the tank, in the piping, or at the dispenser. The number of annual LUST cases has been dropping over the years as the number of tank systems come into compliance with the Rules. The number of new LUST sites per year peaked in the mid-1990s with an average of 156 new sites each year in the five year period from 1994 to 1998. In comparison, the average number of new sites in the five year period from 2009 to 2013 is 19 sites.



Minimizing Impacts: The remaining 2,553 active USTs, must comply with the comprehensive DEM “Rules and Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials” (UST Rules). The UST Rules incorporate federal minimum requirements with additional state standards for facility registration, leakage tests, facility inspections, training of onsite operators, response to leaks, and procedures for cleaning up leaking tank sites. The next major required upgrade for UST facilities (except heating oil systems) is a state requirement that all single walled tank systems be removed over a seven year period from 2017 to 2024 based on system age.

DEM regulates all USTs except home heating oil tanks less than 1,100 gallons in capacity that are located at residences and on farms. Although most heating oil tanks less than 1100 gallons are likely above ground (outside or in a basement), an unknown, but suspected large number of heating oil tanks are buried. These tanks will eventually leak. RI state statute 46-12.1 enables municipalities to adopt ordinances providing for the regulation and control of underground storage tanks and establishing procedures for the registration, testing and removal of such underground tanks. DEM has encouraged municipalities to use this authority to prohibit USTs in sensitive areas and focus their efforts on encouraging removal of home heating oil tanks.

The RI Underground Storage Tank Financial Responsibility Fund provides clean-up funds for eligible applicants (See discussion in Section X). The first payments from the fund were made in 1997, and a total of \$55 million has been distributed through July 2011.

Underground Storage Tanks for Hazardous Materials Policy: Prevent impacts to RI’s water resources from underground storage tank leaks and spills.

Actions:

- A. Implement the DEM “Rules and Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials.”
- B. Maintain adequate financial support for the UST Financial Responsibility Fund.
- C. Educate homeowners on the threat to water quality from underground home heating oil tanks and the potential financial consequences.
- D. Municipalities adopt ordinances prohibiting new heating oil USTs, particularly in areas dependent on private wells and in wellhead protection areas.
- E. Develop strategies for removing and replacing existing underground home heating oil USTs (e.g., at time of building expansion).

“Once of Prevention Equals a Pound of Cure”

It is an old saying that still drives the point home about many of the water quality issues we deal with today, none more so than dealing with hazardous materials.



Above-ground Storage Tanks for Hazardous Materials

Pollutants: petroleum products, toxic chemicals, metals

Key Points:

- Above ground storage tanks are not regulated as effectively as underground storage tanks.
- Above ground storage tanks for non-petroleum based products (not waste) are not subject to environmental regulations.

Water Quality Concerns: Above-ground storage tanks (ASTs) are used throughout Rhode Island to store petroleum products such as motor fuels and heating oils and to a lesser degree other types of chemicals. They range in size from small residential ASTs for heating oil, of which there are thought to be thousands, to bulk oil storage facilities. As of January 2014, DEM has identified approximately 300 bulk oil storage facilities, many of which have more than one tank subject to the regulations. Releases from the operation of AST facilities have been associated with extensive soil and groundwater contamination, as well as surface water impacts.

Minimizing Impacts: The RI "Oil Pollution Control Regulations" establish standards to prevent release of material from those facilities with a combined above ground storage capacity of greater than 500 gallons of oil, gasoline or any other substance refined from petroleum. These regulations include provisions for secondary containment, facility inspections, tank closure, groundwater monitoring and spill response.

Unlike the UST Program, which is driven by federal environmental protection standards and generously supported by federal funding, the AST Program is supported solely by state resources. As a result, DEM's ability to manage this program effectively has been compromised by the lack of resources. The regulated AST facilities must comply with the provisions of the regulations, including monthly inspections, but DEM is unable to perform regular onsite inspections to ensure adequate environmental protection.

When looking at the universe of hazardous materials storage, there is a gap in the regulatory net in regards to above ground storage of products (not waste) that are not subject to the "Oil Pollution Control Regulations" -- these are the non-petroleum based chemicals. Measures have to be in place to meet fire and safety standards for above ground storage of non-petroleum based hazardous materials, but there are no additional requirements stipulating procedures for environmental protection, such as secondary containment, facility inspections for tank integrity, etc. that are required for petroleum products. In comparison, the UST program regulates the underground storage of petroleum products and hazardous materials.

Above-ground Storage Tanks for Hazardous Materials Policy: Prevent impacts to RI's water resources from above ground storage tank leaks and spills.

Actions:

- Update and revise the "Oil Pollution Control Regulations" to improve regulation of AST facilities, including siting restrictions on certain new facilities.
- Establish procedures to prevent or minimize impacts to water resources from the above ground storage of non-petroleum based hazardous materials.
- Educate homeowners on the threat to water quality from above ground home heating oil tanks and the potential financial consequences.
- Municipalities adopt more stringent standards for siting and operation of above ground storage facilities.



Waste Management – Solid Waste and Hazardous Waste

(The clean-up of historic sites that have caused contamination is addressed in the following section on Contaminated Site Clean-Up.)

Pollutants: toxic chemicals, petroleum products, metals, nutrients, solid waste

Key Points:

- Effective oversight of all aspects of waste management will ensure minimal impacts to water resources.
- Pollution prevention strategies to minimize the volume of solid and hazardous waste generated is an essential component of waste management to minimize potential future impacts on water quality.

Water Quality Concerns: For decades, solid waste was disposed of in community run disposal sites that were not properly managed to prevent environmental impacts. These disposal sites contain a vast array of contaminants that have the potential to pollute groundwater and surface water. These sites were each closed under standard practices in use at the time of closure. The conditions of closure and the environmental monitoring required at each of these sites vary considerably.

At present, the Tiverton Landfill, which accepts only solid waste from Tiverton residents, is the only community facility in operation. All other solid waste in RI is disposed of at the RI Resource Recovery Corporation Central Landfill in Johnston.

Hazardous waste can cause a water quality problem at any point in the generation, transport, treatment, storage and disposal stages due to spills, accidents or improper management. Water quality issues from hazardous waste (See also Policies and Actions on Contaminated Site Clean-up) have historically resulted from the illegal disposal of these materials.

Minimizing Impacts: The DEM “Solid Waste Regulations” ensure that solid waste management facilities are designed and operated to protect surface water and groundwater quality at such facilities as landfills, transfer stations, incinerators, waste tire storage, petroleum contaminated soil processing, construction and demolition debris, and waste composting (including yard and leaf). As of July 2015, 46 such facilities were active in RI. (See also Solid Waste 2038; RI Comprehensive Solid Waste Management Plan (May 2015).)

DEM “Rules and Regulations for Hazardous Waste Management” are in place to manage hazardous waste at all steps in the process. (Note: there are no hazardous waste disposal facilities currently in RI.) As part of the DEM pollution prevention efforts, the Office of Customer and Technical Assistance has produced manuals and other materials regarding hazardous waste compliance (as well as other issues) for auto body shops, used oil recycling, and auto salvage facilities.

Household hazardous waste, such as pesticides, oven cleaner, pool chemicals, nail polish remover, oil-based paints, and many others presents a different set of management challenges. Improper disposal of these materials into an OWTS or into the sewer (or just dumped on the land surface) can contaminate our waters. The RI Resource Recovery Corporation has managed the Eco-Depot for many years as a free service for Rhode Island residents who wish to dispose of their household hazardous waste safely and properly. Collection dates are set for Saturdays at the Central Landfill and at community locations across the state (45 dates are set for 2015, 15 at the Central Landfill and 30 at off-site locations).



Waste Management – Solid Waste and Hazardous Waste Policy: Minimize impacts to water resources from solid waste and hazardous waste.

Actions:

- A. Implement Solid Waste 2038; RI Comprehensive Solid Waste Management Plan (May 2015).
- B. Continue to enforce DEM Solid Waste and Hazardous Waste Rules.
- C. Ensure complete and proper closure of former solid waste disposal sites.
- D. Ensure that waste management facility siting guidelines adequately consider potential impacts to groundwater and surface water resources.
- E. Take all practical steps to decrease the volume of waste generated so as to limit the needs for siting of future solid waste management facilities.
- F. Expand efforts working with selected industries to reduce and properly manage hazardous waste (see also section xx on Pollution Prevention).
- G. Promote increased understanding of household hazardous materials and continue to annually provide adequate opportunities for proper household hazardous waste disposal.

Contaminated Site Clean-Up (excluding USTs)

(Note: clean-up of leaking USTs is also addressed in a separate section)

Pollutants: Toxic chemicals, petroleum products, metals

Key Point:

- Contaminated site clean-up is often an expensive and long-term process that is nonetheless essential to assure water quality goals in a watershed are met.

Water Quality Concern: Discovery of active and former commercial and industrial sites that have contamination of soil, groundwater and river sediments from hazardous materials and petroleum products are unfortunately a fairly common occurrence in RI. Most of the contamination that has been discovered is a result of activities that predated the comprehensive environmental regulations that have been in place since the 1980s.

Many of the contaminated sites lie in areas where problems could, or do threaten surface water, groundwater, and other sensitive environmental resources that the state is trying to protect and/or restore. Restoration of these sites and former municipal waste sites (see Section N Waste Management) is essential to assure long-term water quality goals in a watershed are met. Of the 1786 state and federal sites described below, 60% of these sites are within 500 feet of a stream, pond or wetland (RIGIS data). Water quality issues at these sites are typically:

- Contaminated groundwater that can impact drinking water wells and flow to and impact down gradient surface waters.
- Contaminated sediment in water bodies from historical discharges of waste into these waters. Although discharges of toxic pollutants to our waters have been reduced and eliminated, persistent high concentrations of contaminants in bottom sediments of rivers and bays continue to degrade aquatic habitat in localized areas, particularly the urban core.

Minimizing Impacts: DEM oversees the investigation and remediation of sites contaminated with hazardous wastes and petroleum products. The Program ensures that investigations and remedial activities are conducted in a consistent manner that adequately protects human health and the environment.



- Sites that are not subject to the federal Superfund Program described below are managed by the state Remediation Program. The DEM "Rules and Regulations for the Investigation and Remediation of Hazardous Material Releases" define the process to accomplish these objectives.
 - Analysis of RIGIS data for state designated sites of soil and water contamination reveals:
 - Total number of sites = 327
 - 66% of these sites are within 500 feet of surface water bodies and wetlands.

- DEM also assists in the cleanup of federally designated "superfund sites", the evaluation of sites on EPA's list of potential superfund sites, and the clean-up of former Department of Defense sites. These sites do not include the sites addressed by the state site remediation program discussed above. There are 9 sites designated as Superfund sites (also referred to as National Priority List sites).
 - Analysis of RIGIS data for federally designated sites of soil and water contamination reveals:
 - Total number of sites = 1459
 - 58% of these sites are within 500 feet of surface water bodies and wetlands.

Cleaning up contaminated property ('brownfields') for reuse and redevelopment is a critical component to the future community revitalization and economic growth of the State's urban areas. It has been estimated that for every acre of redeveloped Brownfield property, 4.5 acres of greenspace are spared (EPA Report cited on DEM webpage). Funding to finance the assessment and cleanup of Brownfields has been limited to grant and loan funding provided by the EPA Brownfields program. This funding has been provided to state and local government agencies and non-profit organizations through a competitive program since 1994. As of 2015, EPA has awarded over \$4 million to municipalities and DEM for site assessments. EPA has also awarded over \$9 million in cleanup grants across the state. In addition, over \$6 million in cleanup and assessment funding has been provided through various Brownfields Cleanup Revolving Loan Funds, providing grants and loans with below market fixed interest rates and flexible repayment terms to qualified brownfield owners/developers to finance eligible site cleanup costs. In 2014 RI voters approved a \$5 million bond fund to provide funding for Brownfields cleanup and redevelopment projects that is expected to be awarded over the next 4 years.

Contaminated Site Clean-Up (excluding USTs) Policy: Ensure remediation of contaminated sites and encourage development and reuse of such sites; all in a manner that restores water quality and protects human health.

Actions:

- A. Continue to implement state site remediation program and the federal Superfund program to clean-up sites that are impacting water quality.
- B. Support financing for continued brownfields clean-up efforts.
- C. Ensure that contaminated sites are identified and reported as soon as possible to minimize further environmental degradation and potential public health effects.
- D. Evaluate innovative technologies and strategies to address soil and water contamination.
- E. Evaluate new models and methods for risk assessment to ensure proper levels of clean-up are attained.



Dredging and Dredge Material Management

Pollutants: sediment, metals, toxic chemicals

Key Points:

- Dredged material must be properly managed at both the location of its removal and its final use or disposal site to minimize impacts on water quality.
- RI strongly encourages the beneficial use of dredged material.

Water Quality Concern: In a state with significant boating and shipping sectors, dredging of our waterways is vital to maintain navigational access to harbors and marinas. Sediment from natural sedimentation patterns and that which is carried off the landscape by stormwater is deposited in our waterways and builds up to levels that impede ship and boat traffic. Due to RI's long industrial history, sediments from urbanized rivers and coastal waters targeted for removal may contain a variety of pollutants, such as metals and hydrocarbons.

Dredging can impact water quality at both the point of material removal and the subsequent location of its in-water disposal, if this option is chosen. The impacts to the aquatic environment are similar at both steps:

- Suspended sediment that is deposited can impact marine life, such as submerged aquatic vegetation and fish larvae;
- Loss of marine life from the location of dredging; and
- Loss of bottom habitat in the area being dredged and at the place of disposal.

The upland disposal of dredged material also has potential impacts, primarily the infiltration to groundwater of contaminants from the sediment, including chlorides.

Minimizing Impacts: CRMC and DEM administer the "Rules and Regulations for Dredging and the Management of Dredged Material" to ensure that dredging in the marine environment and management of the associated dredged material is conducted in a manner which is protective of surface water and groundwater quality. The material to be dredged must be analyzed in order to ensure that the use or disposal of the dredged material will not impact water quality. RI strongly encourages the beneficial use of dredged material for brownfields redevelopment, beach nourishment, landscaping, habitat restoration and/or creation, construction projects, landfill cover and other useful purposes.

Dredging projects in the northern half of the state mainly dispose of the dredged material in the Confined Aquatic Disposal cells located in the upper Providence River. These sediments are typically contaminated, but the cells are required to be capped with clean material.

Dredging projects in the southern half of the state will typically dispose of sediments as beach nourishment. Some marinas will reuse material on-site. Larger dredge projects where the sediment does not meet beach nourishment criteria will opt to dispose of the material at an EPA designated offshore regional disposal site in Rhode Island Sound. Dredging also occurs in the coastal ponds. Coastal storms erode beaches and transport sediment into the ponds, requiring dredging to increase flushing to the ponds, restore sand to the beaches and open access to the ponds.



Dredging and Dredge Material Management Policy: Reduce water quality impacts of dredging at both the location of material removal and the location of its use or disposal in water or on land.

Actions:

- A. Continue to implement the "Rules and Regulations for Dredging and the Management of Dredged Material".
- B. Develop a general dredge permit for small projects and restoration projects.
- C. Further develop the concept of using clean dredge material for salt marsh restoration to assist with climate change adaptation.

Pet Waste

Pollutants: pathogens, nutrients

Issue Highlight:

- Pet owners must act responsibly to control pet waste.

Water Quality Concern: Pet waste can be a significant contributor of bacteria and other pathogens to surface waters. The primary issue is dog waste, although other backyard pets (horses, goats, etc.) can cause localized problems. Dog waste in urban and suburban areas that is left on the sidewalk, or on grass near the street, can be washed into stormwater drainage systems and cause downstream water quality impairments. It has been estimated that for a small bay watershed (up to 20 square miles), 2 to 3 days of droppings from a population of 100 dogs contribute enough bacteria, nitrogen, and phosphorus to temporarily close a bay to swimming and shell fishing (USEPA website Water: CZA, Pollution Prevention Management Measures). Dog waste can harbor a host of different bacteria, parasites and viruses that can cause human illness and disease. One gram of dog waste contains 23 million fecal coliform bacteria, almost twice as much as human waste (RIDEM 2010). In Rhode Island, there are approximately 200,000 dogs and it is generally estimated that dogs produce one-half pound of feces per dog per day (RIDEM 2011), which means 100,000 pounds of dog waste is generated per day in RI.

Minimizing Impacts : All of our waters, particularly those identified as impaired due to bacteria (Section xx), can benefit from better control of pet waste. Management of pet waste is clearly the pet owner's responsibility, but only about 60% of dog owners pick up after their pets (NRDC 3-4-14). Pet waste can be flushed, buried, or sealed in bags and put in the trash.

Pet Waste Policy: Reduce water quality impacts from pet waste.

Actions:

- A. Towns adopt and enforce local ordinances requiring owners to pick up after their pets on public property or on other people's property.
- B. Improve public understanding of the impact of pet waste on water quality.
- C. State and town public facilities adopt strategies for controlling pet waste, such as, specially designated dog parks, provision of pet waste stations (plastic bags and receptacles).
- D. Encourage backyard livestock owners to properly control animal wastes, e.g., cover manure piles.



Waterfowl

Pollutants: pathogens and nutrients

Key point:

- A sustainable statewide strategy is necessary for waterfowl management to mitigate impacts to water quality.

Water Quality Concern: Despite the appeal of feeding the ducks, most people don't realize that ducks and geese can significantly contribute to water pollution. Feeding of waterfowl, along with the large lawns and open land near waterbodies that allow waterfowl to land and congregate, can result in dramatic and unnaturally high concentrations of waterfowl in some locations. Whether by direct deposition into waterbodies or via transport by stormwater, the bacteria and nutrients in their waste can end up in our waterbodies. Recent concern has focused on the large numbers of resident Canada geese. As reported by the Southern RI Conservation District (SRICD 2013), a single Canada goose can eat up to 4 pounds of grass and produce up to 2 pounds of fecal waste a day. Although most people find a few geese acceptable, problems develop as local flocks grow and their droppings become excessive.

Canada goose populations in Rhode Island can be broken into two broad groups: migratory and resident. Migratory Canada goose populations are not considered to be a problem in Rhode Island since they do not nest locally and experience significant hunting pressure across much of their migratory routes. However, resident Canada goose populations have increased greatly over the last 50 years in southern New England.

Minimizing Impacts: Efforts to control waterfowl to minimize water quality degradation that have been attempted in RI include:

- Education on the negative impacts of feeding waterfowl;
- Stopping the public from feeding waterfowl (signs, ordinances);
- Modifying habitat. Waterfowl, especially grazers like geese, prefer easy access to water. Maintaining an uncut vegetated buffer along the shore will make the habitat less desirable to geese; and
- Controlling goose populations with hunting and nest disruption.

Waterfowl Policy: Manage waterfowl populations in RI, particularly Canada geese, at appropriate numbers for the habitat to minimize their water quality impacts.

Actions:

- A. Devise a sustainable statewide strategy for waterfowl management.
- B. Discourage the feeding of ducks and other waterfowl, particularly in waters identified as impacted by waterfowl in TMDLs. Educate the public and adopt local ordinances to prohibit feeding.
- C. Increase public understanding of proper waterfront landscaping to deter geese.
- D. Train volunteers to assist in controlling goose populations, particularly in waters identified as impacted by waterfowl in TMDLs.
- E. Establish a state carrying capacity for Canada geese.
- F. Encourage hunting of Canada geese.



Land Application of Wastewater Treatment Facility Solids

Pollutants: nutrient, pathogens, metals, pharmaceuticals and personal care products (*or emerging contaminants*)

Key point:

- Only Class A Biosolids (treated sludge) are land applied in RI as fertilizer or soil amendments.

Water Quality Concern: The solids that are removed in the wastewater treatment facility operations (sludge) (See also previous Section on waste water treatment facilities.) contain numerous types of contaminants including pathogens, nutrients, metals, and pharmaceuticals and other emerging contaminants. Land application of these solids is one potential option for disposal for this material that can reintroduce these contaminants onto the landscape.

Minimizing Impacts: All aspects of sewage sludge management – generation, treatment, transport, disposal, land application – must be in compliance with DEM’s “Rules and Regulations for Sewage Sludge Management.” Most of the sludge generated at RI’s wastewater treatment facilities is disposed of by incineration (~85%). Although the DEM Rules have standards for land disposal of sludge (burial) and land application of minimally treated sludge, neither of these methods of sludge management have recently been utilized in RI, and they are not likely to be used given siting and permitting restrictions and economic considerations.

DEM allows for the beneficial use of biosolids (treated sludge) to provide nutrients and soil conditioning properties for growing crops, silviculture, and establishing vegetative cover for reclamation sites. Currently in RI only Class A Biosolids are applied to land as fertilizer or as a soil amendment. Class A Biosolids are those biosolids that have been treated (e.g., by composting) to kill off pathogens and which have been tested to meet specified metals limits. This renders the product safe for application to food crops and vegetation for animal grazing without any requirement for DEM permits. In addition to biosolids generated in state (primarily at the Bristol wastewater treatment facility), significant quantities of Class A biosolids are brought into the state from the Massachusetts Water Resource Authority’s Boston wastewater treatment facility and in bags of Milorganite generated by the Milwaukee Metropolitan Sewage District. Class B and Class C Biosolids have higher concentrations of contaminants and significant restrictions on their use:

- Class B Biosolids Land Application – operate under the requirements for land application of sludge, thus requiring extensive permit reviews;
- Class C Biosolids Disposal – land application prohibited, used as landfill cover or disposed in solid waste facilities.

The threat to water quality from the land application of biosolids is similar to that posed by any other application of fertilizer or manure where inappropriate application could cause water quality impairments from nutrients, except that biosolids are likely to have low concentrations of emerging contaminants (see [section X](#)) that are not treated by standard procedures.

Land Application of Wastewater Treatment Facility Solids Policy: Manage land application of wastewater treatment facility solids to prevent water quality impacts.

Action:

A. Ensure land application is in compliance with the “Rules and Regulations for Sewage Sludge Management.”



Surface Mining

Pollutants: sediments, chemical releases

Key point:

- Protecting water quality from material excavation operations requires diligent site oversight both during removal operations and post removal through the period necessary to successfully reclaim and stabilize the site.

Water Quality Concern: Surface mining activities in Rhode Island are generally limited to sand and gravel operations and stone quarrying/rock crushing operations, of which there are approximately 15 -20 facilities operating in RI regularly. The primary water quality concern from these operations is deposition of sediments in nearby surface waters and wetlands from improperly managed sites and poorly reclaimed former sites. Sedimentation is exacerbated by a failure to establish adequate buffers prior to commencing operations, or by not limiting the areas of disturbance. Any washing or other type of processing conducted onsite adds to the water quality concerns associated with mining operations.

Abandoned or improperly restored excavation areas pose additional problems. Sand and gravel operations are too often planned and carried out with little regard for post-production reclamation needs, such as regrading, restoring topsoil, and re-vegetating. Exposed sites that are not properly restored may continue to erode for many years. Abandoned excavation areas have also tended to become a convenient location for illegal dumping and disposal of wastes.

The process of removing material decreases the depth to the water table from the surface and in some cases exposes the water table, thus increasing the vulnerability of the groundwater resource to spills or leaks from machinery operating in the excavation area. Once the excavation is completed, any future use of the site will present a greater risk to groundwater due to the decreased separation from an activity and the water table.

Minimizing Impacts: If there is a discharge to waters of the state from the site, sand and gravel mining and dimension and crushed stone activities must adhere to the conditions of the DEM Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity. In cases where the excavation is below grade or entirely bermed, there may not be a discharge. If there is a discharge, the DEM multi-sector permit requires a stormwater management plan for the operations that identify BMPs to control stormwater, including site stabilization at the conclusion of activities. Many municipalities have earth removal ordinances that address these facilities and protect water quality by specifying operational and reclamation standards. Sand and gravel excavation also occurs on a temporary basis as a site is prepared for other future uses. As discussed in the Stormwater Section, activity that disturbs greater than one acre is subject to the RIPDES Construction General Permit.

Surface Mining Policy: Minimize adverse impacts to surface water and groundwater from pollutants associated with resource extraction operations.

Actions:

- A. Continue to enforce conditions of the DEM Multi-Sector General Permit for Stormwater Discharges for surface mining operations.
- B. Municipalities adopt local earth removal ordinances that include requirements for water resources protection and site reclamation.



Silviculture

Pollutants: sediment

Key Point:

- The utilization of BMPs and the generally small scale of activities limit the overall impacts of timber harvesting on water quality in RI.

Water Quality Concern: While harvesting forest products can contribute to water quality degradation due to increases in soil erosion and sedimentation, the utilization of BMPs and the generally small scale of such activities limit the overall impacts to water quality in RI. With the exception of clearing for development (subject to stormwater permitting), the timber harvesting operations that take place in RI generally involve selective cutting in localized areas.

Minimizing Impacts: Commercial wood-cutting operations are regulated by DEM Division of Forest Environment, which requires that any harvester be registered with DEM, file a Notification of Intent to Cut, implement required BMPs to prevent impacts to water quality, and comply with the Freshwater Wetlands Program Rules. The Rhode Island Forest Resources Management Plan (March 2005), State Guide Plan Element 161, points out the benefits of forest land to water quality and the need to ensure that BMPs are adhered to in order to prevent impacts to water quality. Preserving forested riparian areas provides many water quality benefits that are discussed in [section X](#).

Silviculture Policy: Protect water quality during forest harvesting operations.

Action:

- A. Implement the Forest Management Plan, State Guide Plan Element 161, strategies for protecting water quality during forest harvesting operations.

Atmospheric Deposition

Pollutants: mercury, nutrients, acidity

Key Point:

- Reducing impacts of atmospheric deposition on RI's waters requires a regional management approach to controlling sources contributing pollutants to the atmosphere.

Water Quality Concern: The atmosphere is a significant pathway for some pollutants that enter our waters. These pollutants -- primarily mercury, nitrogen and phosphorus -- are deposited directly into our waterbodies and onto the landscape. Pollutants can be deposited in both wet (in precipitation) and dry (natural fallout) conditions. Pollutants deposited on the land are carried into RI's waters by stormwater, which needs to be properly managed to reduce this avenue for impacting water quality (See also Stormwater Policies and Actions).

Fish consumption advisories are in place for freshwaters across the state due to elevated levels of mercury. The vast majority of this mercury in our waters (98%) is a result of atmospheric deposition and 75% of the mercury in the atmosphere is from anthropogenic sources primarily generated by coal-fired power plants, municipal waste combustors, sewage sludge incinerators, and residential heating (NEIWPC 2007). Mercury is a potent neurotoxin that poses risks to human health. Exposure to this toxic metal occurs when humans consume fish that contain mercury's most toxic form, methylmercury.

Minimizing Impacts: Meeting water quality standards for mercury will require reductions from mercury sources within the Northeast region, U.S. states outside of the region, and global sources. The Northeast



states have all moved forward to reduce mercury emissions and releases through emission limits on incinerators and coal-fired utilities. With the reductions being achieved locally, the New England states are now interested in collaborating on region-wide fish tissue sampling to evaluate progress toward reducing fish tissue concentrations of mercury. Based on calculations in the Northeast Regional Mercury TMDL, atmospheric deposition of mercury from anthropogenic sources needs to be reduced by 98% in order to meet desired fish tissue concentrations (NEIWPC 2007).

Nitrogen is another significant pollutant deposited from the atmosphere (see discussion of nitrogen in section xx). Combustion (motor vehicles, power plants) provides the high temperatures necessary to convert stable nitrogen gas into the reactive nitrogen oxides. These nitrogen oxides are then converted to nitric acid vapor and particulate nitrates that are removed by precipitation from the air. A large amount of nitrogen is lost to the atmosphere as ammonia from fertilizer applications and livestock primarily in the Midwest that can be carried to the northeast. The USGS New England water quality modeling of total nitrogen in New England streams concluded that for the entire study area, 50% of the nitrogen loads came from atmospheric deposition (USGS 2004). Nutrient modeling in 2011 for Green Hill Pond and Eastern Ninigret Pond predicted that approximately 8% and 10%, respectively, of the total nitrogen load was from atmospheric deposition directly onto the water surface (South Kingstown 2011).

Atmospheric deposition of phosphorus has been identified in the TMDLs for ponds exhibiting signs of eutrophication, albeit as generally a minor source, compared to waterfowl. The Mashapaug Pond (Cranston) TMDL (RIDEM 2007) concluded that 11% of the total phosphorus load was from atmospheric deposition.

In addition to the specific impacts of mercury, nitrogen and phosphorus on our waters, precipitation in RI is generally acidic. Due to our geology, there is very little buffering capacity in our soils and in our freshwaters resulting in a gradual increase in acidity in the waters. This acidification can adversely impact aquatic life.

Atmospheric Deposition Policy: Reduce the amount of mercury, nitrogen, phosphorus and other pollutants in RI's waters from atmospheric deposition.

Actions:

- A. Participate in regional initiatives to reduce air pollution contributing mercury, nitrogen, phosphorus and acidity.
- B. Manage stormwater as effectively as possible to capture and remove pollutants from atmospheric deposition before discharge to surface waters.

END OF FORMATING & EDITS FOR THIS DRAFT AT THIS TIME The following is previously distributed materials to be edited.



W. Marine and Riverine Debris

Pollutants: solid waste (litter, trash, etc.)

Key point:

- Debris is an often overlooked water quality issue best addressed through increased public awareness.

Water Quality Concern

Styrofoam cups, plastic drinking water bottles, fishing line, cigarette butts and other types of debris floating in our rivers and coastal waters and washed up on our beaches is not just a visual litter or waste issue. It is a water quality issue. Trash in our waters can:

- Injure swimmers and beach goers;
- Kill and injure wildlife: many species accidentally ingest trash, mistaking it for food. Abandoned fishing nets and gear, discarded fishing line and other forms of debris can entangle marine wildlife – sea turtles, sea birds, and fish.
- Threaten tourism and recreation, and the dollars they add to local economies by limiting people's enjoyment of beach and water related activities.
- Complicate shipping and transportation by causing navigational hazards; and generates steep bills for retrieval and removal.

An estimated 90% of waterway debris comes from land-based sources (NOAA 1999) -- blown into the Bay or ocean or most commonly washed off our streets and into our waters via storm drains. Debris also comes from recreational and commercial boaters. Annual coastal cleanups have been conducted in RI every year since 1986. In 2014, 16,368 pounds of debris were collected along 59 miles of shoreline at 80 locations in RI by 2,101 volunteers. The top ten items collected in descending order by number collected: cigarette butts, food wrappers, plastic bottle caps, plastic bottles, yards of fishing line, straws and stirrers, beverage cans, plastic bags, glass bottles, and metal bottle caps (Save the Bay, 2014 International Coastal Cleanup, Rhode Island Report).

Minimizing Impacts

Recent efforts in Rhode Island that address the issues above include:

- Proposed state legislation for: 1) extended producer responsibility for packaging, which would include measures to increase collection, recycling and reuse of discarded post-consumer packaging, and 2) statewide bans on use of plastic bags by retailers.
- Municipal bans on the use of plastic checkout bags by retailers in Barrington.
- Rhode Island's state beaches are smoke-free as of 2013. The RI DEM and Department of Health initiated this mandatory no smoking requirement at all Rhode Island state beaches to keep beaches clean and to protect people and wildlife from the risks and ramifications of smoking at the beach; note that cigarette butts are the number one item collected in annual beach cleanups.
- Collecting snarled fishing line at DEM fishing access sites by means of fishing line recycling collection boxes.

Policy and Actions:

Policy: Decrease the amount of human generated debris in RI waters.

Actions:

- A. Increase public understanding of marine and riverine debris issues and change behaviors to reduce debris in RI.



- B. Ensure debris is properly contained (on land and on boats) to minimize release to the environment.
- C. Develop source reduction strategies for items most often found in the state’s waters.
 - **Support statewide ban on plastic bags??**
 - **Support municipal smoke-free beaches??**
 - **Continue fishing line recycling efforts**
- D. Support increased efforts by government and non-governmental organizations to prevent and remove marine and riverine debris; and increase participation in coastal and river clean-ups.

X. Aquaculture

Pollutants: Nutrients, organic wastes, (potential for pharmaceuticals, e.g., antibiotics)

Key point:

- Whereas shellfish operations can improve water quality, finfish operations have the potential to degrade water quality.

Water Quality Concern

Aquaculture is a growing industry in RI with 55 active farms growing shellfish over 206 acres at the end of 2014 (CRMC 2014). This is an increase from 22 farms in 2004 and 6 farms in 1996. Oysters remain the number one aquaculture product with approximately 7.5 million oysters sold annually for consumption, far exceeding the number of hard shell clams and blue mussels also being grown. Water quality is improved by the filter feeding actions of these shellfish operations, in fact oyster beds have been proposed as a means to restore water quality (**RI projects for this??....**) However, there have been concerns regarding the effect of aquaculture operations on other users of the state’s waters.

Finfish aquaculture operations are essentially limited to the three state freshwater fish hatcheries – Lafayette, Carolina and Perryville – for the stocking of ponds and rivers for fisherman. These facilities have caused downstream water quality impacts due to the release of excessive levels of phosphorus. Discharges from these facilities are permitted by the RIPDES Program, and each facility is working to ensure compliance with their effluent limitations. Use of any medications or other drugs in the raising of the fish is to be reported to the RIPDES Program, but no such use has been reported to date. Smaller facilities raising finfish – such as research facilities, small farm ponds – fall below the RIPDES program regulatory threshold.

Minimizing Impacts

Currently there are no operations in open waters to grow finfish in pens for commercial purposes. Should these operations be proposed, they will be required to obtain a permit from the RIPDES Program. Nutrients, organic wastes and antibiotics from this type of operation have generated water quality concerns in other states.

Policy and Actions:

Policy: Prevent impacts to water quality from excessive nutrients, organic wastes and other contaminants from aquaculture operations.

Actions:

- A. Ensure state fish hatcheries are in compliance with discharge limits (RIPDES, section xx) established to protect downstream waters.
- B. Develop a strategy for managing finfish aquaculture in open waters to mitigate potential water quality impacts.
- C. Support use of shellfish beds for water quality restoration.....**



Y. Contaminants of Emerging Concern

Pollutants: multiple chemicals

Key Points:

- Analytical detection methods have enabled the detection of these chemicals in our waters at very low concentrations (e.g., parts per trillion ranges or less).
- At this time, many unknowns remain regarding the potential for adverse effects on public health and the environment from these contaminants.

Water Quality Concern

Contaminants of emerging concern are compounds that are not commonly monitored and their health and environmental impacts have not been completely determined due to their “emerging” nature. These contaminants include flame retardants in fabric, chemicals for non-stick surfaces, plastic additives, and pharmaceutical and personal care products (PPCP). PPCPs have been the most widely analyzed category of emerging contaminants. PPCPs comprise a diverse and vast group of chemicals including, but not limited to, prescription and over-the-counter human drugs, veterinary drugs, diagnostic agents, nutritional supplements and vitamins, and other consumer products such as anti-bacterial soaps, fragrances, cosmetics, and sun-screen agents.

PPCPs and other emerging contaminants enter RI’s waters primarily by means of wastewater treatment facility effluent, combined sewer overflows and onsite wastewater treatment systems. However, they may also originate from animal feeding areas, land application of biosolids and manure, and aquaculture. PPCPs are being detected in groundwater and surface water of the Northeast at very low concentrations. New and improved analytical detection methods have enabled the detection of these chemicals in the parts per trillion ranges or less.

Currently there are no US EPA/state ambient water quality criteria, water quality standards, or drinking water standards for most of the PPCPs and other emerging contaminants. These compounds are not routinely monitored for as part of federal or state monitoring programs, therefore much of the monitoring to date has depended on specific research projects. The presence of these chemicals in waterbodies has been linked to impacts on aquatic species, including changes in fish sex ratios, development of female fish characteristics in male fish, changes in nesting behavior by fish, and adverse effects on invertebrates. At this time, many unknowns remain regarding the potential for adverse effects on public health and the environment.

Two other classes of emerging contaminants are nanoparticles and microbeads:

Manufactured nanoparticles are contaminants that due to their growing use in a wide range of products from computer chips to sunscreen will require close evaluation of their impacts on water quality. Nanoparticles, which exist naturally and which we breathe all the time, have at least one dimension smaller than 1 micron and potentially as small as atomic and molecular length scales (~0.2 nm). Nanotechnology is incredibly promising because particles at this size scale may have dramatically different properties than their “normal” sized counterparts. While nanoparticles can be quite benign, it is being discovered that some can be toxic. However, scientists are only now just beginning to study the effects of nanoparticle fate and transport in the environment.

Plastic microbeads, ranging in diameter from 50 microns (about half the thickness of a sheet of copy paper) to 500 microns, are pieces of non-biodegradable plastic that manufacturers add to personal care products such as facial scrubs, body wash, and toothpaste. A single bottle or tube may contain thousands of microbeads. Unfortunately, standard wastewater treatment processes



do not filter out microbeads. As a consequence, treatment plants discharge the beads directly into our waterways. Microbeads can clog the stomachs and intestinal tracks of aquatic wildlife, preventing them from getting adequate nutrition. In addition, certain chemicals, including polychlorinated biphenyls (PCBs) and polyaromatic hydrocarbons (PAHs), can adhere to the surface of microbeads, hastening the movement of these toxic chemicals into the food web and into the human diet.

Minimizing Impacts

Recent efforts to control pharmaceuticals in our environment have focused on proper disposal of un-used drugs by encouraging the public not to flush these drugs into our sewer systems or into onsite wastewater treatment systems and by promoting use of drug disposal designated locations (e.g., police stations). However, most of the drugs that enter the environment do so as a result of human excretion of the unmetabolized drug and their breakdown products.

Expecting wastewater treatment systems to treat our waters to remove these chemicals and materials (and those yet to be determined) is not realistic. The long-term solution is to consider the environmental and public health consequences of drugs and other chemicals/materials (and their degradation by-products) when the formulations are being developed (a process referred to as "green chemistry").

Policy and Actions:

Policy: Prevent impacts to water quality from contaminants of emerging concern.

Actions:

- A. Educate the public and the health care community on proper disposal of un-used drugs, with emphasis on "no-flush" and, where possible, returning drugs to designated drug take-back locations.
- B. Research the impacts of PPCPs and other emerging contaminants in RI's waters.
- C. Develop strategies and protocols for increased monitoring of drinking water supplies.
- D. Develop strategies to reduce threats/impacts to water resources from emerging contaminants, including advocating for a "green chemistry" approach to product formulation.
- E. Adopt state legislation prohibiting the sale of cosmetics and other personal care products that contain plastic microbeads.



Aquatic Habitat***(Actions in the Wildlife Action Plan????)***

As noted in the initial discussion of “water quality,” this plan is concerned with the protection and restoration of aquatic habitats from not just pollution sources but also from other types of stressors that result in physical changes to the aquatic habitat, such as wetland alterations, invasive species, barriers to stream flow, and water withdrawal. This section will discuss these stressors and identify actions needed to protect, enhance and restore habitat conditions in support of aquatic life and healthy aquatic ecosystems.

.....define "healthy aquatic ecosystems."

A. Wetlands (Freshwater and Coastal)

Stressor: Physical alteration

Key Points:

- Avoidance and minimization of alterations to wetlands is the primary focus of DEM and CRMC regulatory programs
- Wetland restoration ...

Aquatic Habitat Concern

Wetlands are generally those areas that are flooded or that have water at or near the surface of the ground for part of the growing season. Wetlands function as a component of the larger hydrologic system through which water moves within a watershed. Freshwater swamps, marshes, and bogs are some of the most commonly known wetland types. Coastal wetlands include salt marshes and contiguous brackish marshes and areas of associated open water. Wetlands perform valuable functions in a watershed, including: ***[Could just list if described in detail earlier ...***

- Flood control and storm damage prevention -- Wetlands store precipitation, intercept storm water that is running over the land, and receive and store overflow water from adjacent rivers, streams, lakes, and ponds. The collected and stored water is held in the wetland for a period of time, and then it is slowly downstream.
- Pollutant removal -- Wetlands can trap and hold sediments and pollutants absorbed onto those sediments, they can transform nutrient pollutants by way of plant uptake and denitrification by microbes, and they can trap or treat heavy metals and other chemicals.
- High productivity --Freshwater wetlands and salt marshes are among the most productive natural systems regionally and worldwide. They produce more plant and animal biomass than upland forests and grasslands. In the coastal zone, high productivity supports the food chains of the coastal ponds and estuaries and subsequently the fish and shellfish industries.
- Fish and shellfish -- Wetlands are required habitat for many freshwater, anadromous and saltwater fish and shellfish. Freshwater fish depend on wetlands for clean water, food, spawning and nursery areas, and for plant cover. Several anadromous fish spawn in the freshwater portions of rivers, including blue back herring and American shad. Salt marshes, flats, and tidal creeks are habitat for numerous commercially harvested species, including menhaden, bluefish, striped bass, and clams.



- Wildlife habitat and biodiversity -- Freshwater and coastal wetlands provide habitat for wetland wildlife species, including birds, mammals, reptiles, amphibians, and invertebrates. Swamps and other wetlands may be especially important in urban areas where other upland areas have been developed and the wetland is the only remaining habitat.
- Open space and recreation -- Wetlands are popular and attractive places for many recreational activities, including swimming, fishing, canoeing, hiking, hunting, bird-watching, and photography. These recreational activities also contribute to Rhode Island's economy by generating money spent on travel, lodging, licenses, and equipment. According to a recent American Sport fishing report **(need citation)**, residents and tourists in RI spend about \$38 million in total on freshwater fishing, while generating about \$5.6 million in federal, state and local tax revenues.

Minimizing Impacts

Historically there has been a significant loss of wetlands resources in the state due to filling and other alterations. However, since the 1970s Rhode Island state law and policy has recognized the importance of protecting wetlands. DEM and CRMC administer permitting programs that regulate activities that may alter wetlands and require that any alterations be avoided and minimized. The agencies have jurisdiction over vegetated wetlands and surface waterbodies as well as certain lands that surround them.

Effective management of wetland resources requires a strategy that includes both protection and restoration activities. With respect to freshwater wetlands, areas of particular state interest include enhancing or restoring the functions and values of riparian wetlands and buffers and identifying and protecting wetlands of high ecological value. Rhode Island is working towards a statewide wetland restoration strategy that will facilitate voluntary restoration activities.

In the coastal zone, Rhode Island is focusing attention on the vulnerability of salt marshes to climate change, especially sea level rise. Coastal wetlands provide critical nursery habitat for fisheries, play a role in absorbing nutrients to protect water quality and provide other benefits. A collaborative effort is underway to simulate the coastal wetland migration under different sea level rise scenarios. This information will support development of adaptation strategies that may improve the resiliency of salt marshes in light of climate change.

Wetland habitats are also valued within the Rhode Island State Wildlife Action Plan (RIDEM 2015) developed by the RIDEM Division of Fish and Wildlife in collaboration with a wide number of partners. The Plan analyzes the threats affecting fish and wildlife species and habitats, and the plan will recommend conservation actions to alleviate those threats.

Policies and Actions:

Policy 1): Avoid and minimize alterations and losses of wetlands to protect the functions and values they provide.

- A. Implement the Freshwater and Coastal wetland regulatory programs. Periodically review and update rules to reflect new scientific understanding and improve program efficacy.
- B. Provide technical assistance and guidance to applicants to promote project designs that avoid and minimize impacts on wetlands.
- C. Map vernal pools and share information with municipalities and other interested stakeholders.
- D. Develop and implement strategies to mitigate alteration of salt marshes due to climate change, in particular sea level rise.

Policy 2): Facilitate restoration of the quality and quantity of wetlands.



- A. Complete development of statewide freshwater wetland restoration strategy.
- B. Complete development of statewide salt marsh restoration strategy.
- C. Improve tracking of wetland and aquatic habitat restoration projects.
- D. Provide financial assistance for priority wetland restoration projects; e.g., projects that deliver multiple benefits for habitat, water quality and other functions and values.

B. Aquatic Invasive Species

Stressor: Physical alteration of aquatic habitat due to excessive plant growth and loss of bio-diversity caused by invasive aquatic plant and animal species.

Key Points:

- An effective management approach to aquatic invasive species includes measures to prevent the introduction of new species, to rapidly respond to new infestations and to undertake the long-term management techniques to control existing infestations.
- Marine invasives – maybe: coordinated regional approach necessary...
- Rhode Island lacks an organized lake management program needed to effectively prevent establishment and spread of aquatic invasive plant species in freshwaters.

Aquatic Habitat Concern

An aquatic nuisance species or "invasive species" is defined as a nonindigenous species that threatens the diversity or abundance of native species or the ecological stability of infested waters, or commercial, agricultural, aquacultural or recreational activities dependent on such waters (National Aquatic Nuisance Prevention and Control Act of 1990). Invasive species are considered to be second only to direct habitat destruction as a cause of declining biodiversity in the United States. (xxx 2007). Impacts from AIS generally include (xxx2007):

- Reduced diversity of native plants and animals
- Impairment of recreational uses such as swimming, boating, and fishing
- Degradation of water quality
- Degradation of wildlife habitat
- Increased threats to public health and safety
- Diminished property values
- Declines in finfish and shellfish populations
- Loss of coastal infrastructure due to habits of fouling and boring organisms
- Local and complete extinction of rare and endangered species
- Economic impacts on aquaculture and other water dependent industries
- Increased expenditures on prevention, eradication or control

Marine aquatic invaders that have become established in Rhode Island include the European green crab, Asian shore crab, lace bryozoan, codium, the red macroalgae, and various species of sea squirts and shellfish pathogens. A 1999 Cornell University study estimates a \$44 million per year economic loss to New England and the Canadian Maritime Provinces due to predation on commercially valuable shellfish by the European green crab (xxx 2007)

The Rhode Island Freshwater Lakes and Ponds Report (RIDEM 2012b) noted that in documenting the presence or absence of aquatic invasive species in 133 lakes (**total # of lakes in RI?**) in RI covering 15,335 acres, 80 lakes (59%) are infested with one or more aquatic invasive plant. A total of 13 different species have been detected with variable milfoil and fanwort being the plants most commonly found. Aquatic invasive plants create dense vegetative growth in lakes that interferes with the desirable uses of lakes and has been documented by researchers in New England and elsewhere to reduce lakeside property values as the infestation progresses. The occurrence of aquatic invasive plants in Rhode Island



lakes is similar to that documented in neighboring Connecticut and Massachusetts (RIDEM 2012b). In addition, phragmites and purple loosestrife are spreading rapidly in wetlands and along waterways, clogging these waterways and out competing native species.

Minimizing Impacts

The RI Aquatic Invasive Species Management Plan (CRMC et al. 2007) was the first comprehensive effort to assess the impacts and threats of aquatic invasive species in Rhode Island. This Plan establishes a framework to coordinate state government activities with those of federal agencies, nongovernmental organizations and academic institutions with focus on coordination, monitoring, research and public education and outreach to prevent the introduction and spread of aquatic invasive species in both Rhode Island's freshwater and marine environments.

To guide more effective management of aquatic invasive species in freshwaters, Rhode Island developed the Freshwater Lakes and Ponds Report (2012b) that includes a statewide management plan for lakes and ponds that outlines actions to prevent, control and mitigate the impacts of aquatic invasive species. This plan notes the need for establishment of a lake management program and an expanded level of technical and financial assistance targeted at protecting and improving conditions in lakes and ponds. Eradication of well-established aquatic invasive species infestations is not usually feasible, therefore a commitment to long-term management is needed. The most commonly employed techniques to combat aquatic invasive plants, including chemical treatment with herbicides, are usually expensive to implement. Lake management planning should include an emphasis on actions needed to control pollution sources, in particular phosphorus, that can promote plant growth in freshwater systems.

Policy and Actions:

Policy 1): Prevent the introduction, establishment and spread of aquatic invasive species.

Implement 2007 AIS Plan and 2012 Lakes Report

NPS Plan

- A. Expand targeted outreach to educate water users about AIS and measures that should be taken to prevent their spread; e.g., boat hygiene.
- B. Continue surveillance for AIS and refine rapid response protocols for control.
- C. Establish a lake management program in DEM. ***Already addressed in the planning section??***
- D. Provide financial and technical assistance to local entities carrying out lake management.

C. Barriers to Stream Connectivity

Stressor: Physical alterations in riverine ecosystems that limit access to aquatic habitat.

Key Point:

- Many barriers erected in streams no longer serve a useful purpose and pose an impediment to the full functioning of riverine ecosystems.
- Many stream crossings need upgrading to allow for full functioning riverine ecosystems.

Aquatic Habitat Concern

Development in RI has resulted in the alteration of rivers and streams throughout the state. Dams of varying size were constructed on all larger rivers and many of the smaller streams in RI. Not as dramatic as a dam, but as equally disruptive for some riverine species, are sub-standard stream crossings that are characterized by constricted or inadequate flow, perched culverts, blocked crossings or crossings in



disrepair. These barriers to stream connectivity prevent the free movement of aquatic life up and down a river system. The result is fragmented aquatic habitat, potential impacts on water quality and an increase potential for flooding.

Minimizing Impacts

There is growing recognition that restoration of stream connectivity is important to enhance the functioning of RI's riverine ecosystems. The DEM Division of Fish and Wildlife implements a program to restore access to anadromous fish habitat through either the construction of fish passages or removal of barriers. Major fish passage projects, including dam removals, are planned or have been completed in the Pawcatuck, Blackstone, Ten Mile, Pawtuxet and Woonasquatucket Rivers. With implementation of certain projects continuing, the DEM is partnering with the Narragansett Bay Estuary Program to update the strategy on a statewide basis.

Addressing barriers other than dams has also been the focus of recent work. The RI Resource Conservation and Development Council and the Natural Resources Conservation Service working with multiple partners, have implemented the Stream Continuity Project between 2006 and 2013. Of the 4,374 identified stream crossings in RI, over 1200 were assessed in different watersheds, and 69 of these were found to have severe or significant barriers (RIRC&D 2013). Information from these assessments will be integrated into watershed plans.



Policy and Actions:

Policy: Restore riverine ecosystem functioning through the elimination of barriers to stream connectivity.

- A. Update the statewide strategy for anadromous fish restoration.
- B. Provide financial assistance to projects that enhance stream connectivity.
- C. Encourage assessment of stream crossing and identify those that are substandard and present barriers to movement of aquatic life.

D. Water Withdrawals

Stressor: Reduced stream flows

Issue Highlight:

- Statewide water demand doubles during the low flow period when there is less water available; increase due in large part to agriculture and lawn watering.

Aquatic Habitat Concern

Withdrawals of water from certain streams or adjacent aquifers can severely impact the quantity and quality of stream water available during low flow periods. Impacts to the aquatic habitat occur due to loss of riverbed area covered by water, receding wetlands, loss of vernal pools and inadequate baseflow and in-stream water depth for a healthy, reproducing natural fish population. Additionally, lower flows



increase pollutant concentrations downstream of dischargers and where discharge limits are based on certain flow assumptions, the limits may no longer prove protective.

Minimizing Impacts

Refer to Water 2030.....

Rhode Island does not have a separate permitting system to regulate water withdrawals. Conditions may be placed on new projects involving withdrawals subject to the state freshwater wetlands regulations or the water quality regulations. The RI Water Resources Board (WRB) has been designated as the overall authority to devise a fair and equitable allocation of water resources among users to ensure that long range considerations of water supply prevail over short term considerations by prioritizing water withdrawals. To support this and other activities, the WRB completed a strategic plan that reflects the continued efforts needed to develop water availability estimates and improve water resource management.

DEM has developed a watershed-based approach for reviewing water withdrawal requests and the Water Resources Board has incorporated this approach into their assessments of water availability. The Stream Flow Depletion Methodology presumes a withdrawal done consistent with the methodology will maintain stream flows that are protective of aquatic ecosystems during varying hydroperiods including the low flow period. This approach identifies those watersheds or portions of watersheds where adequate stream flows will support additional withdrawals as well as those which have constraints to further withdrawals. Analysis of current conditions indicates that the Chipuxet River, Hunt River, and Annaquatucket River watersheds are the primary water supply basins where peak demand routinely exceeds the available supply necessary to avoid adverse impacts to water quality.

Policy and Actions:

1) Policy: Manage water use and withdrawals based on water availability that considers hydrologic capacity and aquatic resources.

Actions:

- A. In watersheds where demand does not exceed or threaten to exceed available water, ensure actions are taken to avoid possible future exceedances.
- B. In watersheds where demand exceeds or threatens to exceed available water:
 - o Increase efficiency of water use;
 - o Increase infiltration of stormwater beyond the minimum standards established in the RI Stormwater Manual;
 - o Identify other recharge opportunities such as aquifer storage and recovery;
 - o Evaluate sewer extensions for impacts on reduced recharge;
 - o Identify the most cost effective management approaches for reducing, coordinating, and/or reconfiguring location and timing of water withdrawals to support adequate streamflow during low flow periods.
- C. Continue to collect and assess data on water resources for sustainable water supply purposes.
- D. Identify the most cost effective approaches for supplementing and augmenting public water supply.
- E. Incorporate the Stream flow Depletion Methodology into all agency water withdrawal decisions.
- F. Municipal development planning consider the effects of future development on water supplies and the consequent impact of the increased demand.
- G. Evaluate water withdrawal impacts in the context of climate change, which will result in an increased demand for water for agriculture (increases in soil temperature and longer growing seasons) and public water systems, particularly during the dry periods.



Encouraging Individual Actions

Each of RI citizens can make a difference to improve water quality by being aware of our water resources and taking steps (often simple) to protect and restore these resources, including participating in decision making regarding these resources. (See Appendix xx for information on individual actions for water quality protection and restoration.) Individual actions in our own backyards may not have a much of an effect by themselves, but the overall cumulative impact (positive or negative) on water quality in the watershed by individuals can be dramatic! The challenge has always been how best to inform the public and how to interest the public enough to take actions to make a difference.

Federal, state and local water quality professionals need to improve their communication skills to get this message out effectively. These professionals can benefit from social science research that gives insight into how best to increase public understanding and awareness.

There have been many efforts to increase public understanding of our water resources over the past few decades by many state and federal offices. Unfortunately, most (but not all) of these have been in response to a particular initiative and have been short-lived. There is a real need to establish sustainable coordinated efforts.

Individual Actions Overarching Policy: Increase public understanding of our water resources and actions that can be taken to protect and restore these waters.**Actions:**

- A. Form a working group to collaborate on communicating with one voice to the public.
- B. Develop an outreach/communication strategy that is consistently implemented and takes advantage of all of the tools of the social network.
- C. Train agency water resource staff on the effective means to communicate water science and policy to the public.



Implementation Tables Acronyms and Abbreviations

All	All parties in this listing
Academia	Academia
ACOE	Army Corps of Engineers
ConsDist	Conservation Districts
CRMC	Coastal Resources Management Council
CWFA	Clean Water Finance Agency
DEM	Department of Environmental Management
DOH	Department of Health
DOP	Division of Planning Statewide Planning Program
DOT	Department of Transportation
EMA	Emergency Management Agency
EPA	US Environmental Protection Agency
GA	RI General Assembly
M	Municipalities
MS4s	Municipal Separate Storm Sewer Systems (includes DOT and Universities)
MTA	Marine Trades Association
NBC	Narragansett Bay Commission
NGO	Non-Governmental Organizations
NBEP	Narragansett Bay Estuary Program
NRCS	USDA Natural Resources Conservation Service
Priv	Private Sector
RIFCO	Rhode Island Forest Conservators Organization
RIRRC	RI Resource Recovery Corporation
RITF	Rhode Island Tree Farm
SNEFCI	Southern New England Forest Consortium Incorporation
State	State Agencies – multiple relevant agencies
URI	University of RI Cooperative Extension
USGS	US Geological Survey
WRB	Water Resources Board
WS	Water Suppliers

Timeline

AN	As Necessary
O	Ongoing
ST	Short Term: 1-2 years
MT	Medium Term: 3-5 years
LT	Long Term: more than 5 years



INSERT IMPLEMENTATION MATIRX OF ALL ACTIONS HERE.

Appendix A

Rivers Council Classifications 2004

Rhode Island law, Section 46-28-7(d), specifies that the classification plan of the Rivers Council contain a minimum of three classes: pristine rivers, recreational rivers, and working rivers. The Council has expanded on the minimum requirement and developed five freshwater classes:

- pristine
- water supplies
- open space
- recreational; and
- working.

For estuaries, the Council has adopted CRMCs six water use categories:

- Type One: Conservation Areas
- Type Two: Low-Intensity Use
- Type Three: High Intensity Boating
- Type Four: Multipurpose Waters
- Type Five: Commercial and Recreational Harbors
- Type Six: Industrial Waterfronts and Commercial Navigation Channels.

Discussed within the various classifications are the terms contact and non-contact recreational uses. Contact uses means there is prolonged contact with the waterbody. Examples of contact recreational uses are swimming, wading, and water-based fishing. Non-contact uses involve minimal contact with the water and include canoeing, boating, and land-based recreational activities. The Council followed a policy of recommending contact versus non-contact recreational uses based upon not only knowledge of bacterial levels within the water but also on known or potential toxic pollutant threats from current land-based activities. Where a river or river segment is classified as suitable for swimming and other contact recreational activities, it can be surmised that the river or river segment is also suitable for canoeing or other non-contact recreational activities. The only caveat to this logic would be if there were enough flow or water in the river segment to physically allow these activities to occur. The Council has attempted to note such low flow areas within the individual classifications.

Freshwater Classifications

Pristine Waters This category includes rivers or sections of rivers that are free of impoundments and are generally inaccessible except by trail, with watersheds or shorelines essentially undisturbed and primitive, and water relatively unpolluted. It also includes Significant Wildlife Habitat and Natural Area Rivers, which are rivers, lakes, streams, tributaries, and their associated wetlands that support communities of flora or fauna significant or unusual to Rhode Island. This includes unique critical habitat with rare or endangered species notwithstanding lower than high water quality conditions. Pristine waterbodies may include Special Resource Protection Waters (SRPWs).

Water Supplies These are public drinking water sources, which include:

- Rivers, impoundments, and lakes used for water supply purposes; and/or
- Tributaries to water supplies; and/or
- Areas officially designated as potential public drinking water supplies.

These waters may include watersheds that directly feed or replenish existing and/or potential public drinking water supplies.



Open Space Waters This category includes waterbodies that have high scenic value, have relatively undeveloped banks, provide good fish and wildlife habitat, support or could support recreational use, and are typically situated in low-density rural areas (although they may traverse historic village centers). They may function as open space corridors, natural areas, or greenways. These waters are generally suitable for both contact recreation such as swimming and fishing, and non-contact recreation such as canoeing.

Recreational Waters This category includes waterbodies, rivers, or river segments that are readily accessible, that may have some development along their shorelines, and may have undergone some impoundment or diversion in the past. These shall include sections of rivers along mill villages, but shall not include sections where development may be characterized as urban. These waters are typically situated in suburban areas and are generally suitable for canoeing and other non-contact recreational activities. They may function as open space corridors or greenways.

Working Waters These waterbodies, rivers, or river segments are readily accessible, have development along their shorelines, have undergone impoundment or diversion, and adjoin development that may be classified as urban.

Coastal – Estuarine Water Classifications

The Coastal Resources Management Council (CRMC) was created by R.I.G.L. 46-23 in 1971. Part of CRMC's mission has been the description and classification of tidal waters and coastal ponds falling under their jurisdictional authority. Accordingly, for those areas already classified by the CRMC, the Rivers Council will adopt the existing CRMC classifications. In some instances, there is a close correlation between the CRMC definitions used for coastal waters and the definitions the Rivers Council has adopted for fresh waters. However, there are other cases where no correlation exists. CRMC includes waters outside of the purview of the Rivers Council. The following definitions are quoted from *The State of Rhode Island Coastal Resources Management Program, as amended* (a.k.a the "Red Book").

Type 1 Conservation Areas Included in this category are (1) water areas that are within or adjacent to the boundaries of designated wildlife refuges and conservation areas, (2) water areas that have retained natural habitat or maintain scenic values of unique or unusual significance, and (3) water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding, and erosion.

Type 2 Low-Intensity Use This category includes waters in areas with high scenic value that support low-intensity recreational and residential uses. These waters include seasonal mooring areas where good water quality and fish and wildlife habitat are maintained.

Type 3 High-Intensity Boating This category includes intensely utilized water areas where recreational boating activities dominate and where the adjacent shorelines are developed as marinas, boatyards, and associated water-enhanced and water-dependent businesses.

Type 4 Multipurpose Waters This category includes (1) large expanses of open water in Narragansett Bay and the Sounds which support a variety of commercial and recreational activities while maintaining good value as a fish and wildlife habitat; and (2) open waters adjacent to shorelines that could support water-dependent commercial, industrial, and/or high-intensity recreational activities.

Type 5 Commercial and Recreational Harbors These waters are adjacent to waterfront areas that support a variety of tourist, recreational, and commercial activities.



Type 6 Industrial Waterfronts and Commercial Navigation These water areas are extensively altered in order to accommodate commercial and industrial water dependent and water-enhanced activities.



Appendix B

Glossary

BOD- Biochemical oxygen demand

CSO

CWA – Clean Water Act

Brownfields: means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant. (EPA)

EPA

Hazardous Waste - any waste or combination of wastes of a solid, liquid, contained gaseous, or semi-solid form that, because of its quantity, concentration, or physical or chemical characteristics, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or the environment.

MCL –Maximum contaminant levels

MTBE

RIEMC

Pollution: "Human-made or human-induced alteration of the physical, chemical, biological or radiological characteristics and/or integrity of water" (WQ Rules)

Pollutant: "...or any material which will likely alter the physical, chemical, biological or radiological characteristics and/or integrity of water." (WQ Rules)

Source water – untreated water from streams, lakes, and interconnected underground aquifers that recharge public and private wells and replenish water supply reservoirs.

TMDL



Appendix C

References

Includes some references from NPS Management Plan 2014 for text other than pollution sources.

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RITF	Rhode Island Tree Farm
SNEFCI	Southern New England Forest Consortium Incorporation
State	State Agencies – multiple relevant agencies
URI	University of RI Cooperative Extension
USGS	US Geological Survey (<i>not yet used, monitoring?</i>)
WRB	Water Resources Board
WS	Water Suppliers

Timeline

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POLICIES and ACTIONS	LEAD	SUP- PORT	TIME- LINE
<u>IV. Water Quality and Aquatic Habitat Monitoring and Assessment</u>			
A. Monitoring			
Policy: State monitoring is an essential component of water resource management.			
A. Complete development of comprehensive environmental monitoring strategy, prioritize gaps and continue to strengthen coordination of monitoring activities through the RIEMC.			
B. Complete update of the RI Water Monitoring Strategy and Freshwater Wetlands Monitoring Strategy. Incorporate groundwater monitoring.			
C. Secure additional resources to support implementation of essential state monitoring programs. Prevent disruption in important on-going data collection efforts; e.g. streamflow.			
D. Prioritize gaps in existing data collection efforts. Through collaboration and new investment, initiate monitoring to reduce priority gaps including but not limited to surveillance of conditions that present public health threats (cyanobacteria, fish tissue contamination).			
E. Establish sentinel networks to collect data on a long-term basis to detect and characterize environmental change associated with changing climate, including participation in regional networks.			
F. Collaborate with and support volunteer monitoring programs that contribute data useful to state management planning and decision-making.			

B. Water Quality Assessment			
Policy: Water quality standards and criteria serve to protect the quality of RI waters and aquatic habitats.			
A. Periodically review and update state water quality standards and criteria to reflect new scientific understanding and ensure appropriate levels of protection.			
B. Incorporate new tools, such as the biological condition gradient and tiered aquatic life uses, into the framework of water quality standards as a refinement which strengthens protection of high water quality waters.			
C. Develop numeric nutrient criteria as a refinement to existing narrative criteria.			
D. Develop and apply biocriteria, such as indices of biological integrity, as refinements to state water quality standards and criteria.			
E. Expand state capacity to synthesize and interpret data through the development and use of refined environmental indicators and metrics.			
C. Aquatic Habitat Assessment			
<u>V. Planning</u>			
1) Policy: Support, promote and facilitate sustainable land use practices and planning that protects water quality from new development and improves water quality on redevelopment.			
2) Policy: Watershed plans are the basis for implementation actions at the state and local level.			
3) Policy: Ensure planning for water quality protection and restoration is effectively coordinated to maximize efforts.			
4) Policy: Support the development of a state lake management program.			
A. Implement existing TMDLs and develop new TMDLs where necessary.			
B. Municipalities adopt LID ordinances. (see also stormwater)			
C. Promote alternative approaches to development that reduce potential impacts to water quality.			

D. Municipalities adopt resource specific overlay protection zones in their zoning ordinances for sensitive resources (e.g., aquifer recharge areas, wellhead protection areas, drinking water reservoir watersheds, etc.).			
E. Incorporate maps of all tributary streams, wetlands and other sensitive areas into the community comprehensive plan. This supports the basis for guiding growth away from these sensitive resources.			
F. Evaluate use of the urban services boundary as a tool in prioritizing water quality protection and restoration activities.			
G. Continue to acquire land or development rights for water resources protection, primarily drinking water supplies.			
H. Integrate watershed planning into the local comprehensive planning process.			
I. Review and comment on comprehensive plan updates provided to the State Division of Planning for approval.			
J. Large water suppliers comply with water supply system management plan requirements by including an updated water quality component of their plan.			
K. Develop watershed plans for each of the 27 watershed planning areas. Update the watershed plans on a regular basis.			
L. Hold periodic workshops on progress in meeting watershed protection strategies.			
M. Increase public understanding of water resources and watershed management issues.			
N. Foster public involvement in river and watershed planning, decision-making, and management.			
O. Establish a lake management program at the state level to respond to lake water quality and management concerns.			
P. Develop guidance on the preparation of lake management plans and support the development and implementation of these plans.			
Q. Encourage formation of additional lake associations to support local lake management.			
R. Support existing watershed organizations/River Councils and secure the development of such organizations in those watersheds where none exists.			
S. Evaluate strategies to integrate the Rivers Council Rivers Classification system into local comprehensive planning and other State planning initiatives.			
T. Review the Rivers Council classifications to ensure consistency with DEM and CRMC Programs and adopt an alternative designation for “pristine”, since this implies a level of water quality not attainable in RI.			

<u>VI. Pollution Source Management</u>			
A. Overarching Management Issues			
A1. Nutrient Management			
1) Policy: Nutrient management to protect and restore RI's water resources requires a coordinated approach to effectively manage nutrients from multiple sources.			
A. Develop an updated comprehensive nutrient management plan for the state's waters – surface water and groundwater.	DEM	NBC, NBEP, NGO, M	MT
A2. Pollution Prevention			
1) Overarching Policy: Water pollution should be prevented whenever possible as it is a more cost-effective strategy than source control and restoration.			
A. Increase and support continued efforts to encourage industries and specific businesses to adopt pollution prevention strategies.	DEM	Academia, Priv	O
B. Expand the Environmental Results Program to other industry sectors.	DEM	Priv	MT
A3. Compliance and Enforcement			
1) Overarching Policy: Compliance with federal, state and local regulatory programs is essential for protection and restoration of water quality.			
A. Ensure resources are available for enforcement of federal, state and local laws and regulations for water quality protection.	All		O
B. Enforce laws and regulations fairly and consistently. Impose and recover penalties in an amount sufficient to deter future non-compliance.	DEM	EPA, M	O

A4. Data Management			
1)Overarching Policy: Integrated, well supported data management systems are essential for water resource protection and restoration program management.			
A. Enhance the state data management systems to improve agency effectiveness and public access to the data.	DEM		MT
B. Wastewater Discharges to Surface Waters and Collection Systems (Sewers)			
1)Policy: Plan, design and construct wastewater systems to protect public health and water quality. Use the facility planning process to guide the expansion and utilization of public wastewater systems, including the extension of public sewers to those areas deemed necessary to achieve water quality protection goals.			
A. Mandate all publicly owned wastewater systems maintain and periodically update facility plans.			
B. Develop incentives for wastewater system owners to develop, update and implement facility plans.			
C. Strengthen the state oversight of facility planning, ensure modifications to such plans are done in a manner that is cost-effective and supports the optimal use of existing infrastructure, and ensure such plans are consistent with policies reflected in Land Use 2025.			
D. Evaluate opportunities for regional approaches to wastewater management, especially within the urbanized service districts in which different authorities maintain portions of a common system.			
E. Reduce information gaps on location and ownership of public sewer lines.			
F. Complete vulnerability assessments of wastewater systems relative to potential impacts from climate change.			
G. Devise and implement adaptation strategies that will improve wastewater system resiliency to a changing climate.			
H. Strengthen state authority to compel municipalities to develop community –based solutions to persistent on-site wastewater management problems; e.g. develop sewer systems or extend service.			
I. Foster the development of community-wide wastewater plans that integrate facility planning and on-site wastewater management planning.			
J. Strengthen state oversight to require that comprehensive plans, local wastewater management plans and facility plans are consistent.			

K. Strengthen municipal regulations and/or state law to ensure properties with ready access to public sewer systems are connected. Such law should allow for reasonable waiver period for properties that have recently installed or repaired an OWTS.			
L. Identify and prioritize areas statewide where sewers are needed as determined by water quality data or public health risks.			
M. Assist municipalities in developing community based solutions and targeted financial assistance programs to facilitate sewer extensions and connections in priority areas.			
N. Develop policies to ensure privately constructed WWTFs are properly operated and maintained.			
O. Continue state oversight of the design of major components of wastewater system infrastructure.			
P. Ensure standards for the design of wastewater systems accommodate advancements in technologies and allow for innovative technologies.			
Q. Inspect wastewater infrastructure projects to ensure they are constructed as designed.			
2) Policy: Ensure discharge permits to surface waters are protective of water quality.			
A. Continue to maintain the state discharge permitting program (RIPDES) as delegated by the EPA pursuant to the federal Clean Water Act.			
B. Implement water quality monitoring programs to ensure data is available to support the development and re-issuance of RIPDES permits.			
C. Continue to develop, refine and apply improved scientific tools and data systems, e.g. water quality models, to support permitting decision-making.			
D. Issue and periodically update water quality based permits for public and industrial wastewater discharges with discharge limits that support water quality standards.			
E. Issue and periodically update permits for cooling water discharges to ensure thermal impacts do not degrade aquatic ecosystems.			
F. Stay abreast of technological innovations in wastewater management and utilize advanced treatment technologies where warranted to abate water quality degradation associated with wastewater discharges.			
G. Improve data management systems to ensure data on wastewater treatment performance is reported and reviewed in a timely and efficient manner among federal, state and local entities.			
H. Adapt data systems to support the electronic submittal of permit applications and associated reports in coordination with EPA requirements.			

I. Develop strategies to address pollutants of emerging concern discharged from wastewater facilities in their effluent or solids (sludge).			
3) Policy: Encourage and support efforts to achieve effective control of upstream wastewater discharges in MA which affect downstream water quality in RI.			
A. Continue to collect, synthesize and share scientific information that characterizes the upstream contribution from MA to water pollution problems in RI waters.			
B. As needed, participate in EPA decision-making to ensure downstream impacts on RI waters from MA wastewater sources are properly considered in EPA permit decisions.			
C. Encourage timely implementation of WWTF upgrades in MA portion of the Narragansett Bay watershed.			
4) Policy: Prevent the introduction of toxics and other substances into wastewater systems in quantities that may cause disruption of desired treatment processes.			
A. Continue to implement effective pretreatment programs at the state and local/system level.			
B. Develop policies to improve coordination among municipal pretreatment programs and private operators of WWTFs.			
C. Expand programs that collect grease from restaurants and other sources for beneficial re-use.			
5) Policy: Ensure wastewater systems are operated and maintained to provide effective wastewater treatment.			
A. Require operation and maintenance plans for all WWTFs to be followed. Continue to conduct periodic inspections of WWTFs.			
B. Maintain wastewater operator certification program to ensure qualified staffing at wastewater treatment facilities.			
C. Expand wastewater certification requirements to ensure effective operation of privately owned and industrially operated wastewater treatment systems.			
D. Provide sufficient training of WWTF operators including the use of more advanced and complex treatment technologies.			
E. Provide training and professional development opportunities to attract and develop effective managers to serve in wastewater systems.			

F. Establish asset management programs within all major public wastewater systems to facilitate preventative maintenance and prompt replacement or repair of wastewater infrastructure.			
G. Continue to implement policies that require prompt reporting and response actions in the event of sewer system overflows.			
H. Provide technical assistance to wastewater dischargers to foster improved performance, in particular small businesses.			
I. Ensure sludge generated via wastewater treatment is handled and disposed of in a manner that is protective of public health and the environment.			
J. Maintain and update a statewide sludge management plan to ensure sufficient disposal for sludge generated at WWTFs.			
K. Revise policies to broaden the use of sustainable practices in wastewater operations.			
- Facilitate the broader reuse of sludge and biosolids generated via wastewater treatment.			
- Promote the practice of wastewater reuse where appropriate and cost-effective.			
6) Policy: Improve coordination of wastewater management planning for OWTSs and sewer areas.			
A. Communities prepare one wastewater management plan addressing elements from facilities planning onsite wastewater management planning. M/DEM/L			
B. Facilities planning for municipal/public sewer systems properly assess areas for OWTS suitability. M/ /O			
C. Sewer extensions are consistent with Land Use 2025 Future Land Use Map and sewers are extended to areas currently served by OWTSs where it is shown to be necessary to mitigate an existing water quality impairment caused in part by OWTS or to eliminate a threat to public health. M/DEM/O			
D. Require connection to sewer systems where access exists. M/ /S			
7) Policy: Reduce nutrient pollutant loadings from wastewater treatment facilities.			
A. Complete implementation of strategy to upgrade WWTFs to reduce pollutant loadings of nitrogen from 11 RI WWTFs affecting upper Narragansett Bay.			
B. Complete implementation of upgrades for phosphorus controls at targeted WWTFs.			

C. Develop improved decision-making tools that can be applied to support future decisions on nutrient reductions from WWTFs discharging to the Narragansett Bay watershed including its tributaries.			
8) Policy: Minimize untreated discharges from Combined Sewer Overflows.			
A. Implement CSO abatement strategies for Providence metropolitan region and City of Newport.			
B. Evaluate the effectiveness of Phase 2 of the NBC CSO Abatement Program and use information to review and refine plans for Phase 3 of the Program.			
C. Encourage CSO abatement in MA portion of Narragansett Bay watershed (Fall River).			
D. As practicable, minimize the generation of combined sewer overflows by redirecting and capturing stormwater runoff through application of green infrastructure practices in urbanized areas.			
9) Policy: Reduce discharges that result from sewer system overflows.			
A. Develop and implement effective programs to detect, replace or repair conveyance systems and pump stations in order to prevent sewer systems overflows within all public wastewater systems.			
B. Conduct infiltration and inflow detection programs to identify and eliminate sources of excessive amounts of water entering into sewer systems.			
C. Continue to provide state technical assistance to aid in the investigation of sewer system overflows.			
10) Policy: Ensure wastewater systems have necessary financial resources.			
A. Continue to provide financing via the Clean Water SRF Program.			
B. Periodically (<i>set a duration, 5 yrs, 7 yrs...</i>) survey wastewater systems statewide to identify, document and prioritize capital needs.			
C. Evaluate long-term infrastructure financing needs and identify options for supplementing existing funding mechanisms including increasing capacity of the State Revolving Fund.			
D. Encourage the use of enterprise funds as an appropriate means of managing WWTF financial resources.			
E. Lower annual operating costs through by incorporating energy efficiencies and use of sustainable energy sources in wastewater operations.			

F. Provide guidance to wastewater systems to foster sewer assessments and use fees that are fair and equitable.			
G. Ensure privately operated WWTFs have sufficient financial resources to repair and upgrade such systems as needed in the future.			
C. Onsite Wastewater Treatment Systems (OWTSs)			
1) Policy: Ensure proper siting, design and construction of onsite wastewater management systems to protect groundwater and surface water quality and public health.			
A. Implement current OWTS Rules and continually evaluate the effectiveness of these Rules.	DEM		O
B. Provide sufficient training opportunities to meet the needs of OWTS design and installation professionals.	DEM, URI		O
C. Evaluate DEM licensed professionals through DEM oversight, including field inspections.	DEM		O
D. Strengthen disciplinary process for DEM licensed professionals.	DEM		MT
E. Support development of alternative technologies to provide advanced treatment options to address site limitations.	DEM, URI		O
2) Policy: Ensure OWTSs are properly operated and maintained.			
A. Evaluate performance of alternative treatment OWTSs and the required level of maintenance. Revise state rules, guidance and technology approvals accordingly.	DEM	CRMC, URI	O
B. Establish a technical working group to develop standards and processes to ensure operation and maintenance of alternative treatment OWTS.	DEM	CRMC, URI	ST
C. Establish operating permits for large OWTS that are subject to renewal in order to ensure permit compliance.	DEM		MT
D. Evaluate the need for additional treatment standards for discharges with high-strength wastewater, e.g., restaurants.	DEM	URI	ST
E. Provide public information on the proper use of OWTSs.	DEM, URI	CRMC	O
F. Promptly repair or replace failed OWTSs.	DEM	CRMC	O

3) Policy: Implement municipal onsite wastewater management programs to facilitate proper OWTS operation and maintenance.			
A. Develop, implement, and update municipal onsite wastewater management programs in communities that rely in whole or in part on OWTS.	M	DEM	O
B. Provide funding for the CSSLP to enable municipal onsite programs to provide financial assistance to homeowners for repair and replacement of OWTS. Increase participation in the Program where appropriate.	RICWFA	DEM	O
C. Improve state and local data management systems to facilitate data sharing among the state agencies and local government programs.	DEM, M		LT
4) Policy: Ensure that OWTS are protective of public health and the environment.			
A. Continue implementation of denitrification requirements in the Salt Pond and Narrow River critical resource areas.	DEM, CRMC		O
B. Expand denitrification requirement to other poorly flushed coastal embayments that are documented to have nitrogen caused water quality impairments due in part to OWTS.	DEM, CRMC	URI	AN
C. Evaluate technologies/strategies for reducing phosphorus from OWTSs in areas documented to have phosphorus caused water quality impairments due in part to OWTSs.	DEM	URI	MT
D. Develop an approach for assessing and responding to the cumulative impacts of OWTS.	DEM, CRMC	URI	LT
E. Evaluate the need for more intensive OWTS management in 1) densely developed areas that are dependent on private drinking water wells and 2) wellhead protection areas where nitrogen in the public well exceeds one-half the drinking water standard.	DEM	URI	AN
F. Evaluate the performance of OWTS on treating emerging contaminants of concern.	URI, DEM		AN
G. Continue to evaluate the effects of climate change on OWTS performance; amend Rules as necessary.	DEM, CRMC	URI	O
5) Policy: Eliminate use of cesspools.			
A. Complete 2007 Cesspool Phaseout Act requirements.	DEM		ST
B. Eliminate continued use of large capacity cesspools as required by state and federal rules. DEM/ /L	DEM		LT
C. Implement the 2015 legislation for cesspool replacement at time of property sale or transfer.	DEM		ST-O

D. Stormwater			
1) Policy: Manage stormwater to protect RI's water resources consistent with water quality goals.			
A. Implement, and update as necessary, the requirements of the RI Stormwater Design and Installation Standards Manual and the Erosion and Sediment Control Handbook.	DEM, CRMC		O
B. Continue management of the DEM Multi-Sector General Permit for Stormwater Discharge Associated with Industrial Activity.	DEM		O
C. Require self-certification of compliance with the construction site requirements issued by the stormwater permitting programs.	DEM, CRMC		MT
D. Evaluate the performance of approved stormwater BMPs.	DEM, CRMC		O
E. Support the development of new technologies/BMPs for stormwater management.	DEM, CRMC	M	O
F. Investigate strategies for source reduction (e.g., improve/increase street sweeping, prohibit coal tar based pavement sealants).	DEM	CRMC	O
G. Develop strategies to protect high quality waters from further degradation due to stormwater (e.g., by requiring increased emphasis on LID, limiting effective impervious cover).	DEM, CRMC		MT
H. Evaluate the utility and practicality of establishing goals for reducing and limiting effective impervious cover by watershed.	DEM, CRMC		MT
I. Track the amount of impervious cover by watershed that is being treated for stormwater management.	DEM, CRMC	M	LT
2) Policy: Use low impact planning and design techniques and associated BMPs as the primary method of stormwater management to maintain and restore pre-development hydrology of the state's watersheds.			
A. Identify strategies to more fully implement LID in state and municipal programs.	DEM, CRMC	M	MT
B. Incorporate LID in local development review ordinances.	M		O
3) Policy: State and regulated MS4s effectively manage, maintain and upgrade their stormwater systems to minimize impacts to water resources.			

A. Continue implementation of DEM MS4 General Permit Program -- evaluate compliance and effectiveness.	DEM, MS4s		O
B. Prioritize stormwater drainage systems for retrofitting (coordinate with TMDLs).	MS4s		O
C. Strengthen and enforce requirements for retrofitting as part of TMDL implementation.	DEM	MS4s	O
D. Improve maintenance of stormwater management systems to increase longevity and maximize performance.	MS4s		ST
E. Manage connected state and local stormwater as integrated systems. Consider municipal and state collaboration on system maintenance (e.g., state reimburses the town for its maintenance of key state system components and the town receives credit for this under the MS4 program).	M, DOT		MT
4) Policy: Provide public officials and private contractors with access to training on stormwater management.			
A. Establish integrated and continual training programs for public officials and private contractors (design and construction professionals) that addresses: updating local LID ordinances; BMP design and installation; BMP maintenance, and other aspects of stormwater management.	DEM, MS4s	Priv	O
B. Consider certification programs for specific aspects of stormwater management.	DEM, CRMC		MT
5) Policy: Improve stormwater management from significant areas of <u>existing</u> impervious surface on private properties.			
A. Improve maintenance of stormwater systems on private property.	Priv		MT
B. Develop tools to incentivize stormwater management retrofit on private property.	DEM, CRMC	Priv	O
C. Evaluate regulatory options for requiring management of stormwater from existing development on private property (e.g., requirements that take effect at changes of ownership or changes of use).	DEM, CRMC		MT
6) Policy: Support the development of dedicated and sustainable funding mechanisms and strategies to manage local, regional and state stormwater programs.			
A. Provide technical and financial assistance to municipalities to establish funding mechanisms, such as stormwater utilities.	DEM		ST
B. Investigate the potential for establishing stormwater credit markets and trading.	DEM		LT
C. Establish regional stormwater management approaches where practical.	MS4s	DEM	O
D. Evaluate opportunities to integrate management of wastewater and stormwater systems.	M		ST

7) Policy: Ensure that stormwater management programs address climate change impacts.			
A. Evaluate the impact on existing stormwater management systems of intensifying precipitation events, rising sea level and rising water tables.	DEM, CRMC	MS4s	LT
B. Evaluate stormwater management design standards to ensure that they incorporate new data on climate change in order to adequately protect water resources.	DEM, CRMC		LT
E. Road Salt and Sand Application			
Policy: Minimize impacts to water resources from road salt and sand application on all roads, private paved areas and from product storage areas while maintaining public safety. Actions:			
A. As resources allow, upgrade DOT and municipal equipment (e.g., install closed loop system technology) and adopt new and innovative techniques for more effective control of snow and ice on roadways at the state and municipal level (e.g., brine applications and pre-wetting).	DOT, M		O
B. Evaluate economically feasible alternatives to sodium chloride that show promise of being effective and environmentally safe.	DOT	DEM	O
C. Consider establishing training and certification mechanisms for road salt/sand applicators, including private contractors used by RIDOT and municipalities.	DOT	M, P	LT
D. Establish minimal equipment standards for use by road salt/sand applicators, including private contractors used by RIDOT and municipalities. DOT/M/L	DOT	M	LT
E. Identify areas that should be designated as reduced salt zones – focusing on locations near drinking water sources and in watersheds of chloride impaired waters. Determine these areas with input from state and local officials and water suppliers.	DOT, M	DEM, DOH,	AN
F. Properly maintain all salt and sand storage areas and cover salt piles (public and private).	DOT,M, Priv	DEM	O
G. Dispose of snow in accordance with the DEM snow disposal policy.	DOT,M, Priv	DEM	O

F. Groundwater Discharges (Non-OWTS)

1) Policy: Groundwater discharges are properly designed, sited, constructed and monitored to protect groundwater quality and public health.

A. Implement the Groundwater Discharge Rules for permitting groundwater discharges, monitoring of major discharges and closure of groundwater discharges.	DEM		O
B. Continue to maintain state primacy for the Underground Injection Control Program (UIC) as delegated by EPA pursuant to the Safe Drinking Water Act.	DEM	USEPA	O
C. Identify facilities with unauthorized discharges that are subject to the Rules and require permitting or closure as appropriate.	DEM	M	O

G. Agriculture

1) Policy: Manage agricultural operations to protect groundwater and surface water quality and public health.

A. Investigate opportunities to encourage or require farmers to prepare Conservation Plans. Require farmers participating in the Purchase of Farmland Development Rights Program to prepare Conservation Plans.	DEM, NRCS		MT
B. Regularly inspect farms with required Conservation Plans (e.g., farms enrolled in Farm, Forest, Open Space Program) for compliance.	DEM		ST
C. Investigate means to encourage farmers to participate in NRCS cost-sharing programs.	NRCS	DEM	ST
D. DEM and NRCS continue to collaborate on implementing the National Water Quality Initiative.	NRCS, DEM		O
E. Encourage farmers to establish and maintain effective riparian buffers (see Section on Habitat Management).	NRCS, DEM		O
F. Selectively monitor groundwater and surface water quality near agricultural operations.	DEM		MT
H. Ensure farm operations are compliant with all relevant water quality regulations, e.g., closing unauthorized floor drains, properly managing wastewater.	DEM		O
I. Consider the need for regulations to address specific agricultural threats to water quality (e.g. covering manure storage, limiting animal access to water resources).	DEM		MT

H. Lawn/Turf Management

1) Policy: Prevent adverse water quality impacts from lawn and other areas of turf management.

A. Continue to develop and implement homeowner outreach programs.	URI	DEM, NGO	O
B. Develop and implement green certification programs for business sectors engaged in lawn care and turf management.	DEM		ST
C. Consider establishing training and certification requirements for lawn care professionals.	DEM, P		LT
D. Municipalities adopt ordinances to reduce areas of disturbance that would become turf and encourage xeriscaping and alternative landscaping strategies.	M	DEM, DOP	O
E. Municipalities and water suppliers enact strategies to limit lawn watering.	M, WS	WRB, DEM	O

I. Pesticide Application

1) Policy: Minimize the use of pesticides wherever practicable.

2) Policy: Ensure pesticides are used in RI in a manner that minimizes impacts to water quality.

A. Implement the DEM Rules and Regulations Relating to Pesticides, including the application of aquatic herbicides.	DEM		O
B. Encourage farmers to incorporate an integrated pest management component into their Farm Conservation Plan.	DEM, NRCS		O
C. Promote proper homeowner use of pesticides and encourage alternatives.	DEM	NGO, URI	O
D. Incorporate the latest research on impacts of new and previously approved pesticides into state decision-making on pesticide use in RI.	DEM	Academia	O

J. Boating and Marinas

1) Policy: Ensure boating activity and marinas do not adversely impact water resources.

A. Provide and maintain an adequate number of pumpout facilities.	DEM		O
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B. Oversee compliance with the No Discharge Area designation.	DEM		O
C. Foster partnership with RI Marine Trades Association to educate, inform and encourage additional participation in the Clean Marina Program.	CRMC	MTA	O
K. Hazardous Material and Petroleum Product Spills			
1) Policy: Prevent and minimize impacts to RI's water resources and public health and safety from spills of hazardous materials and petroleum products.			
A. Ensure adequate capacity at the state and local levels to respond to spills of hazardous materials and petroleum products in a safe, timely and effective manner.	DEM, EMA		O
B. Implement and update as necessary the RI Emergency Response Plan.	EMA, DEM		AN
C. Ensure facilities have updated emergency plans and test their plans appropriately. Inspect such facilities for hazardous material and oil spill preparedness.	DEM, EMA		O
L. Underground Storage Tanks for Hazardous Materials			
1) Policy: Prevent impacts to RI's water resources from underground storage tank leaks and spills.			
A. Implement the DEM "Rules and Regulations for Underground Storage Facilities Used for Petroleum Products and Hazardous Materials."	DEM		O
B. Maintain adequate financial support for the UST Financial Responsibility Fund.	DEM		O
C. Educate homeowners on the threat to water quality from underground home heating oil tanks and the potential financial consequences.	DEM	M	O
D. Municipalities adopt ordinances prohibiting new heating oil USTs, particularly in areas dependent on private wells and in wellhead protection areas.	M	DEM	MT
E. Develop strategies for removing and replacing existing underground home heating oil USTs (e.g., at time of building expansion).	M	DEM	LT
M. Above-ground Storage Tanks for Hazardous Materials			
1) Policy: Prevent impacts to RI's water resources from above ground storage tank leaks and spills.			

A. Update and revise the “Oil Pollution Control Regulations” to improve regulation of AST facilities, including siting restrictions on certain new facilities.	DEM		MT
B. Establish procedures to prevent or minimize impacts to water resources from the above ground storage of <u>non-petroleum</u> based hazardous materials.	DEM	EMA	LT
C. Educate homeowners on the threat to water quality from above ground home heating oil tanks and the potential financial consequences.	DEM		MT
D. Municipalities adopt more stringent standards for siting and operation of above ground storage facilities.	M	DEM	LT
N. Waste Management (Active) – Solid Waste and Hazardous Waste			
1)Policy: Minimize impacts to water resources from solid waste and hazardous waste.			
A. Implement Solid Waste 2038; RI Comprehensive Solid Waste Management Plan (May 2015).	RIRRC	DEM	O
B. Continue to enforce DEM Solid Waste and Hazardous Waste Rules.	DEM		O
C. Ensure complete and proper closure of former solid waste disposal sites.	M, DEM		O
D. Ensure that waste management facility siting guidelines adequately consider potential impacts to groundwater and surface water resources.	DEM	RIRRC, DOP	ST
E. Take all practical steps to decrease the volume of waste generated so as to limit the needs for siting of future solid waste management facilities.	All		O
F. Expand efforts working with selected industries to reduce and properly manage hazardous waste (see section on Pollution Prevention).	DEM	Priv	O
G. Promote increased understanding of household hazardous materials and continue to annually provide adequate opportunities for proper household hazardous waste disposal.	RIRRC	DEM	O
O. Contaminated Site Clean-Up			
1)Policy: Ensure remediation of contaminated sites and encourage development and reuse of such sites; all in a manner that restores water quality and protects human health.			
A. Continue to implement state site remediation program and the federal Superfund program to clean-up sites that are impacting water quality.	DEM, EPA		O

B. Support financing for continued brownfields clean-up efforts.	DEM	EPA	O
C. Ensure that contaminated sites are identified and reported as soon as possible to minimize further environmental degradation and potential public health effects.	DEM	M	O
D. Evaluate innovative technologies and strategies to address soil and water contamination.	DEM	EPA	O
E. Evaluate models and methods for risk assessment to ensure proper levels of clean-up are attained.	DEM	EPA	O

P. Dredging and Dredge Material Management

1)Policy: Reduce water quality impacts of dredging at both the location of material removal and the location of its use or disposal in water or on land.

A. Continue to implement the “Rules and Regulations for Dredging and the Management of Dredged Material”. <i>Mention something about ACOE requirements???</i>	CRMC, DEM	ACOE	O
B. Develop a general dredge permit for small projects and restoration projects.	DEM	CRMC	MT
C. Further develop the concept of using clean dredge material for salt marsh restoration to assist with climate change adaptation.	CRMC	DEM	O

Q. Pet Waste

1)Policy: Reduce water quality impacts from pet waste.

A. Towns adopt and enforce local ordinances requiring owners to pick up after their pets on public property or on other people’s property.	M	DEM	O
B. Improve public understanding of the impact of pet waste on water quality.	DEM, M		O
C. State and town public facilities adopt strategies for controlling pet waste, such as, specially designated dog parks, provision of pet waste stations (plastic bags and receptacles).	DEM, M		O
D. Encourage backyard livestock owners to properly control animal wastes, e.g., cover manure piles.	DEM	M	ST

R. Waterfowl

1) Policy: Manage waterfowl populations in RI, particularly Canada geese, at appropriate numbers for the habitat to minimize their water quality impacts.

A. Devise a sustainable statewide strategy for waterfowl management.	DEM, NRCS	ConsDist	MT
B. Discourage the feeding of ducks and other waterfowl, particularly in waters identified as impacted by waterfowl in TMDLs. Adopt local ordinances to prohibit feeding.	M	DEM	ST
C. Increase public understanding of proper waterfront landscaping to deter geese.	DEM	M	O
D. Train volunteers to assist in controlling goose populations, particularly in waters identified as impacted by waterfowl in TMDLs.	ConsDist, DEM	NGO	O
E. Establish a state carrying capacity for Canada geese.	DEM	NRCS	LT
F. Encourage hunting of Canada geese.	DEM	NGO	ST

S. Land Application of Wastewater Treatment Facility Solids

1) Policy: Manage land application of wastewater treatment facility solids to prevent water quality impacts:

A. Ensure land application is in compliance with the “Rules and Regulations for Sewage Sludge Management.”	DEM		O
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T. Surface Mining

1) Policy: Minimize adverse impacts to surface water and groundwater from pollutants associated with resource extraction operations.

A. Continue to enforce conditions of the DEM Multi-Sector General Permit for Stormwater Discharges for surface mining operations.	DEM		O
B. Municipalities adopt local earth removal ordinances that include requirements for water resources protection and site reclamation.	M	DOP	MT

U. Silviculture			
1)Policy: Protect water quality during forest harvesting operations.			
A. Implement the Forest Management Plan, State Guide Plan Element 161 strategies for protecting water quality during forest harvesting operations.	DEM	WRB,RIF CO,SNEF CI,RIFT	O
V. Atmospheric Deposition			
1)Policy: Reduce the amount of mercury, nitrogen, phosphorus and other pollutants in RI's waters from atmospheric deposition.			
A. Participate in regional initiatives to reduce air pollution contributing mercury, nitrogen, phosphorus and acidity.	DEM		O
B. Manage stormwater as effectively as possible to capture and remove pollutants from atmospheric deposition before discharge to surface waters.	DEM, M		O
W. Marine and Riverine Debris			
1)Policy: Decrease the amount of human generated debris in RI waters.			
A. Increase public understanding of marine and riverine debris issues and change behaviors to reduce debris in RI.	NGO	DEM, M, NBEP	O - ST
B. Ensure debris is properly contained (on land and on boats) to minimize release to the environment.	M	DEM	O
C. Develop source reduction strategies for items most often found in the state's waters. -- <i>Support statewide ban on plastic bags??</i> -- <i>Support municipal smoke-free beaches??</i> -- <i>Continue fishing line recycling efforts</i>	DEM, M	NGO	MT
D. Support increased efforts by government and non-governmental organizations to prevent and remove marine and riverine debris; and increase participation in coastal and river clean-ups.	NGO, DEM, M	NBEP	O

X. Aquaculture			
1)Policy: Prevent impacts to water quality from excessive nutrients, organic wastes and other contaminants from aquaculture operations.			
A. Ensure state fish hatcheries are in compliance with discharge limits (RIPDES, section xx) established to protect downstream waters.	DEM		O
B. Develop a strategy for managing finfish aquaculture in open waters to mitigate potential water quality impacts.	DEM	Priv	MT
C. ?? <i>Support use of shellfish beds for water quality restoration.....</i>	DEM	Priv	ST
Y. Contaminants of Emerging Concern			
1)Policy: Prevent impacts to water quality from contaminants of emerging concern.			
A. Educate the public and the health care community on proper disposal of un-used drugs, with emphasis on “no-flush” and, where possible, returning drugs to designated drug take-back locations. DOH/DEM/O	DOH	DEM	O
B. Research the impacts of PPCPs and other emerging contaminants in RI's waters.	Academia	DOH, DEM	O
C. Develop strategies and protocols for increased monitoring of drinking water supplies.	DOH		LT
D. Develop strategies to reduce threats/impacts to water resources from emerging contaminants, including advocating for a "green chemistry" approach to product formulation.	Academia	DEM	LT
E. Adopt state legislation prohibiting the sale of cosmetics and other personal care products that contain plastic microbeads.	Legislature	All	ST

VII. Aquatic Habitat

A. Wetlands (Freshwater and Coastal)

1) Policy: Avoid and minimize alterations and losses of wetlands to protect the functions and values they provide.

A. Implement the Freshwater and Coastal wetland regulatory programs. Periodically review and update rules to reflect new scientific understanding and improve program efficacy.	DEM, CRMC		O
B. Provide technical assistance and guidance to applicants to promote project designs that avoid and minimize impacts on wetlands.	DEM, CRMC		O
C. Map vernal pools and share information with municipalities and other interested stakeholders.	DEM	CRMC,M	LT
D. Develop and implement strategies to mitigate alteration of salt marshes due to climate change, in particular sea level rise.	CRMC	DEM, NGO, NBEP	ST

2) Policy: Facilitate restoration of the quality and quantity of wetlands.

A. Complete development of statewide freshwater wetlands restoration strategy.	DEM		MT
B. Complete development of statewide salt marsh restoration strategy.	CRMC		MT
C. Improve tracking of wetland and aquatic habitat restoration projects.	DEM, CRMC		MT
D. Provide financial assistance for priority wetland restoration projects; e.g., projects that deliver multiple benefits for habitat, water quality and other functions and values.	DEM, CRMC, EPA, NBEP		ST-O

B. Aquatic Invasive Species

1) Policy: Prevent the introduction, establishment and spread of aquatic invasive species.

Implement 2007 AIS Plan and 2012 Lakes Report

A. Expand targeted outreach to educate water users about AIS and measures that should be taken to prevent their spread; e.g., boat hygiene.	DEM	NGO	ST
B. Continue surveillance for AIS and refine rapid response protocols for control.	DEM	NGO	O

C. Establish a lake management program in DEM. <i>Already addressed in the planning section?</i>	DEM		MT
D. Provide financial and technical assistance to local entities carrying out lake management.	DEM	NGO	ST-O
C. Barriers to Stream Connectivity			
1) Policy: Restore riverine ecosystem functioning through the removal of barriers to stream connectivity.			
A. Update the statewide strategy for anadromous fish restoration.			MT
B. Provide financial assistance to projects that enhance stream connectivity.			ST-O
C. Encourage assessment of stream crossings and identify those that are substandard and present barriers to movement of aquatic life.			ST-O
D. Water Withdrawals			
1) Policy: Manage water use and withdrawals based on water availability that considers hydrologic capacity and aquatic resources.			
A. In watersheds where demand does <u>not</u> exceed or threaten to exceed available water, ensure actions are taken to avoid possible future exceedances.	WRB, WS	DEM	O
B. In watersheds where demand exceeds or threatens to exceed available water: <ul style="list-style-type: none"> • Increase efficiency of water use; • Increase infiltration of stormwater beyond the minimum standards established in the RI Stormwater Manual; • Identify other recharge opportunities such as aquifer storage and recovery; • Evaluate sewer extensions for impacts on reduced recharge; • Identify the most cost effective management approaches for reducing, coordinating, and/or reconfiguring location and timing of water withdrawals to support adequate streamflow during low flow periods. 	WRB, DEM, WS	DOH	ST-O
C. Continue to collect and assess data on water resources for sustainable water supply purposes.	WRB, DEM		O
D. Identify the most cost effective approaches for supplementing and augmenting public water supply.	WRB, DOH, WS		ST

E. Incorporate the Streamflow Depletion Methodology into all agency water withdrawal decisions.	WRB, DEM,DOH		MT
F. Municipal development planning consider the effects of future development on water supplies and the consequent impact of the increased demand.	M	WS	ST-O
G. Evaluate water withdrawal impacts in the context of climate change, which will result in an increased demand for water for agriculture (increases in soil temperature and longer growing seasons) and public water systems, particularly during the dry periods.	WRB, DEM	WS	ST-O
<u>VIII. Encouraging Individual Actions</u>			
1) Overarching Policy: Increase public understanding of our water resources and actions that can be taken to protect and restore these waters.			
A. Form a working group to collaborate on communicating with one voice to the public.	Academia, URI, DEM, CRMC	DOH	MT
B. Develop an outreach/communication strategy that is consistently implemented and takes advantage of all of the tools of the social network.	Academia, URI, DEM, CRMC		LT
C. Train agency water resource staff on the effective means to communicate water science and policy to the public.	DEM, WRB, CRMC DOH		LT