

**Summary of key state enabling legislation, technical assistance, incentives and mandates supporting local water resource protection actions**

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**Watershed / Aquifer Protection Plans and Guidance**

1975 South Shore Coastal Pond Management Plans. URI Coastal Resources Center.

1977 CRMC South Shore Special Area Management Plans (SAMP). Followed by Narrow River Plan, many others including Ocean SAMP.

1995 DEM Rhode Island Wellhead Protection Program initiated. Provided model groundwater protection ordinance, technical assistance and state groundwater regulations requiring local wellhead protection.

1996 Guidance Document for Municipal and Water Supplier Wellhead Protection Plans, RIDEM.

1998 Rivers Policy and Classification Plan. State Guide Plan Element 162. Amended May 2004

1990 Scituate Reservoir Watershed Management Plan (State Guide Plan Element 125).

2003 Source Water Assessments. RI Department of Health and URI Cooperative Extension. Assessments completed for all community water supplies to identify susceptibility to contamination of the supply focusing on land use activities, with recommendations for local action. Continued training and technical assistance provided to municipalities by URI Cooperative Extension with funding by RI Health.

**Land Use Planning, Zoning and Subdivision**

1988 Comprehensive Planning and Land Use Regulation Act

1991 Rhode Island Zoning Enabling Act of 1991

1992 Rhode Island Land Development and Subdivision Review Enabling Act

2001 Inventory of Local Zoning Ordinances and Development Regulations. Statewide Planning Program (many local env regulations in place at that time).

2001 Model Land Use Ordinances, The South County Watersheds Technical Planning Assistance Project. Model Zoning Ordinances by Mark Bobrowski and Andrew Teitz. Project funded and coordinated by RI DEM.

- Objective: maintain scenic character and working farms, protect sole source aquifers, promote efficient use of land and minimize adverse effects to wetlands, floodplains and groundwater recharge areas.
- Multi-disciplinary advisory group including planners, representatives of RI EDC, RIBA and RI Assoc of Realtors.
- Produced early models for Conservation Development Design for rural lands and village centers, Transfer of Development Rights, Regulations governing fees, including third party review by independent consultants.
- Conservation Subdivision Design regulation recommended 100 ft buffer from dwellings and structures to surface waters or wetlands. Disturbance of slopes >15% for roads strongly discouraged. Wetlands are not counted towards minimum open space requirements. Notes local OWTS regulations can be stricter than those of DEM.

### **Decentralized Wastewater Management**

1987 RI Septic System Maintenance Act. Followed by DEM planning grants for development of local wastewater management plans.

2000. RI Clean Water Finance Agency and RI DEM create the Community Septic System Loan program. Makes low interest loans available to homeowners for OWTS repairs, upgrades and replacements in communities with DEM-approved municipal wastewater management plans.

2000 – 2006 EPA National Decentralized Wastewater Demonstration Project for Block Island and Green Hill Pond Watershed. Continued training and technical support for municipalities provided by URI and DEM.

### **Stormwater Management**

19XX Erosion and Sediment Control Enabling Legislation. Includes local model ordinance. Municipal outreach and technical support in adopting local ordinances provided by RI Conservation districts.

2005. RIDEM Phase II MS4 Storm Water Permit. This is an EPA requirement under the federal Clean Water Act.

- DEM has delegated authority to manage and enforce the program in RI.
- Municipalities are required to prepare a stormwater management plan, implement the program, and update the plan to address restoration of impaired waters based on RIDEM studies. The program must address public outreach, public involvement, construction site stormwater management, post-construction stormwater management, illicit discharge detection, and good housekeeping in local operations.

2005 RIDEM Phase II Storm Water Permit for Construction Activities.

This is an EPA requirement under the federal Clean Water Act. DEM has delegated authority to manage and enforce the program in RI. DEM provided grants for development of stormwater management plans.

2005 – 2011 RIDOT / RIDEM/ URI Storm Water Phase II Public Outreach and Education Project.

Provided training and support to help municipalities implement stormwater management programs. Model ordinances provided for local Post-construction stormwater management, illicit discharge detection and elimination, and Erosion and sediment control.

2010 Stormwater Design and Installation Standards Manual.

Requires municipalities to avoid and reduce runoff from new construction and redevelopment through site planning and design techniques known as “Low Impact Development” (LID) before considering structural stormwater controls to manage increased runoff. Extensive public participation process involving private sector and RIBA.

2007 The Smart Development for a Cleaner Bay Act.

Authorizes cities and towns to require use of the Rhode Island stormwater design and installation standards manual for any development, redevelopment, or land disturbance.

2011. RHODE ISLAND LOW IMPACT DEVELOPMENT SITE PLANNING AND DESIGN GUIDANCE MANUAL. Rhode Island DEM and CRMC.

Provides detailed guidance on how municipalities can apply LID through zoning, other ordinances and subdivision regulations, including local wetland buffer standards. Review committee included RIBA representative and other private sector members.