State of Rhode Island and Providence Plantations

EXECUTIVE CHAMBER, PROVIDENCE

J. Joseph Garrahy
Governor

EXECUTIVE ORDER

NO. 83-11

SEPTEMBER 29, 1983

COORDINATION OF FEDERAL GRANTS

WHEREAS, Section 401 of the Intergovernmental Cooperation Act of 1968 recognizes that many federal and federally assisted activities are significant to states and communities, and therefore requires (1) that the objectives and viewpoints of regions, states, and localities be fully considered and taken into account in federal programs and projects; and (2) that grants and other types of federal assistance be consistent with and further the objectives of state, regional, and local comprehensive planning to the maximum extent possible consistent with national objectives; and

WHEREAS, Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966 recognizes that federal involvement in the construction of certain facilities or systems, and in the conservation or development of land and water resources, through direct action, grants, or loans, may be particularly significant when they occur in metropolitan areas, and therefore requires that such proposals be reviewed for consistency with comprehensive plans for the area in which they may be located and, to the extent possible, contribute to the fulfillment of such plans; and

WHEREAS, The National Environmental Policy Act of 1969 declares that it is a national policy to encourage productive and enjoyable harmony between man and his environment, to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man, and to enrich the understanding of ecological systems and important natural resources, that this policy is to be achieved in cooperation with state and local governments and others concerned, and that environmental impact statements prepared in furtherance of this national policy shall include the comments and views of state and local agencies which are authorized to develop and enforce environmental standards; and

WHEREAS, The Civil Rights Act of 1964 provides that no person shall, on the grounds of race, color, religion, sex or national origin, be excluded from, denied the benefits of, or be discriminated against in any activity receiving

federal financial assistance, and these requirements must be adhered to by state and local governments and others in conducting federally assisted programs or projects; and

WHEREAS, Presidential Executive Order 12372 dated July 14, 1982, provides a means of accomplishing many of the objectives of these statutes by providing opportunities for prior consultation by state and local governments with federal agencies proposing direct action or providing financial assistance through a review and coordination process established by the state; and

WHEREAS, The chief-elected officials of all cities and towns have been consulted as to the implementation of Executive Order 12372 in Rhode Island, and they have advised the State on the establishment of a review and coordination process, the design and administration of such a process, the programs and activities that should be included, and the parties that should be involved;

NOW, THEREFORE, By virtue of the authority vested in me as Governor of the State of Rhode Island and Providence Plantations, it is ordered as follows:

1. A State Process for reviewing and commenting on proposed federal financial assistance and direct development activities is hereby established.

2. Responsibility for conduct of the State Process is assigned to the Statewide Planning Program. The State Planning Council shall formulate and adopt rules for the State Process and oversee its operation. The Office of State Planning shall assist the Council in conducting the review process.

3. The single point of contact designated to administer the State Process is:

   The Chief
   Rhode Island Statewide Planning Program
   265 Melrose Street
   Providence, RI 02907

   (401) 277-2656

4. The designated single point of contact shall receive all proposals or notifications thereof and any related documents that pertain to any federal program or activity listed in the Appendix to this Executive Order. The designated single point of contact shall also transmit any comments or recommendations formulated through the State Process, and any other relevant materials, to the federal agencies concerned and to other interested parties.

5. The State Planning Council shall adopt rules, in accordance with the authorities and procedures set forth in Chapter 42-35 and Section 42-11-10 of the General Laws, for the conduct of the State Process. These rules shall make provision for:

   a. timely submission of notices, proposals, plans, or other documents subject to the State Process, which shall include all of the information needed to review and comment thereon.

   b. participation in the State Process by the applicant, sponsor, or other parties who are knowledgeable about the matter under consideration and able to assist the Statewide Planning Program in carrying out its responsibilities.

   c. participation in the State Process by state and local officials, regional bodies, and other interested organizations and individuals.

   d. formulation and adoption of recommendations on those proposals, plans, or other documents reviewed that address consistency with state, local, and other officially adopted policies and plans; coordination with related activities; identification of duplication of effort or ineffective or inefficient activities; utilization of available resources in accordance with state and local priorities; and the views and concerns of elected officials of state and local governments.

   e. consideration of the impact of proposals on the human and natural environments and their consistency with requirements for protection of these environments.

   f. compliance with policies and requirements for equality of opportunity and for nondiscrimination on the basis of race, color, religion, sex, national origin or age.

   g. a written response to every proposal, plan, or other document submitted so as to insure that all concerned are aware of the status and final disposition of all matters considered through the State Process.

   h. completion of the review of proposals, plans, or other documents in an expeditious manner according to a schedule established by rule which is also consistent with federal requirements and transmittal of comments and recommendations to the originating parties and to federal agencies concerned. All comments and recommendations by state or local officials shall be transmitted.

i. receipt and distribution of replies by federal agencies that accommodate or explain their response to comments and recommendations made through the State Process.

This Executive Order shall take effect on October 1, 1983.

Respectfully yours,

J. Joseph Garrahy
GOVERNOR