

1 **DRAFT RULE CHANGES – FLOOD PREVENTION**

2 State of Rhode Island and Providence Plantations  
3 Department of Environmental Management  
4 Office of Water Resources  
5

6 **Rules and Regulations for the NARRAGANSETT BAY AND WATERSHED**  
7 **RESTORATION BOND FUND**  
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23 February 2006  
24 Amended May 2008  
25 Amended April 2014  
26 Amended XXXX  
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29 These rules and regulations are promulgated pursuant to the authority provided by R.I. General  
30 Laws Section 42-17.1-1(~~2~~), 42-17.1-34, 46-17.1-2.3, 46-12-3(4), 46-12-24 and 46-12-24.1, and  
31 adopted pursuant to procedures set forth in R.I. General Laws Chapter 42-35, as amended.  
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STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

**RULES AND REGULATIONS FOR THE  
NARRAGNSETT BAY AND WATERSHED RESTORATION BOND FUND**

**TABLE OF CONTENTS**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36

SECTION 1.00 PURPOSE.....3  
SECTION 2.00 LEGAL AUTHORITY.....3  
SECTION 3.00 LIBERAL APPLICATION.....3  
SECTION 4.00 SEVERABILITY.....3  
SECTION 5.00 ADMINSTRATIVE FINDINGS.....3  
SECTION 6.00 DEFINITIONS.....4  
SECTION 7.00 FUND ESTABLISHED.....5  
SECTION 8.00 ~~FUND ALLOCATION~~SUB-FUND ESTABLISHMENT.....56  
SECTION 9.00 NOTIFICATION OF AVAILABLE FUNDS.....78  
SECTION 10.00 APPLICATION REQUIREMENTS.....78  
SECTION 11.00 ELIGIBILITY.....89  
SECTION 12.00 APPLICATION REVIEW AND SELECTION.....910  
SECTION 13.00 GRANT AWARDS.....1011

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2 STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

3 DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

4 RULES AND REGULATIONS GOVERNING THE NARRAGANSETT BAY AND WATERSHED RESTORATION  
5 BOND FUND  
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7 **SECTION 1.00 PURPOSE**

8 The purpose of these regulations is to create a Narragansett Bay and Watershed Restoration Fund to  
9 receive, hold and administer ~~the use of~~ the \$8,500,000 portion of the 2004 RI Open Space, Recreation,  
10 Bay and Watershed Protection Bond allotted for "anti-pollution projects and restoration activities  
11 benefiting Narragansett Bay and state watersheds", ~~and~~ \$4,000,000 from the 2012 Environmental  
12 Management Bond allotted for "activities to restore and protect the water quality and enhance the  
13 economic viability and environmental sustainability of Narragansett Bay and the State of Rhode Island's  
14 watersheds" and \$3,000,000 from the 2014 Clean Water, Open Space and Healthy Communities Bond  
15 allotted for flood prevention projects.

16 **SECTION 2.00 LEGAL AUTHORITY**

17 These rules and regulations are promulgated pursuant to the authority provided by R.I. Gen. Laws Sections  
18 42-17.1-~~12(2)~~, 42-17.1-2(34), 42-17.1-2.3, 46-12-3(2), 46-12-3(4), 46-12-24 and 46-12-24.1, and adopted  
19 pursuant to the procedures set forth in R.I. Gen. Laws Chapter 42-35, as amended.

20 **SECTION 3.00 LIBERAL APPLICATION**

21 The terms and provisions of these rules and regulations shall be liberally construed to allow the  
22 Department to effectuate the purposes of state law, goals, and policies.

23 **SECTION 4.00 SEVERABILITY**

24 If ~~a court of competent jurisdiction thereof holds~~ any provision of these rules and regulations or the  
25 application thereof is held to be invalid by a court of competent jurisdiction, the validity of the remainder  
26 of the rules and regulations shall not be affected thereby. The invalidity of any section or sections or parts  
27 of any section or sections shall not affect the validity of the remainder of these rules and regulations.

28 **SECTION 5.00 ADMINISTRATIVE FINDINGS**

29 The goal of the Narragansett Bay and Watershed Restoration Fund is to restore and protect the water  
30 quality, and enhance the economic viability, ~~and~~ environmental sustainability and resiliency of  
31 Narragansett Bay and the state's watersheds. This Fund is meant to provide funding assistance for the  
32 feasibility analysis, design, construction, and/or rehabilitation of: nonpoint source water pollution control  
33 facilities; stormwater pollution control projects including the evaluation and/or development of a  
34 dedicated sustainable funding mechanism for stormwater pollution abatement; ~~and~~ riparian buffer and  
35 aquatic habitat restoration projects; ~~and~~ projects which prevent or mitigate flooding while providing  
36 ecosystem benefits and other co-benefits as applicable. In order to achieve its goal the monies from  
37 Narragansett Bay and Watershed Restoration Fund are apportioned between four~~three~~ sub-funds.

1 All monies in the Narragansett Bay and Watershed Restoration Fund shall be expended in accordance with  
2 the general laws of the State of Rhode Island and are hereby restricted to providing grants for nonpoint  
3 source water pollution abatement, stormwater pollution abatement including the evaluation and/or  
4 development of a dedicated sustainable funding mechanism for stormwater management, and riparian  
5 buffer, and aquatic habitat restoration activities that will result in water pollution reduction or, - water  
6 quality protection of the waters of the state, -or -flood prevention and mitigation actions and actions to  
7 improve coastal resiliency that are carried out in a manner that provides -ecosystem benefits.

8 **SECTION 6.00 DEFINITIONS**

9 As used in these rules and regulations the following definitions will apply:

10 Applicant - ~~means~~ any person or persons applying for monies under these rules and regulations.

11 Aquatic Habitat ~~—means~~ an area where water is present and provides direct support for a given species,  
12 population or community. An aquatic habitat can be classified as non-flowing waters such as pools, ponds  
13 and lakes, slowly flowing such as marshes and swamps, or flowing such as streams and rivers. Aquatic  
14 habitats can be freshwater, saltwater or brackish in nature.

15 Construction ~~—means~~ the building, alteration, rehabilitation, improvement, or extension of a project,  
16 including the necessary planning, design and engineering associated with the specific project.

17 Department - ~~means~~ the Department of Environmental Management (DEM).

18 Director - ~~means~~ the Director of the Department of Environmental Management or ~~the subordinate(s) his~~  
19 ~~or her designee~~ to whom the Director has delegated powers and duties vested in the Director by these  
20 regulations.

21 Facility ~~—means~~ any building, structure and operation, including land or appurtenances thereto, on one  
22 contiguous site.

23 Flood - ~~means~~ an unusual accumulation of water above the ground caused by high tide, -heavy rain,  
24 melting snow or rapid runoff from paved areas.

25 Flood mitigation ~~—means~~ the implementation of actions to reduce or eliminate the long-term risk of flood-  
26 damage to buildings, other structures and infrastructure.

27 Fund ~~—means~~ the Narragansett Bay and Watershed Restoration Fund, as established by these regulations.

28 Governmental Entity - ~~means~~ any Rhode Island state or local governmental body or Rhode Island state  
29 agency and any entity publicly funded, appointed or otherwise organized by federal, RI state or local  
30 government for governmental purposes.

31 Grant - ~~means~~ money given to eligible entities with no repayment due if the grantee is in substantial  
32 compliance with all terms of the grant.

33 Non-Governmental Entity ~~—means~~ any for-profit business, non-profit organization, private college or  
34 university, public utility and incorporated individual located in Rhode Island.

35 Nonpoint Source Pollution ~~—means~~ pollution from failing or sub-standard individual subsurface disposal  
36 systems; erosion from construction sites, agricultural fields and other disturbed areas; leachate and runoff

1 from streets and other paved areas, landfills, lawns, agricultural fields, silviculture and livestock  
2 operations and other such pollution originating from diffuse sources.

3 Permit - ~~means~~ an authorization, license or equivalent control document issued by the Department to  
4 implement regulations promulgated by the Department.

5 Person- an individual, trust, firm, joint-stock company, corporation (including a quasi-governmental  
6 corporation), partnership, association, syndicate, municipality, municipal or state agency, fire district,  
7 club, non-profit agency or any subdivision, commission, department, bureau, agency or department of  
8 state or federal government (including quasi-governmental corporation) or of any interstate body and any  
9 agent or employee thereof.

10 Pollutant - ~~means~~ any material or effluent which may alter the aesthetic, chemical, physical, biological, or  
11 radiological characteristic and/or integrity of water, including but not limited to, dredged spoil, solid  
12 waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological  
13 materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, or  
14 agricultural waste, and other wastes, petroleum or petroleum products, including but not limited to oil.

15 Pollution - ~~means~~ the manmade or man-induced non-beneficial alteration of the aesthetic, physical,  
16 chemical, biological, radiological or thermal integrity of an aquatic ecosystem.

17 Project - ~~means~~ an action or facility that corrects, substantially reduces, or prevents pollution, or restores  
18 a riparian buffer or aquatic habitat.

19 Resiliency - ~~means~~ the capacity of a system potentially exposed to hazards to adapt in order to reach and  
20 maintain an acceptable level of functioning.

21 Riparian Buffer - ~~means~~ an area of land adjacent to rivers, streams, lakes, ponds and coastal waters that  
22 is maintained in a natural condition and is integral to the ecology of aquatic systems.

23 Stormwater - ~~means~~ precipitation induced runoff or snowmelt.

24 Total Maximum Daily Load or TMDL - ~~means~~ the amount of a pollutant that may be discharged into a  
25 waterbody and still maintain water quality standards. The TMDL is the sum of the individual wasteload  
26 allocations for point sources and the load allocations for nonpoint sources and natural background taking  
27 into account a margin of safety.

## 28 **SECTION 7.00 FUND ESTABLISHED**

29 There is hereby established a fund entitled the "Narragansett Bay and Watershed Restoration Fund." The  
30 Fund is created in order to enable the Department to receive \$8,500,000 from the RI Open Space,  
31 Recreation, Bay and Watershed Protection Bond that has been designated for use on "anti-pollution  
32 projects and restoration activities benefiting Narragansett Bay and state watersheds." ~~and \$4,000,000~~  
33 from the 2012 Environmental Management Bond that has been designated for "activities to restore and  
34 protect the water quality and enhance the economic viability and environmental sustainability of  
35 Narragansett Bay and the State of Rhode Island's watersheds" ~~and \$3,000,000 from the 2014 Clean~~  
36 Water, Open Space and Healthy Communities Bond that has been designated for certain flood prevention  
37 projects. -The Department in accordance with these regulations will administer the Fund.

## 38 **SECTION 8.00 SUB-FUND ESTABLISHMENT**

1 The Fund is hereby allocated into ~~four~~ three (3) sub-funds: the Governmental Entities Nonpoint Source  
2 Water Pollution Control Fund, the Non-Governmental Nonpoint Source Water Pollution Control ~~Fund~~  
3 ~~Fund, and~~ the Riparian Buffer and Aquatic Habitat Restoration Fund, and the Flood Prevention and  
4 Mitigation Fund. The monies allocated to each sub-fund will be done at the discretion of the Director and  
5 will be available to eligible applicants in the form of grants of up to fifty percent (50%) of eligible costs.  
6 Applicants must be able to match at least fifty percent (50%) of eligible costs. At the Director's discretion,  
7 a grant for up to seventy-five percent (75%) of eligible costs may be awarded.

8 8.01 \_\_\_-Governmental Entities Nonpoint Source & Stormwater Pollution Control Fund

9 a. \_\_\_-The monies allocated to the Governmental Entities Nonpoint Source & Stormwater Pollution  
10 Control Fund shall be available for projects proposed by governmental entities involving:

11 i. \_\_\_-Construction of projects that mitigate, control or eliminate the effects of nonpoint source  
12 pollution or stormwater pollution, to the waters of the state ~~shall be eligible for this fund~~.

13 ii. \_\_\_-Capital expenditures for additional or upgraded equipment to enhance implementation of  
14 best management practices identified in Department approved local stormwater  
15 management program plans.

16 iii. \_\_\_-The identification, mitigation, control or elimination of illicit point source connections to  
17 storm water collection systems.

18 iv. \_\_\_-The evaluation and/or development of a dedicated sustainable funding mechanism for  
19 stormwater pollution abatement.

20 b. \_\_\_-At the Director's discretion, the monies allocated to this sub-fund may be used to secure other  
21 funding to carry out the purposes of this sub-fund.

22 8.02 \_\_\_-Non-Governmental Entities Nonpoint Source & Stormwater Pollution Control Fund

23 a. \_\_\_-The monies allocated to the Non-Governmental Entities Nonpoint Source & Stormwater  
24 Pollution Control Fund shall be available for projects proposed by non-governmental entities  
25 involving:

26 i. \_\_\_-Construction of projects that mitigate, control or eliminate the effects of nonpoint source  
27 pollution or stormwater pollution, to the waters of the state ~~shall be eligible for this fund~~.

28 ii. \_\_\_-Construction of projects that mitigate, control or eliminate point source illicit connections  
29 to the storm water collection system.

30 b. \_\_\_-At the Director's discretion, the monies allocated to this sub-fund may be used to secure other  
31 funding to carry out the purposes of this sub-fund.

32 8.03 \_\_\_-Riparian Buffer & Aquatic Habitat Restoration Fund

33 a. \_\_\_-The monies allocated to the Riparian Buffer & Aquatic Habitat Restoration Fund shall be available  
34 for projects proposed by any person(s) for construction, re-establishment of native species or  
35 other improvement projects that will accomplish the following:

1 i. ~~Establish~~ or restore riparian habitats to their natural condition, or enhance the overall  
2 effectiveness of riparian buffers for water quality improvement/protection.

3 ~~ii.b.~~ -Projects that install fish passages to re-establish native fish species.

4 ~~iii.c.~~ -The control or removal of invasive species from aquatic habitats.

5 ~~b.d.~~ -At the Director's discretion, the monies allocated to this sub-fund may be used to secure other  
6 funding to carry out the purposes of this sub-fund.

7 8.04 -Flood Prevention and Mitigation Fund

8 a. -The monies allocated to the Flood Prevention and Mitigation Fund shall be available for projects  
9 proposed by governmental or non-profit entities for the design and construction of projects that  
10 will reduce or eliminate the long-term risk of flooding and enhance ecological functioning of  
11 natural ecosystems. Such projects may include the following:

12 i. -Restoration of floodplains, rivers and streams in a manner that returns ecosystem  
13 structure and functions to a more natural condition. This includes but is not limited to  
14 restoration of stream channels, streambank stabilization, revegetation of riparian buffers  
15 and other projects that reduce peak flows and/or peak velocities to sustain a more natural  
16 hydrologic regime.

17 ii. -Removal of impervious surface and revegetation in riparian area locations to increase  
18 retention of stormwater runoff and reduce contributing flows to flood-prone lands;

19 iii. -Replacement of culverts associated with crossings of rivers and streams in a manner that  
20 prevents flooding through improved management of peak flows and improves river or  
21 stream continuity upstream and downstream to enhance the free passage of wildlife.

22 iv. -Creation of increased storage capacity in floodplains to mitigate downstream flooding  
23 provided such storage areas are naturally vegetated.

24 v. -Aquifer recharge projects in locations where the diversion of surface waters results in  
25 reduced flooding while maintaining a more natural hydrologic regime in rivers and streams.

26 vi. -Repairs to dams that result in increased capacity for flood mitigation including flood  
27 storage.

28 vii. -Dam removal in locations where it is demonstrated that the project will reduce the risk of  
29 flooding in known flood-prone areas.

30  
31  
32 viii. -Projects that enhance the resiliency of vulnerable coastal habitats in locations that mitigate  
33 flooding risks.

34 b. -Flood prevention and mitigation projects shall be consistent with approved local hazard  
35 mitigation plans as applicable.

1 c. -At the Director's discretion, the monies allocated to this sub-fund may be used to secure other  
2 funding to carry out the purposes of this sub-fund.

3  
4 **SECTION 9.00 NOTIFICATION OF AVAILABLE FUNDS**

5 9.01\_\_-Unless acting in accordance with Sections 8.01b, 8.02b, ~~or 8.03bd or 8.04c~~, above, the Director  
6 shall announce the availability of all funds under the Narragansett Bay and Watershed Restoration Bond  
7 Fund in a newspaper of statewide circulation. The announcement may also be posted on the appropriate  
8 state of Rhode Island websites.

9 9.02\_\_-At a minimum the announcement will state:

10 a.\_\_-The sub-fund(s) receiving applications

11 b.\_\_-The approximate amount of money available under the sub-fund(s)

12 c.\_\_-The deadline for all applications

13 d.\_\_-Any other information that the Director determines necessary and pertinent

14 **SECTION 10.00 APPLICATION REQUIREMENTS**

15 10.01.\_\_-Applications shall be submitted to Department of Environmental Management, Office of Water  
16 Resources, 235 Promenade Street, Providence, RI 02908 and shall be signed by the applicant's chief  
17 executive or chief financial officer. All applications shall include the following:

18 a.\_\_-A letter requesting consideration for funding with a concise project description consisting of:

19 i. \_\_\_-A statement of the purpose of the project,

20 ii. \_\_\_-The expected ~~water quality improvement(s) and other~~ environmental benefit(s) of the  
21 project,

22 iii. \_\_\_-The specific sub-fund to which application is being made and why it is eligible for funding  
23 under said sub-fund, and

24 iv. \_\_\_-Such other information as may be pertinent to the project.

25 b.\_\_-A project schedule and budget;

26 c.\_\_-Where applicable, any and all local, state, and federal permits which have been issued to the  
27 applicant or the subject facility and a statement of compliance with said permits;

28 d.\_\_-Any and all compliance schedules, or consent agreements/decrees, final decrees or orders, or  
29 any form of approval with conditions attendant thereto, which may have been issued to or  
30 entered into by the applicant or the subject facility and a statement of compliance with said  
31 compliance schedules, or consent agreements/decrees, final decrees or orders, or any form of  
32 approval with conditions attendant thereto;

33 e.\_\_-Where the proposed project is on property not owned by the applicant, a signed statement by  
34 the property owner granting the applicant permission to participate in the project;



1 f. \_\_\_ Documentation confirming that the applicant has secured funding for or has otherwise made  
2 arrangements for the performance of its match for the grant. The applicant can meet its match  
3 requirement through one or more of the following means, including: the direct expenditure of  
4 the applicant's own funds, funding acquired through other third-party sources such as grants or  
5 loans, in-kind services performed by the applicant or a third-party that are directly related to the  
6 performance of the project. All actual project expenses (100%) must be tracked and properly  
7 documented during the performance of the project in order to qualify the applicant for  
8 reimbursement of eligible grant expenses. For projects involving construction, DEM, at its  
9 discretion, may accept as matching funds the recently incurred costs related to the design of a  
10 project. DEM reserves the right to disqualify any ineligible projects or expenses;:-

11 g. \_\_\_ Any other supporting materials and information that may be required by the Department to  
12 evaluate the application.

### 13 SECTION 11.00 ELIGIBILITY

14 11.01 \_\_\_ The following projects are ineligible to receive grant monies from the Fund pursuant to these  
15 regulations:

16 a. \_\_\_ Projects using experimental technology.

17 b. \_\_\_ Projects whose primary results will be improvement in business operations and/or productivity  
18 rather than pollution reduction.

19 c. \_\_\_ Research projects.

20 d. \_\_\_ Land acquisition projects.

21 e. \_\_\_ Sewage disposal systems serving single-family residences.

22 f. \_\_\_ The replacement of equipment to enhance implementation of best management practices  
23 identified in Department approved local stormwater management program plans.

24 11.02 \_\_\_ The following expenses are ineligible for inclusion in project costs either as expenses  
25 to be covered by Fund monies or as expenses to be counted as part of the applicant's match requirement:

26 a. \_\_\_ Land acquisition costs (except cash expenditures to purchase land not owned by the applicant at  
27 the time of application, in which the land is essential to and directly related to the performance  
28 of the proposed project).

29 b. \_\_\_ Operation and maintenance costs.

30 c. \_\_\_ Personnel costs not directly related to the performance of the project (e.g. indirect personnel  
31 and administrative costs such as clerical support, monthly utility expenses, the purchase of office  
32 equipment, personnel costs associated with fund raising for the nongovernmental entity, etc.).

33 d. \_\_\_ Costs associated with the performance of a Supplemental Environmental Project ("SEP").

34 11.03 \_\_\_ Applicants or Pp proposed projects associated with unresolved litigation (administrative or judicial)  
35 with the Department or conditions or activities that have violated or are violating statutes or regulations

1 administered by the Department shall be ineligible to receive Fund monies without the express written  
2 consent of the Director and the resolution of said litigation or violation(s).

3 11.04 \_\_\_-Water pollution abatement projects funded in whole or in part by Fund monies shall not result in  
4 the violation of any federal, state, local statutes or regulations.

5 **SECTION 12.00 APPLICATION REVIEW AND SELECTION**

6 12.01 \_\_\_-Application Review

7 a. \_\_\_-The Department shall review all applications to determine eligibility and completeness. In order  
8 to satisfy the eligibility determination, the following criteria will be considered:

9 1. \_\_\_-The applicants and their proposed projects must meet the requirements of Sections 9.00,  
10 10.00 and 11.00 of these Regulations.

11 2. \_\_\_-The proposed projects must provide a reliable means of meeting the intended reduction  
12 or restoration goals consistent with Section 8.00.

13 b. \_\_\_-The Director shall establish a review team for each sub-fund to review the completed  
14 applications. All complete applications to a sub-fund shall be subject to review by, at least three  
15 (3) members of the Department, one of whom must be from the Office of Water Resources, and  
16 at least one (1) member selected by the Director from outside the Department. Individuals may  
17 serve as members of more than one review team.

18 c. \_\_\_-If the Department determines that the application is complete and satisfies the requirements of  
19 12.01(a)(1) and 12.01(a)(2), then the review team will proceed to rank the projects within each  
20 sub-fund based upon the following criteria, which shall be applied so as to promote the goals and  
21 requirements of these Regulations to the fullest extent possible:

22 1. \_\_\_-The severity and magnitude of the problem being addressed by the project (for NPS  
23 projects only e.g. water quality, habitat, flooding);

24 2. \_\_\_-The value of the resources to be protected or restored by the project and the public  
25 benefits derived;

26 3. \_\_\_-The beneficial impact to the waters of the State;

27 4. \_\_\_-The flood mitigation or resiliency benefits (required for flood prevention and mitigation  
28 fund projects)

29 5.4. \_\_\_-Technical merit of the project (i.e. ability to solve the problem);

30 6.5. \_\_\_-Consistency with approved plans (e.g. SWMPP, TMDL recommendations etc.);

31 7.6. \_\_\_-Readiness to proceed.

32 d. \_\_\_-Recommendations for awards will be made on the basis of a majority vote of the sub-fund review  
33 team. The final determination for funding will be made by the Assistant Director for Water  
34 Resources to be forwarded to the Director for approval.

35

1 **SECTION 13.00 GRANT AWARDS**

2 13.01 \_\_-Grant Award

3 a. \_\_-Successful applicants will receive a grant offer specifying the amount, duration and conditions of  
4 the award. The offer will be in the form of a binding contract.

5 b. \_\_-Recipients will be required to sign, accept and return the offer to the Department within forty-  
6 five (45) days of the date of mailing. Failure to execute the agreement within the forty-five (45)  
7 days may result in the cancellation of the grant award. The Director may award these monies to  
8 the next highest rated project.

9 c. \_\_-Recipients will have ninety (90) days from the date of the acceptance of the grant offer to provide  
10 proof of the necessary grant match by letters of credit, loan agreements, dedicated escrow  
11 accounts or any pre-approved proof of matching funds by the Department.

12 d. \_\_-The recipient is responsible for obtaining all necessary permits or approvals from any federal,  
13 state, or local agency with authority over the project or project area. Copies of these  
14 permits/approvals must be submitted to the Department for inclusion in the project file before  
15 the first payment request.

16 e. \_\_-All grant payments will be paid in the form of reimbursement payments for eligible expenses  
17 incurred in accordance with an approved project. Requests for reimbursement must include  
18 documentation of the incurred, eligible costs. Such type of documentation required to receive  
19 reimbursement will be detailed in the grant offer and/or grant agreement.

20 13.02 \_\_-The Director may suspend, modify or revoke any awards granted pursuant to these regulations  
21 in the event that subsequent examination reveals any data included in an application form, submittal,  
22 plan or sketch ~~to be~~ incorrect or not in compliance with these regulations.

23 13.03 \_\_-The Director may take appropriate action to stop payment of and/or seek the return of grant  
24 funds expended for any project where:

25 ~~(a.)~~ ~~I~~-the applicant has obtained said grant based upon incomplete, false, misleading or erroneous  
26 information; or

27 ~~(b.)~~ ~~I~~-the applicant has not completed the work approved under the grant in accordance with any and  
28 all conditions of approval issued by the Director in the grant award.

29  
30 **EFFECTIVE DATE**

31 The foregoing "Rules and Regulations for the Narragansett Bay and Watershed Restoration Bond Fund",  
32 after due notice, are hereby adopted and filed with the Secretary of State on  
33 \_\_\_\_\_, \_\_\_\_\_ and shall become effective twenty (20) days thereafter, in  
34 accordance with the provisions of Chapters 42-35,42-17.1 and 42-17.6 of the General Laws of Rhode  
35 Island of 1956, as amended.

36 \_\_\_\_\_  
37 Janet L. Coit., Director

1 Department of Environmental Management

2 Notice ~~g~~Given on: \_\_\_\_\_

3 Hearing held on: \_\_\_\_\_

4 Effective Date: \_\_\_\_\_

5 ERLID Number: \_\_\_\_\_

6

7