

2023 -- S 0502 SUBSTITUTE A

LC002118/SUB A

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO WATERS AND NAVIGATION -- FRESHWATER LAKE MANAGEMENT PROGRAM

Introduced By: Senators Sosnowski, F. Lombardi, DiMario, Miller, Euer, and Felag

Date Introduced: March 07, 2023

Referred To: Senate Environment & Agriculture

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 46 of the General Laws entitled "WATERS AND NAVIGATION" is
2 hereby amended by adding thereto the following chapter:

3 CHAPTER 33

4 FRESHWATER LAKE MANAGEMENT PROGRAM

5 **46-33-1. Legislative findings and purpose.**

6 Rhode Island's freshwater resources provide great benefits to the citizens of Rhode Island,
7 including, but not limited to, a variety of recreational opportunities, mitigation of flooding and
8 provision of habitat for wildlife and plants. Conditions in many Rhode Island lakes and ponds and
9 associated tributary rivers and streams are threatened or degraded by the growth of aquatic invasive
10 plants, harmful algal blooms, nutrient enrichment and other water pollution problems. Restoring
11 conditions in the state's freshwater resources is essential to sustaining the valuable ecosystem
12 services they provide. It is in the best interest of the state and its citizens to preserve, protect and
13 restore Rhode Island's freshwater lakes and ponds through the establishment of a state lake
14 management program to facilitate coordination of state and local lake management actions and
15 provide technical and financial assistance.

16 **46-33-2. Definitions.**

17 As used in this chapter, unless the context indicates otherwise:

18 (1) "Aquatic invasive species" means those invasive species that inhabit water resources

1 including lakes, ponds, rivers and streams.

2 (2) "Coordination" means to harmonize in a common action or effort and/or to function in
3 a complementary manner.

4 (3) "Department" means the Rhode Island department of environmental management.

5 (4) "Invasive species" means an alien species whose introduction does or is likely to cause
6 economic or environmental harm, or harm to human health.

7 (5) "Lake" or "pond" means a place, natural or manmade, located wholly or partly within
8 the State of Rhode Island, where open standing or slowly moving water shall be present for at least
9 six (6) months of the year.

10 (6) "Lake association" means an association, club or other organization, formed and
11 registered in Rhode Island, which has responsibility for stewardship and management of a
12 freshwater lake or pond.

13 (7) "Rhode Island lake management fund" means the fund established by § 46-33-4.

14 **46-33-3 Rhode Island lake management program – Established.**

15 (a) The department shall develop and implement a lake management program. The program
16 shall include the following elements:

17 (1) Field surveys and mapping to document the presence of aquatic invasive species in
18 freshwaters;

19 (2) Development and provision of guidance and technical assistance to lake associations,
20 watershed organizations and municipalities interested in undertaking lake management actions;

21 (3) Coordination of the implementation of lake management actions, where appropriate;

22 (4) Oversight of lake management policy and program development;

23 (5) Distribution of financial assistance for lake management, including control of aquatic
24 invasive plants, as resources allow; and

25 (6) Other activities consistent with the powers and duties assigned to the department in §
26 42-17.1-2(34).

27 (b) Upon receipt of funding in the Rhode Island lake management fund, the department
28 shall establish procedures and rules for the distribution of lake management grants consistent with
29 the following provisions:

30 (1) Entities eligible to apply for assistance shall include lake associations, watershed
31 associations, municipal governments and other nonprofit, non-governmental environmental and
32 conservation organizations.

33 (2) Projects involving lakes and ponds located wholly within a privately owned property
34 and that lack public access to the waterbody are not eligible for assistance.

1 (3) Projects involving lakes and ponds that lack public access, excepting those excluded in
2 subsection (b)(2) of this section, may be eligible to apply for financial assistance provided the
3 department determines that active management is necessary to protect publicly accessible
4 freshwater resources.

5 (4) Projects shall be solicited through a publicly advertised process.

6 (5) Projects shall require a matching contribution of funds.

7 (6) Eligible projects are determined by the department to be technically sound and
8 appropriate to mitigate an existing aquatic invasive species management, water quality or aquatic
9 habitat concern.

10 (7) Funding is used to design and implement specific lake management actions.

11 **46-33-4 Rhode Island lake management fund – Established.**

12 (a) There is hereby established a restricted receipt account within the department of
13 environmental management to be called the Rhode Island lake management fund.

14 (b) The fund shall consist of any funds which the state may from time to time appropriate,
15 as well as money received as gifts, grants, bequests, donations or other funds from any public or
16 private sources.

17 (c) All funds, monies, and fees received pursuant to this section shall be deposited in the
18 lake management fund and shall be utilized by the department consistent with the purposes of this
19 chapter.

20 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO WATERS AND NAVIGATION -- FRESHWATER LAKE MANAGEMENT
PROGRAM

1 This act would establish the Rhode Island lake management program and a restricted
2 receipt account as a fund within the department of environmental management to aid with lake and
3 pond management issues relating to the control of aquatic invasive plants.

4 This act would take effect upon passage.

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