

Operating Procedures
Gould Island Restoration Advisory Board
07-August-2018

1. Mission Statement of Gould Island Restoration Advisory Board (RAB). The mission of the Gould Island RAB is to establish and maintain a forum with all stakeholders for the exchange of information in an open and interactive dialogue concerning the environmental restoration activities at Gould Island. The RAB will review technical documents and provide comments and advice to the U.S. Army Corps of Engineers (USACE), New England District (NAE), on the proposed environmental restoration activities.
2. Responsibilities of the RAB. Responsibilities of the RAB are as follows
 - a. Provide advice on environmental restoration issues to USACE and regulatory agencies.
 - b. Hold regularly scheduled meetings that are open to the public and held at convenient times and locations, normally after duty hours.
 - c. Prepare public notices to promote public participation in RAB meetings.
 - d. Review, evaluate, and provide comments to the New England District, USACE, on documents related to environmental restoration activities.
 - e. Identify applicable cleanup standards presented in the Comprehensive Environmental Response, Compensation, and Liability Act and other applicable city, county, state, and Federal law and recommend cleanup levels consistent with planned reuse.
 - f. Recommend priorities among Gould Island FUDS projects (note: Gould Island is currently only a HTRW project).
 - g. Record minutes of RAB meetings and make them available to interested parties.
 - h. Develop RAB mission statement and operating procedures.
 - i. Provide a representative on the project delivery team (PDT) during the technical project planning (TPP) process.
3. RAB Membership: RAB membership will consist of members from USACE, other Federal, State, and local regulatory agencies, and the local community. RAB membership will reflect the diversity of the community.
 - a. Community members may be drawn from, but are not limited to, the local community (including residents; various local government agencies; businesses; school districts; local environmental groups (including activist groups); civic/public interest organizations; religious groups; local regulatory agencies; Homeowners Associations; the medical community; the economically disadvantaged; African-American, Native American, Hispanic, and other minority groups; other state and Federal governments; trustees; and local and tribal governments). Community members will provide information, seek independent technical advice when

appropriate and feasible, communicate public concerns to the RAB, and provide information and progress reports to the public.

b. Other RAB members will be as follows:

(1) USACE Co-Chair. Responsibilities of the USACE Co-Chair (i.e., the project manager (PM) or some other, higher-level USACE manager) are listed in paragraph 7a below.

(2) State Regulatory Agencies. Responsibilities of the state regulatory agency member(s) are listed in paragraph 7d below.

4. RAB Formation. General guidelines applicable to the formation of a RAB are as follows:

a. A RAB will consist of no more than 30 members.

b. A selection panel made up of community members will recommend RAB members to the USACE New England district Commander for approval.

c. RAB members will serve a 2 year term. RAB members may submit an application to serve another term (not to exceed 4 years) when their first term has been completed. Total service for any person or stakeholder exceeding 4 years will be allowed only if membership and potential members fall below 30 members.

d. A Community Co-Chair will be elected by the RAB members. The procedures for conducting this election are specified in paragraph 6 below. The Community Co-Chair will serve a 2-year term, with re-election limited to one additional term for a total of 4 years.

e. A Vice Community Co-Chair will be elected by the RAB members. The Vice Community Co-Chair will be the member receiving the second most votes during Co-Chair election. The Vice-Community Co-Chair may serve indefinitely provided they continue to be elected every 2 years. The Vice Community Co-Chair will assume the duties and responsibilities of the Community Co-Chair should the position be vacant, or should the Community Co-Chair have completed a 4-year term with no successor elected.

f. The PM or some other, higher-level USACE manager designated by the district Commander will serve as the USACE Co-Chair. If the USACE Co-Chair is unable to attend RAB responsibilities due to being deployed in support of USACE operations, a USACE district member will serve in the interim and assume responsibility until the Co-Chair's return.

5. RAB Meetings. RAB members will comply with the following meeting procedures:

a. Each community member will have one vote on the RAB's operating procedures in RAB meetings. Minutes of each RAB meeting will be recorded for inclusion in the Administrative Record.

b. Each RAB member will act individually in discussions, in providing comments on documents, and in providing advice to USACE. The RAB is not an advisory committee, as that

term is used in the Federal Advisory Committee Act. All advice will be offered by RAB members as individuals and is not to be construed as "consensus" advice.

c. Regular, on-time attendance is a requirement for continued RAB membership. The RAB will meet twice a year, or more frequently at the request of RAB members, or any other period specified in the RAB operating procedures. Members are expected to attend every meeting. After a member has missed two meetings without appropriate explanation, the USACE and Community Co-Chairs will send a 14-day written notice to the member requesting written explanation, within 14 days, of these absences and indicating that after three missed meetings, the RAB will assume that the member is no longer interested and will terminate his or her membership.

d. Member participation will follow a process similar to that presented in Robert's Rules of Order. An agenda will be followed at RAB meetings, with full and open discussions encouraged. A time for public comments or questions from the public on matters not included in the agenda will be held either at the beginning or near the end of the meeting. An effort should be made to complete the agenda, including public comments and questions, within one and one half hours. A Co-Chair will ask the members for a motion to adjourn and approval of such motion in order to end each meeting.

e. The RAB will encourage public participation. Co-Chairs, or other designated representatives, will respond to questions raised by the public. If sufficient information is not available to provide an accurate response at the meeting, the issue will be recorded in the meeting transcript. A written response to all issues raised will be provided. The response provided will be an agenda item for discussion at the next regularly scheduled meeting. All public comments will be considered by the RAB and recorded in the meeting transcript.

f. RAB community members must have prior approval of the RAB before speaking for the RAB during press interviews or other public relations activities.

g. When a RAB member is unable to participate in RAB meetings, the member should submit a written resignation to a RAB co-chairperson. Resigning members may nominate new members to replace themselves. Replacement members will also be sought from those individuals who were notified of their non-selection when they reflect the diversity of the community.

h. A Procedures Committee will be established to resolve issues regarding compliance with the operating procedures and to accept proposals from RAB members to change the procedures. This committee will be composed of the two Co-Chairs and Vice Community Co-Chair.

i. A Technical Review Committee, consisting of a committee chairperson and between two and four other RAB members, will be established to review USACE draft technical documents and consolidate RAB comments on said documents. The committee chairperson may attend project meetings which discuss the technical planning process.

j. A Community Outreach Committee, consisting of a committee chairperson and two-four other RAB members, will be established to facilitate the spread of project progress and information to the local community. Requests to speak with media or journalists on behalf of the RAB should be sent to this committee, which will then forward the request to the Co-Chairs. The

Committee should consider additional methods to conduct public outreach and, upon receiving the approval of the Co-Chairs, should implement public outreach projects.

k. Election of the Community Co-Chair will occur by vote during the first RAB meeting. The procedures for conducting the election are listed in paragraph 6 below.

l. Disputes within the RAB will be resolved by means of a three-step process. First, the RAB Co-Chairs will attempt to resolve the issue. When these efforts are not successful, an independent facilitator may be brought in to resolve the issue. Disputes which cannot be resolved by the Co-Chairs or a facilitator may be formally presented to the USACE district Commander for resolution.

m. A quorum of RAB members must be present in order to hold a RAB meeting. A quorum is defined as both Co-Chairs, one regulatory agency member (which may be USACE or RIDEM), and a minimum of 10 of the remaining RAB members.

6. Election of Community Co-Chair. An election will be held in June every two years to elect a Community Co-Chair. The DOD Co-Chair will solicit volunteers at least two weeks prior to the vote. Community Co-Chair will be elected by a majority vote of the community RAB members present at the meeting, by written ballot. The USACE Co-Chair will count the written ballots and announce the results at the within one week of voting. The Co-Chair elect will assume the position at the following RAB meeting.

7. RAB Member Responsibilities.

a. Responsibilities of the USACE Co-Chair are as follows:

- (1) Coordinate with the Community Co-Chair to prepare and distribute an agenda prior to each RAB meeting.
- (2) Communicate with all RAB members regarding environmental restoration activities at Gould Island.
- (3) Publicly announce RAB meetings at least 15 days prior to and on the day preceding the meeting dates.
- (4) Ensure that USACE participates in an open and constructive manner.
- (5) Ensure that RAB members are educated and trained regarding their responsibilities as a member of the RAB.
- (6) Ensure that the RAB is provided access to documents for its review and comment. Ensure that an adequate review period is allowed for the RAB members. Ensure that documents distributed to the RAB are also made available to the public in the information repository.
- (7) Maintain a mailing list of interested and affected parties in the environmental restoration activities at Gould Island.
- (8) Ensure that adequate administrative and technical support is provided to the RAB.

- (9) Ensure that community issues and concerns related to environmental restoration activities are addressed when raised.
 - (10) Ensure that the RAB is fully informed during all phases of the environmental restoration process and that it has opportunities to participate in advising decision makers before final decisions are made.
 - (11) Provide all relevant guidance documents to the RAB to enhance the operation of the RAB.
 - (12) Report back to the USACE district and refer issues not related to environmental restoration to appropriate officials for action.
 - (13) Ensure that the RAB is represented on the PDT during the TPP process.
 - (14) Ensure that any significant documentation generated by the RAB meets the regulatory requirements set forth in the ER 200-3-1, chapter 9.
 - (15) Ensure that RAB meeting minutes summarizing topics discussed are prepared and made available, at a minimum, in the information repository.
 - (16) Ensure that information on activities related to the RAB is documented and made available in the information repository.
 - (17) Ensure that RAB input is considered in decisions regarding response activities, and information about the RAB is included in the Administrative Record.
 - (18) Ensure that all RAB meetings are open to the public and announced to the public via public notice.
- b. Responsibilities of the Community Co-Chair are as follows:
- (1) Coordinate with the USACE Co-Chair and the RAB members to prepare and distribute an agenda prior to each RAB meeting
 - (2) Coordinate, as required, with the USACE Co-Chair to ensure that RAB questions and concerns are answered in an appropriate and timely manner
 - (3) Encourage open and constructive community participation at RAB meetings.
 - (4) Ensure that RAB members are trained regarding their responsibilities as RAB members.
 - (5) Communicate with RAB members regarding environmental restoration activities.
 - (6) Ensure that community issues and concerns related to environmental restoration are adequately addressed and that relevant information is communicated back to the community.

- (7) Assist in the dissemination of information to the general public.
 - (8) Serve without compensation.
 - (9) Serve as working liaison with the Town of Jamestown regarding RAB and South Gould Island issues.
 - (10) Attend NAVSTA Newport RAB meetings and coordinate with the Newport RAB and the Navy on areas of common interest regarding Gould Island.
 - (11) Insure the flow of information between the RAB, Town of Jamestown, RIDEM and other stakeholders in the restoration of South Gould.
- c. Responsibilities of the Vice Community Co-Chair are as follows:
- (1) Assume the duties of Community Co-Chair should the Co-Chair be unavailable for any reason.
 - (2) Serve as the presumed Community Co-Chair should there be no interest from any RAB members in seeking election when the Co-Chair's 4-year term limit.
 - (3) Remain actively engaged with both Co-Chairs.
- d. Responsibilities of RAB community members are as follows:
- (1) Attend RAB meetings as required by the RAB operating procedures.
 - (2) Provide advice on environmental restoration activities to decision makers.
 - (3) Communicate community interests and concerns to the RAB.
 - (4) Serve as a conduit for the flow of information among the community, the USACE district, and other involved Federal, state, and local agencies regarding the environmental restoration issues at Gould Island.
 - (5) Review, evaluate, and provide comments on documents related to environmental restoration activities.
 - (6) Serve without compensation.
 - (7) Ensure that all RAB discussions are constructive and courteous.
- e. Responsibilities of state regulatory agency member(s) are as follows:
- (1) Attend RAB meetings as required by RAB operating procedures.
 - (2) Serve as an information, referral, and resource bank for the community, the USACE district, and other involved Federal, state, and local agencies regarding environmental restoration activities at Gould Island.

- (3) Review and provide comments on documents and other materials related to environmental restoration activities.
- (4) Ensure that state environmental standards and regulations are identified and addressed by USACE.
- (5) Facilitate flexible and innovative resolutions of environmental issues and concerns.
- (6) Assist in the training of RAB members.

8. Amendments to RAB Operating Procedures. Amendments to RAB operating procedures may be made with a three-fourths majority vote of a quorum of all RAB members present during the meeting when the vote occurs. Proposed amendments will be referred to a Procedures Committee for evaluation and recommendations. Proposals will be voted on by all RAB members after they receive the Procedures Committee's written recommendations. These recommendations will be provided to the RAB members at least 20 days prior to the meeting in which the proposed amendments will be addressed.