



Oliver Stedman Government Center
4808 Tower Hill Road, Suite 116
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401-783-3370

**PUBLIC NOTICE for PROPOSED RULE-MAKING and
PUBLIC HEARING**

**Proposed Amendments to the Coastal Resources Management Program
Management Procedures – Section 5.9 Presentation of Expert and Lay Testimony**

Pursuant to Chapter 46-23 of the State of Rhode Island General Laws, as amended, the Coastal Resources Management Council proposes to amend and take public comment on the following sections only of the Coastal Resources Management Program (CRMP): **Management Procedures - Section 5.9 Presentation of Expert and Lay Testimony**. Comments will not be taken on any other section of the Coastal Resources Management Program during this notice period. In accordance with the procedures of the RI Administrative Procedures Act (R.I.G.L. § 42-35-3) and the Rules and Regulations of the Coastal Resources Management Council, notice is hereby given of the intent of the Coastal Resources Management Council to hold a public hearing, accept public comment, and afford interested persons reasonable opportunity to submit data, views or arguments orally or in writing during the 30-day comment period and the public hearing.

The **public hearing** will be held at **6:00 p.m. on Tuesday, February 9, 2016 in Conference Room A at the Department of Administration, One Capitol Hill, Providence, RI**. The room is accessible to the disabled and persons requesting interpreter services for the hearing impaired must notify the Council office at 401-783-3370 or RI 711 at least three (3) business days in advance of the hearing date so that such assistance can be provided at no cost to the person requesting.

Summary of Proposed Amendment to Management Procedures – Section 5.9:

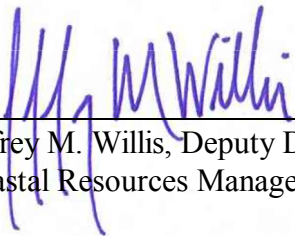
The purpose of the proposed regulation change to Section 5.9 Presentation of Expert and Lay Testimony of the CRMC Management Procedures is to codify and provide due notice to applicants and other parties that the introduction of new evidence, reports or data at a Council or subcommittee hearing may result in the rescheduling of the hearing. The proposed rule change will incentivize applicants to provide all pertinent evidence, reports or data to the Council or subcommittee prior to the hearing so that the Council or subcommittee can efficiently hear and process pending applications in a timely manner. The introduction of new materials by the applicant at a hearing only causes delays for the applicant, and sometimes objections from other parties, which unnecessarily lengthens the time to issue a final decision.

The Council has complied with the requirements of R.I. General Laws §§ 42-35.1-3 and 42-35.1-4 and has filed copies of the proposed regulations with the Governors Office and the Office of Regulatory Reform of the Department of Administration's Office of Management and Budget. The Council has determined that the proposed regulations do not overlap or duplicate any other state regulation and will not have any adverse effect on small businesses.

The proposed regulations are available on the CRMC website – www.crmc.ri.gov. Additionally, the proposed regulations can be reviewed in person at the Coastal Resources Management Council offices located at the Oliver Stedman Government Center, 4808 Tower Hill Road, Wakefield, RI. Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370.

All interested persons are invited to submit written comments on the proposed amendments to Section 4.3 of the CRMC Management Procedures on or before **January 28, 2016** to provide advance notice to the Council prior to the public hearing. All such comments should be directed to Grover J. Fugate, Executive Director, at the above address.

Signed this 27th day of December, 2015



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

Proposed Amendments

RI Coastal Resources Management Program – Management Procedures

Revise existing Section 5.9 Presentation of Expert and Lay Testimony as follows:

(Unaltered text is existing text in Section 5.9, while new text is **underlined** and deleted text is **~~strikethrough~~**)

5.9 Presentation of Expert and Lay Testimony

All parties to an application shall provide a list of all expert and lay witnesses it intends to present, as well as the subject matter **and materials** on which the witness is expected to testify to the Council or subcommittee after completion of the CRMC staff reports and not less than five (5) business days prior to the scheduled hearing. **The introduction at the hearing of any new evidence, reports, or data may result in a delay and rescheduling of the hearing.**