

**RHODE ISLAND GOVERNMENT REGISTER
PUBLIC NOTICE OF PROPOSED RULEMAKING**

COASTAL RESOURCES MANAGEMENT COUNCIL

Title of Rule: RI Coastal Resources Management Program - MetroBay SAMP - Urban Coastal Greenways

Rule Identifier: 650-RICR-20-00-5

Rulemaking Action: Direct Final Amendment

Important Dates:

Date of Public Notice: 08/22/2018

End of Public Comment: 09/21/2018

Authority for this Rulemaking:

RIGL 46-23 et. seq.

Coastal Zone Management Act 16 U.S.C. §§ 1451 through 1464

Summary of Rulemaking Action:

The purpose of these regulations is to provide a concise set of coastal development regulations for properties located within the Metro Bay Region SAMP boundary that are predictable and provide developers with several options for coastal buffers to promote economic development and coastal resource protection. The purpose of this amendment is to reformat the Metro Bay Region SAMP in accordance with the new uniform code of state regulations, called the Rhode Island Code of Regulations ("RICR"), consolidate and integrate desirable elements of the Providence Harbor SAMP, and to make other non-technical changes. There are no substantive changes to the existing regulations. Reformatting of the regulation in accordance with RICR includes, but is not limited to, renumbering, moving of definitions, movement of text, and elimination of duplicative or non-regulatory text, among other format changes. A summary of changes between current and proposed regulation by section is as follows:

- Add new § 5.1(B) to highlight federal Coastal Zone Management Act authority for implementation of Special Area Management Plans
- Add new § 5.1(C) to further clarify the purpose of the consolidated rules
- Add new § 5.3 as a consolidation of Metro Bay Region policies
- Add new § 5.3.1 to account for Providence Harbor SAMP prohibitions
- Add new § 5.3.2 to account for specific Providence Harbor policies

- Clarify applicability of roadway projects at § 5.5(C)(1)(a)(2)(CC)
- Clarify status of the compensation option at §§ 5.4(C)(3), 5.5.1(B)(5), 5.8(C)(3)(b)(2), 5.8(C)(4)(a)(4), and 5.9(B)(4)(a)

Additional Information and Comments:

If no formal objection is received on or before September 21, 2018, Coastal Resources Management Council will file the Amendment without opportunity for public comment..

Objections should be addressed to:

James Boyd,
Coastal Resources Management Council
RI Coastal Resources Management Council
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Regulatory Analysis Summary and Supporting Documentation:

In the development of the proposed adoption consideration was given to: (1) alternative approaches; (2) overlap or duplication with other statutory and regulatory provisions; and (3) significant economic impact on small business. No alternative approach, duplication, or overlap was identified based upon available information. Additionally, the benefits of the proposed amendments justify any costs of the proposed rule, and the proposed amendments will achieve the objectives of the authorizing statute in a more cost-effective manner, or with greater net benefits, than other regulatory alternatives.

For full regulatory analysis or supporting documentation see agency contact person above.