

**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: Proposed Amendment

Important Dates:

Date of Public Notice: 10/09/2018

Hearing Date: 10/23/2018

End of Public Comment: 11/08/2018

Authority for this Rulemaking:

RIGL 46-23 et. seq.

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. In 2016, the legislature passed an amendment to R.I. Gen. Laws § 42-35-5(b) that required the Secretary of State to oversee the publication of an updated uniform code of state regulations. 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:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until November 8, 2018 by contacting the appropriate party at the address listed below:

James Boyd
Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879
jboyd@crmc.ri.gov

Public Hearing:

A public hearing, in accordance with R.I. Gen. Laws § 42-35-2.8, to consider the proposed amendment shall be held on October 23, 2018 at 6:00 pm at Department of Administration, Conference Room A, One Capitol Hill, Providence, RI 02908 at which time and place all persons interested therein will be heard. The seating capacity of the room will be enforced and therefore the number of persons participating in the hearing may be limited at any given time by the hearing officer, in order to comply with safety and fire codes.

The place of the public hearing is accessible to individuals who are handicapped. If communication assistance (readers/interpreters/captioners) is needed, or any other accommodation to ensure equal participation, please call 401-783-3370 or RI Relay 711 at least three (3) business days prior to the meeting so arrangements can be made to provide such assistance at no cost to the person requesting.

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.

