

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

COASTAL RESOURCES MANAGEMENT COUNCIL

Title of Rule: Management Procedures (650-RICR-10-00-1)

Rule Identifier: 650-RICR-10-00-1

Rulemaking Action: Proposed Amendment

Important Dates:

Date of Public Notice: 11/20/2020

Hearing Date: 12/08/2020

End of Public Comment: 12/21/2020

Authority for this Rulemaking:

R.I. Gen. Laws Chapter 46-23 et seq.

Summary of Rulemaking Action:

The CRMC proposes to amend its Management Procedures to reduce the application fee for small-scale, low cost projects within CRMC's jurisdiction, continue the application fee waiver for non-federal dredging projects associated with an Army Corps federal navigation maintenance project in the Providence River and Harbor, and to provide for an application fee waiver for coastal hazard resiliency projects as part of Army Corps federal funded projects. In addition, the CRMC proposes changes to correct existing text and citations as summarized below. 1. Amend § 1.4.6(A)(5) to provide further clarification that reviews conducted for inland activities (§ 20-00-1.3.3) are considered under all other projects, as per long-standing agency practice, in which the estimated project cost (EPC) is used to determine the appropriate application fee; 2. Add new § 1.4.6(A)(5)(a)(1) to provide for new lower application fee of \$25 for projects with an EPC less than or equal to \$500; 3. Amend § 1.4.6(A)(5)(a)(2) to assign the current \$50 application fee for projects with an EPC greater \$500 and less than or equal to \$1000; 4. Amend § 1.4.6(A)(22) to provide for the continuation of an application fee waiver for non-federal dredging projects associated with an Army Corps federal maintenance navigation project in the Providence River and Harbor; 5. Amend § 1.4.6(A)(24) to correct a non-RICR compliant regulation citation; 6. Amend § 1.4.6(A)(25) to correct a non-RICR compliant regulation citation; and 7. Add new § 1.4.6(A)(26) to provide an application fee waiver for coastal hazard resiliency projects associated with Army Corps federal funded projects.

Additional Information and Comments:

All interested parties are invited to request additional information or submit written or oral comments concerning the proposed amendment until December 21, 2020 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 Wakefield
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 December 8, 2020 at 6:00 pm at Zoom online meeting:<https://us02web.zoom.us/j/86889818919?pwd=86889818919>, Webinar ID: 868 8981 8919 Passcode: 873539, 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free), Wakefield, RI 02879 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:

The proposed amendments will provide a lower application fee for small scale, low cost projects, and will provide for application fee waivers for non-federal dredging projects and coastal hazard resiliency projects that are associated with Army Corps funded projects. In addition, the proposed amendments will correct existing text and regulatory citations. The proposed regulations do not impose any new requirements on regulated entities including any small businesses or any city or town; therefore, there is no adverse economic impact. In consideration of the alternatives the CRMC has determined that there is no alternative approach among the alternatives considered that would be as effective and less burdensome to affected private persons as another regulation based on available information. In addition, there are no other state regulations which are overlapped or duplicated by the proposed regulation. The CRMC has determined that the benefits of the proposed rule justify the costs of the proposed rule, and that the proposed rule will achieve the objectives of the authorizing statute in a more cost-effective manner and with greater net benefits than other regulatory alternatives.

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