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From: blofgren@crmc.ri.gov
Sent: Tuesday, October 1, 2024 3:56 PM
To: 'Mike Jarbeau'
Subject: RE: Comments on Administrative Penalty Matrix

Mike,

Thank you for taking the time to review the proposed rulemaking for the Administrative Penalty Matrix and for providing comments. The Administrative Penalty Matrix has been an ongoing initiative for CRMC since 2021 and we are pleased to have Save the Bay's support.

I have reviewed the Save the Bay comments dated September 13, 2024 with the CRMC Enforcement team. CRMC Staff agree that the length of time during which a violation or noncompliance issue persists should be considered. However, CRMC Staff already address this in our existing and proposed regulations and in practice. When appropriate, a fine is assessed and issued early in the process after a noncompliance issue is discovered. As part of the violation resolution process, CRMC staff then provide clear timelines and milestones to resolve a noncompliance issue. If timelines or milestones are not met, CRMC Staff routinely issue additional fines to ensure a violation is resolved in a timely manner. Therefore, failure to comply with a set timeline often results in larger fine amounts due to this existing practice.

The proposed language by Save The Bay appears to suggest that CRMC should determine how long a noncompliance has been occurring when initially issuing a fine. We do not recommend including this because it is often difficult to determine when a violation occurred, and the violation may have been the actions of a previous owner of the property of which the current owners are unaware. Therefore, CRMC considers its existing and proposed regulations and practices to be sufficient and a more appropriate way to address the length of time a noncompliance issue remains unresolved.

CRMC again thanks you for your support of the proposed regulation change and for the thoughtful comments. I will be providing these comments to the Council for their consideration as they deliberate and consider adoption of the proposed rulemaking.

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From: Mike Jarbeau <mjarbeau@savebay.org>
Sent: Thursday, September 12, 2024 12:50 PM
To: blofgren@crmc.ri.gov; cstaff1@crmc.ri.gov
Cc: Policy Staff <policystaff@savebay.org>
Subject: Comments on Administrative Penalty Matrix

Good afternoon, please find attached STB's comments. Thank you.

Mike Jarbeau

Narragansett Baykeeper, Save The Bay

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