

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, Section § 42-35-2.6 of the General Laws of Rhode Island, following is a concise explanatory statement:

AGENCY: Agricultural Lands Preservation Commission

DIVISION: N/A

RULE IDENTIFIER: 505-RICR-00-00-1

RULE TITLE: Rules and Regulations of the Agricultural Lands Preservation Commission

REASON FOR RULEMAKING: The purpose of the rules is to establish standard operating procedures for the Agricultural Lands Preservation Commission. The reasons for amending these rules are to: 1) remove provisions that would be better suited in a guidance document; 2) update the scoring system; and 3) allow for greater flexibility in the administration of the program so that staff resources may be used more efficiently.

ANY FINDING REQUIRED BY LAW AS A PREREQUISITE TO THE EFFECTIVENESS OF THE RULE(*if any*): N/A

TESTIMONY, COMMENTS, AND OBJECTIONS: See attached Report on Comments Received.

CHANGE TO TEXT OF THE RULE:

1. Deleted rules on Meetings and Officers
2. Revised rule on Application Procedures
3. Added that the Commission may adjust scoring to account for orchards and other specialty crops
4. Deleted the requirement that soils evaluation must use “an approved soils evaluation system developed by the USDA”
5. Added point values for criterion scores
6. Revised section on Agricultural Operation and Viability
7. Deleted specific descriptions of criteria pertaining to Open Space, Cultural, and Scenic Features
8. Deleted Relative Development Pressure as a scoring criterion
9. Deleted State and Local Plans as a scoring criterion

10. Added criterion for demonstrated local and/or conservation organization support
11. Revised criteria for selecting applicants for negotiation
12. Allows the Commission to authorize staff to conduct negotiations
13. Changed compliance reviews may be conducted by a “funding partner” to compliance reviews may be conducted by a “suitable entity”

REGULATORY ANALYSIS: N/A