



## Memorandum

To: Jennifer Cervenka, CRMC Chair and Council members

From: James Boyd, CRMC Coastal Policy Analyst

Date: January 7, 2020

Re: **Management Procedures - 650-RICR-10-00-1** – Proposed amendments for Council consideration

Following the August 27 and September 24, 2019 CRMC Planning & Procedures Subcommittee meetings, the CRMC issued a public notice for rule-making on November 22, 2019 for proposed amendments to the CRMC Management Procedures. The Council held a public hearing in this matter on December 10, 2019 in conformance with R.I. Gen. Laws § 42-35-2.8. No public testimony was offered at the December 10 public hearing. The public comment period closed on December 23, 2019 and one set of written comments, dated December 9, 2019, were received from Save The Bay (STB), which were electronically distributed to Council members on December 11, 2019. STB indicates in their comments that “[w]e support the proposed amendments to the Management Procedures of the Coastal Resources Management Council and appreciate working cooperatively with the Council in furtherance of changes to promote public notice of the issues and transparency in the Council process.”

The CRMC and STB collaboratively worked on proposed changes to the Management Procedures starting in June 2019 with the resulting amendments publicly noticed. STB’s December 9 letter, however, suggests twenty-seven (27) new amendments that were not previously submitted by STB. CRMC staff have notified STB that their newly proposed amendments cannot be considered by the Council at this time because they have yet to be reviewed and considered by the CRMC Planning & Procedures Subcommittee and the Office of Regulatory Reform, and publicly noticed. STB has indicated that they will submit the proposed Management Procedure amendments for CRMC review at a later date. Accordingly, CRMC staff recommends that the Council not consider the STB comments concerning newly proposed amendments and that the Council adopt the proposed Management Procedure amendments as publicly noticed on November 22, 2019.

In addition, as noted by Vice Chairman Coia at the December 10, 2019 public hearing, existing § 1.2(B) of the Management Procedures incorrectly states that a quorum of the Council consists of seven (7) members. The correct number is six (6) as currently specified by R.I. Gen. Laws § 46-23-4. Therefore, CRMC staff recommends that the Council incorporate this change for consistency with state law as part of any motion to approve the proposed amendments.