

CONCISE EXPLANATORY STATEMENT

In accordance with the Administrative Procedures Act, R.I. Gen. Laws § 42-35-2.6, following is a concise explanatory statement:

AGENCY: RI Water Resources Board

RULE IDENTIFIER: *490-RICR-00-00-7 (ERLID 2369)*

RULE TITLE: Water Quality Protection Charges

REASON FOR RULEMAKING: The regulation prescribes procedures and requirements for the imposition, collection, remittance and distribution of the water quality protection charge authorized by R.I. Gen. Laws Chapter 4615.3, as amended.

The proposed changes to the existing rule allow for reimbursements to suppliers for eligible land acquired since funding became available at the Rhode Island Infrastructure Bank (March 1, 2015) but there was no mechanism to distribute the funds to the eligible applicants. In addition, the requirement to spend the 55% funds first is removed.

Specifically;

Part 7.5 (A) 1: The proposed change does not impact the minimum requirements for land acquisition/protection (55%) or the maximum allowed for other water quality projects (45%). It removes the requirement that land acquisition funds be spent first.

Part 7.6 (D): New language would allow for reimbursements of eligible projects.

Part 7.7 (A)(3)(c): Eliminates the requirement for board approval of the appraisal prior to the applicant entering into a purchase and sale contract. This requirement cannot be met for a reimbursement.

Part 7.7(A)(4): Adds a new section to require sufficient documentation for reimbursements.

TESTIMONY AND COMMENTS: No comments or objections were received

CHANGE TO TEXT OF THE RULE: There is no change in the text of the final rule as compared to the proposed rule published in the public notice.

REGULATORY ANALYSIS: The changes amend an existing regulation, are not substantive and do not result in any changes to the mandates. Societal benefits include assistance to public water systems in obtaining and delivering potable water to meet present and future needs throughout the state of Rhode Island. In amending this rule, 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 on available information and there is no impact on small business.