

2013 -- S 0899

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

SENATE RESOLUTION

RESPECTFULLY REQUESTING THE DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT TO AMEND ITS ADMINISTRATIVE REGULATIONS FOR  
ENVIRONMENTAL MATTERS

Introduced By: Senators Miller, Jabour, Ciccone, Metts, and Ruggerio

Date Introduced: May 02, 2013

Referred To: Senate Environment & Agriculture

1           WHEREAS, Rhode Island's bays, rivers, and watersheds are desirable, attractive places  
2 to live, work, and play, with clean water, exceptional beaches, abundant public access, thriving  
3 living resources, and vital harbors and waterfronts; and

4           WHEREAS, Through our support of our ports and bays, Rhode Island businesses that  
5 rely upon aquatic resources and/or waterfronts will thrive and have the opportunity to grow  
6 sustainably; and

7           WHEREAS, The Rhode Island Port Marketing Collaborative Act of 2012 gathered state  
8 agencies and maritime stakeholders to develop and maintain a strategic plan for the state's vital  
9 ports, facilities, and maritime trades, with a special focus on job creation; and

10          WHEREAS, It is the policy of the state to promote a growing maritime economy, to  
11 prevent economic stagnation, and to encourage the creation of new job opportunities, while  
12 preserving and maintaining our valuable natural resources; and

13          WHEREAS, As we continue to assess and protect the environmental assets of our state,  
14 we simultaneously protect and enhance all Rhode Islanders' quality of life and environmental  
15 health for our great state; and

16          WHEREAS, In 2007, the General Assembly recognized the need to preserve and protect  
17 the state's waters and passed the Smart Development for a Cleaner Bay Act of 2007; and

18          WHEREAS, As a result of the Act, the Rhode Island Department of Environmental  
19 Management and Coastal Resources Management Council became nationally recognized leaders

1 in the development of the Rhode Island Storm Water Design and Installation Manual of 2010;  
2 now, therefore be it

3 RESOLVED, That this Senate of the State of Rhode Island and Providence Plantations  
4 hereby respectfully requests that the Rhode Island Department of Environmental Management  
5 review its current practices and policy of issuing an automatic stay of a Notice of Violation  
6 (NOV), while an individual or business pursues administrative remedies following an  
7 environmental pollutant matter; and be it further

8 RESOLVED, That this Senate respectfully requests that the Rhode Island Department of  
9 Environmental Management amend its administrative regulations pertaining to *Administrative*  
10 *Rules of Practice and Procedures for the Administrative Adjudication Division for Environmental*  
11 *Matters* to include specific language related to issuance of automatic stays, including, but not  
12 limited to: 1) Issuing specific timelines; and 2) Establishing practices consistent with protecting  
13 the environmental interests of the Ocean State; and be it further

14 RESOLVED, That the Secretary of State be and hereby is authorized and directed to  
15 transmit duly certified copies of this resolution to the Governor of the State of Rhode Island, the  
16 Director of the Department of Environmental Management, and the Executive Director of the  
17 Coastal Resources Management Council.

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