



RHODE ISLAND
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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June 12, 2024

The Honorable Stephen M. Casey
Chairman
House Committee on Municipal Government and Housing
82 Smith Street
Providence, Rhode Island 02903

RE: H 8207 An Act Relating to State Affairs and Government – Farmland Preservation Act

Dear Chairman Casey,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on H 8207, which would clarify an existing law regarding the treatment of agricultural operations with frontage on a public roadway by water and sewer utilities. DEM supports the concept in this bill but recommends that an amendment be made to it.

R.I. Gen. Laws § 42-82-16 prohibits any city, town, quasi-municipal corporation, or public corporation from assessing the owner of an agricultural operation having frontage on a public roadway for the extension of water and sewer utilities past the property. This law benefits farmers and owners of other agricultural operations by ensuring that they are not responsible for covering the cost of extending water and sewer lines running by their property to serve other customers. H 8207 proposes to amend the law to articulate more clearly that water utilities are prohibited from assessing any type of fee on the owner of an agricultural operation when extending water utilities past the property. DEM recommends that the language found on page 1, lines 12-15 be removed from the bill. We do not believe that this provision is necessary to implement the remainder of the proposed legislation.

We appreciate the opportunity to offer comments on this legislation and would be pleased to make ourselves available as needed. Please feel free to contact Ken Ayars, Chief of the DEM Division of Agriculture and Forest Environment, at ken.ayars@dem.ri.gov should you have any additional questions or wish to discuss this matter further.

Sincerely,

Terrence Gray, P.E.
Director

cc: Members of the House Committee on Municipal Government and Housing
The Honorable Charlene Lima
Nicole McCarty, Chief Legal Counsel to the Speaker of the House
Lynne Urbani, House Policy Director