



Conservation
Law Foundation

For a thriving New England

CLF Rhode Island 235 Promenade Street
Suite 560, Mailbox 28
Providence, RI 02908
P: 401.351.1102
F: 401.351.1130
www.clf.org

Via Electronic Mail

April 9, 2024

The Honorable Evan P. Shanley
Chair, House Committee on State Government and Elections
Room 101, State House
Providence, RI 02903

RE: CLF **Supports** House Bill No. 8148 – Coastal Resources Management Council

Dear Chair Shanley:

Thank you for the opportunity to provide testimony on House Bill No. 8148, which would replace the Coastal Resources Management Council (“CRMC”) with a state department of coastal resources and make several key changes to the structure and operation of the new agency. Conservation Law Foundation (“CLF”) supports this bill and wishes to thank its sponsors for their attention to this important issue.

CLF is a member-supported non-profit environmental advocacy organization working throughout New England to counter climate change, restore the health of our oceans, embolden new energy infrastructure, and safeguard health, quality of life, and economic prosperity for future generations. We have a long history of working on issues related to coastal resiliency and the management of coastal resources.

The work of the CRMC is critical. The agency is charged with protecting the coastal environment, ensuring public access to and along the shoreline, enforcing coastal laws, and managing coastal development. These responsibilities are enormously important to the Ocean State, and will only become more important as Rhode Island contends with sea level rise and other climate impacts like coastal erosion, storm surge, increased storm intensity, more frequent heavy rain events, and flooding. As a coastal state, and one of the fastest-warming states,¹ Rhode Island is on the front lines of the climate crisis.

Importantly, the CRMC does not run like a normal administrative agency. Instead, it has an outdated structure that lacks accountability, invites abuse, and causes delays in permitting coastal development. The cornerstone of that problematic structure is the Council itself. The 10-member Council has vast decision-making powers, but its members are politically appointed volunteers

¹ Rhode Island is the 9th fastest-warming state, having experienced 2.84°F of warming between 1970 and 2018. Climate Central, *American Warming: The Fastest-Warming Cities and States in the U.S.* (2019), available at <https://www.climatecentral.org/news/report-american-warming-us-heats-up-earth-day>.



who are not required to have expertise in coastal matters. H-8148 would remove the Council, and restructure CRMC as a normal state agency led by a director who is ultimately responsible for agency actions—just like, for example, the Department of Environmental Management.

The bill also establishes a community advisory committee to provide the newly created department with community input on policy initiatives and program improvements; provides for the hiring of legal counsel employed directly by the department, as opposed to hiring outside counsel as the CRMC currently does; and reforms the process for appointing hearing officers. These are all beneficial reforms that will lead to more effective and consistent enforcement of the laws governing Rhode Island's coastal resources.

With climate change causing rapid changes to our coast, Rhode Island deserves a coastal agency that is up to the task of protecting and restoring coastal resources, managing competing uses of the Bay, and operating transparently—free from avoidable political influence and conflicts of interest. The time has come to take meaningful action to reform the CRMC. CLF therefore respectfully urges passage of H-8148.

Thank you for your time and consideration of these comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Crowley", is written over a light blue horizontal line.

James Crowley
Staff Attorney
CLF Rhode Island

- cc: Members of the House Committee on State Government and Elections
Representative Terri Cortvriend
Representative Alex Finkelman
Representative Arthur Handy
Representative John Edwards
Representative Kathleen Fogarty
Representative Samuel Azzinaro
Representative Joseph McNamara
Representative June Speakman
Darrèll Brown, Vice President, Rhode Island, Conservation Law Foundation