



**RHODE ISLAND**  
**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**  
**OFFICE OF THE DIRECTOR**  
235 Promenade Street, Room 425  
Providence, Rhode Island 02908

March 25, 2026

The Honorable David A. Bennett  
Chairman  
House Committee on Environment and Natural Resources  
82 Smith Street  
Providence, Rhode Island 02903

**RE: H 7991 An Act Relating to Waters and Navigation – Coastal Resilience – Nature-Based Solutions for Erosion Control, Water Resource Management, and Expedited Permitting**

Dear Chairman Bennett,

Thank you for providing the Department of Environmental Management (DEM) the opportunity to comment on H 7991, which would direct DEM to implement an expedited permitting process for nature-based solutions. This letter is not intended as a position in support of or opposition to the bill, but offers technical comments intended to provide clarity in the bill.

H 7991 would direct DEM and the Coastal Resources Management Council (CRMC) to update existing rules, regulations, and permitting criteria to prioritize nature-based solutions, as defined in the legislation, and to incorporate expedited review procedures for qualifying projects. DEM, in consultation with CRMC and the Chief Resilience Officer, would serve as the central coordinating entity for expedited permitting to include accepting applications, coordinating review among state and municipal government, providing pre-application consultations, and tracking and reporting on expedited permitting activities. It would also set 30-day and 90-day deadlines for initial completeness determinations and permit decisions, respectively.

DEM has identified several aspects of the legislation that would pose implementation challenges:

1. Setting statutory deadlines for permit reviews to conclude can counterintuitively lengthen, rather than shorten, the review process. Permitting staff review projects to ensure they are consistent with established laws and regulations, and it is likely that an application will be denied if uncertainty about a proposed project remains when a deadline is nearing or reached. Instead of setting specific deadlines, we recommend that the legislation be amended to require that the covered agencies prioritize the identified projects within existing permit review processes.
2. The legislation would apply expedited permitting to certain types of projects rather than specific permitting programs (e.g. freshwater wetlands, stormwater, site remediation, etc.). This could prove problematic because there may be instances where nature-based solutions are not appropriate. For example, site remediation requirements are extremely site specific and nature-based solutions may be appropriate at one site, but entirely inappropriate at another. We recommend that the legislation identify specific permitting programs subject to its provisions.

3. The legislation is not entirely clear on the respective roles of DEM and CRMC (and other agencies). It is critical that laws which envision roles and responsibilities for multiple state agencies clearly delineate which agency is responsible for different tasks.
4. Requiring DEM to coordinate permit review between the relevant state agencies and municipalities will add unnecessary complexity to the review process. State and local permitting is often a separate and distinct process because the issues reviewed at each level of government differ. Municipalities typically consider a much broader set of issues in their review than does DEM, and it should not be DEM's responsibility to advise applicants about the specific permit requirements in each of the 39 municipalities.

We appreciate the opportunity to offer comments on this legislation and would be pleased to work with you to address the issues raised in this letter. Please feel free to contact Ryan Mulcahey, DEM Director of Legislative Affairs, at [ryan.mulcahey@dem.ri.gov](mailto:ryan.mulcahey@dem.ri.gov) should you have any additional questions or wish to discuss this matter further.

Sincerely,

A handwritten signature in cursive script that reads "Terrence Gray".

Terrence Gray, P.E.  
Director  
Department of Environmental Management

cc: Members of the House Committee on Environment and Natural Resources  
The Honorable Terri Cortvriend  
Nicole McCarty, Esq., Chief Legal Counsel to the Speaker of the House  
Lynne Urbani, House Policy Director