

Draft statewide wetlands rules on launchpad, but RIBA has issues

Under the proposal, some 23,000 additional acres would be regulated. See the full summary of the draft rules on page 35.

By Paul F. Eno *Editor*

The long-awaited draft of new, statewide freshwater-wetlands regulations is finally here, and it's receiving mixed reviews from members of the Rhode Island Builders Association when it comes to economic impact.

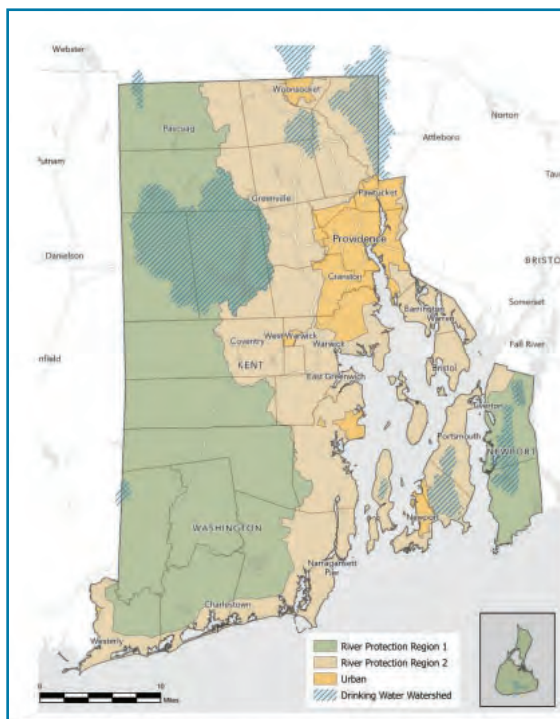
Members who spoke with *The Rhode Island Builder* expressed the view that the proposed rules need more work if they are going to effectively balance economic and environmental concerns -- and more time for stakeholders to review them.

A spokesman for the Rhode Island Dept. of Environmental Management (DEM), however, believes the draft regulations do the intended job.

"Protecting freshwater wetlands is critical to both our environmental and economic health in Rhode Island," said Deputy Director for Environmental Protection Terrance Gray.

"Wetlands provide critical flood-storage capacity, a natural filter that treats pollution from our wastewater and stormwater systems, habitat for all forms of wildlife in the state, and valuable environments for outdoor recreation. Wetlands protect our properties from flooding and help provide clean drinking water for our residents. The recreational values make Rhode Island a special, and very desirable, place to live and work," Mr. Gray stated.

"We believe the proposed regulations provide a



"Buffer Regions" as specified in the proposed statewide wetlands regulations. -Source RIDEM

balance between the benefits of environmental protection and the economic interests of land development. The regulations provide certainty and consistency on the standards for wetlands permitting across the state, provide more options for quicker, streamlined permitting for many common projects that meet standards, and provide better buffers for important wetlands areas to protect their functions and values."

see **WETLANDS...**page 35

In this issue: Signs for your jobsite

The State Building Office now requires that COVID-19 safety posters be visible to employees and visitors, including signage posted at all entrances to a jobsite. If there is no actual entrance, signs may be posted on porta johns. Once the permanent structure is built, posters must be displayed at the entrances while work continues. Contractors should expect random jobsite inspections for compliance.

For copies of four required jobsite safety signs, see the pull-out centerspread of this issue.

FEATURED PRODUCTS AND SERVICES FOR JANUARY

Middle Section

RIBA contractor training is still on the move

The Rhode Island Builders Association's Contractor Development Program is gangbusters in January, with tuition-free classes for members and their employees.

Pages 15,16,26,27,28

Forgiven PPP loans will have tax consequences

Expenses you used the money for won't be deductible, the IRS says. Industry groups are working to have the decision reversed.

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RIBA Podcast #6 is now online

Do you really know the full benefits due to you as a RIBA member? Check out News and Information Podcast #6 to find out.

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RIBA member is key player in new initiative

ONE Neighborhood Builders will lead the new Central Providence Opportunities initiative, an \$8 million pilot program to revitalize neighborhoods.

Page 9

Board tackles wetlands rules, hears reports on trade training, legislative issues

By Paul F. Eno Editor

A discussion of proposed freshwater wetlands regulations highlighted the December 1st meeting of the Rhode Island Builders Association's Board of Directors.

President Carol O'Donnell presided over the virtual session via Zoom teleconference.

"Some 23,000 additional acres would be regulated under these proposed rules," RIBA Executive Officer John Marcantonio reported. *Related story on page 1.*

RIBA will call upon local economists to review the economic impact statement that accompanies the proposal, and will work to ensure that the final regulations are fair, he indicated.

"RIBA has been very pro-environment. It is never our policy to advocate any position that would not protect the environment. But we want to assist regulatory agencies in



Members of the RIBA Board of Directors meet via Zoom on December 1st.

using accurate data when rules are promulgated," Mr. Marcantonio added.

He stated that, despite a 2020 General Assembly session curtailed by the pandemic, RIBA remains active in advocating for a state housing policy.

In that vein, RIBA government affairs advocate William Walsh offered a detailed legislative report, noting that, when lawmakers do meet, they are expected to act on the 2020-2021 state budget.

He added that the budget will likely contain one or more important bond issue proposals, such as funding for the Municipal Infrastructure Grant Program and funding for Real Jobs Rhode Island (trade training).

RIBA is a strong supporter of both.

Past RIBA President David A. Caldwell Jr. reported on current issues with the Providence building department, which RIBA is addressing with city officials.

RIBA's trade training programs are active and growing, along with the Vocational English as a Second Language (VESL) classes in basic carpentry, Mr. Marcantonio reported.

A new training program RIBA is working on in cooperation with the state will be intended to develop new municipal building-official candidates and to offer continuing education to current building officials, the executive officer reported.

RIBA

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President's Message



Carol O'Donnell

It's a new year with new regulations

First of all, on behalf of everyone in the leadership and staff of the Rhode Island Builders Association, let me wish all our members a very Happy New Year!

Every day, I hear people saying that 2021 can't be any worse than 2020. I'm sure that's true, but whether it is true depends to some degree on us. We can't do much about the COVID-19 pandemic, aside from following the safety guidelines. But we can keep a positive spirit, a good attitude, confidence in the future, and a sense of solidarity with our fellow RIBA members. And we can encourage our colleagues and employees to do the same.

At the forefront of the issues facing us as we start the new year are the proposed statewide freshwater wetlands regulations. *Story on page 1.*

RIBA advocates strongly for green building; sustainable energy production and use; higher densities to preserve open space; and an upgraded and expanded drinking water, sewer and stormwater infrastructure. We want clean water and clean air!

At the same time, we want a strong economy and a robust housing market to support that economy. That means that regulations have to be balanced, and based on real facts.

We're grateful that the Dept. of Environmental Management (DEM) and the Coastal Resources Management Council (CRMC) have worked over the last five years to replace the unwieldy and unpredictable system of local regulations with a statewide one, and that RIBA and other stakeholders have had a seat at the table.

At the same time, we feel that the proposed regulations that have resulted could be a lot fairer. So, RIBA will take steps leading into early January to make our industry's voice heard on the issues that concern us in these regulations. We will work hard to see that the final rules are equitable, with a good balance between environmental protection and economic growth.

Housing is the way forward for Rhode Island's economy, especially after the pandemic ends, and it will. Let's all be sure that we get these regulations right!



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Looking Ahead

January 2021

♦ **Ongoing: Vocational English as a Second Language (VESL) - Basic Carpentry** - Recruiting continues for ongoing VESL classes. For details, contact Betty Bernal at (401) 500-9146 or bbernal@ribuilders.org, or register online at RIBuilders.org/vesl-training-program-details.

🔧 ♦ **January 5th: Continuing Education for Contractors - 2½ Credit Hours** - Topic is Rhode Island General Law for Building Codes. Taught via Zoom. *Details on page 15.*

♦ **January 6th & 7th: RIBA Contractor Training - OSHA 10-Hour Course** - 8 a.m. to 3 p.m. each day. Taught via Zoom. Course is FREE for members and their employees. For more information and to register, contact Elise Geddes, egeddes@ribuilders.org, or call (401) 438-7400. *Details on page 28.*

🔧 ♦ **January 8th: Continuing Education for Contractors - 2 Credit Hours** - Topic is Hiring Best Practices for Builders. Taught via Zoom. *Details on page 15.*

🔧 ♦ **January 11th: Continuing Education for Contractors - 2 Credit Hours** - Topic is Understanding the Rhode Island Contractors' Registration and Licensing Law. Taught via Zoom. *Details on page 16.*

🔧 ♦ **January 12th: Continuing Education for Contractors - 4 Credit Hours** - Topic is RRP Lead Refresher. Taught via Zoom. *Details on page 16.*

🔧 ♦ **January 13th: Continuing Education for Contractors - 5 Credit Hours** - Topic is Residential Estimating. Taught via Zoom. *Details on page 16.*

🔧 ♦ **January 15th: Continuing Education for Contractors - 2 Credit Hours** - Topic is Conflict Resolution in Construction. Taught via Zoom. *Details on page 16.*

♦ **January 20th: RIBA Contractor Training** - Topic is Start and Grow Your Construction Business. Taught via Zoom. *Details on page 28.*

🔧 ♦ **January 21st: Continuing Education for Contractors - 1 Credit Hour** - Topic is RI Residential Energy Code and Sheridan Small Home Virtual Tour. Taught via Zoom. *Details on page 27.*

♦ **January 22nd: RIBA Contractor Training** - Topic is Painting 101. Taught via Zoom. *Details on page 28.*

More information, registration and payment for most RIBA events is available at RIBUILDERS.org.

 Indicates a RIBA-sponsored event.
 Designates a course eligible for Rhode Island and/or Massachusetts continuing education credits. Contact RIBA for confirmation.

  **January 25th: Continuing Education for Contractors - 2½ Credit Hours** - Topic is Social Media and Digital Marketing. Taught via Zoom. *Details on page 27.*

  **January 26th: Continuing Education for Contractors - 1 Credit Hour** - Topic is Construction Safety Protocols for COVID-19. Taught via Zoom. *Details on page 27.*


  **January 27th: Continuing Education for Contractors - 2 Credit Hours** - Topic is Job Scheduling is the Key to Success. Taught via Zoom. *Details on page 27.*

 **January 29th: RIBA Contractor Training** - Topic is Siding 101. Taught via Zoom.
Details on page 29.

February 2021

February 9th-11th: 2021 Design & Construction Week and International Builders Show, sponsored in part by the National Association of Home Builders, will be an All-Virtual Event. Visit Buildersshow.com for information and to register.

April 2021

 **April 8th-11th: 70th Annual Rhode Island Home Show, Featuring the Rhode Island Flower & Garden Show and The Energy Expo** - Call (401) 438-7400 or e-mail homeshow@ribuilders.org. *Details on page 37 and at RIBAHomeShow.com.*

Take more RIBA classes online at RIBAEducates.com

Visit RIBAEducates.com for access to 24-7 continuing education not listed above!

Online courses include Scaffold Safety, Workplace Safety, Confined Spaces, Ladder Safety and more, each worth one credit hour of state-mandated continuing education. All RIBA courses are FREE of tuition charges for members and their employees.

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CALL RIBA AT (401) 438-7400. Non-members: \$12 per credit hour.

For information about online or on-site courses:

Contact Bob Salvas, bsalvas@ribuilders.org, or call (401) 438-7400.

RIBA thanks these companies for joining, renewing or applying for membership

New Members

Joseph Fillion
Interstate Mechanical Services LLC

Jason Johnson
Johnson Iron Works LLC

Renewed Members

4 Trades Construction LLC
A-All Construction Services
Advance Signs Inc.
American Sustainable Properties LLC
Behan Bros. Inc.
Bolton Corp.
C. Wheaton Construction
California Closets/Creative Closets
CallMark Restoration
Centerville Builders Inc.
Complete Construction
Congdon Construction Inc.
Corbeil Associates Inc.
Custom Built Window/Door Systems Inc.
Cut-Rite Concrete Cutting Corp.
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Dean W. Martineau Carpentry & Painting
De-Mal Associates Inc.
Dennis Higgins Builders Inc.
Designroom
Devereaux Electric Inc.
DiPrete Engineering Associates Inc.
Driscoll Construction Inc.
E&E Realty
Fagan Door Corp.
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Ray Cianci
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J. Scott McDowell
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Steven Desmarais
Mason M. Senn
David Tegan
Vincent J. Scopelliti
Sean Reynolds
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Applications/Pending Members*

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John Eden

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Joseph Kishfy
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Catherine Wright

*Subject to registration with the Rhode Island Contractors' Registration and Licensing Board. Company name will be printed once application is approved.

For RIBA
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Fifth in a Series

Younger RIBA members step in to lead family companies into the future

By Paul F. Eno *Editor*

Anne and Andy Marshall may be siblings, but they got into their family company in very different ways. And they plan to lead Marshall Building and Remodeling Co. into the future together.

Growing up in Fairhaven, Massachusetts, Anne and Andy initially took different paths.

"I studied writing in college, and my first foray was a brief article I wrote about Special Olympics, because we have a sister who's not in the business and who has special needs," says Anne Marshall, who did freelance writing, including work for a not-for-profit group in nearby New Bedford. But the family business still drew her.

"I remembered how much fun it was as a kid to just go to the shop, see the staff, get to know the carpenters. My mom worked in the office," Anne says.

"So, I started writing some feature stories and press releases for my dad (Tom Marshall) about some of his customers. One was about a family who hired us back three times, which is common with our company because we do the roofing siding and windows," Anne recalls.

A celebrity customer

A celebrity customer Anne wrote about was Matt Allen, the WPRO Radio talk show host, and his family. They are loyal customers.

"This evolved into me coming into the office more, spending more time by my dad's side, going to customers' homes with him, and seeing how he interacted with people," Anne states. "He really was and still is very well known for developing relationships with the people we work with."

Tom and his brother Dave founded Marshall Building and Remodeling, based in East Providence, in 1983.

"I ended up learning more about the business and telling people about it – like



Anne and Andy Marshall hang out with dad Tom Marshall, co-founder of Marshall Building and Remodeling in East Providence.

marketing," Anne says. "That included getting on the radio with Matt Allen, writing more feature stories, and building up the company website and social media."

Anne has been with the company for nearly 20 years, and Marshall Building and Remodeling has grown by leaps and bounds!

Andy a different story

Andy's story was tied to the company's from day one.

"As a young kid, about 14 years old, I would go to the office with my dad. He would bring me around to jobsites and introduce me to some of the crews," Andy remembers.

"I really was exposed to all aspects of the business. As I got older, I would work on jobsites and help the crews during sum-

mers," he adds.

Then came a move westward.

"I went out West for a brief stint, but I came back and started working full-time for the company about 20 years ago. I ran a window crew for about two years and then worked with one of our lead carpenters, then worked on a siding crew. So, I learned all aspects of the business," Andy says.

Today, Andy does much of the estimating.

"My role includes bringing on new estimators and training them."

Today, the next generation runs all aspects of Marshall Building and Remodeling.

"We certainly do so collectively," says Anne. "As Andy said, he's overseeing the estimators and doing team development.

see *GENERATIONS...* page 34

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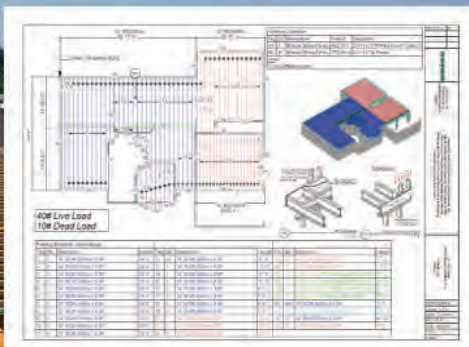
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ONE Neighborhood Builders key player in \$8 million Providence initiative

ONE Neighborhood Builders, a member of the Rhode Island Builders Association, will lead the new Central Providence Opportunities initiative, an \$8 million pilot program to “increase social and economic mobility for city residents” in nine city neighborhoods, Gov. Gina M. Raimondo announced on December 2nd.

The neighborhoods are Hartford, Manton, Olneyville, Federal Hill, Smith Hill, Silver Lake, Elmhurst, Mount Pleasant and Valley. These areas have some of the highest concentrations of COVID-19 cases in the state.

A two-year pilot

The two-year initiative is being funded by Blue Meridian Partners, a New York City-based philanthropic group. The grant will be administered by the Rhode Island Foundation, which will serve as the fiscal

sponsor of the initiative and provide technical assistance for preparing to establish the program statewide, according to a statement from ONE Neighborhood Builders.

The Providence-based affordable housing development organization will work with other partners to help implement the grant, according to Jennifer Hawkins, executive director of ONE Neighborhood Builders.

Housing as a health issue

“Before the pandemic, residents in these neighborhoods have a life expectancy of nine years less than residents in other neighborhoods in Providence and actually most communities in the state. That is unconscionable. And changing that life expectancy gap is going to take many years, and it’s only going to happen through intense, place-based investment.”

Housing as a healthcare issue is a central theme in the initiative, set to launch in January. The initiative will direct investment into new affordable housing, growing and sustaining community capacity, improving reading levels for residents, and advancing workforce and business development, according to Ms. Hawkins. Included will be \$1 million for Rhode Island’s Health Equity Zones.

“This initiative is a critical step in building a stronger, more resilient and more equitable Rhode Island,” said Gov. Raimondo. “The next two years will demonstrate that investments in our communities and our people yield dividends, creating a model that can be scaled up and implemented across the state.”

The program is expected to expand statewide following the two-year pilot in *see INITIATIVE...page 34*



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Professional Women in Building : PWB NEWS
First Virtual Networking Event



Thank you to our board, members, and guests for joining us on our first ever virtual networking event. We shared what is working for each of us as we navigate our businesses through these challenging times. Stay tuned for our next virtual networking event coming soon.

The PWB wishes everyone a safe, happy, and healthy New Year!

PWB Officers

Linda Bohmbach - President
Jacqueline Pagel - Vice President
Sophia Karvunis -Treasurer/Secretary

Want to learn more about the PWB?

Please visit our site for contact info, up-coming events and news at <http://ribuilders.org/professional-women-in-building>



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Kimberly Homs of Great In Counters

It all began with footballs

By Paul F. Eno *Editor*

From following a dream of working with her dad, to her achievements today as a prominent supplier member of the Rhode Island Builders Association, it's been an eventful journey for Wisconsin native Kimberly Homs.

It began with footballs.

"My father was an entrepreneur. Like all entrepreneurs, he had some successes and some failures," Kimberly states. "When I was in college, I helped him run the business that he had at the time: Making football bladders at a plant up in Amsterdam, New York."

Even football fans might not realize that footballs need bladders too. They're like inner tubes.

Even after a whirlwind education, which would include the University of Massachusetts, Skidmore College and a master's degree from Concordia University, Kimberly's plan was to be in business with her dad. But life had other ideas. In 1998, she found herself doing new-product development for Kohler®, which was on the hunt for new bathroom countertop surfaces. This took her to Europe, where she discovered Quarella®, an engineered quartz material produced in Italy, which Kohler embraced.

So impressed was Silestone® with this move that they hired Kimberly as their director of marketing, based in Houston, Texas. But New England was calling her name, and Kimberly moved here to take a sales job with Cosentino® Surfaces, a Silestone dealer. But Kimberly is her father's daughter: Being an entrepreneur is in her DNA, and she and her husband decided that they didn't want to travel anymore.

"We opened a fabrication/installation business. It wasn't even a shop," Kimberly recalls. "All we did for the first few years was installation for a different shop. Then, in 2008, right after my baby was born, we bought a shop and started selling, the eventually fabricating."

Picking up a great deal of knowledge from having worked with



Kimberly Homs and her son Addison enjoy a RIBA Clambake.

many fabricators for Silestone, and helping them develop marketing strategies, Kimberly was ready to go into business.

"Quartz surfacing was just coming into the New England market, and there was a need for people to go out and sell it to different kitchen and bath dealers, and to install it. So, we started as a sales company and then grew into a full-fledged fabricator," she says.

Things in life do tend to come full circle, however, and Kimberly never forgot her desire to work with her dad.

"In 2005, Great In Counters came about pretty much for him because he wanted to stay busy. He was a great salesperson, and I was good at running a company. He chose the name!"

Today, the company works in Rhode Island, along with nearby Massachusetts, including Cape Cod, and Connecticut as far as New Haven and up I-91. Great In

Counters currently employs over 30 people.

"We were based in Smithfield forever, in a tiny, 8,000 square-foot facility," Kimberly says. "The big story is that, three years ago, we purchased a 50,000 square-foot building in Providence, the old Blackstone Supply Co. building, right off Admiral Street. So, we have this new great facility that we're still working on. It's still a long way off, but we've got a beautiful showroom coming, along with our offices."

It's good timing for a big, new company headquarters, too.

"I don't think we would have survived COVID in that small facility in Smithfield because we had no space to social distance," Kimberly states.

Great In Counters joined RIBA in 2006.

"The networking has been great, especially when I was just starting out, building up the business, and RIBA has been an incredible help in providing the education I need to keep my contractor registration current," Kimberly declares.

In addition, she is active in the Professional Women in Building Council (PWB).

"I and the employees have taken advantage of the other trainings as well, especially for OSHA compliance. RIBA's legal work and legislative advocacy are critical to the industry. And I'm lovin' the magazine!"

Kimberly also cites the association's guidance during the pandemic.

"Navigating the COVID crisis is so hard! But RIBA's information and guidance are essential."

Find out more about at Greatincounters.com.

Great In Counters

Principal: Kimberly Homs

RIBA member since: 2006

Focus: Suppliers of tile, marble, granite

Founded: 2005

Based: Providence, Rhode Island

Here's the scoop on the 2021 Residential New Construction Program

National Grid's Residential New Construction (RNC) Program has evolved significantly over the years, transitioning from a small Energy Crafted Homes program into one of the country's first EPA Energy Star® Homes Programs in the 1990s. RNC currently offers a comprehensive suite of incentives and technical support for builders, developers, architects, contractors, real estate professionals and homeowners seeking energy efficiency and certification.

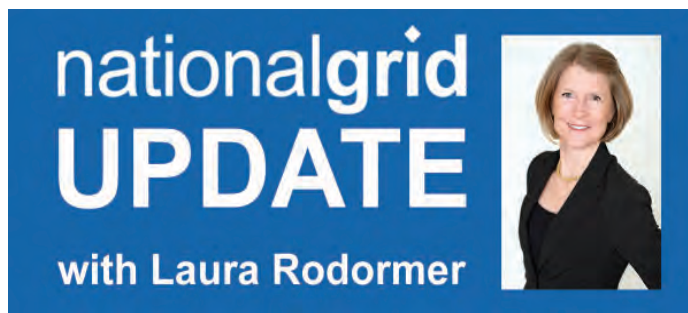
Energy Efficiency

Incentives are available to support the construction of energy-efficient homes that are healthy and comfortable, with lower operating costs. Incentives vary depending on the size of the project and the final rated energy-saving performance.

ENERGY STAR®

and Zero Energy Certification

Additional incentives and technical support are available for construction teams seeking EPA Energy Star Homes and DOE Zero Energy Ready Certification, and for those meeting the standards of



the Rhode Island Stretch Code, which was developed specifically for the state as a path to achieve energy efficiency.

Passive House Certification

Passive House is one of the highest standards for energy-efficient construction. In addition to offering incentives for achieving Passive House certification, National Grid will offer incentives

see NATIONAL GRID...page 35



LEGAL SOLUTIONS FOR CONTRACTORS

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Member News

RIBA podcast #6 is now online

What RIBA membership can actually do for members is the theme of the sixth edition of the Rhode Island Builders Association's News and Information Podcast series, now available on most major podcast platforms.

Hosted by *Rhode Island Builder* Editor Paul F. Eno and featuring an interview with RIBA Executive Officer John Marcantonio, the podcast hits topics like practical benefits the association offers to members during the pandemic, how RIBA works behind the scenes with state officials and agencies to develop safety guidelines for the residential construction industry, and much more.

As Mr. Marcantonio states: "Those who have access to what RIBA provides to members have a great advantage over those who don't."

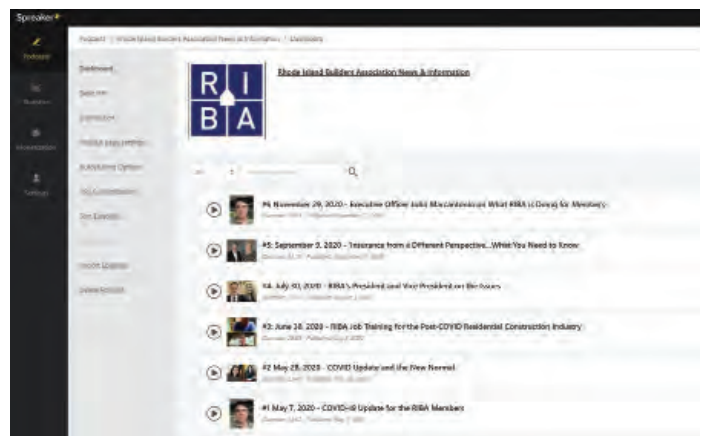
These advantages are why interest in RIBA membership is growing by leaps and bounds, he adds.

The podcast conversation then ranges into the serious housing issues facing Rhode Island and the need for more housing production.

The podcast series is one of RIBA's newest member benefits, consisting of monthly, half-hour audio interviews with major RIBA and industry players to keep members updated on the latest developments in the residential construction scene in the Ocean State.

Podcasts are numbered for easy reference. Podcast #1 was posted on May 7th. Separate RIBA podcast apps are being developed for Apple iPhone and for Android use. Podcasts are intended for member use only.

If you have suggestions or comments for future podcast topics, contact Mr. Marcantonio at (401) 438-7400 or jmarcantonio@ribuilders.org.



The lineup of RIBA News & Information Podcasts as they appear on the Spreaker platform. Most major platforms carry the podcast, and apps for iPhone and Android are in preparation for member use.

For RIBA
 membership information contact Elise Geddes
 401-438-7400 • or egeddes@ribuilders.org

Though classes have temporarily moved to Zoom online conferencing, the Rhode Island Builders Association continues the Contractor Training Program, expanding its educational offerings for members and their employees! Call for details and to register, contact RIBA Professional Development Manager Bob Salvas at (401) 438-7400 or e-mail bsalvas@ribuilders.org.

Continuing Education

Courses headlined in RED on The RIBA Contractor Training Pages qualify for continuing education requirements. EVERY RESIDENTIAL CONTRACTOR registered to work in Rhode Island must take five hours of continuing education before his or her next renewal date, and must provide class certificates as evidence of completion.

2½ Credit Hours:

Rhode Island General Law for Building Codes January 5th

WHEN: Tuesday, January 5th, 8 to 10:30 a.m.
WHERE: Online via Zoom
COST: FREE for members and their employees. Non-members, call for pricing options.
DEADLINE TO REGISTER: One day before class
FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Join instructor John Hoyle for an in-depth look at the Rhode Island General Law for Building Codes. This class will cover how the codes are adopted in the state, and general laws that apply to building codes.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. There will be no admittance to the Zoom session without pre-registration. Participants must provide proof of employment with a member company for the class to be free.



2 Credit Hours:

Hiring Best Practices for Builders January 8th

WHEN: Friday, January 8th, 8 to 10 a.m.
WHERE: Online via Zoom
COST: FREE for members and their employees. Non-members, call for pricing options.
DEADLINE TO REGISTER: One day before class
FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Join instructor Gary Convertino to learn an "A to Z" approach to helping you, as a business owner, navigate the hiring of an employee. Hiring the right people can make or break a construction company! Learn how to do it correctly.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. There will be no admittance to the Zoom session without pre-registration. Participants must provide proof of employment with a member company for the class to be free.



*As an added benefit to
RIBA's Education Program,
our instructors are happy to speak
with class attendees by phone,
after class,
if they have additional questions
or issues to discuss.
For information,
contact Bob Salvas,
bsalvas@ribuilders.org
or call (401) 438-7400.*



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2 Credit Hours:

Understanding the R.I. Contractors' Registration and Licensing Law January 11th

WHEN: Monday, January 11th, 8 to 10 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Did you read the rules and regulations the last time you renewed your registration? Probably not. Learn what you are required to know before you sign your next registration renewal form.

Mike Guertin is the instructor.

You must pre-register for this class. There will be no admittance to the Zoom session without pre-registration. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.



5 Credit Hours:

Residential Estimating January 13th

WHEN: Wednesday, January 13th, 8 to 1 p.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Taught by instructor Justin Zeller, this course covers basic construction math and how it is used to estimate the labor and material costs of a residential construction project.

You must pre-register for this class. There will be no admittance to the Zoom session without pre-registration. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.



For RIBA
membership information
contact Elise Geddes

401-438-7400 • or egeddes@ribuilders.org

4 Credit Hours:

RRP Lead Refresher January 12th

WHEN: Tuesday, January 12th, 8 a.m. to noon

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Taught by Scott Asprey, this four-hour class is a refresher course for contractors who have their lead renovator/remodeler certification, and it is coming up for renewal. We will review lead hazard controls and update attendees with any changes to regulations.

You must pre-register for this class. There will be no admittance to the Zoom session without pre-registration. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.



2 Credit Hours:

Conflict Resolution in Construction January 15th

WHEN: Friday, January 15th, 8 to 10 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Taught by Jeff Deckman, this course will give you the tools to limit unproductive conflicts, resolve conflicts, and maximize your ability to keep your teams focused and working together.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. There will be no admittance to the Zoom session without pre-registration. Participants must provide proof of employment with a member company for the class to be free.



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Please do not enter if you:

- have had any of the symptoms listed below in the past three days¹
- are a close contact of a person who tested positive for COVID-19 within the past 14 days²

For the safety of our staff and guests, please **SELF SCREEN** for symptoms of COVID-19. Please do not enter if you have any of the following symptoms:¹



fever
or chills



muscle or
body aches



sore throat or
runny/stuffy nose



headache, nausea,
vomiting or diarrhea



fatigue



cough, shortness
of breath
or difficulty



sudden loss of
taste or smell

RULES TO REMEMBER



When in public, wear a cloth face covering over your nose and mouth.



Stay at least six feet (about two arms' length) from other people.

¹You may enter if symptoms experienced can be explained by known allergies or non-infectious illnesses.

²Does not apply to people who come into contact with people with symptoms of COVID-19 during the course of their daily work while wearing full and appropriate personal protective equipment (PPE).

For questions or concerns, please call the Department of Business Regulation at 401-889-5550 or visit dbr.ri.gov/questioncomplaints/

REOPENING RI

Rules to keep you safe at work

Going to work



Stay home if you're sick; return to work only when cleared to do so.



Undergo symptom screenings before entering your workplace.



Wear a clean cloth or surgical mask over your nose and mouth.

Interacting



Keep 6 feet distant from others at all times.



Stay behind any shield that is meant to be between you and customers.



Keep in-person interactions to small groups.



Avoid communal areas.

Hygiene



Clean and disinfect shared surfaces before you use them.



Wash your hands frequently with soap and water.
If unavailable, use sanitizer with >60% alcohol.



Avoid touching your eyes, nose and mouth.



Cover coughs and sneezes with your elbow or with a tissue you throw away.

Note: This is a summary. Please refer to full guidance at [ReopeningRI.com](https://reopeningri.com)

Sign #3 you can copy and use on your jobsites. See page 1.



For Everyone's Health and Safety
A Face Covering or Mask MUST Be Worn Here—At All Times.



- ✓ **Face coverings help prevent illnesses like COVID-19 from spreading to others while speaking, coughing, or sneezing.**
- ✓ **Your face covering can be a scarf, bandana, or a homemade mask.**
- ✓ **It should cover your mouth AND your nose.**

FACE COVERINGS OR MASKS SHOULD NOT BE WORN BY:

- ✗ **Anyone whose health would be harmed from wearing a face covering.**
- ✗ **Infants, babies, or children under 2 years old.**

As of April 14, 2020: Customers and employees must wear face coverings, per Rhode Island Governor Gina Raimondo's Executive Order 20-24.



For more information: **health.ri.gov/covid**

REOPENING RI

COVID-19 Control Plan: Template

A business must develop a written COVID-19 Control Plan outlining how its workplace will prevent the spread of COVID-19. A business may fill out this template to fulfill the requirement that it complete a COVID-19 Control Plan. If you have questions, please ask them by emailing: planquestions@reopeningri.com

This plan **does not** need to be submitted to a state agency for approval but must be retained on the premises of the business and must be made available to the Rhode Island Department of Health (RIDOH) in the event of an inspection or outbreak.

Covid-19 Control Plan

Name of Business:

Address:

Other corporate info, if applicable:

Owner/Manager of Business and contact info:

HR Representative and contact info:

Face masks and coverings. To ensure employees comply with face covering requirements, you have (check the boxes to certify):

- ☐ Informed employees of the requirement to wear facemasks unless an employee and/or visitor can easily, continuously, and measurably maintain at least six (6) feet of distance from other employees and/or visitors for the duration of his or her work and/or time in a building.
- ☐ Procured cloth masks (or surgical masks) for all employees.
- ☐ Distributed cloth face masks (or surgical masks) to all employees who need one at no cost and have a plan to distribute additional face masks as the need arises (i.e. in the event of loss or damage).
- ☐ Informed employees of the need to clean their facemask between uses, or to dispose of it between uses (if disposable).
- ☐ Implemented other procedures. Please describe them here (and attach extra pages if needed):

Social distancing and organizing personnel. To meet social distancing requirements, you have (check the boxes to certify):

- ☐ Implemented staff management policies to reduce the number of employees in the workplace at the same time (e.g. using telework, flexible work hours, staggered shifts, organization of work crews into "pods" or "teams" to mitigate cross-team exposure, or expanding work hours.) Please describe these policies here (and attach extra pages if needed):

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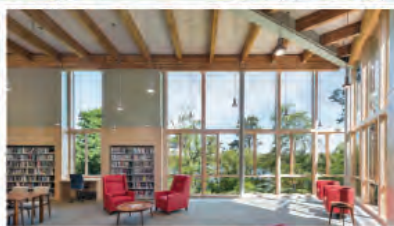
it's too early to start talking about garage doors, give us a call so we can provide you with accurate information regarding lead times.

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RIBA Contractor Training

1 Credit Hour:

R.I Residential Energy Code and Sheridan Small Home Virtual Tour January 21st

WHEN: Thursday, January 21st, 8 to 9:30 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Taught by Jon Erickson, this class will look at the Rhode Island Energy Code and teach students how to achieve Passive Housing Certification.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. There will be no admittance to the Zoom session without pre-registration. Participants must provide proof of employment with a member company for the class to be free.



1 Credit Hour:

Construction Safety Protocols for COVID-19 January 26th

WHEN: Tuesday, January 26th, 9 to 10 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Taught by RIBA Executive Officer John Marcantonio, this class will review workers' personal responsibilities, social distancing, general jobsite and office practices. Also considered will be personal protective equipment (PPE), sanitation and cleanliness, and jobsite visitors. Workers entering occupied buildings and homes will also be discussed.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. There will be no admittance to the Zoom session without pre-registration. Participants must provide proof of employment with a member company for the class to be free.



2½ Credit Hours:

Social Media and Digital Marketing January 25th

WHEN: Monday, January 25th, 8 to 10:30 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Join instructor David Englund for this course, which will provide guidance on how to use social media platforms to grow your construction business.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.



2 Credit Hours:

Job Scheduling is the Key to Success January 27th

WHEN: Wednesday, January 27th, 8 to 10 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class.

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Join instructor Justin Zeller to learn about the effect of job scheduling on making money, client happiness and professionalism.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.



OSHA-10 Course

January 6th - 7th

WHEN: Wednesday and Thursday, January 6th and 7th, 8 a.m. to 3 p.m. each day.

WHERE: Online via Zoom

COST: FREE for members and their employees, with a \$25 materials charge.

DEADLINE TO REGISTER: One day before first class
FOR INFORMATION AND TO REGISTER: Contact Bob Salvat at bsalvas@ribuilders.org, or call (401) 438-7400.

This is a 10-hour class, held over two days. The course is geared to train safety directors, job foremen and field employees in OSHA construction standards. It highlights the areas of major safety concerns, with the intent to reduce accidents on the job site, saving time and money.

Each person completing the course will receive a copy of the OSHA Standard 29 CFR Part 1926 and an OSHA-10 certification card. Every person working on a municipal or state construction project with a total project cost of \$100,000 or more must have card certifying their completion of an OSHA 10-Hour training program on their person at all times while work is being performed.

According to the requirement, the rule applies to "any private

person or entity bound by a contractual agreement to provide goods or services to a contractor/developer who must physically enter the place where work is being performed or business is being conducted."

This does not apply to sales representatives, vendors, or to those delivering building materials and supplies/products to a construction site. (Fines can range from \$250 to \$950 per offense, on each day in which a violation occurs.)

You must pre-register for this course. Non-member payment is due upon registration. Participants must provide proof of employment with a member company for the class to be free.



Start and Grow

Your Construction Business

January 20th

WHEN: Wednesday, January 20th, 8 to 10:30 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvat at bsalvas@ribuilders.org, or call (401) 438-7400.

If you're looking to start your own business or perhaps re-start your business after the health crisis, this class with instructor David Lucier will cover all aspects of successful business ownership. It's a must for those who don't have a lot of business experience.

You must pre-register for this course. Participants must provide proof of employment with a member company for the class to be free.



Painting 101

January 22nd

WHEN: Friday, January 22nd, 8 to 10 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvat at bsalvas@ribuilders.org, or call (401) 438-7400.

Join instructor James DiMarzio to learn best practices for indoor and outdoor painting, including techniques and spraying.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.





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Expect your PPP loan to be forgiven? You won't be able to deduct the expenses

Did your company receive a Paycheck Protection Program (PPP) loan from the federal government this year? Better read this.

Businesses that have their PPP loans forgiven will not qualify for some valuable deductions, according to IRS guidance that repeats the position the agency took in April. In addition, companies that have “a reasonable expectation that the government won’t require them to pay back the money can’t deduct the business expenses paid for by the loan.”

“If a business reasonably believes that a PPP loan will be forgiven in the future, expenses related to the loan are not deductible, whether the business has filed for forgiveness or not,” according to a statement released by the Treasury Dept.

Companies denied loan forgiveness — or which never applied for it — can still claim deductions for expenses paid for with PPP money. These include payroll, mortgage and utility costs.

Reversing the IRS position on deductibility has been a point of bipartisan agreement, with Senate Finance Committee Chairman Chuck Grassley (R-Iowa) and House Ways and Means Committee Chairman Richard Neal (D-Mass.) supporting legislative changes that would allow businesses to deduct expenses paid for with PPP money — regardless of whether the loan is forgiven.

The National Association of Home Builders (NAHB) continues to advocate for Congress to address this issue, but as of this writing it remained unclear when lawmakers would act on the issue.

To get the loans forgiven, borrowers must submit an application through the lender to the Small Business Administration (SBA). The agency has as many as 90 days to review it and make a decision.



Siding 101 January 29th

WHEN: Friday, January 29th, 8 to 10 a.m.

WHERE: Online via Zoom

COST: FREE for members and their employees. Non-members, call for pricing options.

DEADLINE TO REGISTER: One day before class

FOR INFORMATION AND TO REGISTER: Contact Bob Salvas at bsalvas@ribuilders.org, or call (401) 438-7400.

Join instructor Ed Ladouceur to learn best practices and techniques for outdoor siding of a residential home.

You must pre-register for this course. Participants will receive instructions on how to log in to the Zoom session. Participants must provide proof of employment with a member company for the class to be free.



EPA loans to boost R.I. water infrastructure

Rhode Island is one of three states to receive part of \$695 million for drinking water projects, which could help fund local projects.

Brand new loan program helps states finance more water infrastructure projects

In good news for the effort to update and expand Rhode Island’s drinking water infrastructure to encourage growth, the Environmental Protection Agency (EPA) has invited the Ocean State and two others to apply for a total of \$695 million in water infrastructure loans through the agency’s new state infrastructure financing authority, created under the Water Infrastructure Finance and Innovation Act of 2014 (WIFIA).

R.I. joins California and Iowa

The program is intended to help finance infrastructure projects to improve water quality and protect public health in communities across the states of California, Iowa and Rhode Island. Under the program, the Rhode Island Infrastructure Bank is being invited to apply for \$39.2 million for work in the state.

see *WATER...* page 35

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Executive Director

Rhode Island Coastal Resources Management Council

Jeffrey Willis is a 32-year veteran of the Rhode Island Coastal Resources Management Council (CRMC) staff, where he began as a research associate and intern, working on harbor management planning and the Pawcatuck River Special Area Management Plan (SAMP). For eight years, Mr. Willis served as a marine resources specialist at CRMC, managing aquaculture program development and other regulations. He was an environmental planner for another four years, supervising the agency's policy and program development section. As deputy director beginning in 2002, he created CRMC's Marine Resources Development Plan (MRDP), which, among many other things, redefined CRMC program leadership and coordination roles, responsibilities and capabilities. Mr. Willis also managed the Clean Marina Program, served as co-chair of the Northeast Regional Ocean Council, and was a member of the State Planning Council and Technical Committee, as well as serving on the Bays, Rivers & Watersheds Coordination Team. A lifelong Rhode Islander, Mr. Willis graduated from the University of Rhode Island in 1990 with a degree in spatial development in the urban environment. He succeeds Grover Fugate, CRMC's first full-time executive director, who retired earlier this year.



Jeffrey Willis, CRMC's new executive director, meets with The Rhode Island Builder via Zoom in November.

we will be asking for their insights on what that type of program could look like.... Or what type of activities really don't need to have a permit instituted, knowing that the CRMC will look for some controls on its end to help balance that equation.

THE BUILDER: How has COVID-19 affected CRMC's functioning and wait times?

WILLIS: COVID has gotten us fully entrenched in the digital age, where you have over two-thirds of our staff teleworking. So, the question is, how do we have those staff deal with the paperwork that's generally required from a regulatory agency? Well, we're obviously doing

it all digitally now, and we're doing it quite well. The administrative staff has set up a number of processes to work with all the rest of the staff to make sure that the flow of paperwork, albeit digitally, is smooth, transparent and easily followed.

We had a few ups and downs during the first few weeks of doing that, but we've done remarkably well in figuring out how a digital system works for us. The downside with this is that things take longer. You'd think that submitting things digitally, reviewing them and getting back to the applicant would be quicker. It's not. Sometimes phone calls aren't easily made, and you have to set up Zoom meetings to do that. Then you have to coordinate schedules to set up those meetings. Because the building is not open to the public, folks can't just drop by, and our staff can't go to the front office and spend 30 minutes with them to figure things out anymore.

Some of the more complex applications, while they still get the same level of review, and the staff still does field investigations and whatnot, scheduling them takes longer. A Zoom meeting can handle any number of applications, but they just take longer to hear. While the number of applications is not significantly backlogged, it's starting to grow. We have the strategy on how to release that backlog and we will be working on that this winter.

That said, we also have had some significantly large-scale development projects that have had to come in front of the CRMC and that take a lot of time in a council meeting. So, that has contributed to some of the delay. But I don't want to give the impression that COVID or teleconferencing has slowed everything to a grinding halt. It has not. It has just added time to the process.

THE BUILDER: Are you planning any changes at CRMC that residential contractors should know about?

WILLIS: We've done a decent job with permitting over the years. However, a big thing I want to accomplish here at CRMC is streamlining the permit process.

As you know, my predecessor, Grover Fugate, instituted the FONSI (Findings of No Significant Impact) process in the 1980s. That looked to ensure that those *de minimis* impact projects can get in and out the door quickly. We further refined that to basically have people come into the office, and 15 minutes later walk out with a permit in their hands.

I'd like to take that one step further and develop a general permit program, so that you don't need to come to the CRMC to get a permit for those types of *de minimis* activities. Senior staff and I have met several times over the last few months to discuss what a general permit program would be, and we definitely want to tackle that this winter.

Rhode Island Builders Association members should know that www.ribuilders.org

see *INTERVIEW...next page*

January 2021/29

INTERVIEW...from previous page

THE BUILDER: Much is being made of the fact that people who can afford to have been fleeing cities for places like coastal Rhode Island. Have you noticed an uptick in applications, by how much, and what is the effect on your work?

WILLIS: Yes, we've seen folks that have second and third homes here in Rhode Island stay in Rhode Island and not go back to their home states, to maybe escape the COVID issues there. Some of these folks have entertained applications to do work at their homes.

I won't say it's a significant increase, and I won't say it's a slight increase, but there has been an increase. These are mostly maintenance-type applications from folks who aren't involved in the day-to-day CRMC process like a homeowner who lives here in the state might be. It does involve a lot of back-and-forth, with our staff educating the property owners, having them understand what the processes are, and providing information they need because they just haven't dealt with us before.

So, we have seen an uptick in that, but it hasn't been significant.

THE BUILDER: There's been a lot of discussion about providing affordable housing as well as market-rate units to ease the housing crisis. The perception, however, is that regulators sometimes seem at odds with this objective. What position can CRMC take to enhance a positive outcome for development while addressing environmental concerns?

WILLIS: Years ago, we revised our management procedures to recognize low- and moderate-income housing issues. In fact, there's a state statute that allows for those types of developments to seek a preferred status here at the agency. That basically calls for an expedited review, and if we get applications that meet those criteria, those applications are placed at the top of the pile and we work with them to get them out the door.

The environmental issues are the environmental issues. We still look to make sure that we have proper buffers and setbacks, the stormwater controls etc. But, generally, there is an administrative process to deal with that on the environmental side.

I'll use Charlestown as an example. We had an affordable housing project come through a few years ago. The developer specifically chose one of the land-use designations that we have in the SAMP plan that would help the review along from a density-control perspective. Under the Salt Pond SAMP, the designation was "lands developed beyond carrying capacity." This made for a much quicker and easier review because the resources in those lands that are characterized that way have already been addressed in the regulations.

If the developer chose "self-sustaining" or "lands of critical concern," we would be looking for significant buffer sizes and significant setbacks, etc.

THE BUILDER: So, despite the workload, are CRMC staff still available to counsel developers on choosing those sites and designations?

WILLIS: Absolutely. We have a very good track record of asking developers, consultants, and homeowners to sit in on the pre-application process. It's very informal. If you're a homeowner, you can come in with an idea. If you're a consultant, we ask for a little more information. Just give us an idea of what you're trying to accomplish and where you're trying to accomplish it on the site, and we will go over the regulations with you.

The pre-application process is meant to identify red flags so that when an application does come in, many of those issues might already have been addressed in some fashion.

Staffers are holding Zoom meetings along those lines, doing pre-application sessions with folks, taking their phone calls, answering e-mails. So, none of that has changed.

THE BUILDER: How goes the expedited permitting for FORTIFIED™ homes*?

WILLIS: We're doing that. We have a very detailed regulation on how we deal with fortified applications, but we haven't really seen any lately. When that expedited permitting first came around (in 2016) we saw a couple. With a maximum turnaround time of just 15 days, you'd think we would see more applications. We just haven't seen any FORTIFIED applications in several years.

It's a wonderful program, it makes a great deal of sense, and we support it wholeheartedly.

THE BUILDER: What has been CRMC's place in the recent drafting of statewide freshwater wetlands applications?

WILLIS: We're right at the table. Jim Boyd (CRMC coastal policy analyst) and Sean Feeley (CRMC permitting staffer) have been very much involved with that process since 2015. I remember attending the first workshop of all the stakeholders, and CRMC has helped write the regulations. The Rhode Island Dept. of Environmental Management (DEM) has had the primary authorships, but we have had a hand in shaping those regulations to date.

We're about three to four weeks behind the DEM schedule, but we have an effective date that will match DEM's effective date, so that the regulations go into effect for both agencies on the same day, which looks like July 1st.

We will have a workshop of our own on these regulations, possibly in December but probably in January. People can watch our website (CRMC.ri.gov) for a date.

THE BUILDER: What else is happening with CRMC that residential contractors should know about?

WILLIS: One thing I'm trying to do is raise the visibility of the public access (to the beaches) program. Whether or not the builders will have a direct hand in that I can't say, but I think it's definitely worth noting that we'd like to make that more visible, and get people down to the shore.

Certainly the biggest thing worth noting, though, is the general permit program I mentioned earlier. The builders should stay in

see WILLIS...page 34

Single-family home starts at highest pace since 2007

National Association of Home Builders

Led by solid gains in single-family production, overall housing starts increased 4.9 percent in October to a seasonally adjusted annual rate of 1.53 million units, the U.S. Dept. of Housing and Urban Development and the U.S. Census Bureau reported in November.

The October reading of 1.53 million starts is the number of housing units builders would begin if development kept this pace for the next 12 months. Within this overall number, single-family starts increased 6.4 percent to a 1.18 million seasonally adjusted annual rate, and are up 8.6 percent year-to-date.

The pace of single-family starts was the best since the spring of 2007. The multifamily sector, which includes apartment buildings and condos, remained unchanged from the previous month at a 351,000 pace.

"As seen in the National Association of Home Builders (NAHB)/Wells Fargo Builder Confidence Index, single-family starts continue to grow off a historic rebound that began in April," said NAHB Chairman Chuck Fowke, a custom home builder from Tampa, Florida. "Current demand is being supported by historically low interest rates and home buyer preferences shifting to the suburbs and exurbs."

NAHB Chief Economist Robert Dietz explained further.

"Single-family permits were approximately flat in October, which suggests housing starts will level off in the months ahead, although at post-Great Recession highs," said Dr. Dietz.

"Builders cite a lack of lots and decreased availability of building materials as headwinds that will limit production."

On a regional and year-to-date basis (January through October of 2020 compared with that same time frame in 2019), combined single-family and multifamily starts were 15.5 percent higher in the Midwest, 7.5 percent higher in the South, 4.7 percent higher in the West and 6.4 percent

lower in the Northeast.

The gains for the Midwest are notable and being led by the shift to lower-cost, lower-density areas. Overall permits came in at a 1.55 million unit annualized rate in October, remaining unchanged from the previous month.

Single-family permits increased 0.6

percent to a 1.12 million unit rate. Multifamily permits decreased 1.6 percent to a 425,000 pace.

Looking at regional permit data year-to-date, permits were 5.6 percent higher in the Midwest, 5.5 percent higher in the South, 0.1 percent higher in the West and 3.9 percent lower in the Northeast.



Demand for new homes in suburbs, exurbs continues

National Association of Home Builders

A trend of higher demand for housing in lower-density areas reported in the second quarter National Association of Home Builders (NAHB) Home Building Geography Index (HBGI) has persisted into the fall, as single-family and multifamily construction continued to overperform in lower cost markets like suburbs and exurbs.

That was the report from the National Association of Home Builders (NAHB) on December 1st.

"The third quarter HBGI reveals that a suburban shift for consumer home buying preferences in the wake of the COVID-19 pandemic is accelerating as telecommuting is providing consumers more flexibility to live farther out within large metros or even to relocate to more affordable, smaller metro areas," NAHB said in a statement.

"The growing demand in lower-density markets stems from the fact that housing is less expensive compared with urban areas, and buyers can afford larger homes to accommodate home offices, exercise rooms and other specialty rooms that are in higher demand since the pandemic," said NAHB Chairman Chuck Fowke, a custom home builder from Tampa, Florida.

"However, builders continue to deal with affordability headwinds on the supply-side front, including the cost and availability of building materials."

Mid-sized cities growing fastest

Suburbs of medium-sized cities posted the greatest single-family gains in the third quarter, with a 15 percent growth rate over the last four quarters, according to NAHB, which saw the worst performance in large metro urban cores, with just a 5.7 percent gain there. Similar results were observed in multifamily, with large metro core areas posting a 4 percent decline for apartment construction.

"The HBGI clearly shows that the geographic changes noted in the second quarter data continued into the fall, providing a boost to building in more affordable markets," said NAHB Chief Economist Robert Dietz.

"The ability of individuals and families to live farther from urban cores is empowering consumers to acquire housing with more space at a lower cost. A key question is how long this effect will last. Our forecast assumes at least a persistent, partial effect beyond the deployment of a vaccine."

see *SUBURBS...* page 34

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MassHousing Awards \$391,164 for 'Affordable Sober Housing'

Funding will help create 68 new units and rehabilitate 51 in Boston, Framingham, Westfield, Springfield, Gardner and Worcester.

MassHousing has awarded a total of \$391,164 in grant funding to help create or modernize 119 affordable "sober housing" units in Boston, Framingham, Westfield, Springfield, Gardner and

Worcester, while providing support services to women in recovery in Boston, Lynn, Leeds and Brockton, the agency announced on December 2nd.

Sober living houses (SHLs), also called sober homes and sober living environments, are facilities that provide safe housing and supportive, structured living conditions for people exiting drug rehabilitation programs. SLHs serve as a transitional environment between such programs and mainstream society. Many SLHs also accept people who are in recovery from substance abuse but have not recently completed a rehabilitation program.

The MassHousing grants come from the Center for Community Recovery Innovations, Inc. (CCRI), a not-for-profit subsidiary corporation of MassHousing that helps not-for-profits create or preserve affordable sober housing in Massachusetts for individuals in recovery.

To date, CCRI has awarded more than \$12 million in grants for the creation or preservation of nearly 2,600 units of substance-free housing, in 54 communities, serving recovery populations that include men, women, families, veterans, the homeless and ex-offenders.

"The COVID-19 pandemic has created more challenges for residents around the Commonwealth who are working to overcome the grip of addiction," said MassHousing Executive Director Chrystal Kornegay.

"These CCRI grants will provide critical funding to help some of the Commonwealth's most vulnerable citizens have a safe, sober home, which is one of the most important factors in achieving successful outcomes for people struggling with substance misuse."

Opportunities for builders/developers

The Center for Community Recovery Innovations Inc., issues an annual Request for Proposals (RFP) to solicit projects for funding. The proposals that are selected need to meet CCRI's current priorities and eligibility categories.

The grants are typically used as one-time gap funding for capital projects that increase or improve the stock of affordable sober housing in Massachusetts.

Other proposals that provide services for residents in MassHousing-financed rental housing, specifically those that address alcohol and/or drug abuse or addiction, are also considered for funding. CCRI grant recipients must be 501c3 non-profit organizations and matching funds must be provided.

All proposals and applicant qualifications are stringently reviewed and vetted by MassHousing.

Resources for RIBA members who work in Massachusetts

The Rhode Island Builder covers Massachusetts news relevant to members of the Rhode Island Builders Association who work in our neighbor to the north and east.

Here are some sources of regulatory information and forms for contractors who work in the Bay State, or who plan to. For education purposes, RIBA has expanded its education programs to include courses required for work in Massachusetts.

Bear in mind that most Massachusetts government services must be done online during the COVID-19 crisis.

Building Permits: Massachusetts has a statewide formula for building permits. Application forms may vary a little by municipality, but standard forms and information may be found at the Office of Consumer Affairs & Business Regulation (OCABR) website: Mass.gov/ocabr.

Contractor Registration and Licensing: Massachusetts has licensing for construction supervisors and registration for home improvement contractors. Find the details at Mass.gov/topics/building-trades.

Also find information about trade licensing at this site.

MassHousing: Similar to Rhode Island Housing, MassHousing is an independent, quasi-public agency that provides financing for affordable housing in Massachusetts.

Created in 1966, MassHousing raises capital by selling bonds, and lends the proceeds to low- and moderate-income homebuyers and homeowners, and to developers who build or preserve affordable and/or mixed-income rental housing. Since its inception, MassHousing has provided more than \$20 billion for affordable housing. Find out more at MassHousing.com.



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NATIONAL GRID...from page 13

to help offset the costs associated with pre-certification. The program also provides free Passive House Rater and Verifier certification.

Strategic Electrification

National Grid is committed to supporting the state's goal to reduce carbon emissions in Rhode Island by offering incentives for the construction of energy-efficient, fossil-fuel-free homes, and providing technical support with electric HVAC system design, sizing, equipment selection and installation to ensure proper operation and comfort for occupants.

Workforce Development

National Grid will continue to support and expand the skillset of the local workforce through trades and apprentice training, and will provide opportunities for local professionals to become HERS Raters and Certified Passive House Consultants, Builders, Raters and Verifiers.

Economic Equity

National Grid's program supports all new construction projects across the state, regardless of location, size, building type and income level. In addition to supporting market-rate and affordable single-family and multi-family construction, there is support available for major renovations and adaptive re-use projects such as mill building conversions.

To find out more about National Grid's RNC program please visit NGRID.com/save or call (888) 887-8841.

WILLIS...from page 30

tune for that because we definitely will need their input on how to make that program successful for both sides.

While it could be the homeowner who just grabs a hammer and does the work, I think in large part the contractors are going to get most of that work. So, we want to make sure everyone understands what a general permit program would mean from the contractor's point of view. At the same time, we want the contractors to understand what we're trying to accomplish to make sure that our environmental controls are still being put in place.

Find out more at CRMC.ri.gov.

**FORTIFIED is a voluntary construction and re-roofing program designed to strengthen homes and commercial buildings against specific types of severe weather such as high winds, hail, hurricanes and even tornadoes. Find out more at Fortifiedhome.org.*

SUBURBS...from page 31

Other third quarter HBGI findings show:

- Since the first quarter, the market share for single-family construction in urban core areas fell from 18 percent to 17.2 percent. The small metro core and suburb single-family market share increased from 37.7 percent to 38.2 percent.
- The share of apartment construction in large metro core and suburbs fell from 67.1 percent to 65.2 percent. Apartment construction in small metro core areas increased in market share from 21 percent in the first quarter to 22.4 percent in the third quarter.
- These broader trends have extended to traditional vacation home markets as well. Single-family construction in second home markets expanded at a 13.6 percent average rate over the last four quarters compared to a 10.5 percent pace for other counties.
- Apartment construction in second home markets was up as well -- 11.1 percent compared to a 0.9 percent decline in other counties.

For more information on the Home Building Geography Index (HBGI), visit NAHB.org.

GENERATIONS...from page 7

For me, I do a lot to get our branding out there and our messaging. It's an all-around, all-encompassing, hands-on job for us."

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INITIATIVE...from page 9

Providence.

"Through many years of working side by side, a genuine spirit of collaboration and shared vision has been cultivated among residents and community partners," said Ms. Hawkins.

"COVID-19 has tested our resilience and strengthened our commitment to enduring and equitable improvements. I could not be more optimistic about the initiative's potential."

Watch for more information in our February issue or visit ONEneighborhoodbuilders.org.

-Paul Eno




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Summary of Proposed Wetlands Rule Revisions

As of September 2020

Background

State law pertaining to freshwater wetlands (R.I. Gen. Laws §§ 2-1-18 through 2-1-28) was amended to strengthen the protection of freshwater wetland resources while streamlining the regulatory framework applicable to projects and activities proposed near wetlands. Implementation of the law required both the RI Department of Environmental Management (DEM) and the RI Coastal Resources Management Council (CRMC) to undertake rulemaking within their respective programs. The amended state law was based on the findings and recommendations of a Legislative Task Force (LTF) previously established by the Regulatory Reform Act (R.I. Gen. Laws § 42-64.13-10). The LTF was composed of a variety of stakeholders and charged with evaluating the adequacy of protection of Rhode Island freshwater wetlands considering both the state and municipal level, evaluating if gaps in that protection existed based on current scientific data and recommending changes in state law or regulations that could foster a business climate to grow the economy while ensuring better protection of our natural resources.

The amended state law acknowledged the important functions and values of freshwater wetlands and their buffers, the need to strengthen wetland protection and the need to protect and regulate the areas adjacent to wetlands. The law also recognized the benefits of having a single set of wetland protection standards administered only at the state level. Key provisions of the new law include:

- Strengthens wetland protection administered at the state level while eliminating the duplication of effort at the municipal level.
- Expands the jurisdiction of state agencies and requires the promulgation by rule of standards for freshwater wetland buffers and setbacks. The legislation recognizes the important values of buffers in the protection of the wetland resources.

- Redefines and clarifies terminology and promotes common terminology among DEM and CRMC programs.
- Maintains the existing definition of “Farmer” and applicable regulatory procedures, as codified in state law, and associated permitting exemptions.
- Establishes new requirements for state agencies to share information with municipalities.

Overview

DEM and CRMC have drafted amendments to their respective existing freshwater wetland rules to fulfill the statutory mandates. Preliminary draft rules were the subject of a public workshop in September 2019. The September 2020 draft rules reflect revisions by the Agencies in response to public feedback. The statutory changes in definitions affect the wording in all sections of the rules and result in a new framework for the regulatory process. Hence, the rulemaking involves repealing and replacing the rules currently in place. The major new changes involve the designation of “jurisdictional area” and specifying requirements for freshwater wetland buffers and setbacks within the jurisdictional area. To support regulatory process improvements, the draft rules also introduce a general permit process, propose new exempt activities, expand or clarify certain other exemptions and simplify the application fee schedule. The rules have been further restructured to have the performance standards and the review criteria listed in a single

see SUMMARY...next page

WETLANDS...from page 1

He noted that “the proposed rules reflect input from all our other partners, including many experienced experts from RIBA, who have provided extremely valuable feedback and context throughout the long development process. Thank you for your excellent work on this, and the proposed regulations are much improved from your involvement.”

While acknowledging the ongoing cooperation with DEM, RIBA still has concerns.

“I was not that impressed with the proposed changes, mainly because they did little to modify what was originally proposed,” commented Timothy A. Stasiunas of The Stasiunas Companies, RIBA’s immediate past president and co-chairman of the association’s Environmental Committee.

“At this point (November 30th), we have only a few weeks before the public hearing to review them.”

RIBA has long advocated for clearer and more predictable freshwater-wetlands permitting to replace the current hodgepodge of local regulations.

Members pointed out that, under these proposed rules, some 23,000 acres not regulated now would be regulated, with the con-

cern that DEM is understating the possible economic impact on housing and the state economy in general.

The opinion was also expressed that the economic impact study needs to be reviewed by local economists before regulations are allowed to move forward by the Office of Regulatory Reform.

In addition, members cited the fact that setback distances haven’t changed from the preliminary draft regulations released in 2019, that few suggestions by the residential construction industry were incorporated in the final draft, and that the workshop and hearing schedule, with the period for public comment ending at 4 p.m. on January 8th, allows insufficient time for stakeholders to review the draft.

The draft regulations, released in September, have been years in the making.

The enabling legislation for statewide freshwater wetlands standards was signed into law by Gov. Gina Raimondo on July 10, 2015. Virtual public workshops were held this year on September 10th and November 23rd. The preliminary draft regulations were released, and a workshop held, in September 2019. The virtual public hearing was to take place on Dec. 17, 2020.

For a copy of the proposed freshwater-wetlands regulations and more information, visit DEM.ri.gov/programs/water.



WATER...from page 28

With the state’s Municipal Infrastructure Grant Program as yet unfunded, Rhode Island has jumped at the chance offered by the EPA.

“EPA is truly pleased that the State of Rhode Island has applied for funding, and is being invited to pursue additional loan funds to

make water infrastructure improvements in the state,” said EPA’s New England Regional Administrator Dennis Deziel.

“Rhode Island is making great progress addressing water infrastructure needs, and we applaud the leadership they are showing in this area,” Mr. Deziel added.



SUMMARY...from previous page

section 2.7. Portions of the rules have been restructured to improve organization for the reader but have not been substantively modified; e.g. review criteria and significant alteration procedure. Rules related to agricultural activities have been grouped into its own section 2.13 and rules related to coordination with municipalities have been specified and the existing provisions related to the municipal veto have been eliminated to be consistent with the amended state law.

Section 2.4 Definitions

The draft rules include new or revised definitions required by state law and intended to provide greater consistency among DEM and CRMC programs as well as clarity for applicants and the public.

Freshwater Wetlands: The definition of freshwater wetlands has been changed and now refers to the resources to be protected which includes vegetated wetlands and surface waters. The new definition is broadly applicable with a limited exception for certain farming activities. The terms “perimeter wetland” and “riverbank wetland” are no longer defined as wetlands and used in the rules. [§ 2.4(A)(32)]

Jurisdictional Area: This new term defines the land and waters that are subject to regulation and includes freshwater wetlands, buffers, floodplains, areas subject to storm flowage, areas subject to flooding and contiguous areas extending 200 outward from the edge of a river, stream or drinking water supply reservoir and 100 feet outward from all other wetlands. Persons planning new projects or regulated activities within the Jurisdictional Area will need to obtain a permit unless otherwise exempt. [§ 2.4(A)(39)]

Buffer Zone: This new term is used to refer to the land that is contiguous to a freshwater wetland and within which vegetated buffer should be maintained or in some situations created. Buffer zones are designated within or up to the limit of the jurisdictional area. Land within the buffer zones includes a range of land uses as well as areas qualifying as “buffer” (see below). [§ 2.4(A)(11)]

Buffer: This new term refers to an area of undeveloped vegetated land that is to be retained in its natural undisturbed condition. (Buffers can be created.) [§ 2.4(A)(10)]

Section 2.5 Applicability, Regulated Activities

The amended law expanded the jurisdictional authority of the Agencies. (See definition of Jurisdictional Area above).

Section 2.6 Exempt Activities

Within the Jurisdictional Area, the draft rules include the following new exemptions and expansion or clarification of approximately 16 other existing exemptions. All exemptions are subject to certain conditions and limitations specified in the rules.

- Cutting or maintenance of vegetation within lawns or landscaped areas consistent with other approvals;
- Forest management practices in response to an event-specific emergency in consultation with the Division of Forest Environment;
- Cutting within a floodplain that is located outside of all freshwater wetlands and their 100/200-foot jurisdictional areas;
- Cutting of vegetation for routine maintenance of approved landfill or remediation caps;
- Maintenance or repaving of existing parking lots with size limits;
- Addition of gates or barriers at existing or approved driveways or access roads;
- The installation of small signs associated with conservation activities;
- Crossing of or relocating an area subject to storm flowage;
- Restoration of wetlands resulting from unauthorized alterations associated with an enforcement action; and
- Establishment of a new pedestrian trail outside of wetlands and buffer zones.

Section 2.7 Protection Standards, Variance Procedures

A new section of rules consolidated the wetland protection standards and review criteria. This section also specifies buffer protection standards.

Overall Approach to Buffer Standards: Rhode Island’s freshwater wetlands resources include its rivers, streams, lakes and ponds as well as swamps, marshes, bogs, and vernal pools. About sixteen percent (16%) of Rhode Island’s land area consists of freshwater wetlands (including lakes and ponds) which are distributed throughout the state.

Consistent with state law and the LTF Final Report (2014), in developing the requirements, including the buffer zone widths, the agencies considered the resource characteristics, watershed protection needs and existing land uses. A framework of tiered protection was identified as the preferred approach to establishing the buffer standards. All wetlands will now be designated a buffer zone which addresses a gap in protection noted by the LTF. About 19% of vegetated wetland resources were prioritized for the greatest protection (100-foot buffer zones). This approach provides desired predictability while still allowing the buffer standards to generally account for the ecological variability associated with different wetlands. The approach allows DEM and CRMC to direct their limited resources to areas where oversight is appropriate and most needed. It further provides the means to provide the benefit of reduced regulatory burdens on previously developed properties.

Regional Framework for Tiered Protection: Under the tiered approach, the state was divided into regions to facilitate the application of a range of buffer standards that reflect a gradient of watershed conditions. The regions consist of urban areas and non-urban areas – the latter of which is further divided into two regions to distinguish certain river buffer zones. In addition, requirements in drinking water supply watersheds were incorporated as an overlay in the non-urban regions. (See map) The tiered protective buffer zone distances were based on assessments of watershed resource protection needs, wetland resource characteristics and existing land use.

River Protection Region 1 - This Region includes watershed areas that are generally the highest priorities for conservation of fish and wildlife habitat. The region encompasses areas in the western and southeast portions of the state as well as Block Island. The watersheds exhibit low density of development, lower percentages of impervious cover and contain larger tracts of unfragmented habitat. Within this Region, in March 2019, a number of river segments in the Wood-Pawcatuck River watershed were federally designated as “wild and scenic.” River Protection Region 1 covers 52% of Rhode Island’s area (coastal waters excluded).

River Protection Region 2 - This Region includes areas of the state that exhibit a mix of land uses and watershed characteristics including urban, suburban and rural settings. Existing land use patterns have resulted in greater fragmentation of buffers within the jurisdictional areas in this region including crossings of rivers.

The region includes much of the suburban development that exists adjacent to the Urban Region areas. River Protection Region 2 covers 40% of Rhode Island’s area (coastal waters excluded).

Urban Region – This Region includes densely developed, urbanized areas of the state including portions of watersheds that contain high percentages of impervious cover and areas that are already highly developed or altered. This includes the Providence metropolitan area as well as portions of Woonsocket, Newport and West Warwick and Westerly. The Urban Region covers 8% of Rhode Island (excluding coastal waters)

Within the Regions, buffer zones were designated as follows and further described below:

- On a statewide basis, the most sensitive vegetated wetland types were identified and designated the highest level of protection (100 feet). These include unique and less common wetland types that are often sensitive to disturbance such as bogs, fens and marshes as well as evergreen swamps, swamps with *Rhododendron* understory and vernal pools.
- On a statewide basis, buffers zones were increased to strengthen protection in water supply reservoir watersheds.
- In River Protection Regions 1 and 2, protection was strengthened by (1) increasing the buffer zones for headwater rivers including cold water rivers as recognized as a need in the LTF Report; (2) increasing the buffer zone on larger lakes and ponds that provide high recreational and habitat value and that currently have large amounts of intact shoreline buffer; and (3) increasing the buffer zone around larger swamps some of which are also part of valuable wetland complexes providing multiple habitats.
- As practicable, buffer requirements were reduced in areas where existing land use have already resulted in the alteration or loss of vegetated buffer. This applies primarily in the Urban Region.

Section 2.23 Statewide Buffer Zone Designation

Rivers and Streams: Current regulations designate 200 feet around rivers 10 feet or greater in width (referred to as large rivers) and 100 feet around narrower rivers and streams. The new jurisdictional area authorizes the agencies to regulate the area within 200 of rivers of any width. Within this area, buffer zones of varying widths have been designated in accordance with the following criteria.

River Protection Region 1 (Non-urban)	<ul style="list-style-type: none"> • Maintain 200 feet buffer zone on large rivers (with exceptions for a limited number of developed areas). • Increase the buffer zone from 100 to 200 feet for named rivers of high wildlife habitat value to provide stronger protection of habitat, water quality and other functions. • Increase the buffer zone to 150 feet for all other rivers. • Maintain the buffer zone of 100 feet for streams.
River Protection Region 2 (Non-urban)	<ul style="list-style-type: none"> • Maintain 200 feet buffer zone on listed large rivers with intact existing buffer. • Increase the buffer zone from 100 to 150 feet for designated cold-water rivers and other listed rivers of high wildlife habitat value. • Reduce the buffer zone from 200 to 150 feet for other listed large rivers. • Maintain the 100-foot buffer zone on smaller rivers and streams.
Urban Region	<ul style="list-style-type: none"> • Reduce the buffer zone from 200 to 150 feet along the Blackstone River and portions of the South Branch of the Pawtuxet River. • Reduce the buffer zone from 200 to 100 feet for listed large rivers. • Reduce the buffer zone from 100 to 50 feet for other rivers and streams in urbanized settings.
Drinking Water Supply Reservoirs	<ul style="list-style-type: none"> • Increase the buffer zone to 200 feet on rivers which are tributary to named public drinking water supply reservoirs in the Non-urban Region. (Not applicable outside watersheds of named reservoirs.)

Lakes and Ponds: Current regulations designate 50 feet around lakes and ponds greater than ¼ acre for protection. The new jurisdictional area authorizes the agencies to regulate the area within 100 feet of lakes and pond and within 200 feet of drinking water reservoirs.

River Protection Regions 1 and 2 (Non-urban)	<ul style="list-style-type: none"> • Increase buffer zone on lakes and ponds ≥10 acres from 50 to 100 feet (excluding listed lakes) • Maintain 50-foot buffer zone for lakes > ¼ acre and < 10 acres • Designate a 25-foot buffer zone on small ponds (< ¼ acre)
Urban Region	<ul style="list-style-type: none"> • Maintain the 50-foot buffer zone for listed lakes and ponds. • Designate a 25-foot buffer zone for all other ponds.
Drinking Water Supply Reservoirs	<ul style="list-style-type: none"> • Increase the buffer zone to 200 feet around named public drinking water supply reservoirs in the Non-urban Region.

Other Wetlands: Rhode Island freshwater wetlands have been mapped in the RI Geographic Information System for non-regulatory purposes using a standardized classification scheme. The most common wetland type in Rhode Island is deciduous swamp, which is located throughout the state. Other wetland types are much less common including bog and fens. Current regulations provide a 50-foot perimeter wetland around certain wetlands of certain sizes. Small wetlands are not provided buffer protection in the current regulations. Under the draft rules all wetlands are designated with a buffer zone ranging from 25 -100 feet.

Unless otherwise noted, the table below applies statewide.

Bogs and fens Marshes Evergreen forested swamps ≥ 1 acre Swamps with Rhododendron ≥ 1 acre	<ul style="list-style-type: none"> • Increase buffer zone to 100 feet with some exceptions for <i>Phragmites</i> marshes and wet meadows
Vernal Pools	<ul style="list-style-type: none"> • Increase buffer zone from 0 to 100 feet where 50% or more of the land around the pool is undeveloped vegetated land. • Increase buffer zone from 0 to 50 feet where 50% or more of the land is undeveloped vegetated land.
Shrub Swamps	<ul style="list-style-type: none"> • Increase buffer zone to 75 feet for shrub swamps ≥1 acre • Designate a 25-foot buffer zone for shrub swamps < 1 acre
Deciduous Swamps	<ul style="list-style-type: none"> • Increase buffer zone from 50 feet to 75 feet for swamps of 10 acres or more in the Non-urban Regions. • Maintain buffer zone of 50 feet for smaller swamps in the Non-urban Regions (1 to <10 acres). • Reduce the buffer zone from 50 to 25 feet around swamps in Urban Region. • Designate a 25-foot buffer zone for swamps < 1 acre.

Naturally vegetated, undeveloped areas within buffer zones will be expected to be maintained as buffer.

Application Types and Permitting Process: The draft rules make changes to the existing permitting processes to improve clarity and predictability and reduce regulatory burdens.

- The DEM Preliminary Determination permit outlined in the current rules will be replaced with a “Freshwater Wetland Permit” (§ 2.11).

- Applicants that meet all standards (§ 2.7.1), including the buffer standard, will have reduced submittal requirements from the current Preliminary Determination Application. The draft rules include a new variance procedure for those situations in which the standard cannot be met. Variance requirements are outlined in § 2.7.3.

- The draft rules include an in-fill lot standard that acknowledges constraints on certain existing lots of record and allows processing of a permit without a variance (§ 2.7.1(B)(5)).

- The draft rules also establish a process for DEM to issue a “General Permit” for certain categories of projects with predictable and limited impacts. The issuance of general permits would occur at a future date and involve specifying the requirements and conditions under which such a permit would apply. This is intended to have reduced submittal requirements and review times in comparison to an Application for a Freshwater Wetlands Permit (§ 2.11)

- The draft rules provide new and clarify or expand certain exemptions for limited activities that do not present impacts to freshwater wetlands that merit review. See § 2.6.

- Simplified the application fee schedule. See § 2.8.9.

Municipal Coordination (§ 2.8.11): The draft rules have provisions to strengthen coordination with municipalities including the following:

- Notification of designated municipal officials of when permits are filed with state agencies;

- Require applicants for major land development projects to obtain master plan approval, pursuant to R.I. Gen. Laws § 45-23-40, prior to filing for a state freshwater wetland permit. Applicants are encouraged to obtain verified wetland edges as part of project planning.

- Opportunity to provide local input while maintaining timeliness within the state permitting programs;

- § 2.16 - Procedure for the municipality to petition the DEM or CRMC to increase the size of a buffer zone for a particular wetland resource (the requested buffer zone cannot exceed the jurisdictional area).

Agricultural Activities: For clarity the rules pertaining to agricultural activities have been grouped into its own section 2.13. Note that per state law, the regulatory oversight of normal farming and certain related activities for farmers as qualified under the law has not changed; e.g. the expanded jurisdictional area does not apply.

(Figure 1: Freshwater wetlands buffer regions map is reproduced on page 1.)



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