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## **RE-NOTICE**

In accordance with and pursuant to the provisions of the "Administrative Procedures Act" (Section 42-35-3 of the General Laws of Rhode Island) and the Rule and Regulations of the Coastal Resources Management Council, notice is hereby given of the intention of the Coastal Resources Management Council to change the management plans, policies, procedures and regulations of the agency regarding planning and management of the coastal resources of the State relative to Chapter 46-23 of the State of Rhode Island.

The following change is proposed:

### **RI Coastal Resources Management Program – Ocean Special Area Management Plan (Ocean SAMP) Chapter 8 - Renewable Energy and Other Offshore Development and Chapter 11 – The Policies of the Ocean SAMP**

#### **Revise Section 860.2.1.3 as follows:**

Offshore Developments shall not have a significant adverse impact on the natural resources or existing human uses of the Rhode Island coastal zone, as described in the Ocean SAMP. [In making the evaluation of the effect on human uses, the Council will determine if there is an overall net benefit to the Rhode Island marine economic sector from the development of the project or if there is an overall net loss.](#) Where the Council determines that impacts on the natural resources or human uses of the Rhode Island coastal zone through the pre-construction, construction, operation, or decommissioning phases of a project constitute significant adverse effects not previously evaluated, the Council shall, through its permitting and enforcement authorities in state waters and through any subsequent CZMA federal consistency reviews, require that the applicant modify the proposal to avoid and/or mitigate the impacts or the Council shall deny the proposal.

#### **Revise Section 1160.1.3 as follows:**

Offshore Developments shall not have a significant adverse impact on the natural resources or existing human uses of the Rhode Island coastal zone, as described in the Ocean SAMP. [In making the evaluation of the effect on human uses, the Council will determine if there is an overall net benefit to the Rhode Island marine economic sector from the development of the project or if there is an overall net loss.](#) Where the Council determines that impacts on the natural resources or human uses of the Rhode Island coastal zone through the pre-construction, construction, operation, or decommissioning phases of a project constitute significant adverse effects not previously evaluated, the Council shall, through its permitting and enforcement authorities in state waters and through any subsequent CZMA federal consistency reviews, require that the applicant modify the proposal to avoid and/or mitigate the impacts or the Council shall deny the proposal.

*Purpose:* The purpose of the proposed changes is to ensure overall net benefit to the Rhode Island marine economic sector from any proposed offshore renewable energy project(s).

The Council has complied with the requirements of R.I. Gen. Laws Section 42-35-3 by considering alternative approaches to the proposed regulation(s) and has determined that there is/are no alternative approach(es) that would be as effective and less burdensome. The Council has also determined that the proposed regulation(s) do(es) not overlap or duplicate any other state regulation. The Council has complied with the requirements of R.I. Gen. Laws Section 42-35-3.3 by submitting copies of the proposed regulation(s) to the Governor's Office and the Economic Development Corporation (EDC).

Parties interested in or concerned with the above proposed changes are invited to **submit written comments** by **April 2, 2013**. All such comments should be directed to Grover J. Fugate, Executive Director, at the above address.

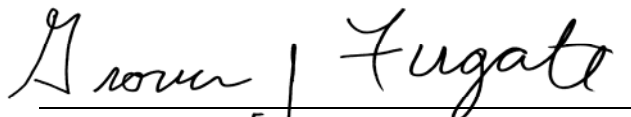
**A public hearing has been scheduled for these proposed changes to be held in the Conference Room A, Administration Building, One Capitol Hill, Providence, RI, on Tuesday, April 9, 2013, at 6:00 p.m.**

Copies of the proposed regulations are also available from the Coastal Resources Management Council offices and its website – [www.crmc.ri.gov](http://www.crmc.ri.gov).

Individuals requesting interpreter services for the hearing impaired must notify the Council office at 783-3370, 72 hours in advance of the hearing date.

Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370.

Signed this 26th day of February, 2013.

  
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Grover J. Fugate, Executive Director  
Coastal Resources Management Council

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