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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 changes are proposed:

(Note: new text is underlined and any deleted text is ~~struck through~~)

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

Amend Section 860.2.1.3 as follows:

3. Offshore ~~Developments~~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, for example, 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. In making its decision regarding a proposed offshore development, the Council shall, among other things, consider the offshore development's impact on the Rhode Island economy, including any economic impacts from the offshore development on other existing human uses. The Council shall consider whether the economic benefits are sufficient to outweigh any adverse impacts to existing human uses. The Council may use economic impact information available in any existing Federal or State application documents prepared for an offshore development, including information contained in associated NEPA documents.

Amend Section 1160.1.3 as follows:

3. Offshore ~~Developments~~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, for example, 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. In making its decision regarding a proposed offshore development, the Council shall, among other things, consider the offshore development's impact on the Rhode Island economy, including any economic impacts from the offshore development on other existing human uses. The Council shall consider whether the economic benefits are sufficient to outweigh any adverse impacts to existing human uses. The Council may use economic impact information available in any existing Federal or State application documents prepared for an offshore development, including information contained in associated NEPA documents.

Purpose: To modify existing text concerning the economic impacts of proposed offshore development on the Rhode Island economy, including any economic impacts on other existing human uses.

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 Thursday, September 5, 2013. All such comments should be directed to Grover J. Fugate, Executive Director, at the above address.

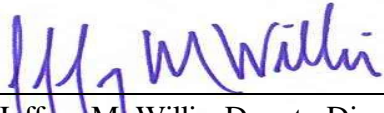
A public hearing has been scheduled for these proposed changes to be held at 6:00 p.m. on Tuesday, September 24, 2013 at the Administration Building Conference Room A, One Capitol Hill, Providence, RI.

Copies of the proposed regulations are also available from the Coastal Resources Management Council offices and its website – 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 1st day of August, 2013



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

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