



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Office for Coastal Management
Silver Spring Metro Center, Building 4
1305 East-West Highway
Silver Spring, Maryland 20910

August 25, 2022

Jeffery Willis, Executive Director
Rhode Island Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

Dear Mr. Willis,

Thank you for the June 30, 2022, request for approval of changes to the Rhode Island Coastal Management Program to incorporate the reformatted and revised Management Procedures pursuant to the National Oceanic and Atmospheric Administration (NOAA) Coastal Zone Management Act (CZMA) regulations at 15 CFR part 923, subpart H.¹ (RI-2022-5). NOAA's Office for Coastal Management approves the request subject to the qualification below.

NOAA's regulations require that the state post this decision by the Office for Coastal Management for public notice.² Please send a copy of the public notice to the Office for Coastal Management for our records to close out this file.

PUBLIC AND FEDERAL AGENCY COMMENTS

The Office for Coastal Management did not receive any comments on this program change submission.

CHANGES APPROVED

See the attached Table of Approved Changes to the Rhode Island Coastal Management Program.

¹ This program change request was submitted under NOAA's revised CZMA program change regulations at 15 CFR part 923, subpart H. The Office for Coastal Management's decision, originally due date on July 22, 2022, was extended to August 26, 2022.

² 15 CFR § 923.81(e)(5).

³ 15 CFR § 923.81(f).

QUALIFICATION

As a standard qualification applying to all program changes, states may not incorporate enforceable policies by reference. If an approved enforceable policy refers to another statute, regulation, policy, standard, guidance, or other such requirement or document, the referenced policy must be submitted to and approved by the Office for Coastal Management as an enforceable policy in order to be applied under the federal consistency review provisions of the CZMA. No referenced policy may be applied for CZMA federal consistency review purposes unless that policy has been separately reviewed and approved as an enforceable policy by the Office for Coastal Management.

Thank you for your cooperation in this review. Please contact Allison Castellan at 202-596-5039, if you have any questions. For future correspondence regarding these program changes, please refer to the file number assigned to this action, RI-2022-5.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joelle Gore', with a long horizontal flourish extending to the right.

Joelle Gore, Chief
Stewardship Division

Attachment: Table of Approved Changes RI-2022-5

RI-2022-5: Table of Approved Changes

See August 25, 2022, Office for Coastal Management decision letter for any clarifications, qualifications or exceptions pertaining to these approved changes.

Legal citation	Title of policy, section, or other descriptor	Is the change new, revised, or deleted	Date effective in state MM/DD/YYYY	Enforceable policy Yes or No	Enforceable mechanism citation <i>1000 Character Limit</i>
650-RICR-10-00-1 See: https://rules.sos.ri.gov/regulations/part/650-10-00-1	Management Procedures	Revised (and reformatted)	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.2	1.2 Meetings and Members	revised	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.2(B) and (C)	1.2 Meetings and Members	revised	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.2(G)	1.2 Meetings and Members	new	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.1(A)	1.4.1 Proposed Actions Requiring a Council Permit	revised	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.1(C)	1.4.1 Proposed Actions Requiring a Council Permit	revised	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.2(G)	1.4.2 Information Requirements, Application Forms and Fees	revised	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.5(A), (B), (D) and (E)	1.4.5 Determination Request	revised	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(5)	1.4.6 Applications for Council Assent	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(5)(a)	1.4.6 Applications for Council Assent	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6

650-RICR-10-00-1.4.6(A)(5)(a)(1) and (2)	1.4.6 Applications for Council Assent	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(5)(a)(10)	1.4.6 Applications for Council Assent	deleted	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(5)(a)(20)	1.4.6 Applications for Council Assent	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(5)(a)(21), (23) and (24)	1.4.6 Applications for Council Assent	revised	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(25)	1.4.6 Applications for Council Assent	new	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.6(A)(10)	1.4.6 Applications for Council Assent	revised	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.9(A)	1.4.9 Petitions for Regulation Changes	revised	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.4.11(A) and (B)	1.4.11 Applications involving Freshwater Wetlands in the Vicinity of the Coast	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.5.1(A)	1.5.1 Notification	revised	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.5.1(O)	1.5.1 Notification	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.5.2(B)	1.5.2 Contested Cases	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.5.4(C)(2)(a) and (b)	1.5.4 Pleadings	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.5.6(A)	1.5.6 Pre hearing Conference Rule	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6

650-RICR-10-00-1.5.9	1.5.9 Presentation of Expert and Lay Testimony	revised	07/05/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.5.15(B), (D) and (E)	1.5.15 Federal Consistency Determinations and Certifications	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.8(B)(1) and (2)	1.8 Final Decisions of the Council	revised	02/16/2020	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.13(A)	1.13 .Judicial Review of Contested Cases	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.15(B)	1.15 Access to Public Records	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.15(F)(5)	1.15 Access to Public Records	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6
650-RICR-10-00-1.15(H)(5)	1.15 Access to Public Records	revised	03/04/2021	No	Rhode Island General Laws § 46-23-6