



State of Rhode Island and Providence Plantations
COASTAL RESOURCES MANAGEMENT COUNCIL
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Michael M. Tikoian
 Chairman

Grover J. Fugate
 Executive Director

April 22, 2011

Coastal Resources Management Council
 Chairman Michael M. Tikoian
 Stedman Government Center- Suite 3
 4808 Tower Hill Road
 Wakefield, RI 02879-1900

Dear Chairman Tikoian:

Below please find a detailed summary of proposed changes for the Ocean Special Area Management Plan. These changes are in addition to the proposed changes presented in the memo dated March 2, 2011. All proposed changes listed here are suggested in response to comments received during the public comment period that closed on April 11, 2011. We submit these to you for your review.

Chapter 8, Renewable Energy and Other Offshore Development

- 1. Revise and move Chapter 8 section 860.1 (General Policies) #4 to section 860.2.1 (Overall Regulatory Standards, which are Enforceable Policies) #3. The revisions proposed below allow this policy to be considered an enforceable policy in CRMC's federally approved coastal management program. The changes proposed changes are as follows :**

"3. Offshore Developments shall not have a significant adverse effect on the natural resources or existing human uses of the Rhode Island coastal zone, as described in the Ocean SAMP. Where the Council determines that effects on the natural resources or human uses of the Rhode Island coastal zone through the pre-construction, construction, operation, or

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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 effects or the Council shall deny the proposal.”

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- 2. If the Council approves the aforementioned change, the same change must be made in Chapter 11, section 1150.7 (General Policies), #3 and the policy be moved to Chapter 11, section 1160.1 (Overall Regulatory Standards, which are Enforceable Polices) #3. The revisions proposed below allow this policy to be considered an enforceable policy in CRMC’s federally approved coastal management program. The proposed changes are as follows:**

“3. Offshore Developments shall not have a significant adverse effect on the natural resources or existing human uses of the Rhode Island coastal zone, as described in the Ocean SAMP. Where the Council determines that effects 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 effects or the Council shall deny the proposal.”

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- 3. If the Council approves both aforementioned changes, the following number changes will result:**

Section 860.1 (General Policies) #5 to Section 860.1 #4
Section 860.1 (General Policies) #6 to Section 860.1 #5
Section 860.1 (General Policies) #7 to Section 860.1 #6
Section 860.1 (General Policies) #8 to Section 860.1 #7
Section 860.1 (General Policies) #9 to Section 860.1 #8
Section 860.1 (General Policies) #10 to Section 860.1 #9
Section 860.1 (General Policies) #11 to Section 860.1 #10
Section 860.1 (General Policies) #12 to Section 860.1 #11

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Section 860.2.1 (Overall Regulatory Standards) #3 to Section 860.2.1 #4
Section 860.2.1 (Overall Regulatory Standards) #4 to Section 860.2.1 #5
Section 860.2.1 (Overall Regulatory Standards) #5 to Section 860.2.1 #6
Section 860.2.1 (Overall Regulatory Standards) #6 to Section 860.2.1 #7
Section 860.2.1 (Overall Regulatory Standards) #7 to Section 860.2.1 #8
Section 860.2.1 (Overall Regulatory Standards) #8 to Section 860.2.1 #9

Section 860.2.1 (Overall Regulatory Standards) #9 to Section 860.2.1 #10
Section 860.2.1 (Overall Regulatory Standards) #10 to Section 860.2.1 #11
Section 860.2.1 (Overall Regulatory Standards) #11 to Section 860.2.1 #12
Section 860.2.1 (Overall Regulatory Standards) #12 to Section 860.2.1 #13
Section 860.2.1 (Overall Regulatory Standards) #13 to Section 860.2.1 #14
Section 860.2.1 (Overall Regulatory Standards) #14 to Section 860.2.1 #15
Section 860.2.1 (Overall Regulatory Standards) #15 to Section 860.2.1 #16
Section 860.2.1 (Overall Regulatory Standards) #16 to Section 860.2.1 #17

Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #4 to Section 1150.7 #3
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #5 to Section 1150.7 #4
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #6 to Section 1150.7 #5
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #7 to Section 1150.7 #6
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #8 to Section 1150.7 #7
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #9 to Section 1150.7 #8
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #10 to Section 1150.7 #9
Section 1150.7 (Offshore Renewable Energy and Other Offshore Development) #11 to Section 1150.7 #10
Section 1160.1 (Overall Regulatory Standards) #3 to Section 1160.1 #4
Section 1160.1 (Overall Regulatory Standards) #4 to Section 1160.1 #5
Section 1160.1 (Overall Regulatory Standards) #5 to Section 1160.1 #6
Section 1160.1 (Overall Regulatory Standards) #6 to Section 1160.1 #7
Section 1160.1 (Overall Regulatory Standards) #7 to Section 1160.1 #8
Section 1160.1 (Overall Regulatory Standards) #8 to Section 1160.1 #9
Section 1160.1 (Overall Regulatory Standards) #9 to Section 1160.1 #10
Section 1160.1 (Overall Regulatory Standards) #10 to Section 1160.1 #11
Section 1160.1 (Overall Regulatory Standards) #11 to Section 1160.1 #12
Section 1160.1 (Overall Regulatory Standards) #12 to Section 1160.1 #13
Section 1160.1 (Overall Regulatory Standards) #13 to Section 1160.1 #14
Section 1160.1 (Overall Regulatory Standards) #14 to Section 1160.1 #15
Section 1160.1 (Overall Regulatory Standards) #15 to Section 1160.1 #16
Section 1160.1 (Overall Regulatory Standards) #16 to Section 1160.1 #17