

September 5, 2025

Jeffrey Willis, Executive Director
RI Coastal Resources Management Council
Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879

Dear Director Willis,

Save The Bay is pleased to submit the following comments regarding a proposed change to CRMC's Management Procedures (650-RICR-10-00-1) that would lower the required quorum for conducting Council meetings from six to four. The proposed change corresponds to the reduction in the total number of council members from ten to seven, as required by legislation (S998 sub A / H6126 sub A) passed by the General Assembly earlier this year and signed into law by the Governor in July. While this was not the reform legislation that we advocated for, we believe it's important that it be implemented appropriately and in strict adherence to the language in the new statute.

Our primary concern regarding the proposed rule is to ask CRMC to confirm on the record that this change to the quorum requirement does not take effect until the new seven-member Council is fully seated.

The language in the proposed rule does not specifically state that the change does not take effect until the new Council is seated (which would be March 1, 2026, or sometime thereafter.) But the proposed rule *does* state that "...a quorum shall consist of four members..." "Pursuant to section 46-23-4." That section of the statute regarding the quorum of the Council reads:

A quorum shall consist of six (6) members of the council provided, however, for the council appointed pursuant to § 46-23-2(b) a quorum shall consist of four (4) members of the council. *(new language is underlined)

In other words: the quorum is still six, except for, and *only* for, the Council appointed pursuant to subsection 46-23-2(b), which is the "new" Council that will be seated as soon as next March 1, when all of the *current* members of the Council's terms are set to expire. (However, the new law also states "current or past service on the...Council shall not disqualify an individual from reappointment" to the "new" Council.)

If the "new" seven-member Council is not seated by March 1, 2026, the members appointed pursuant to the *current* Council requirements...:

...shall continue to serve until such time as all members are appointed and confirmed in accordance with this section.

We read this to mean that the current Council will remain in place until *all seven* members are appointed by the General Assembly.

This means that – if the General Assembly confirms four appointees by March 1, 2026, those four (or five, or even six) new appointees do not actually become Council members – or start meeting, or making decisions – until all – meaning all seven – of the new Council members are appointed, pursuant to the new subsection added by the General Assembly earlier this year. Even if, for example, there are four members of the *current* Council who meet the qualifications and get appointed to the *new* seven-member Council, those four new members could not start meeting, with a quorum of just four, *until* ALL seven members of new Council appointed pursuant to the new section are appointed and confirmed.

Thank you for considering our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Jed Thorp", with a stylized, elongated horizontal stroke at the end.

Jed Thorp, Director of Advocacy