



---

*Marisa Desautel, Esq.*  
[marisa@desautelbrowning.com](mailto:marisa@desautelbrowning.com)  
401.477.0023

January 20, 2025

Coastal Resources Management Council  
O.S. Government Center  
4808 Tower Hill Road, Rm 116  
Wakefield, RI 02879-1900

**RE: Request for Public Hearing: SouthCoast Wind Category B Application**

Dear Members of the RI CRMC,

This office represents the Town of Middletown with respect to the above-captioned matter. Please accept this formal correspondence as the Town's request for a public hearing concerning the above application.

Enclosed you will find a detailed document providing the reasoning for this request. This document highlights concerns regarding potential environmental, social, and legal impacts of the proposed project. Given the potential consequences of the matter, the Town believes a public hearing would offer an essential platform for concerned parties to voice their perspectives and allow for a thorough consideration of all relevant factors before any final decision is made by the CRMC.

Thank you for your attention to this matter.

Sincerely,

Marisa Desautel, Esq.

Enclosures



---

## MEMORANDUM

**To:** Jeffrey Willis, Executive Director, Coastal Resources Management Council

**From:** Desautel Browning Law, on behalf of the Town of Middletown

**Date:** January 20, 2025

**Re:** SouthCoast Wind Category B Assent Application

---

This office represents the Town of Middletown with respect to the above-referenced project. We have reviewed SouthCoast Wind's consistency statements regarding the SouthCoast Wind Farm Project and provide the following responses on behalf of the Town of Middletown.

An Executive Order will be signed by President Trump later on this same date, putting into effect a pause on all offshore wind leases. Respectfully, on behalf of our client, this office asserts that the CRMC cannot go forward with this application as it is not only inconsistent with the CRMC's Enforceable Policies, as discussed below, but it is also now inconsistent with current Federal mandate.

CRMC must issue a decision as to whether the proposed SouthCoast Wind project, located in federal waters, is consistent with the enforceable policies of the State's federally approved coastal management program. CRMC concurrence is required before BOEM may approve the SouthCoast Wind COP (*See* CFR 585.628(f)). For the following reasons, the Town avers that the project application must be denied.

The regulatory standards contained within 650-RICR-20-05-11 are enforceable policies for purposes of the CZMA federal consistency provisions, specifically Part 11.10.

***Enforceable Policy § 11.10.1(C):*** *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, 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. (Emphasis added)*

**SouthCoast's Response:** SouthCoast Wind collected G&G and benthic/habitat field survey data within the entire ECC, which is 1,640 ft (500 m) to 2,300 ft (700 m) wide. The width of the surveyed ECC is designed to allow for micro-routing to avoid sensitive resources and obstacles, and to provide for maneuverability during construction and maintenance. Micro-routing is the primary strategy for avoiding geohazards, obstructions, and sensitive habitats. Based on these survey data, sensitive environmental and cultural resources and geohazards were mapped to guide cable routing within the ECC with the objectives (to the extent practicable) of meeting the cable burial target depth, minimizing the impacts to sensitive marine and coastal habitats, and avoiding surficial geologic and anthropogenic features as informed by data collected in the G&G surveys. Cable routing and sensitive resource mapping are integrated in Attachment M. The independent benthic-geological reviews (Attachment W) also confirm that these sensitive resources can be avoided through the micro-routing process. The Project will have substantial benefits to the South Coast region and the Rhode Island marine economic sector from the development of the Project through production of clean renewable energy delivered to consumers, reduction in GHG and mitigation of climate change, workforce hiring and training opportunities, and contributions to the economy through procurement of materials, equipment, and services. SouthCoast Wind has engaged with fisheries representatives to conduct a fisheries exposure assessment to determine potential monetary impacts to the Rhode Island fishing industry. SouthCoast Wind has also engaged with the Town of Portsmouth, Rhode Island to develop a mutually acceptable agreement for the Project siting in Portsmouth which was successfully executed in the form of an HCA on January 16, 2024.

Also, SouthCoast Wind is currently providing support and looking to develop long term relationships with the following Rhode Island-based organizations:

- Roger Williams University
- SupplyRI w/Rhode Island Commerce
- Commercial Fisheries Center of Rhode Island
- Clean Ocean Access
- Greater Newport County Chamber of Commerce
- Portsmouth Business Association
- US Sailing and US Powerboating

**Why SouthCoast Falls Short:** The benefit of the electricity to Rhode Island must be weighed against the detrimental cost to the consumer associated with the construction, maintenance, and decommissioning of the undersea cable. There will be significant adverse impacts from the proposed project. Those impacts are discussed below. Therefore, either CRMC must find the proposed project inconsistent with its policies or project modifications and/or mitigation measures are necessary. Given that the proposed cable route is located less than one (1) mile off the coast of the Town, and construction, operation, maintenance and decommissioning will cause impacts

to the Town's revenue, navigation, fishing activity, for citizens of the community, the Town expects significant mitigation of the project itself and/or mitigation measures to be implemented. Until such modifications or measures have been identified, the Town recommends that CRMC find that the project is inconsistent with this Enforceable Policy.

The proposed Project will negatively impact navigation as the Town is a stopover point for boats heading East to Martha's Vineyard and Nantucket, as well as those that require safe harbor in deteriorating weather conditions. This has a significant adverse impact on human use.

The presence of subsea hazards from the installation, operation, maintenance and decommissioning of the cables as well as any electromagnetic field emitted from the cables while in operation would cause disruption to the Town's coastline.

Views, water access, and navigation will be adversely affected during installation, operation, maintenance, and decommissioning of the proposed cables as well as associated turbines and platforms.

The Town's shoreline, its restaurants, recreational activities, commercial shellfishing, and lobstering will likely be disturbed. This includes navigation-related interference and buoys, vessel traffic safety, damage to fishing gear, and the environment.

***Enforceable Policy § 11.10.1(E):*** *The Council shall prohibit any other uses or activities that would result in significant long-term negative impacts to Rhode Island's commercial or recreational fisheries. Long-term impacts are defined as those that affect more than one or two seasons. (Emphasis added)*

**SouthCoast's Response:** Noted. Construction and decommissioning activities associated with the Project are expected to have short-term, localized impacts on access to fishing grounds due to temporary safety zones. During the O&M phase of the Project, commercial and recreational fisheries are expected to experience none to limited effects because the cables will be sufficiently buried and the need for secondary cable protection is expected to be limited.

**Why SouthCoast Falls Short:** According to SouthCoast, impacts of up to three (3) years are expected. Since the project will have this impact, and where avoidance is not possible, impacts should be minimized to the greatest extent possible, and so mitigation measures have to at least be identified. As the Applicant has incorrectly indicated that the project is not expected to have any concerning impact, the Town requests that the CRMC find the project inconsistent. According to the COP:

“Benthic and shellfish resources have the potential to be exposed to various IPFs in the Offshore Project Area during all phases of the proposed Project, such as introduced sound, seabed disturbance, habitat disturbance and modification, EMFs, planned discharges, and accidental events....Recolonization of the complex habitats in...isolated segments of the

Brayton Point export cable corridor, is expected to occur over **periods of 1 to 3 years.**” See COP Vol. II at Pg 300.

“Benthic EFHs for egg and larval fish life stages and benthic invertebrate communities are expected to recolonize the area after construction activities have concluded. This may occur within months or **one to three years** following disturbance.” See COP Vol. II at Pg. 331.

“The long-term recovery time of hard bottom EFHs expected to occur along the export cable corridors (particularly in the northern portion) may cause a temporary shift in the benthic community composition, which **could have permanent effects on the benthic habitat** (BOEM, 2021)” See COP Vol. II at Pg. 335.

***Enforceable Policy § 11.10.1(F):*** *The Council shall require that the potential adverse impacts of offshore developments and other uses on commercial or recreational fisheries **be evaluated, considered and mitigated** as described in § 11.10.1(G) of this Part. (Emphasis added).*

**SouthCoast’s Response:** Noted. SouthCoast Wind continues to engage with fisheries representatives to determine potential impacts on fisheries and mitigation measures. Also, see the response to § 11.10.1(E) above

**Why SouthCoast Falls Short:** According to this Enforceable Policy, impacts to commercial and recreational fisheries must be addressed. Until such time as these impacts have been properly evaluated, considered and mitigated, the CRMC must find the project is inconsistent with this Enforceable Policy.

***Enforceable Policy § 11.10.1(G):*** *For the purposes of fisheries policies and standards as summarized in Ocean SAMP Chapter 5, Commercial and Recreational Fisheries, §§ 5.3.1 and 5.3.2 of this Subchapter, mitigation is defined as a process to make whole those fisheries user groups, including related shore-side seafood processing facilities, that are adversely affected by offshore development proposals or projects. **Mitigation measures** shall be consistent with the purposes of duly adopted fisheries management plans, programs, strategies and regulations of the agencies and regulatory bodies with jurisdiction over commercial and recreational fisheries, including but not limited to those set forth above in § 11.9.4(B) of this Part. Mitigation shall not be designed or implemented in a manner that substantially diminishes the effectiveness of duly adopted fisheries management programs. Mitigation measures may include, but are not limited to, compensation, effort reduction, habitat preservation, restoration and construction, marketing, and infrastructure and commercial fishing fleet improvements. Where there are potential impacts associated with proposed projects, the need for mitigation shall be presumed (see § 11.10.1(F) of this Part). **Mitigation shall be negotiated between** the Council staff, the **FAB**, the project developer, and approved by the Council. The final mitigation will be the mitigation required by the*

*CRMC and included in the CRMC's Assent for the project or included within the CRMC's federal consistency decision for a project's federal permit application. (Emphasis added)*

**SouthCoast's Response:** Noted. As demonstrated in Section 3, SouthCoast Wind is committed to minimizing Project impacts on commercial and recreational fisheries. SouthCoast Wind has developed a Fisheries Communication Plan (COP, Appendix W) and will continue to engage with the FAB and HAB or similar group of constituents and the commercial and recreational fishing industries and communities.

**Why SouthCoast Falls Short:** The Fishermen's Advisory Board (FAB) resigned on August 31, 2023. There are no current FAB members for the Applicant to be engaging with to minimize project impacts. Therefore, as there is no FAB convened, the CRMC absolutely cannot find that the proposed project is consistent with this policy. "Rhode Island CRMC has made deference to offshore wind developers its top priority regardless of the requirements of the Ocean SAMP, the cost to the environment, or the impacts to Rhode Island's fishing industry...The Ocean SAMP process has been reduced to mere political theater." *See FAB Resignation Letter.*

There are no current FAB members for the Applicant to be engaging with to minimize project impacts. Further, any "similar group of constituents and the commercial and recreational fishing industries and communities" are not an acceptable replacement for the FAB. The CRMC must follow its own procedures in appointing members to the FAB, as required by the Ocean SAMP. Any other proposed or alleged procedure or process is in contravention to the CRMC regulations.

There are significant fisheries impacts associated with the project (*See Enforceable Policy § 11.10.1(C)*) discussion above. Based on these impacts, the proposed project should either be found inconsistent, or significant mitigation measures must be required. Until such time as the impacts have been properly evaluated, considered and/or mitigated, the Town requests that the CRMC find the project is inconsistent with its policies.

***Enforceable Policy § 11.10.1(I):*** *The finfish, shellfish, and crustacean species that are targeted by commercial and recreational fishermen rely on appropriate habitat at all stages of their life cycles. While all fish habitat is important, spawning and nursery areas are especially important in providing shelter for these species during the most vulnerable stages of their life cycles. The Council shall protect sensitive habitat areas where they have been identified through the Site Assessment Plan or Construction and Operation Plan review processes for offshore developments as described in § 11.10.5(C) of this Part.*

**SouthCoast's Response:** Noted. Refer to § 11.10.2(C)(3) below and the response to § 11.10.1(E) above.

**Why SouthCoast Falls Short:** The SouthCoast response does not address the impacts to the spawning and nursery areas of finfish, shellfish, or crustacean species. Further, the response given only addresses impacts to fishing grounds and commercial and recreation fisheries, not spawning

and nursing areas. The Town requests that the CRMC find the project is inconsistent with this policy. According to the application at pg 137: “Impacts from Project activities related to installation of the export cable in shallow nearshore...waters may temporarily directly affect winter flounder eggs, YOY, and spawning adults...winter flounder...may experience small amounts of permanent habitat loss in areas that are converted from sandy sediments to hard bottom habitats should secondary cable protection be needed” *Category B Application at Page 137*. It is not a question whether secondary cable protection is needed. There is an estimate of approximately 15% of the ECC that will require secondary cable protection, *See November 13, 2024, Public Notice*. Project alternatives must be considered and mitigation measures identified in an effort to protect spawning and nursery resources.

***Enforceable Policy § 11.10.1(K):*** *The potential impacts of a proposed project on cultural and historic resources will be evaluated in accordance with the National Historic Preservation Act and Antiquities Act, and the Rhode Island Historical Preservation Act and Antiquities Act as applicable. Depending on the project and the lead federal agency, the projects that may impact marine historical or archaeological resources identified through the joint agency review process may require a marine archaeology assessment that documents actual or potential impacts the completed project will have on submerged cultural and historic resources. (Emphasis added)*

**SouthCoast’s Response:** BOEM is the lead federal agency reviewing the Project and is required to satisfy Section 106 of the NHPA. Section 106 of the NHPA requires federal agencies such as BOEM to take into account the impact of federally permitted projects on historic properties, and work with SHPOs, THPOs, and other recognized stakeholders, to avoid or mitigate any adverse effect on historic or archaeological sites with the potential to be listed on the NRHP as significant properties. Section 106 consultation was initiated for the Project on November 1, 2021. To date SouthCoast Wind has participated in four Section 106 consultation meetings with the fifth and final meeting to be held in October 2024.

**Why SouthCoast Falls Short:** There are historical sites within the proposed cable area. “Archaeological testing performed by PAL identified two archaeological sites within the Project Area on Aquidneck Island...PAL recommends that these sites are potentially eligible for listing in the National Register under Criteria A and D...PAL recommends archaeological monitoring of cable duct trench excavation near the sites” *Category B Application at Page 100*. “Avoidance zones have been identified around sensitive marine cultural resources and cable routing will not go through these areas to the extent practicable.” *Id.* At Page 171. The Town, and therefore the CRMC is prevented from commenting or evaluating fully this Enforceable Policy as the Historic Properties Treatment Plan is confidential. Until a mitigation plan is released, the CRMC cannot find the proposed project is consistent with this Enforceable Policy.

***Enforceable Policy § 11.10.1(M):*** *The potential non-physical impacts of a proposed project on cultural and historic resources shall be evaluated in accordance with 36 C.F.R. § 800.5,*

*assessment of adverse effects, including the introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features. Depending on the project and the lead federal agency, the Ocean SAMP Interagency Working Group may require that a project undergo a visual impact assessment that evaluates the visual impact a completed project will have on onshore cultural and historic resources. (N): A visual impact assessment may require the development of detailed visual simulations illustrating the completed project's visual relationship to onshore properties that are designated National Historic Landmarks, listed on the National Register of Historic Places, or determined to be eligible for listing on the National Register of Historic Places. Assessment of impacts to specific views from selected properties of interest may be required by relevant state and federal agencies to properly evaluate the impacts and determination of adverse effect of the project on onshore cultural or historical resources. (O): A visual impact assessment may require description and images illustrating the potential impacts of the proposed project.*

**SouthCoast's Response:** As a submarine cable buried beneath the seafloor, the Project will not result in long-term visual impacts.

**Why SouthCoast Falls Short:** The proposed project will affect views during installation, operation, maintenance, and decommissioning off the Town's shores. There can be no doubt that vessels, barges, cranes or other equipment will be necessary at the point of installation and all along the cable route, at the time it is installed, on every occasion it is maintained and when it is removed at decommissioning (assuming that removing it is included as part of the decommissioning process). A visual impact assessment has to be completed for the visual, atmospheric, and audible adverse effects (as is required) that the Town will face resulting from the proposal. Until this is done, the Town has the chance to review the information, and measures are determined that will mitigate effects, the CRMC has to find the project inconsistent.

***Enforceable Policy § 11.10.2(C)(2): Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Offshore dive sites within the Ocean SAMP area, as shown in Figure 2 in § 11.10.2 of this Part, are designated Areas of Particular Concern. The Council recognizes that offshore dive sites, most of which are shipwrecks, are valuable recreational and cultural ocean assets and are important to sustaining Rhode Island's recreation and tourism economy. (Emphasis added).***

**SouthCoast's Response:** There are no offshore dive sites located within the ECC corridor within Rhode Island state waters as identified on Figure 2 in § 11.10.2 of the Ocean SAMP. The nearest dive site is the P.T. Teti which is located approximately 115 ft (35 m) from the western edge of the ECC.

**Why SouthCoast Falls Short:** The proposed cable is very close to Dive Site P.T. Teti at only 115 feet. Until project modifications have occurred, or adequate mitigation measures have been identified facilitate the protection of boats and divers seeking to access the Dive Site, the proposed project is inconsistent with this Enforceable Policy.

***Enforceable Policy § 11.10.2(C)(3):*** Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: ***Glacial moraines*** are important habitat areas for a diversity of fish and other marine plants and animals because of their relative structural permanence and structural complexity. Glacial moraines create a unique bottom topography that allows for habitat diversity and complexity, which allows for species diversity in these areas and creates environments that exhibit some of the highest biodiversity within the entire Ocean SAMP area. The Council also recognizes that because glacial moraines contain valuable habitats for fish and other marine life, they are also important to commercial and recreational fishermen. Accordingly, the Council shall designate glacial moraines as identified in Figures 3 and 4 in § 11.10.2 of this Part as Areas of Particular Concern. (*Emphasis added*).

**SouthCoast's Response:** The ECC crosses glacial moraines mapped in the Ocean SAMP in Figures 3 and 4 in Ocean SAMP § 11.10.2. SouthCoast Wind prepared detailed mapping of benthic habitats, including identification of moraine areas, based on two rounds of benthic data and geophysical data collected in 2021 and 2022; these are included and described in the Benthic Habitat Assessment in Attachment M. Mapping of moraine and benthic habitats was used to guide cable route engineering and microrouting as depicted in Attachment C Offshore Export Cable Engineering Drawings. SouthCoast Wind sited the ECC to avoid Glacial Moraine to the extent practicable and micrositing the cable will further reduce impacts. Complete avoidance of Glacial Moraine habitats is not practicable, SouthCoast Wind will take all feasible efforts to avoid any damage to the glacial moraine benthic habitats (see Figure 3-3 in Attachment A for the benthic habitat types including glacial moraine surveyed within the ECC), as described in Section 2. Given the relatively small area of moraine that would be impacted, the short duration of construction activities, and the efforts SouthCoast Wind has committed to minimize impacts to the extent practicable (see Section 2), overall effects to marine habitat are expected to be minimal. An independent review of the Project's ECC with the Rhode Island GLD and in state waters was conducted as part of the Federal Consistency Review (Attachment W). This assessment confirmed that sensitive habitats including glacial moraine can be avoided through micro-routing.

**Why South Falls Short:** 185 acres of the ECC were mapped as moraine habitat. Construction, operations, maintenance and decommissioning in the areas will result in adverse impacts to habitats, this will negatively impact marine plants and animals, further affecting fishing resources and the Town's community. Again, the proposed project requires further mitigation and management measures to be identified for those glacial moraine areas that will be impacted. Until this is done, the proposed project inconsistent.

***Enforceable Policy § 11.10.2(C)(4):*** Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Navigation, military, and infrastructure areas including: ***designated shipping lanes***, precautionary areas, recommended vessel routes, ferry routes, dredge disposal sites, military testing areas, unexploded ordnance, pilot boarding areas, anchorages, and a coastal buffer of 1 km as depicted in Figure 5 in § 11.10.2 of

*this Part are designated as Areas of Particular Concern. The Council recognizes the importance of these areas to marine transportation, navigation and other activities in the Ocean SAMP area. (Emphasis added).*

**SouthCoast's Response:** The Project avoids designated shipping lanes, precautionary areas, dredge disposal sites, military testing areas, unexploded ordnance (UXO), pilot boarding areas, anchorages, and the coastal buffer as shown in Ocean SAMP § 11.10.2(I) Figure 5. SouthCoast Wind has and will continue to engage with the USCG, the U.S. Navy, and other marine stakeholders. The ECC was sited to avoid conflicts with Department of Defense activities and restricted areas. Additional information can be found in the response to § 11.9.5(D). SouthCoast Wind has also completed an assessment to evaluate UXO risk in the Project area (Attachment U-UXO Risk Assessment is provided separately under “confidential” cover).

**Why SouthCoast Falls Short:** Ocean SAMP § 11.10.2(I) Figure 5 illustrates the shipping lanes in the area, and the proposal runs through two of them. The construction, maintenance and decommissioning will disrupt these shipping lanes. For this reason, the Town asks that the CRMC find the project to be inconsistent.

***Enforceable Policy § 11.10.2(C)(5):*** *Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Areas of high fishing activity as identified during the pre-application process by the Fishermen's Advisory Board, as defined in § 11.3(E) of this Part, may be designated by the Council as Areas of Particular Concern. (Emphasis added).*

**SouthCoast's Response:** Noted. As explained in Table 3-17, fishing activity near the ECC within the Ocean SAMP in Rhode Island state waters is clustered in distinct locations located outside of the ECC. Refer to Section 3.5 for evaluation of fishing activity in the vicinity of the ECC.

**Why SouthCoast Falls Short:** The Project WILL have negative effects on Town fishing. Of particular concern to the Town: Fish Traps. There are several licenses for fish traps at the mouth of the Sakonnet River. *Id.* Commercial Fishing. There are several commercial fishing techniques used near the cable landfall (bottom trawl, pots, trap fishing). *Id. at Page 153*. Commercial and recreational fishermen may be excluded from actively fishing or transiting during construction. *Id. at 156*. Recreational Fishing. There are recreational fishing boats that transit through the ECC. Brown's Ledge and Sachuest Point National Wildlife Refuge [Breakwater at Sakonnet (little Compton)] is a for-hire recreational fishing location for targeting scup, black sea bass, striped bass, summer flounder, and bluefish. Impacts to the habitats of these fish can have a great impact on the economy if the Town and its residents if there is a decrease in fish to catch for these for-hire recreational fishing businesses. The species are expected to experience disturbance resulting from cable burying and disturbance to the seafloor. *Id.* Gear loss. Gear may become entangled in cables or other Project components. SouthCoast Wind has stated that they will work with fishermen through a lost gear claims form process “to determine if reimbursement is warranted.” *Id. at 157*. The fishermen will potentially have their gear destroyed by the Project and are not guaranteed

reimbursement for the damages done to their property that allows them to make a living. Steam Times. Commercial and recreational fishermen may have to extend their routes to obtain access to fishing grounds during the time of construction of the Project. *Id.* Additional Concerns. If fishing is impacted, many fishermen will move to conduct their efforts in a different geographical area, outside of Rhode Island. A lack of fish, or larger fish that is targeted by commercial and recreational fishermen will prove to be a significant loss to the fishing community of the Town. Cumulative Impacts. There has been insufficient discussion of the potential adverse impact of future wind farm project activities in the area. There are numerous wind farm projects happening along the coast of Rhode Island and neighboring states. Together, the adverse impact of these projects is exponentially greater than what has been considered.

Further, recent construction at the Sakonnet River has occurred at the hands of the Algonquin Gas Transmission's natural gas pipeline, only increasing the level of disturbance to the project area. Protesters requested that the Federal Energy Regulatory Commission reject Algonquin's request for authorization to perform its maintenance project due to "impermissible segmentation, inadequate environmental review, an increase in greenhouse gas emissions, and a lack of need for the project." *See FERC Order Denying Protests and Authorizing Construction Page 6*. These protests were denied due to the FERC finding that the Algonquin project would not significantly affect the "quality of the human environment" *Id. at Page 1*. Although the Algonquin project may not significantly affect the "human environment" alone, allowing additional projects that will cause disruption can and will amount to a significant adverse effect on the environment.

***Enforceable Policy § 11.10.2(C)(6):*** *Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Several heavily used **recreational boating** and sailboat racing areas, as shown in Figure 6 in § 11.10.2 of this Part, are designated as Areas of Particular Concern. The Council recognizes that organized recreational boating and sailboat racing activities are concentrated in these particular areas, which are therefore important to sustaining Rhode Island's recreation and tourism economy. (Emphasis added).*

**SouthCoast's Response:** The Project avoids organized recreational activity as shown in Figure 6 in § 11.10.2(I) of the Ocean SAMP. SouthCoast Wind will coordinate with organizers of major marine events to ensure safety for all marine users and preservation of Rhode Island's recreation and tourism economy. Sailing regattas are common in Mount Hope Bay and therefore SouthCoast Wind will communicate with these recreational uses of the bay to provide notification of the construction schedule and any required, temporary exclusion zones.

**Why SouthCoast Falls Short:** This is incorrect. Figure 6 in § 11.10.2(I) illustrates the recreational boating areas off the coast, and the proposed cable traverses through these areas. There will be an adverse impact on recreational boating during the construction, operation, maintenance and decommissioning of the cables proposed. For this reason, the proposed project is inconsistent with this Enforceable Policy.

**Enforceable Policy § 11.10.3(A)(1):** *Areas Designated for Preservation are designated in the Ocean SAMP area in state waters for the purpose of preserving them for their ecological value. Areas Designated for Preservation were identified by reviewing habitat and other ecological data and findings that have resulted from the Ocean SAMP process. Areas Designated for Preservation are afforded additional protection than Areas of Particular Concern (see § 11.10.2 of this Part) because of scientific evidence indicating that large-scale offshore development in these areas may result in significant habitat loss. The areas described in § 11.10.3 of this Part are designated as Areas Designated for Preservation. The Council shall prohibit any large-scale offshore development, mining and extraction of minerals, or other development that has been found to be in conflict with the intent and purpose of an Area Designated for Preservation. Underwater cables are exempt from this prohibition. Areas Designated for Preservation include:*

*1. Ocean SAMP sea duck foraging habitat in water depths less than or equal to 20 meters [65.6 feet] (as shown in Figure 8 in § 11.10.2 of this Part) are designated as Areas Designated for Preservation due to their ecological value and the significant role these foraging habitats play to avian species, and existing evidence suggesting the potential for permanent habitat loss as a result of offshore wind energy development. The current research regarding sea duck foraging areas indicates that this habitat is depth limited and generally contained within the 20 meter depth contour. It is likely there are discreet areas within this region that are prime feeding areas, however at present there is no long-term data set that would allow this determination. Thus, the entire area within the 20 meter contour is being protected as an Area Designated for Preservation until further research allows the Council and other agencies to make a more refined determination. (Emphasis added).*

**SouthCoast's Response:** The installation of the offshore export cables will temporarily disturb approximately 0.66 ac (0.26 ha) of sea duck foraging habitat designated as Areas Designated for Preservation in state waters, based on the mapping provided in Figure 8.54 of the Ocean SAMP (see Figure 5-1, Attachment A). Micro-routing cables will minimize the Project footprint in this area, as practicable, and the resultant overlap with habitat is expected to be minimal. The cable will be installed between 3.2 to 13.1 ft (1.0 to 4.0 m) below the seabed with no impacts to benthic habitat during operations. Sea duck foraging habitat that cannot be avoided will be temporarily disturbed by the installation of the cables via jet sled / jet plow, but the cable trench will be backfilled and is expected to be naturally reconstituted to allow for the re-establishment of sea duck foraging habitat. Given the short-term effects within a very small area, the impacts to duck foraging habitat is expected to be minimal.

Under §8.5.2(C)(2) Areas of Particular Concern of the Ocean SAMP, “The Council may require a successful applicant to provide a mitigation plan that protects the ecosystem. The Council will permit underwater cables, only in certain categories of Areas of Particular Concern, as determined by the Council in coordination with the Joint Agency Working Group.”

**Why SouthCoast Falls Short:** Not only will sea ducks be displaced due to the project, one of their food sources will also be negatively impacted. “Sea ducks are...vulnerable to displacement” COP Vol. II at Page 157. “Marine birds, including sea ducks and loons may be disturbed by introduced sound in the Lease Area and export cable corridors that result from increased vessel traffic and

construction activities” *Id. at Page 175*. “Construction in the Lease Area...will temporarily disturb the seafloor, which will temporarily affect foraging, particularly on such prey items like sand lance..., within the Lease Area for some marine birds such as...sea ducks.” *Id. at Page 174*. As stated in § 11.10.3(A)(1), there is no long-term data to quantify the impact that offshore wind has on sea duck foraging habitats. Therefore, any adverse impacts to sea duck foraging habitats should be mitigated as they are a concern for preservation. Thus, the Town suggests that the CRMC find the Applicant is inconsistent with this enforceable policy until further plans to mitigate impacts are addressed.

***Enforceable Policy § 11.10.3(A)(3): The Council shall prohibit any offshore development in areas identified as Critical Habitat under the Endangered Species Act.***

**SouthCoast’s Response:** The USFWS was consulted on March 30, 2022, through the IPaC consultation process for the Official Species List for Rhode Island. The IPaC response stated that there are no critical habitats within the Project area under the United States Department of the Interior Fish and Wildlife Service’s jurisdiction. Where the ECC traverses the boundaries of the Ocean SAMP, the Project is not located within North Atlantic right whale critical habitat, as mapped by NMFS. According to §520.4. Critical Habitat of the Ocean SAMP - “Under the Endangered Species Act, Critical Habitat is designated for species listed under the Act as threatened or endangered. The ESA describes Critical Habitat as those areas that are “essential to the conservation of the species and which may require special management considerations or protection.” According to the NOAA Northeast Regional Office Protected Resources Division, there is no Critical Habitat for any listed finfish species within the Ocean SAMP area (Crocker, pers. comm. a.)”

**Why SouthCoast Falls Short:** Although there is not a critical habitat designated for the Roseate Tern, it is a threatened species in the proposed project area. The Roseate Tern “is not a bird of conservation in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development of activities” *See Appendix J at Page 175*. Additionally, the Roseate Tern breeds from May – August in the project area. *See Appendix J at Page 185*. Being that there is a threatened species of bird that uses the project area for breeding, the Town urges that the CRMC consider enforcing mitigation measures associated with the protection of susceptible wildlife species. Otherwise, this application must be denied.

***Enforceable Policy § 11.10.4(A): Large-scale projects or other development which is found to be a hazard to commercial navigation shall avoid areas of high intensity commercial marine traffic in state waters. Avoidance shall be the primary goal of these areas. Areas of high intensity commercial marine traffic are defined as having 50 or more vessel counts within a 1 km by 1 km grid, as shown in Figure 9 in § 11.10.4(B) of this Part.***

**SouthCoast's Response:** ... the portion of the Project offshore facilities that is the subject to the Category B Assent is limited to the underwater cables that are to be buried beneath the seafloor to avoid hazards and conflicts with commercial marine navigation. SouthCoast Wind sited the Project to avoid areas of higher intensity commercial marine traffic (see Attachment N – Navigation Safety Risk Assessment for more information). Attachment B – Route Alternatives Assessment provides a discussion of alternative routes considered by SouthCoast Wind, including the East Passage of Narragansett Bay, which is used by most commercial and deep-draft vessels. The Sakonnet River route is rarely used by commercial vessels, as shown in Figure 9 in § 11.10.4(B) of the Ocean SAMP, for a variety of reasons, including water depth limitations, lack of access to the Port of Providence, lack of a clearly marked navigation channel, and the absence of marine pilots qualified to conn a ship within the river

**Why SouthCoast Falls Short:** The application is for cables that are to be buried underneath the seafloor. All associated installation, operation, maintenance, and decommissioning of the cables will involve vessels, crews and other equipment in the area on a long term, as needed basis. This new use of the Sakonnet River will affect local navigation. For this reason, and without mitigation measures in place, the project is inconsistent with this policy.

## CONCLUSION

On behalf of the Town of Middletown, given the Enforceable Policies which were adopted to guide the CRMC's decision on this application and the impacts indicated above, SouthCoast has failed to demonstrate project consistency. The Town therefore requests that the CRMC find the project inconsistent.

To the extent mitigation measures are possible, the Town suggests that, at a minimum, the following be implemented by SouthCoast (in addition to previously approved conditions in state assent process):

1. All efforts shall be undertaken to avoid interactions with mobile and static fishing gears and to notify the fishing public of when and where deployments, surveying, and maintenance are taking place. All deployed gear shall be maintained regularly to avoid damage/loss that may interfere with transiting vessels or fishing gear. This includes 24 hour monitoring by at least two board when cables are laid.
2. Vessels performing survey work for a lessee should be required to maintain records of their daily operations, including the route they took each day. These records should be made available to the public.
3. To guarantee safety of fishing activities, any broken project parts or equipment that cannot be retrieved shall be buried at least 2 meters below the seafloor.
4. From November 1 through May 14, all vessels travel at 10 knots (18.5 kilometers per hour) or less when transiting to, from, or within the project area.

5. Allow fishing vessels with static gear inside the project area during construction.
6. Export cables shall not be installed during peak fishing or recreational boating season.
7. Cables should minimize the total cable footprint.
8. Developer will monitor safety threats including radar disruption, ice shedding, vessel allisions and collisions, and impacts on search and rescue for the life of the project, and shall provide documentation of such monitoring results to CRMC upon request.
9. The same conditions under construction shall be applied for decommissioning.
10. Include funding set aside for unforeseen circumstances that may lead to early decommissioning.
11. In the event of a leak of oil or other fluids, that information must be made available to the public immediately, and in particular the fishing industry to avoid inadvertent harvesting of product(s) that may be harmful to consume.
12. A Good Neighbor Agreement be entered into with the coastal towns surrounding the Sakonnet River to establish a Sakonnet River Offshore Wind Community Fund for the purpose of supporting and promoting the mutual interest in renewable energy developments, combating the effects of global climate change, enhancing coastal resiliency, and protecting, restoring, and preserving cultural and historic resources.



---

*Marisa Desautel, Esq.*  
[marisa@desautelbrowning.com](mailto:marisa@desautelbrowning.com)  
401.477.0023

January 20, 2025

Coastal Resources Management Council  
O.S. Government Center  
4808 Tower Hill Road, Rm 116  
Wakefield, RI 02879-1900

**RE: Request for Public Hearing: SouthCoast Wind Category B Application**

Dear Members of the RI CRMC,

This office represents the Town of Little Compton with respect to the above-captioned matter. Please accept this formal correspondence as the Town's request for a public hearing concerning the above application.

Enclosed you will find a detailed document providing the reasoning for this request. This document highlights concerns regarding potential environmental, social, and legal impacts of the proposed project. Given the potential consequences of the matter, the Town believes a public hearing would offer an essential platform for concerned parties to voice their perspectives and allow for a thorough consideration of all relevant factors before any final decision is made by the CRMC.

Thank you for your attention to this matter.

Sincerely,

Marisa Desautel, Esq.

Enclosures



---

## MEMORANDUM

**To:** Jeffrey Willis, Executive Director, Coastal Resources Management Council

**From:** Desautel Browning Law, on behalf of the Town of Little Compton

**Date:** January 20, 2025

**Re:** SouthCoast Wind Category B Assent Application

---

This office represents the Town of Little Compton with respect to the above-referenced project. We have reviewed SouthCoast Wind's consistency statements regarding the SouthCoast Wind Farm Project and provide the following responses on behalf of the Town of Little Compton.

An Executive Order will be signed by President Trump later on this same date, putting into effect a pause on all offshore wind leases. Respectfully, on behalf of our client, this office asserts that the CRMC cannot go forward with this application as it is not only inconsistent with the CRMC's Enforceable Policies, as discussed below, but it is also now inconsistent with current Federal mandate.

CRMC must issue a decision as to whether the SouthCoast Wind project, proposed in federal waters, is consistent with the enforceable policies of the State's federally approved coastal management program. CRMC concurrence is required before BOEM may approve the SouthCoast Wind COP (*See* CFR 585.628(f)). For the following reasons, the Town avers that the project application must be denied.

The regulatory standards contained within 650-RICR-20-05-11 are enforceable policies for purposes of the CZMA federal consistency provisions, specifically Part 11.10 which states:

***Enforceable Policy § 11.10.1(C):*** *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, 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. (Emphasis added)*

**SouthCoast's Response:** SouthCoast Wind collected G&G and benthic/habitat field survey data within the entire ECC, which is 1,640 ft (500 m) to 2,300 ft (700 m) wide. The width of the surveyed ECC is designed to allow for micro-routing to avoid sensitive resources and obstacles, and to provide for maneuverability during construction and maintenance. Micro-routing is the primary strategy for avoiding geohazards, obstructions, and sensitive habitats. Based on these survey data, sensitive environmental and cultural resources and geohazards were mapped to guide cable routing within the ECC with the objectives (to the extent practicable) of meeting the cable burial target depth, minimizing the impacts to sensitive marine and coastal habitats, and avoiding surficial geologic and anthropogenic features as informed by data collected in the G&G surveys. Cable routing and sensitive resource mapping are integrated in Attachment M. The independent benthic-geological reviews (Attachment W) also confirm that these sensitive resources can be avoided through the micro-routing process.

The Project will have substantial benefits to the South Coast region and the Rhode Island marine economic sector from the development of the Project through production of clean renewable energy delivered to consumers, reduction in GHG and mitigation of climate change, workforce hiring and training opportunities, and contributions to the economy through procurement of materials, equipment, and services. SouthCoast Wind has engaged with fisheries representatives to conduct a fisheries exposure assessment to determine potential monetary impacts to the Rhode Island fishing industry. SouthCoast Wind has also engaged with the Town of Portsmouth, Rhode Island to develop a mutually acceptable agreement for the Project siting in Portsmouth which was successfully executed in the form of an HCA on January 16, 2024.

Also, SouthCoast Wind is currently providing support and looking to develop long term relationships with the following Rhode Island-based organizations:

- Roger Williams University
- SupplyRI w/Rhode Island Commerce
- Commercial Fisheries Center of Rhode Island
- Clean Ocean Access
- Greater Newport County Chamber of Commerce
- Portsmouth Business Association
- US Sailing and US Powerboating

**Why SouthCoast Falls Short:** The benefit of the electricity to Rhode Island must be weighed against the detrimental cost to the consumer and in this case, the Town, associated with the construction, maintenance, and decommissioning of the undersea cable. There will be significant adverse impacts from the proposed project. Those impacts are discussed in more detail below. Therefore, project modifications and/or mitigation measures are necessary. Given that the proposed cable route is located less than one (1) mile off the coast of the Town, the project, at installation, operation, maintenance as well as at decommissioning, will cause direct impacts to recreation, revenue, navigation, and fishing activities for the community. The Town expects

significant project mitigation and/or mitigation measures will be required to offset these impacts. Until project modification has occurred or adequate mitigation measures have been identified to address these issues, the Town recommends that CRMC find the proposed project inconsistent with this Enforceable Policy.

The proposed Project will negatively impact navigation as the Town is a stopover point for boats heading East to Martha's Vineyard and Nantucket, and that require safe harbor in deteriorating weather conditions. This will have a significant adverse impact on human use.

The presence of subsea hazards from the installation, operation, maintenance and decommissioning of the cables as well as any electromagnetic field emitted from the cables while in operation will cause disruption to the Town's coastline.

Views, water access, and navigation will be adversely affected during installation, operation, maintenance, and decommissioning of the proposed cables as well as associated turbines and platforms.

The Town's shoreline, its restaurants, recreational activities, commercial shellfishing, and lobstering will be disturbed. This includes navigation-related interference and buoys, vessel traffic safety, damage to fishing gear, and the environment.

The Town's commercial and recreational fishing will be negatively affected during the proposed activities and the Town is among the top ten (10) ports with the highest annual average fish landings from 2008 to 2018 within the offshore cable corridor. *See Category B Application Table 7-10 and Section 7.5.4.*

***Enforceable Policy § 11.10.1(E):*** *The Council shall prohibit any other uses or activities that would result in significant **long-term negative impacts** to Rhode Island's commercial or recreational fisheries. Long-term impacts are defined as those that affect more than one or two seasons. (Emphasis added)*

**SouthCoast's Response:** Noted. Construction and decommissioning activities associated with the Project are expected to have short-term, localized impacts on access to fishing grounds due to temporary safety zones. During the O&M phase of the Project, commercial and recreational fisheries are expected to experience none to limited effects because the cables will be sufficiently buried and the need for secondary cable protection is expected to be limited.

**Why SouthCoast Falls Short:** Despite SouthCoast's response, a further look at the COP reveals that impacts of up to three (3) years are actually stated as expected. According to the COP:

“Benthic and shellfish resources have the potential to be exposed to various IPFs in the Offshore Project Area during all phases of the proposed Project, such as introduced sound, seabed disturbance, habitat disturbance and modification, EMFs, planned discharges, and

accidental events....Recolonization of the complex habitats in...isolated segments of the Brayton Point export cable corridor, is expected to occur over **periods of 1 to 3 years.**” See COP Vol. II at Pg 300.

“Benthic EFHs for egg and larval fish life stages and benthic invertebrate communities are expected to recolonize the area after construction activities have concluded. This may occur within months or **one to three years** following disturbance.” See COP Vol. II at Pg. 331.

“The long-term recovery time of hard bottom EFHs expected to occur along the export cable corridors (particularly in the northern portion) may cause a temporary shift in the benthic community composition, which **could have permanent effects on the benthic habitat** (BOEM, 2021)” See COP Vol. II at Pg. 335

Since the project is expected to have this kind of an impact, and where avoidance is not possible, impacts should be minimized to the greatest extent possible, and as a result, mitigation measures should be identified. As SouthCoast has incorrectly described the proposed project’s impacts, the Town requests that the CRMC find the project inconsistent with this Enforceable Policy.

***Enforceable Policy § 11.10.1(F):*** *The Council shall require that the potential adverse impacts of offshore developments and other uses on commercial or recreational fisheries **be evaluated, considered and mitigated** as described in § 11.10.1(G) of this Part. (Emphasis added).*

**SouthCoast’s Response:** Noted. SouthCoast Wind continues to engage with fisheries representatives to determine potential impacts on fisheries and mitigation measures. Also, see the response to § 11.10.1(E) above.

**Why SouthCoast Falls Short:** According to the above response, impacts to commercial and recreational fisheries must be addressed. Until such time as these impacts have been properly evaluated, considered and/or mitigated, the Town requests that the CRMC find the project is inconsistent with this Enforceable Policy.

***Enforceable Policy § 11.10.1(G):*** *For the purposes of fisheries policies and standards as summarized in Ocean SAMP Chapter 5, Commercial and Recreational Fisheries, §§ 5.3.1 and 5.3.2 of this Subchapter, mitigation is defined as a process to make whole those fisheries user groups, including related shore-side seafood processing facilities, that are adversely affected by offshore development proposals or projects. **Mitigation measures** shall be consistent with the purposes of duly adopted fisheries management plans, programs, strategies and regulations of the agencies and regulatory bodies with jurisdiction over commercial and recreational fisheries, including but not limited to those set forth above in § 11.9.4(B) of this Part. Mitigation shall not be designed or implemented in a manner that substantially diminishes the effectiveness of duly adopted fisheries management programs. Mitigation measures may include, but are not limited to, compensation, effort reduction, habitat preservation, restoration and construction, marketing, and*

*infrastructure and commercial fishing fleet improvements. Where there are potential impacts associated with proposed projects, the need for mitigation shall be presumed (see § 11.10.1(F) of this Part). **Mitigation shall be negotiated between the Council staff, the FAB, the project developer, and approved by the Council. The final mitigation will be the mitigation required by the CRMC and included in the CRMC's Assent for the project or included within the CRMC's federal consistency decision for a project's federal permit application. (Emphasis added)***

**SouthCoast's Response:** Noted. As demonstrated in Section 3, SouthCoast Wind is committed to minimizing Project impacts on commercial and recreational fisheries. SouthCoast Wind has developed a Fisheries Communication Plan (COP, Appendix W) **and will continue to engage with the FAB and HAB or similar group of constituents and the commercial and recreational fishing industries and communities. (emphasis added).**

**Why SouthCoast Falls Short:** This is impossible. The entire Fishermen's Advisory Board (FAB) resigned on August 31, 2023, because the "Rhode Island CRMC has made deference to offshore wind developers its top priority regardless of the requirements of the Ocean SAMP, the cost to the environment, or the impacts to Rhode Island's fishing industry...The Ocean SAMP process has been reduced to mere political theater." *See FAB Resignation Letter.* There are no current FAB members for the Applicant to be engaging with to minimize project impacts. Further, any "similar group of constituents and the commercial and recreational fishing industries and communities" are not an acceptable replacement for the FAB. The CRMC must follow its own procedures in appointing members to the FAB, as required by the Ocean SAMP. Any other proposed or alleged procedure or process is in contravention to the CRMC regulations.

There are potential impacts associated with the proposed project that should be discussed. (*See Enforceable Policy § 11.10.1(C) discussion above.* Based on the impacts, mitigation measures are required. Until such time as these impacts have been properly evaluated, considered and/or mitigated, and the FAB has been engaged, as is required, CRMC can only find that the project is inconsistent.

**Enforceable Policy § 11.10.1(I):** *The finfish, shellfish, and crustacean species that are targeted by commercial and recreational fishermen rely on appropriate habitat at all stages of their life cycles. While all fish habitat is important, spawning and nursery areas are especially important in providing shelter for these species during the most vulnerable stages of their life cycles. The Council shall protect sensitive habitat areas where they have been identified through the Site Assessment Plan or Construction and Operation Plan review processes for offshore developments as described in § 11.10.5(C) of this Part.*

**SouthCoast's Response:** Noted. Refer to § 11.10.2(C)(3) below and the response to § 11.10.1(E) above.

**Why SouthCoast Falls Short:** The response given by applicant to § 11.10.2(C)(3) fails to address impact to spawning and nursery areas for finfish, shellfish, or crustacean species.

Further, the response to § 11.10.1(E) only addresses impacts to fishing grounds and commercial and recreation fisheries generally. As a result, there has been no response from the applicant on spawning and nursing areas.

“Impacts from Project activities related to installation of the export cable in shallow nearshore...waters may temporarily directly affect winter flounder eggs, YOY, and spawning adults...winter flounder...may experience small amounts of permanent habitat loss in areas that are converted from sandy sediments to hard bottom habitats should secondary cable protection be needed” *Category B Application at Page 137*. It is not a question whether secondary cable protection is needed. There is an estimate of approximately 15% of the ECC that will require secondary cable protection, *See November 13, 2024, Public Notice*. Project alternatives must be considered and mitigation measures identified in an effort to protect spawning and nursery resources. The Town requests that the CRMC find the project is inconsistent with this Enforceable Policy.

***Enforceable Policy § 11.10.1(K):*** *The potential impacts of a proposed project on cultural and historic resources will be evaluated in accordance with the National Historic Preservation Act and Antiquities Act, and the Rhode Island Historical Preservation Act and Antiquities Act as applicable. Depending on the project and the lead federal agency, the projects that may impact marine historical or archaeological resources identified through the joint agency review process may require a marine archaeology assessment that documents actual or potential impacts the completed project will have on submerged cultural and historic resources. (Emphasis added)*

**SouthCoast’s Response:** BOEM is the lead federal agency reviewing the Project and is required to satisfy Section 106 of the NHPA. Section 106 of the NHPA requires federal agencies such as BOEM to take into account the impact of federally permitted projects on historic properties, and work with SHPOs, THPOs, and other recognized stakeholders, to avoid or mitigate any adverse effect on historic or archaeological sites with the potential to be listed on the NRHP as significant properties. Section 106 consultation was initiated for the Project on November 1, 2021. To date SouthCoast Wind has participated in four Section 106 consultation meetings with the fifth and final meeting to be held in October 2024.

**Why SouthCoast Falls Short:** There exist historical sites within the proposed cable area. “PAL recommends that these sites are potentially eligible for listing in the National Register under Criteria A and D...PAL recommends archaeological monitoring of cable duct trench excavation near the sites.” *Category B Application at Page 100*. “Avoidance zones have been identified around sensitive marine cultural resources and cable routing will not go through these areas to the extent practicable.” *Id.* at Page 171. The Town is prevented from commenting fully as the Historic Properties Treatment Plan is confidential. It is the Town’s position that until a public mitigation plan is released, that the CRMC must find the project inconsistent.

***Enforceable Policy § 11.10.1(M):*** *The potential non-physical impacts of a proposed project on cultural and historic resources shall be evaluated in accordance with 36 C.F.R. § 800.5, assessment of adverse effects, including the introduction of visual, atmospheric, or audible elements that diminish the integrity of the property's significant historic features. Depending on the project and the lead federal agency, the Ocean SAMP Interagency Working Group may require that a project undergo a visual impact assessment that evaluates the visual impact a completed project will have on onshore cultural and historic resources. (N):* A visual impact assessment may require the development of detailed visual simulations illustrating the completed project's visual relationship to onshore properties that are designated National Historic Landmarks, listed on the National Register of Historic Places, or determined to be eligible for listing on the National Register of Historic Places. Assessment of impacts to specific views from selected properties of interest may be required by relevant state and federal agencies to properly evaluate the impacts and determination of adverse effect of the project on onshore cultural or historical resources. (O): A visual impact assessment may require description and images illustrating the potential impacts of the proposed project.

**SouthCoast's Response:** As a submarine cable buried beneath the seafloor, the Project will not result in long-term visual impacts.

**Why SouthCoast Falls Short:** The proposed project will affect views during installation, operation, maintenance, and decommissioning. It is reasonable to expect that boats, barges, cranes, or other equipment will be used, positioned, left, parked or advanced at any given point and along the cable route as installed and after that as needed and then for decommissioning. A visual impact assessment should be completed for the visual, atmospheric, and audible adverse effects that the Town will have to face resulting from the project. Without such plan it is impossible for the Town to adequately assess impacts. Until a visual impact assessment is done and measures are determined to mitigate these adverse effects, the Town requests that the CRMC find the project inconsistent.

***Enforceable Policy § 11.10.2(C)(2):*** *Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Offshore dive sites within the Ocean SAMP area, as shown in Figure 2 in § 11.10.2 of this Part, are designated Areas of Particular Concern. The Council recognizes that offshore dive sites, most of which are shipwrecks, are valuable recreational and cultural ocean assets and are important to sustaining Rhode Island's recreation and tourism economy. (Emphasis added).*

**SouthCoast's Response:** There are no offshore dive sites located within the ECC corridor within Rhode Island state waters as identified on Figure 2 in § 11.10.2 of the Ocean SAMP. The nearest dive site is the P.T. Teti which is located approximately 115 ft (35 m) from the western edge of the ECC.

**Why SouthCoast Falls Short:** The proposed cable location is very close to Dive Site P.T. Teti. at only 115 ft. Until project modifications have occurred, or adequate mitigation measures have been identified to facilitate the protection of this site, the Town believes that CRMC must find that the proposed project is inconsistent.

***Enforceable Policy § 11.10.2(C)(3):*** Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: ***Glacial moraines*** are important habitat areas for a diversity of fish and other marine plants and animals because of their relative structural permanence and structural complexity. Glacial moraines create a unique bottom topography that allows for habitat diversity and complexity, which allows for species diversity in these areas and creates environments that exhibit some of the highest biodiversity within the entire Ocean SAMP area. The Council also recognizes that because glacial moraines contain valuable habitats for fish and other marine life, they are also important to commercial and recreational fishermen. Accordingly, the Council shall designate glacial moraines as identified in Figures 3 and 4 in § 11.10.2 of this Part as Areas of Particular Concern. (Emphasis added).

**SouthCoast's Response:** The ECC crosses glacial moraines mapped in the Ocean SAMP in Figures 3 and 4 in Ocean SAMP § 11.10.2. SouthCoast Wind prepared detailed mapping of benthic habitats, including identification of moraine areas, based on two rounds of benthic data and geophysical data collected in 2021 and 2022; these are included and described in the Benthic Habitat Assessment in Attachment M. Mapping of moraine and benthic habitats was used to guide cable route engineering and microrouting as depicted in Attachment C Offshore Export Cable Engineering Drawings. SouthCoast Wind sited the ECC to avoid Glacial Moraine to the extent practicable and micrositing the cable will further reduce impacts. Complete avoidance of Glacial Moraine habitats is not practicable, SouthCoast Wind will take all feasible efforts to avoid any damage to the glacial moraine benthic habitats (see Figure 3-3 in Attachment A for the benthic habitat types including glacial moraine surveyed within the ECC), as described in Section 2. Given the relatively small area of moraine that would be impacted, the short duration of construction activities, and the efforts SouthCoast Wind has committed to minimize impacts to the extent practicable (see Section 2), overall effects to marine habitat are expected to be minimal. An independent review of the Project's ECC with the Rhode Island GLD and in state waters was conducted as part of the Federal Consistency Review (Attachment W). This assessment confirmed that sensitive habitats including glacial moraine can be avoided through micro-routing.

**Why SouthCoast Falls Short:** Approximately 185 acres of the ECC are mapped as moraine habitat. Construction, operations, maintenance and decommissioning of the cable in these areas will result in adverse impacts to habitats for fish and marine life and will therefore negatively impact marine plants and animals, affecting fishing resources and therefore Town and its residents. For this reason, the proposal requires further mitigation measures for those glacial moraine areas that will be impacted by the ECC and the habitat it provides. Until such time as this is done, the proposed project is inconsistent.

***Enforceable Policy § 11.10.2(C)(4):*** Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Navigation, military, and infrastructure areas including: ***designated shipping lanes***, precautionary areas, recommended vessel routes, ferry routes, dredge disposal sites, military testing areas, unexploded ordnance, pilot boarding areas, anchorages, and a coastal buffer of 1 km as depicted in Figure 5 in § 11.10.2 of this Part are designated as Areas of Particular Concern. The Council recognizes the importance of these areas to marine transportation, navigation and other activities in the Ocean SAMP area. (Emphasis added).

**SouthCoast’s Response:** The Project avoids designated shipping lanes, precautionary areas, dredge disposal sites, military testing areas, unexploded ordnance (UXO), pilot boarding areas, anchorages, and the coastal buffer as shown in Ocean SAMP § 11.10.2(I) Figure 5. SouthCoast Wind has and will continue to engage with the USCG, the U.S. Navy, and other marine stakeholders. The ECC was sited to avoid conflicts with Department of Defense activities and restricted areas. Additional information can be found in the response to § 11.9.5(D). SouthCoast Wind has also completed an assessment to evaluate UXO risk in the Project area (Attachment U-UXO Risk Assessment is provided separately under “confidential” cover).

**Why SouthCoast Falls Short:** Ocean SAMP § 11.10.2(I) Figure 5 illustrates the designated shipping lanes in the area, and the proposed ECC runs through two of these shipping lanes. The construction of the ECC will disrupt these lanes. The Town therefore asks that the CRMC find the project to be inconsistent.

***Enforceable Policy § 11.10.2(C)(5):*** Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: ***Areas of high fishing activity*** as identified during the pre-application process by the Fishermen’s Advisory Board, as defined in § 11.3(E) of this Part, may be designated by the Council as Areas of Particular Concern. (Emphasis added).

**SouthCoast’s Response:** Noted. As explained in Table 3-17, fishing activity near the ECC within the Ocean SAMP in Rhode Island state waters is clustered in distinct locations located outside of the ECC. Refer to Section 3.5 for evaluation of fishing activity in the vicinity of the ECC.

**Why SouthCoast Falls Short:** The Project will have negative effects on fishing activity. While not all inclusive, the following are of particular concern to the Town: Fish Traps. There are several licenses for fish traps at the mouth of the Sakonnet River. *Id.* Commercial Fishing Activities. There are several commercial fishing techniques used near the cable landfall (bottom trawl, pots, trap fishing). *Id.* at Page 153. Little Compton’s port earns the fourth highest revenue in the ECC area, bringing in an annual average of \$120,977. *Id.* at Page 149 table 3-19. Commercial and recreational fishermen may be excluded from actively fishing or transiting during construction. *Id.* at 156. Recreational Fishing. There are recreational fishing boats that transit through the ECC. Brown’s Ledge and Sachuest Point National Wildlife Refuge [Breakwater at Sakonnet (little

Compton)] is a for-hire recreational fishing location for targeting scup, black sea bass, striped bass, summer flounder, and bluefish. Impacts to the habitats of these fish can have a great impact on the economy of the Town and its residents if there is a decrease in fish to catch for these for-hire recreational fishing businesses. The species are expected to experience disturbance resulting from cable burying and disturbance to the seafloor. *Id.* Gear loss. Gear may become entangled in cables or other Project components. SouthCoast Wind has stated that they will work with fishermen through a lost gear claims form process “to determine if reimbursement is warranted.” *Id.* at 157. The fishermen will potentially have their gear destroyed by the project, and are not guaranteed reimbursement for the damages done to their property that allows them to make a living. Steam Times. Commercial and recreational fisherman may have to extend their routes to obtain access to fishing grounds during the time of construction of the Project. *Id.* Additional Concerns. If fishing is impacted, many fishermen will move to conduct their efforts in a different geographical area, outside of Rhode Island. A lack of fish, or larger fish that is targeted by commercial and recreational fishermen will prove to be a significant loss to the fishing community of the Town. Cumulative Impacts. There has been insufficient discussion of the potential adverse impact of future wind farm project activities in the area. There are numerous wind farm projects happening along the coast of Rhode Island and neighboring states. Together, the adverse impact of these projects is exponentially greater than what has been considered.

Further, recent construction at the Sakonnet River has occurred at the hands of the Algonquin Gas Transmission’s natural gas pipeline, only increasing the level of disturbance to the project area. Protesters requested that the Federal Energy Regulatory Commission reject Algonquin’s request for authorization to perform its maintenance project due to “impermissible segmentation, inadequate environmental review, an increase in greenhouse gas emissions, and a lack of need for the project.” *See FERC Order Denying Protests and Authorizing Construction Page 6.* These protests were denied due to the FERC finding that the Algonquin project would not significantly affect the “quality of the human environment” *Id.* at Page 1. Although the Algonquin project may not significantly affect the “human environment” alone, allowing additional projects that will cause disruption can and will amount to a significant adverse effect on the environment and the Town.

***Enforceable Policy § 11.10.2(C)(6):*** *Areas of particular concern that have been identified in the Ocean SAMP area in state waters are described as follows: Several heavily used **recreational boating** and sailboat racing areas, as shown in Figure 6 in § 11.10.2 of this Part, are designated as Areas of Particular Concern. The Council recognizes that organized recreational boating and sailboat racing activities are concentrated in these particular areas, which are therefore important to sustaining Rhode Island’s recreation and tourism economy. (Emphasis added).*

**SouthCoast’s Response:** The Project avoids organized recreational activity as shown in Figure 6 in § 11.10.2(I) of the Ocean SAMP. SouthCoast Wind will coordinate with organizers of major marine events to ensure safety for all marine users and preservation of Rhode Island’s recreation and tourism economy. Sailing regattas are common in Mount Hope Bay and therefore SouthCoast Wind will communicate with these recreational uses of the bay to provide notification of the construction schedule and any required, temporary exclusion zones.

**Why SouthCoast Falls Short:** Figure 6 in § 11.10.2(I) illustrates the recreational boating areas off the coast, and the proposed cable traverses through these areas. There is no possibility that SouthCoast can avoid an adverse impact on these recreational boating areas during the construction, operation, maintenance or decommissioning of the cables. For this reason, the Town believes CRMC should find the proposed project inconsistent.

***Enforceable Policy § 11.10.3(A)(1):*** *Areas Designated for Preservation are designated in the Ocean SAMP area in state waters for the purpose of preserving them for their ecological value. Areas Designated for Preservation were identified by reviewing habitat and other ecological data and findings that have resulted from the Ocean SAMP process. Areas Designated for Preservation are afforded additional protection than Areas of Particular Concern (see § 11.10.2 of this Part) because of scientific evidence indicating that large-scale offshore development in these areas may result in significant habitat loss. The areas described in § 11.10.3 of this Part are designated as Areas Designated for Preservation. The Council shall prohibit any large-scale offshore development, mining and extraction of minerals, or other development that has been found to be in conflict with the intent and purpose of an Area Designated for Preservation. Underwater cables are exempt from this prohibition. Areas Designated for Preservation include:*

*1. Ocean SAMP sea duck foraging habitat in water depths less than or equal to 20 meters [65.6 feet] (as shown in Figure 8 in § 11.10.2 of this Part) are designated as Areas Designated for Preservation due to their ecological value and the significant role these foraging habitats play to avian species, and existing evidence suggesting the potential for permanent habitat loss as a result of offshore wind energy development. The current research regarding sea duck foraging areas indicates that this habitat is depth limited and generally contained within the 20 meter depth contour. It is likely there are discreet areas within this region that are prime feeding areas, however at present there is no long-term data set that would allow this determination. Thus, the entire area within the 20 meter contour is being protected as an Area Designated for Preservation until further research allows the Council and other agencies to make a more refined determination. (Emphasis added).*

**SouthCoast's Response:** The installation of the offshore export cables will temporarily disturb approximately 0.66 ac (0.26 ha) of sea duck foraging habitat designated as Areas Designated for Preservation in state waters, based on the mapping provided in Figure 8.54 of the Ocean SAMP (see Figure 5-1, Attachment A). Micro-routing cables will minimize the Project footprint in this area, as practicable, and the resultant overlap with habitat is expected to be minimal. The cable will be installed between 3.2 to 13.1 ft (1.0 to 4.0 m) below the seabed with no impacts to benthic habitat during operations. Sea duck foraging habitat that cannot be avoided will be temporarily disturbed by the installation of the cables via jet sled / jet plow, but the cable trench will be backfilled and is expected to be naturally reconstituted to allow for the re-establishment of sea duck foraging habitat. Given the short-term effects within a very small area, the impacts to duck foraging habitat is expected to be minimal.

Under §8.5.2(C)(2) Areas of Particular Concern of the Ocean SAMP, “The Council may require a successful applicant to provide a mitigation plan that protects the ecosystem. The Council will permit underwater cables, only in certain categories of Areas of Particular Concern, as determined by the Council in coordination with the Joint Agency Working Group.”

**Why SouthCoast Falls Short:** The sea ducks to be displaced due to the project and one of their food sources will be negatively impacted. According to the project submittals: “Sea ducks are...vulnerable to displacement” COP Vol. II at Page 157. “Marine birds, including sea ducks and loons may be disturbed by introduced sound in the Lease Area and export cable corridors that result from increased vessel traffic and construction activities” *Id. at Page 175*. “Construction in the Lease Area...will temporarily disturb the seafloor, which will temporarily affect foraging, particularly on such prey items like sand lance..., within the Lease Area for some marine birds such as...sea ducks.” *Id. at Page 174*. There is no long-term data to quantify the impact that offshore wind has on sea duck foraging habitats. Even in the absence of long-term data, any adverse impacts to sea duck foraging habitats should be mitigated. The Town requests CRMC find the proposal inconsistent until further plans to mitigate impacts are created.

***Enforceable Policy § 11.10.3(A)(3):*** *The Council shall prohibit any offshore development in areas identified as Critical Habitat under the Endangered Species Act.*

**SouthCoast’s Response:** The USFWS was consulted on March 30, 2022, through the IPaC consultation process for the Official Species List for Rhode Island. The IPaC response stated that there are no critical habitats within the Project area under the United States Department of the Interior Fish and Wildlife Service’s jurisdiction. Where the ECC traverses the boundaries of the Ocean SAMP, the Project is not located within North Atlantic right whale critical habitat, as mapped by NMFS. According to § 520.4. Critical Habitat of the Ocean SAMP - “Under the Endangered Species Act, Critical Habitat is designated for species listed under the Act as threatened or endangered. The ESA describes Critical Habitat as those areas that are “essential to the conservation of the species and which may require special management considerations or protection.” According to the NOAA Northeast Regional Office Protected Resources Division, there is no Critical Habitat for any listed finfish species within the Ocean SAMP area (Crocker, pers. comm. a.)”

**Why SouthCoast Falls Short:** There is not a critical habitat designated for the Roseate Tern, it is a threatened species that is found within the Project area. The Roseate Tern “is not a bird of conservation in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development of activities” *See Appendix J at Page 175*. Additionally, the Roseate Tern breeds from May – August in the project area. *See Appendix J at Page 185*.

Being that there is a threatened species that uses the project area for breeding, the Town urges that the CRMC consider voting that this project is inconsistent or in the alternative enforcing mitigation measures associated with the protection of susceptible wildlife species.

***Enforceable Policy § 11.10.4(A):*** *Large-scale projects or other development which is found to be a hazard to commercial navigation shall avoid areas of high intensity commercial marine traffic in state waters. Avoidance shall be the primary goal of these areas. Areas of high intensity commercial marine traffic are defined as having 50 or more vessel counts within a 1 km by 1 km grid, as shown in Figure 9 in § 11.10.4(B) of this Part.*

**SouthCoast's Response:** Please see the response to 11.10.1(B) above. Further, the portion of the Project offshore facilities that is the subject to the Category B Assent is limited to the underwater cables that are to be buried beneath the seafloor to avoid hazards and conflicts with commercial marine navigation. SouthCoast Wind sited the Project to avoid areas of higher intensity commercial marine traffic (see Attachment N – Navigation Safety Risk Assessment for more information). Attachment B – Route Alternatives Assessment provides a discussion of alternative routes considered by SouthCoast Wind, including the East Passage of Narragansett Bay, which is used by most commercial and deep-draft vessels. The Sakonnet River route is rarely used by commercial vessels, as shown in Figure 9 in § 11.10.4(B) of the Ocean SAMP, for a variety of reasons, including water depth limitations, lack of access to the Port of Providence, lack of a clearly marked navigation channel, and the absence of marine pilots qualified to conn a ship within the river

**Why SouthCoast Falls Short:** Although the application is for proposed cables that are to be buried under the seafloor, the associated construction, operation, maintenance, and decommissioning of the cables will involve vessels in the area. The Sakonnet River is commonly used by private and commercial vessels and the project will affect this navigation. Without an appropriate mitigation measure in place, the CRMC must find the project inconsistent.

## CONCLUSION

On behalf of the Town of Little Compton, given the impacts indicated including the lack of engagement with a FAB, the lack of mitigation measures identified or even discussed to address impacts, SouthCoast has failed to demonstrate consistency on almost every Ocean SAMP Enforceable Policy. For these reasons, the proposed project is inconsistent and cannot be approved.

To the extent mitigation measures are possible, the Town suggests that, at a minimum, the following be implemented by SouthCoast (in addition to previously approved conditions in state assent process):

1. All efforts shall be undertaken to avoid interactions with mobile and static fishing gears and to notify the fishing public of when and where deployments, surveying, and maintenance are taking place. All deployed gear shall be maintained regularly to avoid

damage/loss that may interfere with transiting vessels or fishing gear. This includes 24 hour monitoring by at least two boats when cables are laid.

2. Vessels performing survey work for a lessee should be required to maintain records of their daily operations, including the route they took each day. These records should be made available to the public.
3. To guarantee safety of fishing activities, any broken project parts or equipment that cannot be retrieved shall be buried at least 2 meters below the seafloor.
4. From November 1 through May 14, all vessels travel at 10 knots (18.5 kilometers per hour) or less when transiting to, from, or within the project area.
5. Allow fishing vessels with static gear inside the project area during construction.
6. Export cables shall not be installed during peak fishing or recreational boating season.
7. Cables should minimize the total cable footprint.
8. Developer will monitor safety threats including radar disruption, ice shedding, vessel allisions and collisions, and impacts on search and rescue for the life of the project, and shall provide documentation of such monitoring results to CRMC upon request.
9. The same conditions under construction shall be applied for decommissioning.
10. Include funding set aside for unforeseen circumstances that may lead to early decommissioning.
11. In the event of a leak of oil or other fluids, that information must be made available to the public immediately, and in particular the fishing industry to avoid inadvertent harvesting of product(s) that may be harmful to consume.
12. A Good Neighbor Agreement be entered into with the coastal towns surrounding the Sakonnet River to establish a Sakonnet River Offshore Wind Community Fund for the purpose of supporting and promoting the mutual interest in renewable energy developments, combating the effects of global climate change, enhancing coastal resiliency, and protecting, restoring, and preserving cultural and historic resources.



THE BAY CENTER  
100 Save The Bay Drive  
Providence, RI 02905  
phone: 401-272-3540  
fax: 401-273-7153  
[savebay@savebay.org](mailto:savebay@savebay.org)  
[www.savebay.org](http://www.savebay.org)

EXPLORATION CENTER  
Easton's Beach  
P.O. Box 851  
Newport, RI 02840  
phone: 401-324-6020  
fax: 401-324-6022

SOUTH COAST  
CENTER  
Riverside Building  
8 Broad Street  
Westerly, RI 02891  
phone/fax: 401-315-2709

Sent via email to: [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov)

December 24, 2024

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

**Re: SouthCoast Wind Energy LLC (CRMC File # 2023-02-090)**

Dear Mr. Willis,

Thank you for the opportunity to provide comments on the above-noted CRMC application relating to the submarine cable associated with SouthCoast Wind. Save The Bay supports the responsible development of offshore wind. We believe the permitting, construction, and operation of all renewable energy projects should carefully consider all pertinent environmental factors and mitigate impacts to the maximum extent practicable, regardless of cost to the developer. We urge the Coastal Resources Management Council (CRMC), and all permitting authorities, to carefully consider the best available science and require best management practices when issuing these important permits. Our specific comments are provided below.

**Sediment Testing.** Save The Bay is concerned by the lack of sediment testing data, particularly in Mount Hope Bay and in the vicinity of the proposed horizontal directional drilling (HDD) pits. This concern is based on the significant past industrial discharges along the Taunton River and in Mount Hope Bay. Studies, and the Narragansett Bay Estuary Program's most recent *State of Narragansett Bay and its Watershed* report have identified elevated levels of heavy metals and other contaminants based on historic uses and discharges. Targeted sediment testing should be required prior to dredging if there is no recent data available on contaminant levels immediately in and around the HDD pits and export cable route.

**Cable Burial.** As Rhode Island has learned from the Block Island Wind Farm, cable burial depth is critical to the successful operation of the project. The applicant states that "anticipated cable burial depth range is 3.2 to 13.1 ft with a target cable burial depth of 6.0 feet" (Application § 2.3.1). Save The Bay urges CRMC to carefully review all areas where the applicant claims that target burial depth may not be met. Proper seabed preparation and cable burial reduces future risks to marine species and other users of Narragansett Bay. With regard to seabed preparation, Save The Bay urges the applicant to employ micro-siting of the cable route to avoid boulder relocation to the greatest extent possible to prevent conflict with fishers. If boulder relocation is necessary, the applicant should prioritize use of a boulder grab over a boulder plow to limit impacts to benthic and other habitats. Increased cost should not be considered as justification to use more invasive methods.



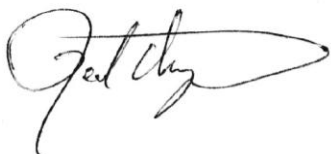
The waters potentially impacted by the cable construction are highly valuable for a myriad of economically important fisheries. ***It is imperative that, if permitted, CRMC requires the applicant to minimize impacts to fisheries to the greatest extent possible, without regard to cost.*** Specifically, the applicant estimates that approximately 15% of the export cable construction will require secondary cable protection (Application § 2.3.9). Save The Bay urges the applicant to use the least invasive secondary protection possible to avoid gear snags and other impacts to the fishery. Because the public has no access to SouthCoast’s confidential Cable Burial Risk Assessment (submitted as part of its application to CRMC), the public must rely on CRMC’s expert analysis in this area and trust that, if permitted, CRMC will put stringent conditions on cable installation requirements to ensure the least impact practicable to benthic and other habitats.

**Electromagnetic Fields (EMF).** Although research in this field is still developing, the application notes, and Save The Bay agrees, that marine species, especially sessile species, will potentially be impacted by EMFs. The applicant also states that “the weight of currently available scientific evidence does not provide support for concluding there would be population-level harm to marine species from EMFs associated with HVDC submarine transmission” (Application § 3.3.2). However, EMF exposure risk from subsea cables does exist. Potential exposure to EMFs, either short or long-term, depends greatly on cable burial depth and cable burial requirements. ***Achieving optimal target burial depth can greatly reduce EMF impacts to benthic species.*** Careful cable routing and burial depth must be prioritized over other factors such as cost in order to mitigate impacts, including avoidance of Essential Fish Habitat and other sensitive habitats where possible. In addition, requiring the applicant, if permitted, to conduct robust on-going research and monitoring, is essential to further understanding any realized impacts to benthic habitat and species, especially in the early life stages of such species.

Save The Bay urges the Coastal Resources Management Council to exercise its authority under the RI Coastal Management Program and other applicable statutes to protect the resources and existing uses of the Sakonnet River and Mount Hope Bay by requiring the applicant to avoid and minimize all potential impacts from cable installation to the maximum extent possible, and, where necessary, to require on-going monitoring and mitigation of any impacts.

Thank you for considering our comments.

Sincerely,



Jed Thorp  
Director of Advocacy  
Save The Bay  
jthorp@savebay.org





RHODE ISLAND  
**SALTWATER  
ANGLERS**  
Association



P.O. Box 1467, Coventry, Rhode Island 02816

401-826-2121

www.RISAA.org

---

December 27, 2024

Coastal Resources Management Council  
O. S. Government Center  
4808 Tower Hill Road Rm 116  
Wakefield, RI 02879

Via email: [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov)

**RE: 2023-02-90 – SouthCoast Wind Energy, LLC**

The Rhode Island Saltwater Anglers Association (RISAA) has been following the application by the developer referenced above to install power transmission lines in the Sakonnet River. RISAA represents over 7,500 recreational anglers and 28 affiliated clubs in RI, MA and CT. As we stated in our letter to BOEM dated January 9, 2023 and our letter to the RI Energy Facilities Siting Board dated October 25, 2024, we are concerned regarding potential negative effects of installing high-power electrical transmission cables in the Sakonnet River, especially when alternative, land-based routes are available that would eliminate the need for this installation.

We have read the Federal Consistency review document in this matter from your office dated December 19, 2023 and your Public Notice dated November 13, 2024. The alternative land route for this transmission line has not been adequately considered and we further believe that there is no need to disturb the Sakonnet River and Mt. Hope Bay with this submarine cable. Therefore, we would like to request a hearing on this application per the Administrative Procedures Act - Rhode Island General laws 42-35-2.8(c).

We believe that running an underwater cable in the Sakonnet River is clearly not necessary because a land-based alternative cable route using overhead transmission lines is available. This land-based route through Massachusetts or Rhode Island will eliminate this risk to the Sakonnet River ecosystem and protect the rights of the Rhode Island people as guaranteed by the Rhode Island Constitution. This alternative including an aerial transmission line was not adequately evaluated by the applicant.

We urge the CRMC to reject this application based on potential threats to fisheries in the Sakonnet and the clear fact that a land-based alternative exists. This alternative will eliminate the risk of damage to the Sakonnet River ecosystem. Rhode Island's Constitution (Article 1 Section 17) declares that we must "adopt all means necessary and proper by law to protect the natural environment of the people of the state" and there must be "adequate resource planning for the control and regulation of the use of the natural resources of the state and for the preservation, regeneration and restoration of the natural environment of the state." Approval of this application through issuance of a determination of "consistency" when there is a clear alternative violates this Constitutional requirement.

At a public presentation in Portsmouth, Rhode Island on November 17, 2022 fisheries experts from Rhode Island Department of Environmental Management and the University of Massachusetts Dartmouth said they were unsure of the potential negative effects of electromagnetic force (EMF) on the various species of sea life in the Sakonnet ([link: https://drive.google.com/file/d/1gUjoUW4FO7pfakspl-arsW2rqbzSQGkG/view?usp=share\\_link](https://drive.google.com/file/d/1gUjoUW4FO7pfakspl-arsW2rqbzSQGkG/view?usp=share_link))

Recreational and commercial fishing, boating, tourism, and other uses of the Sakonnet generate significant value for the people of Rhode Island. The Atlantic Marine States Fisheries Commission reports that striped bass fisheries are nearing historic lows. The Sakonnet River and its estuaries are a primary ecosystem for striped bass from April through November. There is no reason for Rhode Island to risk habitat, fishing opportunities, and the existing commercial value of the Sakonnet when there is a land-based alternative.

In addition, this land-based alternative removes the violation of Rhode Island's Constitution and rightly falls under Massachusetts regulatory authority where the value of the electricity generated from this project accrues. Any cable from the Offshore Wind Energy leases south of New England heading to the former Brayton Point Power Station can land in Westport, Massachusetts; less than a half mile south of the terminus of Massachusetts Route 88. We anticipate that if this application for submarine cable is approved other future offshore wind projects will likely apply for similar approvals causing further potential damage to the Sakonnet River ecosystem however if the land-based route is selected additional overhead transmission could be installed for these future projects.

Given the fragile nature of the Narragansett Bay Watershed, potential threats to the cod and striped bass fisheries, the Sakonnet River's classification as Type 2 waters (set aside for low intensity use), and significant uncertainty about the potential impact of running underwater cables in these waters, we urge the CRMC to insist on installation of all offshore wind energy export power cables over land routes when such route is an available option to installation in the marine environment.

Sincerely,

Rhode Island Saltwater Anglers Association

*Scott A. Travers*

Scott Travers, Executive Director



Rich Hittinger, 1<sup>st</sup> Vice President

Cc: [terry.gray@dem.ri.gov](mailto:terry.gray@dem.ri.gov)

## Cstaff1

---

**From:** James Boyd <jrboyd130@gmail.com>  
**Sent:** Thursday, December 26, 2024 8:52 AM  
**To:** cstaff1@crmc.ri.gov  
**Cc:** Mike McGiveney; Dave Ghigliotty; RhodeIsland Shellfisherman; James Boyd  
**Subject:** RISA comments inre SouthCoast Wind 2023-02-090  
**Attachments:** RISA-comments\_final\_SCW\_2023-02-090.pdf; Untitled attachment 00923.htm

Dear CRMC,

Attached are the Rhode Island Shellfisherman's Association (RISA) comments concerning SouthCoast Wind's (SCW) application to install and maintain two (2) new submarine high voltage direct current power cables within Rhode Island state waters. RISA's primary concern is the negative impacts to documented shellfish resources that exist within the Sakonnet River and Mount Hope Bay from the proposed dredging, side casting of dredged materials, anchoring, and associated construction activity. We are requesting the following specific conditions contained within our comments for CRMC to include in any Assent issued to SCW to reduce and mitigate impacts to known shellfish resources.

1. Require SouthCoast Wind to conduct shellfish surveys within the cable corridor in both the upper Sakonnet River (GA4 and GA4-2) and Mount Hope Bay (GA17-2) up to and including the horizontal directional drilling exit pits and surrounding areas adjacent to Island Park Beach and the Montaup Country Club. Shellfish surveys shall be coordinated and in consultation with RIDEM Division of Marine Fisheries (DMF) to include real-time harvesting by commercial shellfishermen.
2. Require SouthCoast Wind to pay all expenses for the transplant of shellfish from impacted areas of GA4 within the cable corridor to open waters of the Sakonnet River available for harvest, as may be deemed appropriate and necessary by RIDEM DMF. And, all shellfish removed from project impacted areas within closed waters (i.e., GA4-2 or GA17-2) shall be transplanted to a suitable shellfish management area within the East Bay (e.g., Bristol Harbor) for winter harvest, as deemed appropriate and necessary by RIDEM DMF.
3. Require SouthCoast Wind to develop and establish a dedicated Rhode Island shellfish transplant fund to support future shellfish transplants within the waters of Narragansett Bay to mitigate for the SCW project's impact on the State's shellfish resources. Said transplant funds shall be developed in collaboration and coordination with RIDEM DMF and RISA, and shall be funded at a satisfactory level for a period of 20 years to be negotiated between SCW, RIDEM DMF and RISA.

Please contact me with any questions at the email or telephone number below and add me to the SCW file (2023-02-090) email list to be notified of any CRMC public meetings concerning this matter. In addition, please send any hardcopy notices directly to:

Rhode Island Shellfisherman's Association  
P.O.Box 1802  
East Greenwich, RI 02818-1802

Thank you.

Sincerely,

Michael McGiveney  
RISA President

Email: [mclamdigger@aol.com](mailto:mclamdigger@aol.com)

Telephone: 401-573-7244

**Rhode Island Shellfisherman's Association**  
**P.O.Box 1802**  
**East Greenwich, RI 02818-1802**

December 26, 2024

RI Coastal Resources Management Council  
O. S. Stedman Government Center  
4808 Tower Hill Road, Rm 116  
Wakefield, RI 02879

Re: SouthCoast Wind - 2023-02-090

Dear CRMC,

The Rhode Island Shellfisherman's Association (RISA) is responding to the CRMC Public Notice dated November 13, 2024 regarding the SouthCoast Wind Energy LLC (SCW) application to install and maintain two (2) new submarine high voltage direct current (HVDC) power cables within a proposed export cable corridor (ECC) in State waters of the Sakonnet River and Mount Hope Bay to a point of interconnection at Brayton Point in Somerset, Massachusetts. The proposed HVDC power cables and ECC are to support the Phase 1 SCW 1200MW offshore wind project (South Coast Wind 1) located approximately 30 miles south of Marthas Vineyard. The South Coast Wind 1 project consists of up to 85 wind turbine generators (WTGs), while a combined total of 149 WTGs may be constructed for Phase 1 and Phase 2 to generate 2400MW of electricity. Potentially there may be as many as six (6) new submarine HVDC power cables installed within the Sakonnet River and Mount Hope Bay ECC.

The ECC length within State waters is approximately 11 miles in the Sakonnet River and 4 miles in Mount Hope Bay. The width of the ECC within these waters will be between 1,640 feet to 2,300 feet to allow for maneuverability of construction vessels during installation and maintenance of the HVDC power cables. See SCW RI CRMC Category B Assent Application ("Application") at 2-4. In addition, eight horizontal directional drilling (HDD) offshore pits in total; four HDD pits at each of two (2) cable landfalls will be constructed; one on the Sakonnet River shoreline and one on the Mount Hope Bay shoreline of Portsmouth. These eight pits will require dredging/excavation to facilitate HDD of the cable landfalls, and each pit will be approximately 150 feet by 60 feet in size (0.207 acres). See Application Appendix F3 at 4-2. Each offshore HDD pit will be located approximately 1,000 feet from the Portsmouth shoreline. See Application at 2-1. The installation of the HVDC power cables within Rhode Island state waters is anticipated to commence during Q4 of 2026.

## Shellfish Resources

The Bay Quahog (*Mercenaria mercenaria*) is found throughout the Sakonnet River and Mount Hope Bay and is documented through RIDEM shellfish dredge surveys and shellfish landings data. Commercial harvesting occurs within the upper Sakonnet River in RIDEM shellfish growing area GA4, but is prohibited (due to water quality impairment) along the Island Park shoreline of Portsmouth as bounded by a line from the Old Stone Bridge in Tiverton to Morningside Lane in Portsmouth. This closed area is identified by RIDEM as shellfish growing area GA4-2. The proposed SCW ECC traverses directly up the Sakonnet River from offshore waters through shellfish growing area G4 and will make landfall in the vicinity of Boyd's Lane in Portsmouth at Island Park, travel overland and re-enter waters of Mount Hope Bay at the Montaup Country Club. While shellfish harvesting is presently prohibited adjacent to this section of the Portsmouth shoreline within Mount Hope Bay, there are shellfish resources reported by RIDEM in their long-term shellfish dredge surveys for this particular area identified by RIDEM as shellfish growing area GA17-2. We note, however, that any RIDEM dredge survey information cannot be solely relied upon to quantify the current shellfish resource due to dredge survey spatial and temporal inaccuracies. Therefore, the RIDEM shellfish dredge survey data needs to be supplemented and corroborated with real-time shellfish harvesting conducted directly by shellfishermen to accurately assess the shellfish resources in the Sakonnet River and Mount Hope Bay areas that will be impacted by the project.

## Likely Impacts to Shellfish Resources

It is expected that shellfish resources will be impacted due to the proposed installation methods for the HVDC cable (for both Phases 1 and 2) within relatively shallow waters of the Sakonnet River and Mount Hope Bay, which may include the use of a Jetting Sled/Plow and a Vertical Injector. The jetting sled creates a trench by water jetting through unconsolidated, softer seabed material, while the vertical injector uses water propelled from jet nozzles to fluidize the seabed material, which allows the cable to sink into the seabed. See Application at 2-8 and 2-9. In addition, there may be anchoring of barges and other vessels along the ECC and in and around the HDD pits that will damage or smother shellfish in the immediate vicinity. In fact, the SCW CRMC application specifically states that "benthic habitat will also be impacted by short-term displacement during cable installation and anchoring" and "shellfish resources within the ECC and the offshore HDD construction areas will be disturbed during cable installation." See Application at 3-43 and 3-44.

We believe that SWC application's characterization of the potential impacts to shellfish resources considerably understates the extent of likely impacts to these resources given the proposed installation methods. The HVDC cable installation will also include the excavation of

four (4) horizontal directional drilling pits at each site offshore of Island Park (Sakonnet River) and the Montaup Country Club (Mount Hope Bay) for a total of eight (8) pits. This will result in approximately 15,000 cubic yards of excavated material that will be side cast and re-used for back filling once cable installation is complete. See Application at 2-11 and 2-12. This activity will also result in the damage, relocation, and likely smothering of shellfish resources in the vicinity of construction. Furthermore, when the current water quality impairments for GA4-2 and GA17-2 are corrected, these areas would become available to commercial shellfish harvesting in the future. The cable installation and HDD pits, including all future SCW maintenance activities on these facilities, will preclude any shellfish harvesting in the immediate area of the cables and HDD pits.

We note that Condition 11 of the RIDEM Water Quality Certification (Section 401 permit) issued to SCW on March 14, 2024 requires that “Prior to commencement of dredging, the Applicant is required to conduct a shellfish survey of the proposed exit pit area to be dredged and if deemed necessary by DEM, relocate shellfish from the area prior to dredging in accordance with the process described in the DMF ‘Guidance for Conducting Shellfish Surveys for Dredging Projects’ document.” See RIDEM WQC at 5. While we agree with the RIDEM imposed condition, we argue that it is insufficient to protect the known shellfish resources within the project areas of the Sakonnet River and in Mount Hope Bay. RISA contends that additional shellfish surveys are necessary to properly identify the resource throughout the entire proposed disturbed areas within the ECC and the HDD pits. Additional shellfish survey data needs to include real-time shellfish harvesting by commercial shellfishermen, as noted above.

We also note that in January 2024 SCW entered into a Community Host Agreement with the Town of Portsmouth in the amount of \$23,224,674 million over 33 years (\$13,487,337 for Phase 1 and \$9,737,337 for Phase 2), essentially the projected life of the SCW project. Given the likely magnitude of shellfish resource impacts from the proposed cable installation activity within the Sakonnet River and Mount Hope Bay, which contain RIDEM documented shellfish resources, RISA requests that the following proposed conditions be included in any permit issued by CRMC to SCW for application 2023-02-090 to reduce and mitigate for impacts to the State’s shellfish resources.

1. Require SouthCoast Wind to conduct shellfish surveys within the cable corridor in both the upper Sakonnet River (GA4 and GA4-2) and Mount Hope Bay (GA17-2) up to and including the exit pits and surrounding areas adjacent to Island Park Beach and the Montaup Country Club. Shellfish surveys shall be coordinated and in consultation with RIDEM Division of Marine Fisheries (DMF) to include real-time harvesting by commercial shellfishermen.

2. Require SouthCoast Wind to pay all expenses for the transplant of shellfish from impacted areas of GA4 within the cable corridor to open waters of the Sakonnet River available for harvest, as may be deemed appropriate and necessary by RIDEM DMF. And, all shellfish removed from project impacted areas within closed waters (i.e., GA4-2 or GA17-2) shall be transplanted to a suitable shellfish management area within the East Bay (e.g., Bristol Harbor) for winter harvest, as deemed appropriate and necessary by RIDEM DMF.
  
3. Require SouthCoast Wind to develop and establish a dedicated Rhode Island shellfish transplant fund to support future shellfish transplants within the waters of Narragansett Bay to mitigate for the SCW project's impact on the State's shellfish resources. Said transplant funds shall be developed in collaboration and coordination with RIDEM DMF and RISA, and shall be funded at a satisfactory level for a period of 20 years to be negotiated between SCW, RIDEM DMF and RISA.

Sincerely,

Michael McGiveney, President  
RI Shellfisherman's Association

Email: [mclamdigger@aol.com](mailto:mclamdigger@aol.com)

Telephone: 401-573-7244



June 5, 2026

Coastal Resources Management Council  
Attn: Lisa A. Turner, Programming Services Officer  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370

**Re: Formal Objection to SouthCoast Wind Energy LLC Application for Category B Assent and Freshwater Wetlands Permit CRMC File No. 2023-02-090**

Dear Ms. Turner,

Green Oceans respectfully submits this file for inclusion in the official record of CRMC File No. 2023-02-090, as a formal and strenuous objection to the referenced matter on behalf of our organization, its members, and constituents.

We urge the Rhode Island Coastal Resources Management Council (“CRMC”) to deny the application because the Applicant has failed to demonstrate compliance with the enforceable provisions of the Rhode Island Coastal Resources Management Program (“RICRMP”), the Ocean Special Area Management Plan (“Ocean SAMP”), and the Coastal Zone Management Act (“CZMA”), 16 U.S.C. §1451 et seq.

We respectfully assert that the application is legally deficient, incomplete, speculative, financially uncertain, and contrary to the enforceable regulatory standards governing Rhode Island’s coastal resources. The Ocean SAMP standards are not merely aspirational policy statements. The application itself expressly identifies Ocean SAMP §§ 11.10.1, 11.10.2, 11.10.5, and 11.10.6 as governing regulatory standards applicable to this project. SCW CRMC Application at pp. v–vi.

These provisions are enforceable under the Coastal Zone Management Act federal consistency framework and require the Council to make findings supported by substantial evidence in the administrative record. The Council may not lawfully approve the project based upon speculative future mitigation, future study, or deferred compliance obligations.

The application itself reveals that substantial portions of the project remain dependent upon future monitoring, future routing refinement, future adaptive management, and future fisheries mitigation efforts. The application identifies numerous unresolved and contingent components, including a Fisheries Monitoring Plan, Benthic Habitat Mapping Report, Route Alternatives Assessment, Cable Burial Risk Assessment, and Hydrodynamics and Sediment Dispersion Modeling Report. Reference SCW CRMC Application at pp. ix–x.

These unresolved matters are not peripheral. They go directly to the enforceable Ocean SAMP standards governing Areas of Particular Concern (“APCs”), benthic habitat protection, fisheries impacts, cumulative ecosystem effects, and the requirement that impacts be avoided and minimized before assent issuance. Notably, the application repeatedly frames compliance through the language of “avoidance, minimization, and mitigation.” See, e.g., Sections 2 and 3 of the application.



The Ocean SAMP requires a hierarchical analysis in which avoidance is paramount, minimization is secondary, and mitigation is only permissible after impacts have first been avoided to the maximum extent feasible. The application includes extensive benthic habitat mapping, benthic-geologic review materials, sediment characterization analyses, and habitat classifications specific to the SouthCoast Wind export cable corridor in Rhode Island waters, indeed the record demonstrates that sensitive benthic habitats and Areas of Particular Concern are located directly within the export cable corridor itself.

In furtherance of this strenuous objection, we additionally submit the following specific concerns:

1. Attached is our December 27, 2024 objection letter (**Re: Objections, Comments, and Public Hearing Demand for SouthCoast Wind Energy LLC, File No. 2023-02-090**). We resubmit this and its embodied concerns as ongoing and standing objection to assent of this application. This 2024 letter requested a public hearing. No such hearing has taken place, nor have concerns been remedied within the applicant file. Presuming this June 9<sup>th</sup>, 2026 hearing constitutes satisfying our hearing request, we respectfully reject consideration for assent on June 9<sup>th</sup>, 2026 given lack of reasonable time for our and others refreshed public presentation of concerns to be fairly considered by the Council prior to a vote.
2. It is obvious and apparent that newly appointed Council members have been disserved and are significantly disadvantaged in providing consideration for assent on June 9<sup>th</sup>, 2026. The State Senate confirmed new appointees on May 26<sup>th</sup>, 2026. Notice of this June 9<sup>th</sup>, 2026 hearing was distributed publicly on May 28, 2026. The applicant file 2023-02-090 contains 992 pages of highly detailed and nuanced regulatory, scientific, and technical information. In practical terms, it is a distinct impossibility for even those sufficiently credentialed new Council members to read, digest, and fully consider all matters presented, including and especially those that prompted objections from community stakeholders. According to Brysbaert (2019), Carver (1992), Fontaine et al (2021), and Rayner et al (2016), meaningful comprehension of such sophisticated documentation for regulatory decision making would require multiple dozens to more than 100 hours of reading time. Since the May 26<sup>th</sup> Senate confirmation, there will have been just 11 business days to consider the applicant file. This means each voluntary Council member would have been reading this file alone non-stop for 8 hours a day to adequately prepare for this hearing, and at that may not have completed the review in its entirety, let alone seek consultative support from CRMC staff on specific questions pertaining to areas of community concern. We are incredibly grateful for the volunteer commitment of the Council and recognize it carries tremendous responsibility. In fairness to their requirement to fulfill Council responsibilities on behalf of all Rhode Islanders, it seems this June 9<sup>th</sup> hearing is untimely and does not provide for adequate consideration of this application with the care and duty required.
3. We further object to this application as it does not consider recent DEM fisheries management changes within the vicinity of the project location. A new shellfishing area along the Mt. Hope Bay/Portsmouth shoreline area reopened on May 23, 2026. The area consists of approximately 462 acres along the Portsmouth shoreline just south of the Mount Hope Bridge and had been closed to shellfish harvesting since 1975. This area's long closure was principally due to wastewater and other industrial contaminants from sites to the North which are within the applicant's proposed dredging area. It is well established that both suspended sediments themselves, as well as industrial



contaminants encapsulated within the bay bottom that may be dispersed through a cable burial program introduces risks to the shellfish population, and consequently the livelihoods of shellfishermen now dependent on this newly opened area.

4. We further object to this application with additional concern for unknown long-term consequences of electro-magnetic fields (EMF) on resident and transient marine life. Effects of EMF were cited as an area requiring further study within the Ocean SAMP and pose acute concerns for the Sakonnet River. The Sakonnet supports numerous species that are sensitive to EMF including but not limited to the Atlantic horseshoe crab. There is recent and ongoing federal litigation underway to seek specific protection for this species (CBD 2026). Operating under federal authority, the Council should consider this ongoing litigation and its impact on the future of this proposed project. The EMF concerns extend to the mouth of the Sakonnet and Rhode Island Sound. Sharks and rays are known to be sensitive to EMF, with resulting long-term disturbance and behavioral impacts requiring further study (Hutchison 2018). At the present time it is not possible to conclude that the proposed cable installation will not impact these and other species, nor is it possible to conclude that an avoidance or mitigation scheme exists or will exist at some future date. At present these are unavoidable impacts carrying unknown long-term consequences, particularly as part of the cumulative impacts from increased EMF emitting subsea cables throughout the state which adds to broad scale ecological uncertainties. Ignoring this uncertainty is reckless, and monitoring after the fact useless as irreversible changes would be conceded and underway. Several shark species, including white sharks, shortfin makos, blue sharks, sand tiger sharks, sandbar sharks, hammerheads, and common threshers, have been documented in proximity to the Sakonnet River (Atlantic Shark Institute, n.d.a, n.d.b, n.d.c). We urge the State to first support required scientific investigations to assess these issues conclusively, coupled with affirmation of EMF mitigation strategies that *eliminate impacts* to all sensitive species prior to assent of this application.
  
5. We further object to this application on the grounds that the baseline benthic ecology of the Sakonnet River is incomplete. The most recent publicly documented ecological investigations specific to the Sakonnet River appear to be USGS water-quality characterization studies conducted during 2018–2019. While shellfish-resource monitoring and broader Narragansett Bay benthic ecosystem studies continued through at least 2023, a dedicated, comprehensive benthic community survey of the Sakonnet River comparable to major Narragansett Bay benthic habitat assessments could not be readily identified in publicly available sources. Therefore, it is impossible to consider what may be impacted, as we indeed do not know what exists. Through personal observation derived from numerous thousands of hours spent on the bottom of the bay, including within the Sakonnet River, I have observed that the Sakonnet’s benthic community and its natural history is unique in several respects. This has not been quantified in any way despite the State of Rhode Island having at its disposal the best experts staffed at various institutions. Just one example – the deep portions of the Sakonnet basin are home to one of the most densely populated moon snail aggregations in the Bay (pers. obs). The natural history of this observed phenomenon has not been studied, and its role in the broader ecosystem unknown. Understanding these novel characteristics of the benthic community require scientists working extensively *in situ* under extremely challenging conditions. The state has not invested in these capabilities in efforts to thoroughly understand these and related habitats, nor



does the applicant's proposal suggest such investments will be made to sufficiently survey the benthic community with requisite methods prior to assessing impacts.

Thank you for your attention to these matters, and the consideration afforded to concerned community stakeholders.

Respectfully submitted,



Michael Lombardi, CMarTech  
President, Green Oceans

**Attachment:** December 24 Objection Letter Re: Objections, Comments, and Public Hearing Demand for SouthCoast Wind Energy LLC, File No. 2023-02-090

## References

- Atlantic Shark Institute. (n.d.). *About us*. Retrieved June 5, 2026, from <https://www.atlanticsharkinstitute.org/about-us>
- Atlantic Shark Institute. (n.d.). *Home*. Retrieved June 5, 2026, from <https://www.atlanticsharkinstitute.org/>
- Atlantic Shark Institute. (n.d.). *Sharkpedia: Sharks of Rhode Island*. Retrieved June 5, 2026, from <https://www.atlanticsharkinstitute.org/sharkpedia>
- National Oceanic and Atmospheric Administration. (2025, January 13). *Report sharks that have washed ashore in Rhode Island and Connecticut*. NOAA Fisheries. <https://www.fisheries.noaa.gov/resource/outreach-materials/report-sharks-have-washed-ashore-rhode-island-and-connecticut>
- Brysbart, M. (2019). How many words do we read per minute? A review and meta-analysis of reading rate. *Journal of Memory and Language*, 109, 104047. <https://doi.org/10.1016/j.jml.2019.104047>
- Carver, R. P. (1992). Reading rate: Theory, research, and practical implications. *Journal of Reading*, 36(2), 84–95.
- Center for Biological Diversity. (2026, March 24). *Lawsuit launched over failure to protect horseshoe crabs*. <https://biologicaldiversity.org/w/news/press-releases/lawsuit-launched-over-trump-failure-to-protect-horseshoe-crabs-2026-03-24/>
- Fontaine, G., et al. (2021). A meta-analysis of the effect of paper versus digital reading on reading comprehension. *Educational Research Review*, 34, 100410. <https://doi.org/10.1016/j.edurev.2021.100410>
- Hutchison, Z., Sigay, P., He, H., Gill, A., King, J., & Gibson, C. (2018). *Electromagnetic field (EMF) impacts on elasmobranch (sharks, rays, and skates) and American lobster movement and migration from direct current cables* (BOEM Report No. 2018-003). University of Rhode Island for the Bureau of Ocean Energy Management.
- National Oceanic and Atmospheric Administration. (2025, January 13). *Report sharks that have washed ashore in Rhode Island and Connecticut*. NOAA Fisheries. <https://www.fisheries.noaa.gov/resource/outreach-materials/report-sharks-have-washed-ashore-rhode-island-and-connecticut>
- Rayner, K., Schotter, E. R., Masson, M. E. J., Potter, M. C., & Treiman, R. (2016). So much to read, so little time: How do we read, and can speed reading help? *Psychological Science in the Public Interest*, 17(1), 4–34. <https://doi.org/10.1177/1529100615623267>
- Rhode Island Department of Environmental Management. (2024). *Rhode Island Shellfish Management Plan: Quahog abundance assessment findings and recommendations*. State of Rhode Island.
- Rhode Island Department of Environmental Management. (2026, May 21). *Shellfishing area reopens for first time in decades—Seasonal shellfish area closures take effect this weekend*. State of Rhode Island. <https://dem.ri.gov/press-releases/shellfishing-area-reopens-first-time-decades-seasonal-shellfish-area-closures-take>
- Shumchenia, E. J., King, J. W., & Prairie, J. C. (2016). A re-assessment of Narragansett Bay benthic habitat and biotopes: 1988–2008. *Estuaries and Coasts*, 39(5), 1225–1241.
- Sorenson, J. R., Breault, R. F., & others. (2021). *Physical and chemical data to characterize water-quality conditions in the Sakonnet River, Rhode Island, 2018–2019*. U.S. Geological Survey. <https://doi.org/10.5066/P91TR4P6>

<https://green-oceans.org>



P.O. Box 976  
Little Compton, RI 02478

December 27, 2024

*Via email, regular mail, and federal express*

Coastal Resources Management Council  
O.S. Government Center  
4808 Tower Hill Road, Room 116  
Wakefield, RI 02879  
Email: [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov)

**Re: Objections, Comments, and Public Hearing Demand for  
SouthCoast Wind Energy LLC, File No. 2023-02-090**

Pursuant to Rhode Island Administrative Procedures Act (General Laws, c. 42-35) and applicable regulations, the following represent objections, public comments, and a demand for a public hearing from Green Oceans, a citizen group supporting the protection and integrity of oceans and marine life, and its members regarding the above-referenced matter.

## INTRODUCTION

The Ocean State's economy, culture, and society depend on its waters and shores. Under the public trust doctrine, the government protects and maintains these resources for public benefit. These resources are so crucial to Rhode Island and its citizenry that Rhode Island's Constitution guarantees their protection. The Coastal Resources Management Council (CRMC) was established to ensure these protections.

The CRMC adopted the Special Area Management Plan (SAMP) in 2010. It was the nation's first comprehensive set of "enforceable policies" approved by federal regulators for reviewing offshore wind and other ocean development projects. The SAMP's purpose is to carry out Rhode Island's public trust obligations for ocean development as outlined in the federal Coastal Zone Management Act of 1972.

The SAMP includes procedural and substantive requirements for reviewing offshore wind projects. Procedurally, the SAMP ensures public participation, hearings, and decisions grounded in findings of fact and conclusions of law. Substantively, the SAMP guarantees that ocean development will only proceed if the public benefit from the project outweighs the harm of the development.

The SAMP and related regulations (i.e., the Red Book) ensure a "rigorous review" of all ocean development projects, so the state and its agencies meet their public trust responsibilities. For purposes of the CRMC's review, "[o]ffshore developments shall



not have a significant adverse impact on the natural resources or existing human uses of the Rhode Island coastal zone...” The evaluation of an offshore development on existing human uses must include whether “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.” The CRMC’s project review must also account for long-term adverse impacts to Rhode Island’s commercial fishing industry and marine economy. If the project adversely affects Rhode Island’s natural resources or human uses significantly, the project should be modified to avoid or mitigate the impact, or it should be denied. Uses or activities resulting in significant long-term adverse effects on Rhode Island’s commercial or recreational fisheries must be prohibited.

The SouthCoast Wind project and its proposed export cables installation violates the foregoing principles in the following ways:

1. Fisheries Impact—The export cables installation must be prohibited under the SAMP because it will result in significant adverse effects for multiple seasons on inshore juvenile Cod habitats, glacial moraine, and other important benthic habitats essential to marine organisms in and near Mount Hope Bay, the Sakonnet River, and Rhode Island Sound.
2. Net Effects—SouthCoast Wind has provided no evidence of any benefit of the export cables installation to Rhode Island’s marine economy while the negative impacts are significant and potentially irreversible.
3. Protected Areas—The export cables installation will impact glacial moraine and Cod spawning habitats in violation of the SAMP.
4. Fishermen’s Advisory Board (FAB)—SouthCoast Wind inaccurately claims in their application materials to be consulting with the FAB; however, the FAB resigned *en masse* in 2023. The SAMP requires advice and consultation on any project of this size from the FAB which has not occurred.
5. Prohibited Installation—The Red Book prohibits commercial and industrial structures, like export cables, and filling in Type 2 waters (i.e., the Sakonnet River), yet, SouthCoast Wind asks the CRMC to ignore this fact by pointing out that most of the cables will be buried in these waters.
6. Alternatives—Although SouthCoast Wind was required to identify potential alternatives to the installation through glacial moraine and important benthic habitats and explain why, if at all, they are not feasible (without regard to financial considerations), South Coast Wind did not consider utilizing a land-based route using overhead cable lines to eliminate the risk to the Sakonnet River ecosystem.



7. Cumulative Effects—SouthCoast Wind has failed to consider the project’s cumulative impact on Rhode Island’s coastal resources in conjunction with other already-approved offshore wind projects or even the other harmful components of the SouthCoast Wind project such as the open-loop cooling system.

Given the destruction that will inevitably result from a development project of this size and scope, the SAMP obligates the CRMC to reject or substantially revise this project after additional testing and monitoring about the impacts to Rhode Island’s coastal resources. For these reasons, Green Oceans requests that the CRMC reject or substantially revise the SouthCoast Wind project and, in particular, its export cables plan after a public hearing.

## COMMENTS/OBJECTIONS

### 1. Fisheries Impact

Section 11.10.1(E) of the SAMP states:

The Council shall prohibit any other uses or activities that would result in significant long-term negative impacts to Rhode Island’s commercial or recreational fisheries. Long-term impacts are defined as those that affect more than one or two seasons.

The export cables will result in significant long-term negative impacts on Rhode Island’s commercial and recreational fisheries. SouthCoast Wind conceded this fact in its Draft Environmental Impact Statement and by agreeing to pay substantial mitigation damages as part of the federal consistency review. BOEM has recognized this fact as well.

The export cables installation will result in mortality, injury, and displacement to countless species, such as Cod, Sturgeon, American Schad, Horseshoe Crabs, Scallops, Oysters, and Soft-Shell Clams, that rely on the ecosystems in the Sakonnet River, Mount Hope Bay, and Rhode Island Sound. Specifically, the export cables will be installed through glacial moraine and other areas characterized as “inshore juvenile Cod habitat.” Benthic recovery from glacial moraine impacts may take three years or more. These adverse impacts will compound during maintenance periods and decommissioning.

Additionally, the project will harm commercial and recreational fishermen for several seasons through vessel traffic, safety zones, and boulder relocations. Thus far, the negative impacts on recreational fishing, especially on the Sakonnet River, have not been addressed.



It cannot be reasonably disputed that the impacts on commercial and recreational fisheries will extend beyond one or two seasons. Given this fact, the SAMP prohibits the export cables installation.

## 2. Net Effects

Section 11.10.1(C) of the SAMP states:

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 this 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....

SouthCoast Wind has failed to present any evidence to support a finding of overall net benefit to the Rhode Island marine sector from the SouthCoast Wind project overall and certainly not from the export cables, in particular. Instead, SouthCoast Wind's presentation focuses on unspecific and unproven statements about the potential benefits of offshore wind at some undetermined point in the future. These vague unsubstantiated platitudes are insufficient to support an approval under the SAMP.

SouthCoast Wind's claims about the project's benefits to Rhode Island are also inaccurate. Rhode Island procured only 200 MW of energy from the SouthCoast Wind project whereas Massachusetts procured the remaining 1087 MW. Rhode Island's portion represents just 15.5% of the total capacity of the project and yet Rhode Island, its citizenry, and its coastal resources will suffer inordinately during the construction and operation of the project. Moreover, a final Power Purchase Agreement has not yet been negotiated. Until Rhode Island knows the price of the electricity, the CRMC cannot conduct a proper cost benefit analysis and should therefore not issue any permits at this time.

The CRMC took notice of SouthCoast Wind's lack of evidence as well. In rendering its federal consistency decision on the SouthCoast Wind project, the CRMC failed to conclude that the project would benefit Rhode Island's marine economic sector.

Moreover, there is no evidence to support that the export cables, which will, as discussed above, harm the commercial and recreational fishing industries, important benthic habitats, and wreak havoc on the Sakonnet River, Mount Hope Bay, and Rhode Island Sound ecosystems, will benefit the Rhode Island marine economy at all. This is especially true given that SouthCoast Wind could have pursued an above-ground cable installation to deliver energy from the project to



Brayton point but failed to even consider the possibility. SouthCoast Wind's decision to pursue underground cable installations through important benthic habitats cannot be justified in any principled way other than convenience to the developer. The developer's preferences fall woefully short of overcoming the harmful effects of constructing cables through Rhode Island's waters.

### **3. Protected Areas**

Section 11.10.1(H) of the SAMP states:

The Council recognizes that moraine edges... are important to commercial and recreational fishermen. In addition to these mapped areas, the FAB may identify other edge areas that are important to fisheries within a proposed project location. The Council shall consider the potential adverse impacts of future activities or projects on these areas to Rhode Island's commercial and recreational fisheries. Where it is determined that there is significant adverse impact, the Council will modify or deny activities that would impact these areas....

Section 11.10.1(I) of the SAMP states:

The finfish, shellfish, and crustacean species that are targeted by commercial and recreational fishermen rely on appropriate habitat at all stages of their life cycles. While all fish habitat is important, spawning and nursery areas are especially important for these species during the most vulnerable stages of their life cycles. The Council shall protect sensitive habitat areas where they have been identified through the Site Assessment Plan or Construction and Operation Plan review processes....

The export cables will be installed through glacial moraines and Cod spawning areas. SouthCoast Wind admits this fact, but states in conclusory fashion that complete avoidance of glacial moraine and other sensitive areas is not feasible. No explanation for this conclusion has been provided. Convenience is insufficient to justify devastating impacts to glacial moraine and Cod spawning grounds. Given that the export cables installation will result in the death and displacement of important marine life, it should be rejected or substantially revised to avoid these areas entirely.

### **4. FAB**

The FAB plays an important role in the review and approval process for offshore development projects. The SAMP requires the FABs input on mitigation (SAMP, s.



11.10.1(G); identifying and avoiding glacial moraine (SAMP, s. 11.10.1(H)); and, advising about commercial and recreational fisheries impacts (SAMP, 11.9.4(D)).

Although SouthCoast Wind claims to have consulted with the FAB about its project, the FAB resigned in protest of the CRMC's failure to enforce the SAMP with respect to offshore wind projects, and it has not been reconstituted. Therefore, the FAB has not provided advice or recommendations on the SouthCoast Wind project or the export cables, as contemplated by the SAMP.

## 5. Prohibited Installation

Regarding Category B Assents, the Red Book prohibits commercial and industrial structures from being installed in Type 2 waters:

- a. The Council's goal is to maintain and, where possible, restore the high scenic value, water quality, and natural habitat values of these areas, while providing for low intensity uses that will not detract from these values.
- b. New or deepened dredged channels and basins; new or deepened dredged channels at existing marinas that result in an expansion greater than twenty-five percent (25%) of their capacity; new marinas and expansion of existing marinas in excess of twenty-five percent (25%) of their capacity; the mooring of houseboats and floating businesses; industrial and commercial structures and operations (excluding fishing and aquaculture); and filling are all prohibited in Type 2 waters.

650-RICR-20-00-1.2.1(C)(2).

The export cables violate the foregoing prohibition on several levels. First, the export cables represent commercial and/or industrial structures that will be installed through Type 2 waters in the Sakonnet River. Second, the installation will require substantial commercial and industrial operations in Type 2 waters over a period of several seasons. Third, the installation will involve substantial back-filling operations in Type 2 waters.

SouthCoast Wind claims that the Red Book's prohibition does not apply to the export cables because they will (mostly) be installed under Type 2 waters. This conclusory explanation is unavailing. Even if most of the cables end up underground, the ground and water in the Sakonnet River will be negatively impacted during the lengthy multi-season installation activities. The Red Book's prohibition is designed to prevent such disturbances in these types of waters.



Further, SouthCoast Wind estimates that fifteen percent (15%) of the cables will be installed on the ocean floor with mattresses or rock beds over them, and not underneath the surface. SouthCoast Wind's claim that the cables will be underground is, therefore, belied by its construction plans. If even one percent of the cables will be running through the Sakonnet River, it's hard to understand how SouthCoast Wind can claim the Red Book's prohibition against commercial and industrial structures and filling does not apply.

## **6. Feasible Alternatives**

The SAMP protects "Areas of Particular Concern" (APCs) such as glacial moraine and other important natural habitats and presumptively prohibits ocean development in these areas:

The Council has designated [glacial moraines] in states waters as Areas of Particular Concern. All large-scale, small-scale, or other offshore development, or any portion of a proposed project, shall be presumptively excluded from APCs. This exclusion is rebuttable if the applicant can demonstrate by clear and convincing evidence that there are no practicable alternatives that are less damaging in areas outside of the APC, or that the proposed project will not result in a significant alteration to the values and resources of the APC. When evaluating a project proposal, the Council shall not consider cost as a factor when determining whether practicable alternatives exist....

(SAMP, s. 11.10.2(B)).

SouthCoast Wind admits the export cables will run through glacial moraine and Cod spawning habitats. However, it has failed to undergo even a cursory examination of feasible alternatives to its proposed export cables route. Land-based alternatives exist. SouthCoast Wind could eliminate the underwater cables through Rhode Island Sound, the Sakonnet River, and Mount Hope Bay by landing in Massachusetts and running over land to the Brayton Point Power Station from there. While it may not be convenient for SouthCoast Wind to change its plans at this juncture in the project, that is not the test under the SAMP. SouthCoast Wind should have evaluated land-based alternatives several years ago. It's failure to do so is a self-inflicted wound; one that the SAMP will not allow the CRMC to overlook.

## **7. Cumulative Effects**

Section 11.9.9(A) of the SAMP requires ongoing monitoring and assessments to "determine whether there are any potential coastal effects and potential cumulative impacts resulting from the construction and operation of multiple wind energy projects."



The CRMC has to varying degrees approved several offshore wind projects that will result in significant, long-term adverse effects to Rhode Island's coastal resources and marine economy. Additional testing and analysis are required of the export cables installation to determine how it will fit into the overall development of offshore wind off the Rhode Island coast. For instance, Revolution Wind's offshore project will be built on Coxes Ledge, a critical Cod Spawning habitat, and will likely result in population-level harm to Cod. Similarly, SouthCoast Wind proposes to install an open-loop cooling system for its power station within an area recommended by the New England Fishery Management Council as a Habitat Area of Particular Concern for cod spawning and complex habitats; a system that will threaten the lives of potentially hundreds of millions of organisms. How will the further impact of the export cables on Cod spawning grounds in the Sakonnet River and glacial moraine factor into the overall impact of these offshore wind projects on Rhode Island's commercial and recreational fisheries and marine economy?

Additional testing and examination of the environmental impact of the export cables project is also warranted. The export cables installation will disturb massive amounts of sediment in important benthic habitats. As recognized by the Rhode Island Department of Environmental Management when it required substantial sediment testing as part of its dredging permit, the sediment in these areas may contain toxic and other substances harmful to the environment and marine life. Tests should be conducted to determine the extent, if any, of toxins and harmful substances in these soils before the installation work proceeds.

Additional testing is also required to determine what, if any, impact the electromagnetic fields emanating from the export cables will have on marine life along the export cable corridor.

## CONCLUSION

The SouthCoast Wind project and its export cables plan violate the letter and spirit of the Ocean SAMP and the Red Book and should be denied or significantly revised after additional testing and monitoring on the impacts this project will have on the coastal environment, including fisheries, glacial moraine, and other species.

Green Oceans reserves the right to present additional evidence and arguments at a public hearing on this application.

**Green Oceans,**

By its President:

*Elizabeth Quattrochi Knight*

D88DA679B6A4C1...  
Elizabeth Quattrochi Knight, M.D., Ph.D



## Cstaff1

---

**From:** Katie Hamilton Gewirz <kgewirz@icloud.com>  
**Sent:** Monday, January 20, 2025 7:37 AM  
**To:** cstff1@crmc.ri.gov  
**Cc:** Katrina Hamilton Gewirz  
**Subject:** Re: 2023-02-090 Public Comment - REQUEST FRO HEARING

**Please note the potential violation of The Administrative Procedures Act (APA) (R.I. Gen. Laws § 42-35-1 et seq.), The Rhode Island Access to Public Records Act (APRA) (R.I. Gen. Laws § 38-2-1 et seq.), The Rhode Island Freshwater Wetlands Act (R.I. Gen. Laws § 2-1-18 et seq.), The Rhode Island Environmental Protection Act (R.I. Gen. Laws § 46-12-1 et seq.), Public Notice and Hearing Requirements (CRMC Rules and RegulationsThe Rhode Island State Comprehensive Plan (R.I. Gen. Laws § 42-11-10) in your review of my notes below.**

On Jan 20, 2025, at 7:31 AM, Katie Hamilton Gewirz <kgewirz@icloud.com> wrote:

It is my understanding that, in accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General laws), I may request a hearing on the matter of the subject line. The deadline was extended from December 28, 2024 to January 20, 2025, or 21 days from the original request due date.

While I have submitted, in a timely fashion in accordance with the December 28, 2024 deadline, multiple reasons for concern and potential laws these permits OR THE PERMITTING PROCESS would violate, due to the extension of this deadline, this serves as an additional request for a hearing.

I would, among other things, argue that the process for a permit for South Coast Wind from CRMC in this matter is in violation of the at least the **Freedom of Information Act (FOIA / 'fɔɪjə/FOY-yə)**, 5 U.S.C. § 552

The original CRMC publication date for comments started on November 13 and ran through December 28, 2024. CRMC provided a link from which one could request the full scope of information regarding the project, over 950 pages, in contrast to the 4 pages provided in the original request for comment for document of November 13, 2024.

Timely and multiple requests were made for the full set of plans and all information regarding the South Coast Wind requests for these 2 permits. My emails went

UNANSWERED. Multiple requests went without responsibly CRMC. Only after the first week of December did Lisa Turner, CRMC begin communication.

Furthermore, Ms. Taylor was unable to provide the correct and working link to the documents until December 18, 2024 - only 10 days before the comment due date and 5 weeks, AND 35 days in to the 45 day comment window. Below is only one piece of evidence supporting that the process for this permitting was in violation of multiple procedures and sets a dangerous precedent for future engagement, or lack there of, of transparency and public involvement. The process of engagement of the public must start with full transparency from its origin in order to avoid legal action. Even with the additional 22 days made available for Legal violation comment, this window is still shy of a 45 day window of engagement when all materials are available.

This piece meal procedure on the part of CRMC supports the argument that the CRMC is wholly overwhelmed and unable to provide thorough overview of matters under its control. There are legal issues with this which I will argue at hearing.

As a lay person, only with the full 45 day comment period would I or anyone be able to engage experts on the details of the permit request, including but not limited to the materials being used in the cables, the bundle effect of multiple cables, the disruption to wetlands, the effects of the aforementioned on a tidal Streight in front of my house, the effects on property value having an emf emitting cables in the waters in which I fish, lobster, swim, sail and more. This is only the basic of what issues would arise in conflict with the Clean Water Act, Endangered Species Act and more.

Respectfully submitted,  
Middletown & Portsmouth RI property owner  
Katrina Hamilton Gewirz  
kgewirz@aol.com

Aol/Old Mail

- <photo.jpeg>

---

**Lisa Turner**

---

**From:** lturner@crmc.ri.gov

---

**To:** 'Katrina Hamilton Gewirz'

---

Wed, Dec 18, 2024 at 2:54 PM

---

Katrina: Can you check the Next Request Portal again? I think I fixed it.

---

## Cstaff1

---

**From:** Katie Hamilton Gewirz <kgewirz@icloud.com>  
**Sent:** Monday, January 20, 2025 7:32 AM  
**To:** cstff1@crmc.ri.gov  
**Cc:** Katrina Hamilton Gewirz  
**Subject:** 2023-02-090 Public Comment - REQUEST FRO HEARING

It is my understanding that, in accordance with the Administrative Procedures Act (Chapter 42-35 of the Rhode Island General laws), I may request a hearing on the matter of the subject line. The deadline was extended from December 28, 2024 to January 20, 2025, or 21 days from the original request due date.

While I have submitted, in a timely fashion in accordance with the December 28, 2024 deadline, multiple reasons for concern and potential laws these permits OR THE PERMITTING PROCESS would violate, due to the extension of this deadline, this serves as an additional request for a hearing.

I would, among other things, argue that the process for a permit for South Coast Wind from CRMC in this matter is in violation of the at least the **Freedom of Information Act (FOIA / 'fɔɪjə/FOY-yə)**, 5 U.S.C. § 552

The original CRMC publication date for comments started on November 13 and ran through December 28, 2024. CRMC provided a link from which one could request the full scope of information regarding the project, over 950 pages, in contrast to the 4 pages provided in the original request for comment for document of November 13, 2024.

Timely and multiple requests were made for the full set of plans and all information regarding the South Coast Wind requests for these 2 permits. My emails went UNANSWERED. Multiple requests went without responsibly CRMC. Only after the first week of December did Lisa Turner, CRMC begin communication.

Furthermore, Ms. Taylor was unable to provide the correct and working link to the documents until December 18, 2024 - only 10 days before the comment due date and 5 weeks, AND 35 days in to the 45 day comment window. Below is only one piece of evidence supporting that the process for this permitting was in violation of multiple procedures and sets a dangerous precedent for future engagement, or lack there of, of transparency and public involvement. The process of engagement of the public must start with full transparency from its origin in order to avoid legal action. Even with the additional 22 days made available for Legal violation comment, this window is still shy of a 45 day window of engagement when all materials are available.

This piece meal procedure on the part of CRMC supports the argument that the CRMC is wholly overwhelmed and unable to provide thorough overview of matters under its control. There are legal issues with this which I will argue at hearing.

As a lay person, only with the full 45 day comment period would I or anyone be able to engage experts on the details of the permit request, including but not limited to the materials being used in the cables, the bundle effect of multiple cables, the disruption to wetlands, the effects of the aforementioned on a tidal Straight in front of my house, the effects on property value having an emf emitting cables in the waters in which I fish, lobster, swim, sail and more. This is only the basic of what issues would arise in conflict with the Clean Water Act, Endangered Species Act and more.

Respectfully submitted,  
Middletown & Portsmouth RI property owner  
Katrina Hamilton Gewirz  
kgewirz@aol.com

Aol/Old Mail



---

**Lisa Turner**

---

**From:** lturner@crmc.ri.gov

---

**To:** 'Katrina Hamilton Gewirz'

---

Wed, Dec 18, 2024 at 2:54 PM

---

Katrina: Can you check the Next Request Portal again? I think I fixed it.

---

Cordially,

**Lisa Turner**

---

Lisa A. Turner, Programming Services Officer  
aka Office Manager and Record Keeper  
[Coastal Resources Management Council](#)  
Oliver Stedman Government Center  
4808 Tower Hill Road; Room 116  
Wakefield, RI 02879  
401-783-3370

## Cstaff1

---

**From:** Chris Pepin <captpepin@gmail.com>  
**Sent:** Sunday, January 19, 2025 11:03 AM  
**To:** cstaff1@crmc.ri.gov  
**Subject:** No To Offshore Wind

My family has owned property and boated off RI out of Point Judith for 50 years.

I am 100% against offshore wind.

First is that it doesn't work. The Block Island wind farm NEVER runs at 80% capacity let alone 100%.

I boat in the area of the BI farm I have videos over numerous years and I can't remember ever seeing all 5 turn at the same time. If you can't get 5 to work you can't get 100 to work. Electricity rates have only risen due to the windmills.

They are eye sores, RI is known for a beautiful coast as a tourist destination why ruin it. They will cost millions to replace in 20 years. They are dangers to navigation.

Yes they are killing whales the scientists that say otherwise are paid by the wind companies.

Nuclear is the best solution wind is a boondoggle.

Chris Pepin.  
52 Starfiah drive Narragansett.

Sent from my iPhone=

## Cstaff1

---

**From:** Vanessa Desjardins <vanessacosmo9611@yahoo.com>  
**Sent:** Saturday, January 18, 2025 7:22 PM  
**To:** cstaf1@crmc.ri.gov  
**Subject:** 2023-02-090 Public Comment

NO!!!

No to offshore wind!

Stop ruining our oceans!!!

We have seen increased marine animal deaths in Rhode Island and along the shores where off shore wind is!!! Please stop!!!!!!

You are KILLING our environment in the name of saving our environment.

Concerned life long Rhode Island resident ..

Sent from my iPhone

**cstaff1@crmc.ri.gov**

---

**From:** Meghan Lapp <Meghan@seafreezeltd.com>  
**Sent:** Tuesday, January 14, 2025 9:55 AM  
**To:** cstaff1@crmc.ri.gov; 'Jeff Willis'; ksloan@crmc.ri.gov  
**Subject:** Comment Re File No. 2023-02-090  
**Attachments:** CRMC Comment Re South Coast Wind.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Jeff,

Please see the attached.

Thank you,  
Meghan

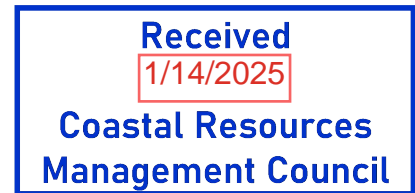
Meghan Lapp  
Seafreeze Shoreside  
[Meghan@seafreezeltd.com](mailto:Meghan@seafreezeltd.com)  
Office: 401-267-4470  
Cell: 401-218-8658



100 Davisville Pier  
North Kingstown, R.I. 02852 U.S.A.  
Tel: (401)295-2585

January 14, 2025

Jeff Willis, Executive Director  
RI Coastal Resources Management Council  
Stedman Government Center  
Suite 116, 4808 Tower Hill Road, Wakefield, RI 02879-1900



**Re: SouthCoast Wind Underwater Cabling Public Notice; File No. 2023-02-090**

Dear Mr. Willis,

I am writing to oppose RI CRMC approval of an underwater cabling permit, or any other permit or approval, for the SouthCoast Wind project. This project has not been subject to the applicable requirements for offshore wind projects, with both RI CRMC and SouthCoast Wind standing in violation of RI state regulation. No further action should be taken until RI CRMC rectifies these violations and other glaring omissions with its process. Below is a detailed summary of these shortcomings.

1. **FAB:** RI CRMC and SouthCoast Wind have never complied with RI state regulation's requirement to consult with a RI Fisherman's Advisory Board (FAB). This regulation is not optional. It is the governing state law that binds CRMC to a specific process and specific standards. The RI Code of Regulations outlines the legal requirements of the Ocean SAMP at Title 650, Chapter 20, Subchapter 5.<sup>1</sup> This is per the RI Department of State, not simply a public comment. Part 5 of that Subchapter, Commercial and Recreational Fisheries, details the requirements binding CRMC process and approval actions.<sup>2</sup> The regulation states, "The Council shall appoint a standing Fishermen's Advisory Board (FAB) which shall provide advice to the Council on the siting and construction of other uses in marine waters." The word "shall" is non-negotiable and appears many times regarding the FAB. For example, "Any large-scale offshore development, as defined in §§ 8.3(G) and 11.3(H) of this Subchapter, shall require a meeting between the Fisherman's Advisory Board (FAB), the applicant, and the Council staff to discuss potential fisheryrelated impacts...."<sup>3</sup>

This has never occurred for the SouthCoast Wind project. On August 31, 2023, the existing FAB resigned en masse due to RI CRMC's deference to wind developers and lack of compliance with its own regulations.<sup>4</sup> Prior to this resignation, the FAB had never met with

---

<sup>1</sup> See [Welcome to the Rhode Island Code of Regulations - Rhode Island Department of State](#).

<sup>2</sup> See [REG\\_12611\\_20211222143218.pdf](#).

<sup>3</sup> See [REG\\_12611\\_20211222143218.pdf](#).

<sup>4</sup> See [R.I. fishing panel resigns en masse over offshore wind approvals • Rhode Island Current](#) and [ACFrOgDk6l14wQn6pqt7GUFhyxJcC3kJKLWMdF6AHbD-](#)

SouthCoast Wind and CRMC staff, as required by RI state regulation. Following that FAB’s resignation, RI CRMC never appointed any new individuals to fill the empty FAB seats, in violation of the regulatory requirement that RI CRMC “shall appoint a standing FAB” and “shall require a meeting” with the FAB. “Shall” means “shall.”. A standing FAB is necessary for RI CRMC’s engagement on offshore wind issues. It is not optional. Upon the resignation of the former FAB, RI CRMC was obligated to appoint a new standing FAB. It did not do so and has made no efforts toward this end. Therefore, SouthCoast Wind and other projects granted consistency review by the RI CRMC after the 2023 FAB resignation (i.e. New England Wind) which never met with any FAB as legally required were granted consistency review in full violation of the RI Ocean SAMP regulatory process.<sup>5</sup>

For the New England Wind consistency review, CRMC stated that after the FAB resigned, it did not have access to FAB inputs on the project and- rather than reconstitute a new FAB with new FAB members- moved ahead with consistency certification by making information regarding the materials and meetings regarding New England Wind available to the fishing industry.<sup>6</sup> That is not the same as appointing a standing FAB and hosting formal meeting consultations with the developer, agency, and FAB. In fact, CRMC notice to the entire fishing industry regarding projects and project specific meetings in addition to FAB consultations used to be common and standard practice for the agency, a practice which has been abandoned by agency staff following the South Fork Wind Farm process, despite industry requests to continue the practice. This issue is discussed in more detail below. However, to the point at hand, mere public noticing does not serve to meet the regulatory requirement to appoint a standing FAB and comply with regulatory consultation requirements. CRMC cannot claim it has met these requirements by public noting to the fishing industry at large, including former FAB members, when there is no existing FAB. That would be tantamount to saying that a piece of legislation received Congressional approval because former members of Congress now retired were provided a copy of the draft bill.

Therefore, not only is the consistency determination issued for SouthCoast Wind invalid, but any further permitting of the project should be immediately suspended until CRMC can fulfill its regulatory duties, beginning with appointing a standing FAB.

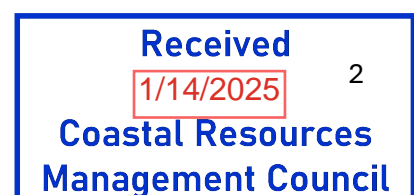
2. **Bonding:** RI CRMC, the former FAB, and the RI public were assured by the federal government that all projects undergoing state consistency review were required to post federal financial assurances, i.e., decommissioning bonds, for future project decommissioning. But the federal government lied to both the state and the public on this issue. The truth is that BOEM habitually grants waivers, or “departure requests” for these

---

[v2SMOmS\\_A3hTWB0hk1yDV1XEEDF556LJi5lobDXkFVQBkPO-PljvDN-5ioECudJzZbyugDtKu-KNJly1cXU-1.pdf](#).

<sup>5</sup> SouthCoast Wind never met with a FAB but was granted consistency certification on December 19, 2023; see [SCW\\_FedConDecision\\_12-19-23.pdf](#). New England Wind never met with a FAB but was granted consistency review on October 19, 2023; see [NEWind\\_FedConDecision\\_101923.pdf](#). RI CRMC made no effort to appoint new FAB members to meet its own regulatory requirements; instead, it continued to approve projects in violation of regulatory process.

<sup>6</sup> See [NEWind\\_FedConDecision\\_101923.pdf](#), p. 27.



financial assurances.<sup>7</sup> In fact, every project constructed or under construction in federal waters off New England and reviewed by RI CRMC for consistency review have received these waivers: Vineyard Wind,<sup>8</sup> South Fork Wind Farm,<sup>9</sup> and Revolution Wind.<sup>10</sup> New England Wind, also granted consistency certification by CRMC, has additionally received a waiver.<sup>11</sup> Waivers claim that requiring the financial assurance is “an unnecessary and unreasonable financial burden on the company”<sup>12</sup> and “that requiring decommissioning financial assurance before project construction is unnecessarily burdensome for lessees”.<sup>13</sup> BOEM therefore defers the decommissioning bond requirement until the projects are 15 years into their 20 year power purchase agreements with the states.<sup>14</sup>

This poses an issue with state consistency certifications, as this situation was never considered by the state, due to federal promises that decommissioning bonds were mandatory and the state had nothing to worry about in this respect. No permits should be granted to SouthCoast Wind until either (1) RI CRMC can obtain written guarantee from the federal government that a financial assurance, i.e. decommissioning bond, will be required without waiver or deferral, or (2) the state acts to require such a decommissioning bond.

All previous negotiations conducted with the FAB regarding mitigation were conducted based on decommissioning being fully funded and required; it is reasonable to assume that CRMC’s sole negotiations with SouthCoast Wind were also based on this assumption. Until CRMC has worked out a solution to the lack/waiver of decommissioning bond requirements, especially for components of projects proposed inside state waters such as the SouthCoast Wind cable, no further permits should be issued regarding offshore wind. It is clear that at the same time that developers were negotiating with RI CRMC, they were simultaneously applying for financial assurance waivers or at least considering applying for financial assurance waivers, intentions that were never discussed with CRMC during

---

<sup>7</sup> See <https://www.boem.gov/departure-request>.

<sup>8</sup> See <https://www.boem.gov/sites/default/files/documents/renewable-energy/3779-FINAL-Approval-Letter.pdf>.

<sup>9</sup> See <https://www.boem.gov/sites/default/files/documents/renewable-energy/OCS-A%200517%20Financial%20Decom%20Departure%20Approval%20Letter.pdf>.

<sup>10</sup> See [https://www.boem.gov/sites/default/files/documents/about-boem/REV\\_0486\\_Fin%20Assur%20Decom%20Departure%20Appr%20Ltr.pdf](https://www.boem.gov/sites/default/files/documents/about-boem/REV_0486_Fin%20Assur%20Decom%20Departure%20Appr%20Ltr.pdf).

<sup>11</sup> See <https://www.boem.gov/departure-request>.

<sup>12</sup> See for example, Revolution Wind and South Fork Wind Farm departure request approvals at [https://www.boem.gov/sites/default/files/documents/about-boem/REV\\_0486\\_Fin%20Assur%20Decom%20Departure%20Appr%20Ltr.pdf](https://www.boem.gov/sites/default/files/documents/about-boem/REV_0486_Fin%20Assur%20Decom%20Departure%20Appr%20Ltr.pdf) and

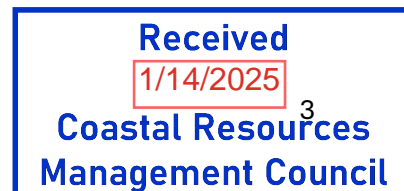
<https://www.boem.gov/sites/default/files/documents/renewable-energy/OCS-A%200517%20Financial%20Decom%20Departure%20Approval%20Letter.pdf> .

<sup>13</sup> See Vineyard Wind departure request approval at

<https://www.boem.gov/sites/default/files/documents/renewable-energy/3779-FINAL-Approval-Letter.pdf>.

<sup>14</sup> See <https://www.boem.gov/sites/default/files/documents/renewable-energy/3779-FINAL-Approval-Letter.pdf> and [https://www.boem.gov/sites/default/files/documents/about-boem/REV\\_0486\\_Fin%20Assur%20Decom%20Departure%20Appr%20Ltr.pdf](https://www.boem.gov/sites/default/files/documents/about-boem/REV_0486_Fin%20Assur%20Decom%20Departure%20Appr%20Ltr.pdf) and

<https://www.boem.gov/sites/default/files/documents/renewable-energy/OCS-A%200517%20Financial%20Decom%20Departure%20Approval%20Letter.pdf>.



negotiations and in fact were misrepresented. This should negate previous CRMC agreements and re-initiate state review, particularly in regards to mitigation.

In light of the Vineyard Wind blade disaster off Nantucket, it is also clear that enough financial bonding to compensate for local losses would not even be required through decommissioning bonds alone. If blade failures continue to occur at rates currently reported by the offshore wind insurance industry,<sup>15</sup> damage to the fishing industry and other RI entities could be left without real remedy- if a decommissioning bond is too financially “burdensome” for lessees at this time, what of compensation in case of blade failure or other project component failures that impact RI residents? We have not been provided with any information regarding potential insurance coverage for these events, how much insurance coverage is available, if this coverage would make RI businesses whole in the event of project failure or natural disasters such as hurricanes, etc. We also do not know how coverage works if the project assets are sold to another party.

Considering that the US Department of Interior has already experienced problems with abandonment of oil and gas infrastructure without appropriate decommissioning bonds in the past, RI CRMC should be thinking seriously about these topics regarding impacts in the state of RI. In fact, in 2024 the Department of Interior proposed stricter decommissioning bond requirements for the oil and gas industry to “Protect Taxpayers from Being Forced to Pay Decommissioning Costs”<sup>16</sup> stating, ““The American taxpayer should not be held responsible when oil and gas companies are unable to clean up after their own operations.”<sup>17</sup> They offer no rationale why the American taxpayer shouldn’t be protected from the same for offshore wind. However, this is a question that the RI CRMC should be officially asking. Again, until a decommissioning bond for SouthCoast Wind can be secured, at the very minimum for the cable proposed for RI state waters, RI CRMC should refuse any further permitting.

3. Noticing: As noted above, former leadership of the RI CRMC publicly noticed the RI fishing industry, including non-FAB members of the RI fishing industry, about all offshore wind consistency review meetings and public hearings via an email listserve. This enabled fishing industry members who were not FAB members to attend consultations, public hearings, submit written comments, etc. Following multiple departures from the agency by previous staff, these email notifications ended, and the wider fishing industry has been completely in

---

<sup>15</sup> For blade failures alone, an offshore wind insurer reported in 2014 that out of 700,000 blades operating globally at that time, an average of 3,800 blades failed each year, from causes “ranging from lightning damage to human error and manufacturing defect”. At that rate, should the US have 3,000 turbines off the East Coast, we can expect an average of 48 blade failures per year. See [North American Clean Energy - GCube Scrutinizes Blade Breakages: Specialist renewable energy insurer analyses causes & frequency of wind turbine blade failure in new report \(nacleenergy.com\)](#).

<sup>16</sup> See [BOEM Proposes Stronger Financial Assurance Requirements for Offshore Oil and Gas Industry to Protect Taxpayers from Being Forced to Pay Decommissioning Costs | Bureau of Ocean Energy Management](#).

<sup>17</sup> See [Interior Department Takes Action to Protect Taxpayers from Offshore Oil and Gas Decommissioning Costs | U.S. Department of the Interior \(doi.gov\)](#).

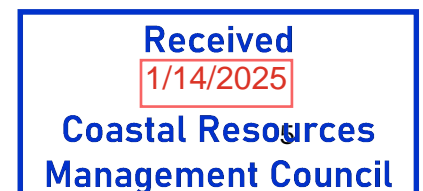


the dark regarding anything consistency review related, which made participating in the process difficult. I personally requested more than once that this email listserve and public noticing, which the industry came to rely on, be re-initiated, or even shared via the RI DEM Marine Fisheries' listserve for the fishing industry. It has not been.

Following the resignation of the FAB, there is no member of the fishing industry now regularly supplied with information by CRMC at all. This lack of effort on the part of RI CRMC to notice the most important and impacted stakeholder group by the consistency process is particularly marginalizing, considering it was the agency norm to do so just a few years ago, and considering the nature of commercial fishing does not lend itself to extensive internet availability. The RI CRMC process has failed the fishing industry in many ways, even in ways such as this which are easily remedied. As the fishing industry was unaware of SouthCoast developments, combined with the other issues identified above, RI CRMC should rectify its process by re-noticing the fishing industry, re-opening review- even at the state level to afford the industry time to provide project specific comments for the record- extending the current cabling comment period, and refraining from any further permitting until a standing FAB can be convened and decommissioning bonds assured.

Thank you for the opportunity to comment.

Sincerely,  
Meghan Lapp  
Seafreeze Ltd, Seafreeze Shoreside



## Cstaff1

---

**From:** Carol Sears <carolsears2424@gmail.com>  
**Sent:** Wednesday, January 8, 2025 7:35 PM  
**To:** cstff1@crmc.ri.gov  
**Subject:** 2023-02-090 Public Comments

Dear CRMC Officials,

I strongly oppose any offshore wind projects for several reasons. The first being the idea that it is safe and wise to dredge the Sakonnet River, which is directly down stream from the Somerset coal burning facility that operated for decades. The amount of pollutants that are undeniably present in the bed of the Sakonnet River will be disturbed and will wreak havoc with all sea life and avian life immediately, and for years to come. The second being the costs far outweigh any saving, as my electricity bill has gone up almost 50% from what it was five years ago. The cost to deliver the electricity to my home is equal to the amount of usage and that is mainly because of all the add ons, such as wind projects and “free energy inspections “ that we all pay for. And last but not least, the whales that are washing up on our shores have increased notably since all these windmills started being installed. Why aren’t the Green Energy people concerned about this? They claim to care about the environment, but don’t seek answers on what is happening to these great creatures.

Please stop this massive and senseless project.

Sincerely,

Carol Sears

193 Narragansett Blvd

Portsmouth, RI

Not rendering correctly? [View this email as a web page here.](#)



Hi Carol,

We’re excited to share some great news: SouthCoast Wind, a 1,287 MW offshore wind project critical to New England’s clean energy future, [received its final federal approval](#) on December 20th! However, the journey isn’t over yet. The project still requires key state-level approvals from Rhode Island to move forward.

**Will you email Rhode Island C Management Council (CRMC) to ensure that South Coast Wind advances?**

## **Take action to support SouthCoast Wind:**

Submit written comments to CRMC by Monday, January 20th at 5pm. Here's how:

- **Write your comments:** SouthCoast has provided [sample comments](#) and [talking points](#) for your reference.  
When writing your comments, we encourage you to share why this project matters to you. Consider touching on the following benefits: Climate action, energy independence, public health, grid reliability, job creation, environmental justice, economic growth, etc.
- **Email your comments:** Send your comments to [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov) with subject line "2023-02-090 Public Comment"

**Deadline: Monday, January 20th at 5pm.**

## **What's at stake:**

SouthCoast Wind is expected to generate enough electricity to power more than 840,000 homes in Massachusetts and Rhode Island! This would be in addition to the 704 MW Revolution Wind project which is currently under construction and is expected to generate enough electricity to power 350,000 homes across Rhode Island and Connecticut.

The project needs two crucial permits from the Rhode Island Coastal Resources Management Council (CRMC):

1. **Category B Assent**, which reviews significant activities like filling, removing, or grading near shoreline features, ensuring adherence to rigorous environmental standards to protect Rhode Island's coastal resources.
1. **Freshwater Wetlands Permit**, which is required for any construction or alteration on a coastal feature or within 200 feet of a coastal feature or tidal waters in Rhode Island.

These approvals cover the full scope of activities in Rhode Island's state waters and several important onshore activities in Portsmouth. You can find SouthCoast Wind's joint application for a Category B Assent and Freshwater Wetlands permit [here](#).

The CRMC is currently accepting **written public comments until January 20th**. [Here](#) is the official CRMC Notice. We hope you'll write in in support!

## Thank you!

Your voice is vital in ensuring a sustainable environment and economy for Rhode Island. Please don't hesitate to reply to this email if you have any questions.

Together, we can make SouthCoast Wind a reality.

Best regards,



Amanda Barker  
RI Clean Energy Program Coordinator

Share this action alert!



Green Energy Consumers Alliance, Inc. [284 Amory St.](#) [Boston, MA](#) [02130](#) [United States](#)

You received this email because you are subscribed to Advocacy & energy policy from Green Energy Consumers Alliance, Inc. .

Update your [email preferences](#) to choose the types of emails you receive.

[Unsubscribe from all future emails](#)

## Cstaff1

---

**From:** John Travassos <johntravassos1@outlook.com>  
**Sent:** Sunday, January 5, 2025 7:50 PM  
**To:** cstff1@crmc.ri.gov  
**Subject:** South Coast Wind Project Comment for Consideration  
**Attachments:** CRMC letter South Coast.docx

CRMC:

Please see attached.

Sent from [Outlook](#)

January 5, 2025

CRMC

Dear Council Members:

I am writing to object to the proposed installation of underwater cables related to the South Coast Wind Energy Project (Project), specifically related to areas within Rhode Island, including the Sakonnet River and portions of Mount Hope Bay. Such installation will cause unnecessary and unwarranted disturbances and destruction of benthic and other marine habitats, all of which are vital and critical to maintaining a vibrant marine environment which support a vital marine fisheries supporting livelihoods and regional economies, as well as providing invaluable food sources for the people of Rhode Island.

None of these concerns are foreign to your agency. Your staff are aware of the potential negative impacts to the marine environment, and they are well versed in how the Sakonnet River and Mt. Hope Bay estuaries provide for the well-being of Rhode Islanders.

What often is overlooked, however, is the serious issue of cumulative impacts to our marine environment. Too often projects are viewed on an individual basis and erroneously seen as insignificant in terms of impacts. We have seen this mistake made in dealing with virtually all environmental assets. How often do we state or hear someone bemoan the loss of open space, forests, wetlands, etc. with the passage of time. We fondly remember “when” something was pristine and lament the changes brought on by so-called “progress.” The consequence, especially in little Rhode Island is that we live in an over-congested landscape with little left to enjoy and appreciate outside of “parks.” This trend is unacceptable, especially in what may be the last remaining relatively untouched natural environment in our state, its marine environment.

While I could argue at length against the ill-conceived Offshore Wind programs being foisted upon the people who have been misinformed, maybe even boondoggled, about the costs (environmental, economic) and benefits of such programs, my focus in this letter addresses the specific proposal to alter marine environments that are vital to our state and society.

Environmental protection cannot exist in a vacuum, it must be addressed in context of the whole of the ecosystem of the marine environments. One cable here, then another one there, and then, with the precedent having been set, we excuse future alterations as they appear as just a small piece of the many already approved, relinquishing our responsibility piece by piece. Look at Rhode Island, it is an example of this process. Not very attractive, not very productive, not at all pristine. Diminished at best. Do we want this for our marine resources?

I beg you to consider the whole of the ecosystem and how the incremental destruction and alteration of it lays to waste in eventuality what was once prized, ecologically and economically. Let's not go down this path of putting a blind eye to the realities of piece-meal destruction of our greatest state resource. Wisdom calls on you to take a stand and prevent the demise of another invaluable Rhode Island treasure.

I urge you to vote against the proposed plan and affirm our State's right to a clean and vital environment. If not now, when?

Respectfully,

John Travassos

99 Water Street, Apt 217, Warren RI 02885

## Cstaff1

---

**From:** Katrina Hamilton Gewirz <kgewirz@aol.com>  
**Sent:** Saturday, December 28, 2024 6:02 AM  
**To:** cstaf1@crmc.ri.gov  
**Cc:** Katie  
**Subject:** Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit

To whom it may Concern:

The following email thread will include multiple sets of evidence that clearly show CRMC was unable to provide the full set of "material" necessary for a thorough review until December 18, 2024. This is over 1 month past the November 13, 2024 START DATE of comments. This delay in available materials reduced a 45 day window of review to TEN DAYS. This delay is likely in violation of a host of laws put in place to protect the very process CRMC and the public are currently traveling.

- I request a hearing on this permit request and am doing so within the deadline date of December 28, 2024

- I strongly object to the granting of these permits for a host of reasons shown below in my email of December 10, 2024. Many if not all concerned shown in that document have some if not significant validity even in the absence of the 950+ page "full report"

- I strongly object to the granting of these permits as The 950+ page full report lacks comments that were previously submitted by myself and others YET does include comments from the same "open period".

- I strongly object to the granting of these permits as THERE IS ANOTHER ROUTE that can be taken, on land and aerial to an already existing power station. While this will likely require the involvement of multiple municipalities (potentially why SouthCoast is opted for an alternate route) this is yet another reason for my objection. They MUST SHOW PROOF OF NEED for this to be the route., There is no need. An arguably better option likely exists and a full study should be conducted prior to the granting of any permits.

- There are likely multiple additional reasons (materials used, engineering choices, additional environmental concerns) BUT WITH ONLY 10 days vs the require 45 to review the extensive materials, I OBJECT.

Sincerely,  
Katrina Hamilton Gewirz  
225 Indian Avenue  
Middletown RI 02842

----- Forwarded Message -----

**From:** Lisa Turner <lturner@crmc.ri.gov>  
**To:** 'Katrina Hamilton Gewirz' <kgewirz@aol.com>  
**Sent:** Wednesday, December 18, 2024 at 02:54:28 PM EST  
**Subject:** RE: Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit

Katrina: Can you check the Next Request Portal again? I think I fixed it.

Cordially,

# Lisa Turner

---

Lisa A. Turner, Programming Services Officer

aka Office Manager and Record Keeper

Coastal Resources Management Council

Oliver Stedman Government Center

4808 Tower Hill Road; Room 116

Wakefield, RI 02879

401-783-3370

---

**From:** Katrina Hamilton Gewirz <kgewirz@aol.com>

**Sent:** Tuesday, December 17, 2024 11:05 AM

**To:** Lisa Turner <lturner@crmc.ri.gov>

**Subject:** Re: Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit

ATTENTION LISA TURNER @CRMC:

Please note the following 3 concerns and comments & please respond asap.

1) Last week, upon receipt of your Dec 11th email I responded immediately regarding the "new" CRMC website not uploading any documents even when no filters were applied, which one would think would produce a list of every file available. I have not heard back from you or anyone at CRMC.

2) In order to best respond to a request for comments to crmc, all pertinent information regarding the project needs to be made available to the public. In this case, the Dec 28th South Coast deadline for request for permit for cable laying, the public information as per your link remains unavailable from what I can tell. Please advise.

3) Moreover, your prior email confirms the information was not available on this platform until December 10, 2024 - which is weeks after the November 13th 2024 period when the comment window was opened based on the permit application submission date.

4) THIS EMAIL SERVES as yet another formal comment that the comment period should start ONLY ONCE ALL PUBLIC INFORMATION IS AVAILABLE.

5) FOLLOWING UP again as file 2023-02-090 IS NOT anywhere on the link you have provided from what I can tell. I asked for support immediately upon receipt of your last email and a week has passed with no response. [NextRequest - Modern FOIA & Public Records Request Software](#)

**NextRequest - Modern FOIA & Public Records Request Software**

|

On Wednesday, December 11, 2024 at 12:00:50 PM EST, Lisa Turner <[lturner@crmc.ri.gov](mailto:lturner@crmc.ri.gov)> wrote:

Good Afternoon Katrina: Thank you for your email of December 10, 2024 providing public comment for the CRMC file for SouthCoast Wind cable file 2023-02-090.

I am providing a link for you to review the CRMC File on our portal responsive to these file review requests.

<https://crmc.nextrequest.com/>

Once on the portal, click on Documents and you should be able to review the file. It was uploaded yesterday so will be up-to-date.

The portal-use is new to CRMC. Please let me know if there are any issues with viewing the file.

Thank you!

Cordially,

**Lisa Turner**

---

Lisa A. Turner, Programming Services Officer

aka Office Manager and Record Keeper

Coastal Resources Management Council

Oliver Stedman Government Center

4808 Tower Hill Road; Room 116

Wakefield, RI 02879

401-783-3370

---

**From:** Katrina Hamilton Gewirz <[kgewirz@aol.com](mailto:kgewirz@aol.com)>

**Sent:** Tuesday, December 10, 2024 7:26 AM

**To:** [estaffl@crmc.ri.gov](mailto:estaffl@crmc.ri.gov)

**Subject:** Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit

December 10, 2024

[estaffl@crmc.ri.gov](mailto:estaffl@crmc.ri.gov)

Coastal Resources Management Council (CRMC)

Attn: Permit Application Review

4808 Tower Hill Road

Wakefield, RI 02879

Subject: Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit

Dear Members of the Coastal Resources Management Council,

I am grateful for the opportunity to provide written comment. Should there be an open hearing on these applications, I request to provide oral testimony. Please read the first two requests which are time sensitive.

**IMMEDIATE Requests: Acknowledgement and Jurisdiction & Full Set requests:**

- 1) Please respond to [kgewirz@aol.com](mailto:kgewirz@aol.com) to acknowledge receipt of this comment submission in a timely fashion.
- 2) Please, in your response, clarify the following: It is my understanding that jurisdiction of The Assent permit is managed by the Coastal Resources Management Council and is focused on coastal and tidal waters. In contrast, my understanding is that Freshwater Wetlands Permits are issued by the Rhode Island Department of Environmental Management (RIDEM) and pertains to inland wetlands. Knowing this, please clarify if I am misunderstood or if RIDEM will be involved and if so, at what point.

**3) Paramount to my request to not approve these permits is that CRMC did not provide upon request, as is offered in the Public Notice, the full set of the plans.** Requests were made on the following days to the email provided in the permit request letter:

November 25, 2024 at 5:30am

December 5, 2024 at 5:26pm

December 8, 2024 at 6:05am

The lack of a complete set of plans to evaluate, *over the full course of the comment period*, allowing for the opportunity to engage experts, research specifics to the project and more, not only hinders the ability of interested and concerned parties to respond with a complete picture, the avoidance of sharing promised materials in a timeframe **eliminates the opportunity of thorough, helpful and educational engagement for all involved - CRMC included.**

Example specific to this request: An applicant for a Wetland Permit must provide information about the wetland area and how the proposed activity will affect it. This includes conducting environmental assessments and ensuring mitigation measures are in place to minimize any negative impacts. This information has not been made available and accordingly, the concerns that follow are generalized. I would ask a basic: Will Silt Curtains be used at any point?

On March 14, 2024 South Coast Wind Energy LLC received an in-depth letter from DEM after review of the Application for New Dredging & Transmission Line & Installation; Water Quality Certificate File # 23-044 & Dredge PERmit Application Number DP-23-198. Embedded in the body of the letter were numerous requirements. Prior to any additional approvals for permits for South Coast, all requirements from the March 14, 2024 response, that can be carried out prior to the dredging and installation, should be acted upon and outcomes made available for review. Example: #12 The Applicant shall submit a sediment sampling and analysis for DEM review and ....

Results of the aforementioned should be available prior to the issuance of any additional permitting. Without the knowledge of the test results, one is responding in absence of vital information needed to address future requests.

Accordingly, the first recommendation of CRMC would be to *restart the comment period* for Permit File Number: 2023-02-090 application once prior results are available to the public and the governing body (CRMC) can make the full set of plans available, as requested by email as instructed, to the public in a reasonable timeframe. This is not the current case. Please re-open comments for the required timeframe once CRMC can respond to requests for the full set of plans in a timely fashion or otherwise acknowledge CRMC's mishandling of this permit request.

#### **Comments:**

I am writing to formally express my strong opposition to the permit application File Number: 2023-02-090 submitted by SouthCoast Wind Energy LLC for the construction and maintenance of two 20.4-mile submarine high-voltage direct current (HVDC) power cable bundles and associated communications cables within state waters. This project is proposed to run through Rhode Island Sound, the Sakonnet River, reaching the Town of Portsmouth and entering Mount Hope Bay, before crossing into Massachusetts waters and terminating at Brayton Point in Somerset, Massachusetts. Wetlands and highly utilized waterways are being impacted which will alter, negatively, water quality, natural habitats, and other coastal resources.

In the absence of potentially vital information to enhance my concerns, and as a resident of Middletown, RI and property owner in Portsmouth, RI I still submit comment that I am deeply concerned about the known and unknown potential environmental, economic, and community impacts if these permits are issued. My objections are outlined below:

### **1. Environmental Impact on Coastal Ecosystems**

The proposed project will directly affect sensitive marine and estuarine environments, including Rhode Island Sound, the Sakonnet River and Mount Hope Bay, all of which are home to diverse species and habitats. Note also that wetland areas are more sensitive to the cumulative effects of stressors induced by any changes including cables and installation of them.

Wetland ecosystems are already stressed by a variety of factors, including pollution, changes in climate, invasive species, introduction of foreign materials, and habitat destruction. The addition of EMF exposure, which will be the result of the cables in question, could act as an additional stressor, compounding these existing challenges. In wetlands that are already suffering from environmental degradation, the impact of EMFs could be more pronounced, potentially leading to faster declines in biodiversity and ecosystem health. South Coast should remove this area from its proposed route.

The bountiful yet already stressed populations in the aforementioned areas include but may not be limited to:

Stripped Bass, Blue Fish, Tautog, Summer Flounder, Conch, Winter Flounder, Scup, Menhaden, Atlantic Mackerel, Atlantic Cod, Red Hake, American Lobster, Blue Crab, Soft Shell Clam, Northern Quahog, Sea Scallop, American Oyster, Green Crab, Sea Urchin Mantis Shrimp, Hermit Crabs, Bay Scallops, Common Periwinkle, Atlantic Sea Slug, Harbor Seal, Grey Seal, Humpback Whale, Common Eider, Tern Species, Osprey, Piping Plover, sharks, skies, ray, Eelgrass, Kelp, Phytoplankton, Moon Jellyfish, Seastar.

These areas combine to support critical marine life and migratory birds, many of which are already under stress from anthropogenic factors. The disturbance caused by cable laying, ongoing effects of the cables while in use, potential sediment disturbance during installation, maintain & decommissioning; the introduction of concrete mattresses, rock bags, ongoing artificial temperature rising heat emissions from the cables once in use and EMFs from the bundled cable will unquestionably ALL cause changes and will arguably have long-term impacts on water quality. These stressors will unquestionably harm the ecosystems short term and arguably long term & irreparably. Studies have shown that EMFs can alter the behavior of

microorganisms in water. Marine species like sharks, rays, fish (e.g., cod, bluefish), and marine mammals (e.g., humpback whales, seals) are known to use Earth's magnetic field for navigation, and this ability helps them undertake long migrations or orient themselves in vast, featureless environments. The abilities of the aforementioned will be impacted by the cables proposed.

In wetland environments, microorganisms play a crucial role in nutrient cycling, water filtration, and maintaining the overall health of the ecosystem. Any disruption to microbial communities could affect water quality, reduce oxygen levels, and impact the availability of food resources for higher trophic levels in the food chain. Given the significant and often unpredictable impacts of such large-scale construction projects, the risk to local biodiversity is simply too high. Please deny the permit.

When multiple HVDC cables are bundled together *as is the case here*, it can introduce certain negative effects. Additionally, many effects are heightened in bundled configurations due to the higher energy density. These effects can arise from the electromagnetic fields (EMFs) generated by the cables and their interactions with each other, as well as the impact on the surrounding environment. Some of the key negative effects associated with HVDC power cable bundles include Electromagnetic Interference (EMI) and Electromagnetic Fields (EMF).

The HVDC cables generate strong electric and magnetic fields. When multiple cables are bundled together, *as is the case with this development*, the combined EMF may be stronger than that from a single cable, potentially causing issue. The Thermal Effects and Overheating must not be underestimated either when considering the effects on the environment.

There is heat buildup when multiple HVDC cables are bundled together as the heat generated by each cable may accumulate in the bundle. This can lead to higher temperatures in the cables, reducing the overall efficiency of the transmission system. Note that the risk of overheating can also damage the insulation of the cables, reduce their lifespan, and potentially cause failures if the heat is not effectively dissipated. Bundling the cables together can obstruct the natural cooling process (such as air or water circulation), which is important for maintaining proper cable operating temperatures. Poor cooling can exacerbate the thermal effects therefore reduce cooling efficiency. Knowing that all this heat needs to escape and that escape is to the surrounding waters currently teeming with a health ecosystem, please reject this request for this permit. All of these potential hurdles will effect the local environment for the complete life of the project - not just during the laying of the cables. Accordingly, the permit review now one must consider the full effects of the life of the project and what measures will be taken during the life of the project. If the environment shows signs of change or collapse not expected at any point in the life of the project, it is not good enough to say the changes are because of "climate change" when the very effort to mitigate the changes in climate might be the exact action causing the detrimental effects to the area. A project can not be allowed to "forge ahead" claiming to be the solution to a problem when the project itself is potentially causing or exasperating the very problem it claims to mitigate or solve. In this case, the permit should not be granted until further research on the subject is know, starting with a comprehensive study of the effects on the environment of the cables being laid in the West Passage for Revolution Wind. Studying the effects in the Wets Passage is to use real science in real time which is a best practice. Forging ahead with lacking research is not a good scientific practice.

## **2. Impacts on Local Fisheries and Commercial Activities**

The Sakonnet River, Rhode Island Sound and Mount Hope Bay are vital to local fisheries and the broader marine economy in Rhode Island (see above). The disturbance from construction, laying of cables, placement of foreign materials and the monitoring and ongoing maintenance of the proposed 3 cables includes potential toxic sediment resuspension, disruption of habitats, and possible changes to water circulation patterns. This could have catastrophic effects on fish populations, shellfish beds, and the livelihoods of fishermen who depend on these resources. The cumulative impact of such projects should not be underestimated, particularly given the importance of these waters to the state's economy. These permits should not be granted.

At a minimum, any permit should be considered only after a plan for ongoing and extensive soil testing in the area has taken place and the results made readily available to the public for comment. The Revolution Wind on land construction site at Quonset uncovered toxic materials delaying construction by a year or more. Additionally, no soil tests were done in the waters of the west passage surrounding any run off of the aforementioned land based toxins in to the waters over the decades. CRMC must ensure that all local soil that will be disturbed- land and subsea - is tested prior to & during construction as well as during repairs of the project's life. The vast amount of disturbances associated with the cable placement must be considered prior to the issuance of any permits. Without such requirements, the immediate and ongoing resuspension of life threatening chemicals from the textile mills, dyeing operation, metal working & foundry operations, pulp and paper mill discharge and oil refineries and fuel storage can be resuspended without proper protections or notifications to those threatened.

As has been perviously noted, multiple industries produced a variety of chemicals, some of which were hazardous to both human health and the environment and included: dioxins and furans, Lead, mercury, arsenic, and cadmium, Polychlorinated Biphenyls (PCBs), volatile organic compounds (VOCs). Examples of past concerns in Rhode Island that should serve as a warning include but are not limited to: the aforementioned Quonset Point contamination; the Woonsocket Reservoir that was impacted by agricultural runoff; the Central Landfill waste site which was identified as sources of contamination in local water supplies due to runoff; The Pawtuxet River and other rivers near paper mills in the state that have been negatively impacted by wastewater discharges; contamination in the Narragansett Bay and nearby coastal waters linked to oil and chemical storage facilities; the Woonasquatucket River which was impacted by heavy metal contamination from the metal working and foundries industries; the Providence River and other water bodies in the state affected by waste discharges from chemical plants, particularly in the mid-20th century; The Blackstone River that was historically impacted by textile manufacturing and dyeing waste; The Scituate Reservoir, a key water supply for Rhode Island, effected by algae blooms caused by nutrient pollution (e.g., phosphorus) leading to the production of toxic cyanotoxins that can affect water quality and more. These areas as well as additional areas in Fall River, Tiverton and more far reaching locations are all watershed areas that eventually lead to the areas for development and maintenance under consideration.

## **3. Risk to Public Safety and Navigation: Human Error and Sabotage**

The laying of these large-scale cables in sensitive, limited width and depth marine areas that currently lacks any protections or safety precaution oversights raises multiple, significant concerns about navigational hazards and public safety. These areas are frequented by commercial vessels, recreational boaters, paddle boarders, kite surfers, kayakers, swimmers, sailers, scuba divers and other water users. If cables are not properly laid or if they become exposed or damaged over time, there is the potential for catastrophic accidents (electrocution), grounding, environmental contamination and more. These threats are exasperated in the very area where permits are being requests due to the salt vs fresh water content and more.

The environments being considered serves up multiple threats to cables both natural and man made. This area requires the cables be prolonged in their exposure to seawater which can cause corrosion at rates significantly higher than that of other environments. The tidal movement of the waters can cause the subsea equipment as well as their protections to shift. Large Waves which are a frequent occurrence in the area can cause immense displacement of both water and seabed. This natural activity may expose subsea infrastructure that was previously buried or protected. Pipeline Scouring may also occur

from water movement as well as shifting of sediment on the seabed. This same water movement has the potential to dislodge or shift the very materials (concrete mattresses, rock bags) installed as preventative measures. These and other movement activities has been shown to stress seals in cables. If seals fail, it can allow water to enter, damaging the equipment or causing it to function improperly. External forces, such as fishing gear getting snagged on subsea equipment or ships dropping anchors near sensitive installations, can damage or unearth subsea systems, making them exposed to the elements. Examples from the past include:

- 1990: TAT-8 Cable (the first transatlantic cable to offer commercial digital communication between North America and Europe) which over time experienced several disruptions due to damage caused by fishing trawlers & other ships' anchors.
- 2019, two subsea cables were damaged in the English Channel, between the UK and France. The damage caused temporary disruptions in data and internet traffic in both countries. The damage was attributed to a ship's anchor dragging across the cable.
- 2021: The Asia-America Gateway (AAG) subsea cable, which connects Southeast Asia to the United States, experienced damage. The disruption caused slower internet speeds for several countries in Southeast Asia, including Singapore, Thailand, and the Philippines. While consumer internet was effected, more concerning was the toll on the financial services and cloud industries.
- 2000: SEA-ME-WE 3 Cable, which connects Southeast Asia, the Middle East, and Western Europe located in the Indian Ocean, was significantly damaged by a ship's anchor near Egypt.
- 2022: The South Atlantic Cable System (SACS), which connects Brazil and Angola, was disrupted in 2022. This subsea cable is a critical link for the telecommunications infrastructure between South America and Africa.
- 2023: A major subsea cable running across the Mediterranean was severed, causing widespread disruption to internet services between Europe, the Middle East, and North Africa. This affected millions of users in these regions. The cut was blamed on a ship's anchor, which damaged the cable during routine maritime operations.

Sabotage can not be overlooked as well. As reported by multiple reputable news outlets, there has been a series of incidents involving purposefully severed pipelines & cables in the Baltic Sea.

Read more: <https://www.aljazeera.com/news/2024/11/23/are-underwater-pipelines-cables-being-sabotaged-in-the-baltic-sea-why#ixzz8tqHMngsX>

Additionally, in 2013 there was the inconclusive but suspected sabotage of the "Cut" of the Asia-America Gateway (AAG) Cable in the Pacific Ocean.

While there are additional examples, most concerning is the extensive list from the 2010' where there were Increased reports of deliberate sabotage. These were linked to geopolitical tensions where subsea cables were considered "soft targets". I can hardly think of a "softer target" than an unchecked, highly frequented little tidal straight called the Sakonnet River.

The risks associated with these potential failures are too significant to approve any permitting at this time and potentially ever. Should a permit be granted, it must be with multiple caveats including a comprehensive safety monitoring above and below the water, emergency alert plans for construction & maintenance - ones that includes immediate warning notifications to the public as well as workers at risk.

The recent breakdown of communication when the Vineyard Wind Blade failure happened on July 13, 2024 is a prime, recent & relevant example of a product failure that was not even considered by the so called "experts" producing the product. The possibility of a broken blade was absent from the Environmental Impact Statement for Vineyard Wind. Nor was this unpredicted catastrophic failure even considered as a remote possibility by the permit approving bodies. The aforementioned threats to cables and pipelines are ones that have already happened in other cable and pipeline areas and thus, must be thoroughly considered at this time or CRMC is negligent in its duties.

#### **4. Inadequate Community Consultation and Public Input**

There has been insufficient (negligible & non existent) publicity of this project allowing for adequate consultation with local communities. These communities will be directly affected by the proposed project. In addition to the environmental and economic concerns, the disruption to local communities, particularly those who frequent the public beaches, local wildlife refuge and home owners on either side of the Sakonnet River, Portsmouth and surrounding areas, should not be ignored. Local residents have a right to be well informed and have their voices heard. The public consultation process for this project has not adequately reflected their concerns as is evidence by a host of supporting documentation, the least of which is CRMS's lack of response to my multiple, recent requests for the full project overview materials. Lay people do not make a regular habit of seeking out and reading CRMC permit requests. Notifications in the local papers should be made and community engagement robust. Threats such as "This is a done deal" should be exposed and community agreements revisited. The unfortunate Portsmouth "Town Agreement" causes a bias as the influx of over \$25 million to the town coffers reduces the budget accountability of the very people placed in charge of the fiscal viability of the town. Additionally, Middletown residents and beachgoers were never consulted, engaged or offered any mitigation yet the Public Beaches and surrounding wildlife refuge will see drastic effects from the dredging and laying of the pipes. Only Portsmouth was given a voice which is wholly inadequate. A more inclusive, Island Wide transparent dialogue with all stakeholders is essential before any additional decisions are made. Past decisions should be revisited with the full engagement of all effected.

#### **5. Cumulative Impacts of Multiple Offshore Wind Projects**

This permit request is part of a broader series of offshore wind development projects along the East Coast. The cumulative impacts of multiple projects within a relatively small geographical area must be carefully considered. The scale of infrastructure required for offshore wind projects—including subsea cables—could lead to long-term, irreversible changes to the marine environment. There needs to be a comprehensive, regional assessment of the cumulative environmental, social, and economic impacts before further permits are issued for this or any additional off shore wind farm industrialization.

#### **In conclusion:**

In light of these concerns, I respectfully urge the CRMC to deny SouthCoast Wind Energy LLC's permit application for the construction of these submarine power cables in state waters. The potential environmental degradation, economic harm to local industries, risks to public safety, inadequate scientific research and lacking public consultation warrant serious reconsideration of these permits and the entirety of the project.

Thank you for your attention to this matter. I trust that the CRMC will carefully weigh the long-term consequences of this project and take the necessary steps to protect Rhode Island's coastal ecosystems and communities.

Sincerely,  
Katrina Hamilton Gewirz  
225 Indian Avenue  
Middletown, RI 02842

[kgewirz@aol.com](mailto:kgewirz@aol.com)

## Cstaff1

---

**From:** Howard Marsh <hdmarsh@mac.com>  
**Sent:** Saturday, December 28, 2024 1:18 PM  
**To:** cstaff1@crmc.ri.gov  
**Subject:** Dredging the Sakonnet River 2023-02-090

All, I have lived on the Sakonnet river for almost 25 years. I chose there because of its pristine water, and the quiet natural environment, among other aspects.

To now have the understanding that a for profit commercial enterprise is embarking on a dredging project that will disrupt the river's ecosystem in so many ways is nonsensical to me.

I was trained as a biochemical engineer, but you don't need a degree to understand the dire implications of this project for the flora and fauna in the river.

The disruption of the river itself and the releasing of potentially toxic compounds, which have been left dormant for decades is clear. Beyond that the electromagnetic field that surrounds a cable of the variety proposed, people believe have ongoing consequences for the organisms subjected to it.

This all seems antithetical to the CRMC's historical charter.  
All of this is done at the altar the absence of carbon emissions. A flawed analysis. These ephemeral monsters are a blight on our shoreline which have their own unnatural consequences. Please stop this!

Howard Marsh

Sent from my iPhone=

## Cstaff1

---

**From:** Carl <lafongcarl@yahoo.com>  
**Sent:** Saturday, December 28, 2024 5:16 PM  
**To:** CStaff  
**Subject:** Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit

**To Coastal Resources Management Council; O. S. Government Center  
Attn: Permit Application Review**

I am writing to object to SouthCoast Wind's request of laying of 20+ miles of high voltage, EMF emitting cables through the Rhode Island Sound, down the Sakonnet River, across Portsmouth and through the Mount Hope Bay to ultimately land in Somerset, MA.

The governments own agencies charged with approving these permits have concluded that more studies are needed.

According to studies EMFs expected around subsea power cables demonstrate to suggest that marine renewable energy developments could have a considerable impact on shellfish fisheries. To fully understand the population-level impacts of Marine Renewable Energy Devices, further studies are required to assess the biological effects of EMFs along with other stressors and environmental changes expected around these sites on all life stages.

Installation increases noise, pollution, turbidity and physical disturbance.

Operation produces electromagnetic fields, heat, entanglement risk, pollution and reef/reserve effects.

Uncertainties remain, particularly concerning the impacts of electromagnetic fields.

Sincerely,  
Carl van Warmerdam  
Barrington, RI

## Cstaff1

---

**From:** karen gleason <karengleason9653@hotmail.com>  
**Sent:** Friday, December 27, 2024 10:31 AM  
**To:** CRMC Staff; CRMC Staff  
**Subject:** Request for Hearing re SouthCoast Wind

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Please consider this my request for a hearing date regarding the SouthCoast Wind project and its impact on the fresh water wetlands in my home town of Portsmouth, RI.

Thank you,

Karen J. Gleason  
63 Massasoit Ave  
Portsmouth, RI 02871

karengleason9653@hotmail.com

401-864-1543

## Cstaff1

---

**From:** Rose O'Connor <rosemary.younget@gmail.com>  
**Sent:** Saturday, December 28, 2024 5:15 PM  
**To:** cstaff1@crmc.ri.gov  
**Subject:** Southcoast wind Portsmouth

Hello-

I would like to give comments and protest the application for the Southcoast Windfarm cable in Portsmouth.

Rosemary O'Connor  
186 Bayview Avenue  
Portsmouth, RI 02871  
[Rosemary.younget@gmail.com](mailto:Rosemary.younget@gmail.com)  
401-595-6383

Thank you-  
Rosemary O'Connor

## Cstaff1

---

**From:** Linda H <petlark@gmail.com>  
**Sent:** Friday, December 27, 2024 11:00 AM  
**To:** cstff1@crmc.ri.gov  
**Subject:** SouthCoast Wind Energy Proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

To: RI Coastal Resources management Council  
December 27, 2024

We are unable to attend any hearings at this time regarding the SouthCoast Wind Energy proposal. However, We want our voices to be heard.

My family and community are very concerned about SouthCoast Wind energy proposal for burying two submarine high voltage HDVC cable bundles along the Sakonnet River. We live on the Sakonnet River. This is where our family's swim, fish and clam all summer long.

Some of the Vineyard Wind turbine blades failed, sending fiberglass and foam debris onto Nantucket's beaches, as well as the shores of neighboring communities on Cape Cod and as far away as Long Island.

A wind turbine's effectiveness is not reliable in generating electricity. It depends on the weather therefore it can be difficult to predict exactly how much electricity a wind turbine will generate over time. If wind speeds are too low on any given day, the turbine's rotor won't spin.

Wind turbines are said to be noisy when operating due to both the mechanical operation and the wind vortex created when the blades are rotating.

A wind turbine's blades are very large and rotate at very high speeds. Unfortunately, their blades can harm and kill species that fly into them, like birds and bats.

You say you will be temporarily disturbing the seabed during the process of burying. You have no idea how long the seabed will be disturbed, potentially impacting marine life and habitats, especially in sensitive areas. the vibration of the wind turbines throws off the sonar mechanisms of the whales and mammals of the sea.

Regarding the Electromagnetic fields, I've read that even when buried, cables still emit electromagnetic fields which may affect marine behavior.

I wonder what one Category 4 Hurricane would do. Who is going to be responsible for repairing them when damaged? The wind turbines off of Nantucket are still damaged and have yet to be repaired.

The money would be better spent on Nuclear energy plants.

John & Linda Hanos

35 Oliver Hazard Perry Rd

Portsmouth RI 02871

[Petlark@gmail.com](mailto:Petlark@gmail.com)

401-297-1872

<https://www.portsmouthri.gov/AgendaCenter/ViewFile/Item/11466?fileID=17558>

## Cstaff1

---

**From:** James Boyd <jrboyd130@gmail.com>  
**Sent:** Thursday, December 26, 2024 8:52 AM  
**To:** cstff1@crmc.ri.gov  
**Cc:** Mike McGiveney; Dave Ghigliotty; Rhodelsland Shellfisherman; James Boyd  
**Subject:** RISA comments inre SouthCoast Wind 2023-02-090  
**Attachments:** RISA-comments\_final\_SCW\_2023-02-090.pdf; Untitled attachment 00923.htm

Dear CRMC,

Attached are the Rhode Island Shellfisherman's Association (RISA) comments concerning SouthCoast Wind's (SCW) application to install and maintain two (2) new submarine high voltage direct current power cables within Rhode Island state waters. RISA's primary concern is the negative impacts to documented shellfish resources that exist within the Sakonnet River and Mount Hope Bay from the proposed dredging, side casting of dredged materials, anchoring, and associated construction activity. We are requesting the following specific conditions contained within our comments for CRMC to include in any Assent issued to SCW to reduce and mitigate impacts to known shellfish resources.

1. Require SouthCoast Wind to conduct shellfish surveys within the cable corridor in both the upper Sakonnet River (GA4 and GA4-2) and Mount Hope Bay (GA17-2) up to and including the horizontal directional drilling exit pits and surrounding areas adjacent to Island Park Beach and the Montaup Country Club. Shellfish surveys shall be coordinated and in consultation with RIDEM Division of Marine Fisheries (DMF) to include real-time harvesting by commercial shellfishermen.
2. Require SouthCoast Wind to pay all expenses for the transplant of shellfish from impacted areas of GA4 within the cable corridor to open waters of the Sakonnet River available for harvest, as may be deemed appropriate and necessary by RIDEM DMF. And, all shellfish removed from project impacted areas within closed waters (i.e., GA4-2 or GA17-2) shall be transplanted to a suitable shellfish management area within the East Bay (e.g., Bristol Harbor) for winter harvest, as deemed appropriate and necessary by RIDEM DMF.
3. Require SouthCoast Wind to develop and establish a dedicated Rhode Island shellfish transplant fund to support future shellfish transplants within the waters of Narragansett Bay to mitigate for the SCW project's impact on the State's shellfish resources. Said transplant funds shall be developed in collaboration and coordination with RIDEM DMF and RISA, and shall be funded at a satisfactory level for a period of 20 years to be negotiated between SCW, RIDEM DMF and RISA.

Please contact me with any questions at the email or telephone number below and add me to the SCW file (2023-02-090) email list to be notified of any CRMC public meetings concerning this matter. In addition, please send any hardcopy notices directly to:

Rhode Island Shellfisherman's Association  
P.O.Box 1802  
East Greenwich, RI 02818-1802

Thank you.

Sincerely,

Michael McGiveney  
RISA President

Email: [mclamdigger@aol.com](mailto:mclamdigger@aol.com)

Telephone: 401-573-7244



RHODE ISLAND  
**SALTWATER  
ANGLERS**  
Association



P.O. Box 1467, Coventry, Rhode Island 02816

401-826-2121

www.RISAA.org

---

December 27, 2024

Coastal Resources Management Council  
O. S. Government Center  
4808 Tower Hill Road Rm 116  
Wakefield, RI 02879

Via email: [cstaff1@crmc.ri.gov](mailto:cstaff1@crmc.ri.gov)

**RE: 2023-02-90 – SouthCoast Wind Energy, LLC**

The Rhode Island Saltwater Anglers Association (RISAA) has been following the application by the developer referenced above to install power transmission lines in the Sakonnet River. RISAA represents over 7,500 recreational anglers and 28 affiliated clubs in RI, MA and CT. As we stated in our letter to BOEM dated January 9, 2023 and our letter to the RI Energy Facilities Siting Board dated October 25, 2024, we are concerned regarding potential negative effects of installing high-power electrical transmission cables in the Sakonnet River, especially when alternative, land-based routes are available that would eliminate the need for this installation.

We have read the Federal Consistency review document in this matter from your office dated December 19, 2023 and your Public Notice dated November 13, 2024. The alternative land route for this transmission line has not been adequately considered and we further believe that there is no need to disturb the Sakonnet River and Mt. Hope Bay with this submarine cable. Therefore, we would like to request a hearing on this application per the Administrative Procedures Act - Rhode Island General laws 42-35-2.8(c).

We believe that running an underwater cable in the Sakonnet River is clearly not necessary because a land-based alternative cable route using overhead transmission lines is available. This land-based route through Massachusetts or Rhode Island will eliminate this risk to the Sakonnet River ecosystem and protect the rights of the Rhode Island people as guaranteed by the Rhode Island Constitution. This alternative including an aerial transmission line was not adequately evaluated by the applicant.

We urge the CRMC to reject this application based on potential threats to fisheries in the Sakonnet and the clear fact that a land-based alternative exists. This alternative will eliminate the risk of damage to the Sakonnet River ecosystem. Rhode Island's Constitution (Article 1 Section 17) declares that we must "adopt all means necessary and proper by law to protect the natural environment of the people of the state" and there must be "adequate resource planning for the control and regulation of the use of the natural resources of the state and for the preservation, regeneration and restoration of the natural environment of the state." Approval of this application through issuance of a determination of "consistency" when there is a clear alternative violates this Constitutional requirement.

At a public presentation in Portsmouth, Rhode Island on November 17, 2022 fisheries experts from Rhode Island Department of Environmental Management and the University of Massachusetts Dartmouth said they were unsure of the potential negative effects of electromagnetic force (EMF) on the various species of sea life in the Sakonnet (link: [https://drive.google.com/file/d/1gUjoUW4FO7pfakspl-arsW2rqbzSQGkG/view?usp=share\\_link](https://drive.google.com/file/d/1gUjoUW4FO7pfakspl-arsW2rqbzSQGkG/view?usp=share_link))

Recreational and commercial fishing, boating, tourism, and other uses of the Sakonnet generate significant value for the people of Rhode Island. The Atlantic Marine States Fisheries Commission reports that striped bass fisheries are nearing historic lows. The Sakonnet River and its estuaries are a primary ecosystem for striped bass from April through November. There is no reason for Rhode Island to risk habitat, fishing opportunities, and the existing commercial value of the Sakonnet when there is a land-based alternative.

In addition, this land-based alternative removes the violation of Rhode Island's Constitution and rightly falls under Massachusetts regulatory authority where the value of the electricity generated from this project accrues. Any cable from the Offshore Wind Energy leases south of New England heading to the former Brayton Point Power Station can land in Westport, Massachusetts; less than a half mile south of the terminus of Massachusetts Route 88. We anticipate that if this application for submarine cable is approved other future offshore wind projects will likely apply for similar approvals causing further potential damage to the Sakonnet River ecosystem however if the land-based route is selected additional overhead transmission could be installed for these future projects.

Given the fragile nature of the Narragansett Bay Watershed, potential threats to the cod and striped bass fisheries, the Sakonnet River's is classification as Type 2 waters (set aside for low intensity use), and significant uncertainty about the potential impact of running underwater cables in these waters, we urge the CRMC to insist on installation of all offshore wind energy export power cables over land routes when such route is an available option to installation in the marine environment.

Sincerely,

Rhode Island Saltwater Anglers Association

*Scott A. Travers*

Scott Travers, Executive Director



Rich Hittinger, 1<sup>st</sup> Vice President

Cc: [terry.gray@dem.ri.gov](mailto:terry.gray@dem.ri.gov)

## Cstaff1

---

**From:** Barbara Chapman <bchapman@raynthorpe.com>  
**Sent:** Sunday, December 22, 2024 12:32 PM  
**To:** cstaf1@crmc.ri.gov  
**Cc:** Barbara Evernote; Katie Gewirz; Sandra Craig; Lisa Quattrocki Knight; Charlotte DuHamel; Bryan D Haggerty; Bill Thompson  
**Subject:** Permit File Number: 2023-02-090 Application for SouthCoast Wind Energy LLC – State of Rhode Island Assent and Freshwater Wetlands Permit @ SouthCoast

TO THE CRMC STAFF:

SouthCoast's application violates the the Federal Clean Water Act, the Federal National Environmental Protection Act as well as The Rhode Island Coastal Resources Management Program, Rhode Island Water Quality Regulations, the Rhode Island Freshwater Wetlands Act and Rhode Island Fisheries Statutes.

When the pogies go up the river with the stripers following them along, recreational fishermen cast their lines along the Sakonnet River. The fluke lie at the bottom and go up the river to spawn. What impact will this dredging have on the recreational fisherfolk, plus the swimmers, boaters, kayakers, sailors and all the people who have homes on both sides of the river or in the Portsmouth neighborhoods where the cable cuts underground to connect to Mount Hope Bay? And let's not forget the sea life!

We can only imagine what has been dumped into Narragansett Bay over the last 100 years by the jewelry, chemical and textile industries and the Navy. Heavy metal poisons have sunk to the ocean floor and should remain there. With this dredging, high pressure water plows will blast the sediment, spewing up pollutants toxic to aquatic life, damaging or destroying critical marine habitats including our beloved shellfish beds.

There are many concerns regarding this cable laying route. Perhaps the most compelling is that the government agencies charged with approving these permits have concluded that more studies are needed. Below are some links to studies regarding the potential impacts of these types of cables:

- [The Effects of Anthropogenic Electromagnetic Fields \(EMF\) on the Early Development of Two Commercially Important Crustaceans, European Lobster, Homarus gammarus \(L.\) and Edible Crab, Cancer pagurus \(L.\)](#)
- [A review of potential impacts of submarine power cables on the marine environment: Knowledge gaps, recommendations and future directions](#)

Electromagnetic fields (EMF's) emanating from buried cables are known to impact sea life, disrupting migration patterns, feeding and spawning behaviors. SouthCoast's own Draft Environmental Impact Statement (DEIS) states that EMF's will be detected if buried less than 10 feet deep. Yet they plan to bury the cables at depths ranging from 3.2 to 13 feet. In addition, cables heat up the seabed and surrounding water. Their DEIS says further studies need to be completed to accurately assess long-term impacts of the heat on surrounding ecosystems. Waves are powerful. Cables are going to rock and roll unless buried at 10 feet or more. What will the movement of the cables do to the seabed and to the marine life that make their homes nearby? So much uncertainty!

Cables require constant maintenance. Repairs will cause seabed disruption. Subsea cables make up just 10% of the initial cost of building an offshore wind farm but account for 75-80% of wind energy insurance claims. Cables contain Pipe-Type Cable Transmission Fluid (PTC) which wreaks havoc on the environment when leaked. There is no plan to contain or mitigate this hazard.

I urge you to deny this application and allow time for more study of the impact of these plans on our precious coastal resources.

Best,  
Barbara Chapman, Green Oceans Trustee  
205 Ocean Avenue  
Newport, RI 02840

Barbara B. Chapman  
bchapman@raynthorpe.com  
917-716-3788