

In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Ocean Special Area Management Plan (SAMP) subcommittee, a meeting of the subcommittee was held on Thursday, February 4, 2010 at 4 p.m. at the University of Rhode Island (URI) Coastal Institute large conference room in Narragansett, R.I.

MEMBERS PRESENT

Michael M. Tikoian, Chairman
Paul Lemont
Don Gomez

STAFF PRESENT

Laura Ricketson-Dwyer, CRMC Public
Educator and Information Coordinator
Brian Goldman, CRMC Legal Counsel

Others present:

Jen McCann, URI/Coastal Resources Center and RI Sea
Grant; Dennis Nixon, Associate Dean URI GSO; Wendy
Waller, Save The Bay

Call to order. M. Tikoian called the meeting to order at 4:08 p.m.

Item 1. Approval of previous meeting minutes: The minutes were approved unanimously.

Item 2. Updates: J. McCann presented the subcommittee with an updated chapter timeline; there will be a revised edition every few weeks. She informed the subcommittee of the public workshop scheduled on February 19 for Chapter 7 of the Ocean SAMP: Marine Transportation, Navigation and Infrastructure, and the subsequent March 23 public hearing before the full CRMC Council. The previous stakeholder meeting went well, J. McCann said; B. Goldman presented his draft chapter on existing policies and Dr. John Merrill also presented on air quality. B. Goldman will submit his revised chapter next week. The next three chapters to debut will be Ecology, Renewable Energy and Global Climate Change, and they will be going to the TAC next week, she said. There is a Science Advisory Task Force meeting on February 9 where the Ecology and Global Climate Change chapters will be discussed, for comments before they go to the TA, J. McCann said. In regards to the Fisheries chapter, she said, Save The Bay, Conservation Law Foundation and The Nature Conservancy have been involved and two people from the UK coming at the end of March to be involved in the fisheries discussion as well. The project and chapters are on-time, on-budget and moving effectively, J. McCann said. J. McCann showed the subcommittee a brochure on the upcoming lecture series, as well as an informational Ocean SAMP brochure. She told the subcommittee there is an exhibit that will follow the lecture series and the SAMP brochure goes with it. The team is also doing pod casts for each chapter, J. McCann said, so B. Goldman, we'd like to get one from you at some point. J. McCann said that all of the chapter writers will record summaries of their chapters for the pod casts; the team is working on the Tourism and Marine Transportation chapters this month.

M. Tikoian asked about the videos. J. McCann said that Roy Bergstrom plans to make an hour-long documentary, but it won't be completed until the end of the SAMP process.

Item 3. Latest period progress report: J. McCann told the subcommittee that the SAMP team is actually early in submitting the period six report, and that's why it's been presented to the subcommittee at this time. P. Lemont made a motion to accept it for submittal to the EDC and D. Gomez seconded it. The subcommittee voted unanimously to accept the report.

Item 4. Legal updates: B. Goldman reported that he had received good feedback on the existing policies chapter, including comments from DEM, Save The Bay and NOAA. He said he would have the revised chapter submitted next week. The comments from NOAA were concerning FERC authorities, and Dennis Esposito from Roger Williams University is looking into that issue, so that is forthcoming, B. Goldman said.

Item 5. Discussion: M. Tikoian asked how DEM has been involved in the SAMP process. J. McCann said that the team has met with them, particularly on fisheries issues, and a representative is a member of and attends stakeholder meetings. Also, she said, Ames Colt is involved in the process as a stakeholder and DEM Director Michael Sullivan sent a letter saying that A. Colt would be coordinating DEM comments. M. Tikoian asked the subcommittee if there was still a need for two subcommittee meetings each month. P. Lemont said he considered it important for someone on the SAMP team to let the members know that progress is on-track. M. Tikoian agreed to keep them bimonthly for the time being, and to keep communication open. D. Gomez remarked that the air quality presentation by J. Merrill of URI was excellent, and that he also was surprised by the number of pertinent laws to the Ocean SAMP (presented by B. Goldman). B. Goldman said that the fisheries chapter seems to be a topic of much discussion, and he asked J. McCann if the team was approaching it differently from other chapters. J. McCann said that the team has been in constant contact with many fishing industry and fisheries groups, non-profits, DEM and the UK experts are also planning to weigh in. Next week the team is meeting with the industry representatives to provide them with the draft fisheries chapter, and on March 1 there is a larger meeting with the fisheries groups to discuss it, J. McCann said. The draft chapter is due to the management team by March 15, she said. M. Tikoian said he had considered asking the fishing industry members to come to a subcommittee meeting to express their thoughts on the Ocean SAMP. He then asked the other subcommittee members whether it would be more appropriate to have the meeting before the subcommittee or full council. D. Gomez said full council; P. Lemont said subcommittee. M. Tikoian said that it should be done before the fisheries chapter comes before the council, and suggested cancelling the Education Series for that evening. P. Lemont asked if then the same opportunity would be given to any other group that's interested. M. Tikoian said yes; the Council would have to. He then asked J. McCann what other groups are affected at this level by the Ocean SAMP. J. McCann said it depended on the point-of-view, but that all groups could be considered: marine trades, environmental groups, etc. D. Nixon said he shared P. Lemont's concern; the SAMP process has been made very open, and so he said he was concerned with providing special opportunities for only one group. M. Tikoian commented that the fishing industry

would most likely be vocal at the stakeholder meeting where the chapter would be debuted and then suggested that all of the subcommittee and Council members might want to be there. M. Tikoian said to J. McCann that he'd like to hear all of these things by way of an update at the next Council meeting, and said he'd also like to talk about the firewall. B. Goldman said that he agreed with D. Nixon that having special meetings with certain groups would also bog down the SAMP process, and M. Tikoian agreed. M. Tikoian asked J. McCann whether the finished SAMP would have actual zoning in it, as he thought that was the original goal, and if so, when that would take place. J. McCann explained that at the beginning of the SAMP process there were meetings to determine zones. The team realized early on, she said, that the waters in the federal area were essentially Type 4 (multi-use); the state waters would not change zones, she said. The team determined that the federal waters should be treated as Type 4, but that if they were zoned, the SAMP would lose its flexibility to plan for future uses, J. McCann said. There will be a place for certain things, she said. D. Nixon added that the CRMC or state cannot simply zone federal waters, either.

M. Tikoian said that any projects would still have to go through the federal process, and the SAMP couldn't simply state where wind farms should go. J. McCann reiterated that the SAMP isn't just for renewable energy; there is offshore aquaculture, and even possible underwater burials to plan for in the future. D. Gomez said that this is not really a zoning document. M. Tikoian said that it was portrayed as one at the beginning of the process. J. McCann said that it was quickly determined that that would not work. M. Tikoian said that he understood that the CRMC and the SAMP was going to point out where things shouldn't go; we have the navigation routes, for example. J. McCann clarified that everything in the offshore environment changes; even navigation routes are subject to change. D. Gomez said that the SAMP a multi-use policy for the offshore- a planning document. M. Tikoian asked then if there would not be many standards or prohibitions in the SAMP. J. McCann said that the renewable energy chapter would contain those, and that work was ongoing to develop standards along with MMS. D. Gomez asked what the review cycle for the Ocean SAMP would be. M. Tikoian suggested that a review be budgeted in every so many years. B. Goldman asked J. McCann if it had been made clear to the stakeholders that the Ocean SAMP would not be a zoning plan. J. McCann said that it would be included in new policies but no one had thus far asked, so the team was trying to avoid confusion.

M. Tikoian said that there are wind turbines being constructed all over the state, and no regulations exist to regulate them. B. Goldman said they would be subject to local zoning and in some cases, CRMC jurisdiction. M. Tikoian commented that for the onshore structures, however, the CRMC doesn't have any regulations. B. Goldman said that the CRMC does have regulations pertaining to energy facilities over a certain size, as well as its permitting authority in Section 300.1 of the RICRMP. D. Nixon suggested that the Ocean SAMP might inform the CMRC on land-based turbines. P. Lemont added that he expected that the PUC would also weigh in.

P. Lemont made a motion to adjourn, D. Gomez seconded it, and the meeting was adjourned at 5:05 p.m.

Respectfully submitted,
Laura Ricketson-Dwyer