

Ocean SAMP Stakeholder Meeting #12
Notes, February 2, 2010, 6:00 – 7:45 pm
Hazard Rooms A and B, URI Bay Campus

Purpose of the Meeting:

1. Present a summary of the Ocean SAMP Existing Statutes, Regulations, and Policies draft chapter for discussion.
2. Provide stakeholders with a general understanding of the air quality issues related to the Ocean SAMP.
3. Update Stakeholders on Ocean SAMP research, outreach and policy activities.

Welcome – Jennifer McCann, URI

McCann told the group of approximately 50 attendees that Stakeholder Facilitator Ken Payne would not be at the meeting that night, as he was in Washington, D.C. to attend meetings. She showed the group a new brochure describing “Ocean in Motion II,” the second public lecture series developed to provide the community with engaging presentations about Ocean SAMP topics. The 2010 Winter-Spring Lecture series is sponsored by the SAMP through the efforts of the Rhode Island Coastal Resources Management Council (CRMC), the University of Rhode Island (URI), the URI Coastal Resources Center, and the Rhode Island Sea Grant College Program. Copies of the brochure are available and can be accessed online at: http://seagrant.gso.uri.edu/oceansamp/pdf/documents/doc_winter_lectures.pdf. (At the end of the meeting, McCann also indicated that one stakeholder, the Audubon Society of Rhode Island, is hosting one of the lectures, a March 4 talk entitled “Assessing Bird Use of Rhode Island’s Offshore Waters, by SAMP bird researcher Peter Paton.). McCann also told the group about another new brochure, an informational piece about the SAMP project. She said that the brochure largely reflects the new Ocean SAMP panel display, and indicated that stakeholders are welcome to let the Ocean SAMP team know of potential opportunities for placing the display at events and meetings. The brochures are available at the URI Coastal Resources Center/Rhode Island Sea Grant. McCann also told the group that the process of developing the chapters continues, and that the drafting and incorporating of comments is taking place on schedule. She encouraged people to continue reading the chapters, working with the timeline, and providing comments.

New Ocean SAMP Developments – Grover Fugate, CRMC

Fugate told the group that many of the Ocean SAMP research projects are still ongoing, explaining that in order to capture accurate data, studies need to take place in different seasons – for example, it is important for the bird study that spring migratory patterns are considered for the SAMP. He said the bird study makes Rhode Island one of the few

to be seeking such a wide breadth of data, and indicated that this is the case with other SAMP research projects too. Fugate also spoke about the Ocean SAMP public review process, and said that the feedback from the public has been very helpful. For example, with the review for the Ocean SAMP recreational and tourism chapter, public input led the CRMC to opt not to forward the chapter to the Rhode Island Secretary of State Office yet, but to hold off on that step until later in the process. He said this provides as much time as possible for people to review the chapters. Fugate said the process is on track and that the August 2010 adoption date remains viable.

He also pointed out that as he continues to compare the Rhode Island and Massachusetts marine spatial planning processes, it is becoming clear that the states have very different approaches to ocean planning. He said that in terms of the federal Request For Interest (RFI) being put out by the U.S. Minerals Management Service (MMS) so that states can offer leasing blocks for renewable energy resources purposes, Rhode Island is studying the issues first before getting to the RFI process, while Massachusetts is choosing to offer 200 blocks quickly and let the RFI process sort out the issues. Fugate said he is confident that Rhode Island's plan of taking the time to do the SAMP properly is the right course to take.

Existing Statutes, Regulations, and Policies – Brian Goldman Esq., CRMC

Goldman provided an overview of the statutes, regulations, and policies for the Ocean SAMP. The overview covered the primary federal and state laws which establish the legal framework for the SAMP, as well as the key government agencies playing roles in the legal structure. He acknowledged the assistance of several bodies, including the U.S. National Oceanographic and Atmospheric Administration and the U.S. Coast Guard, in providing very useful comments for enhancing the chapter. When asked by CRMC Councilor Don Gomez about which regulatory code should be considered the primary legal shaper of the SAMP, Goldman indicated that the Coastal Zone Management Act is probably the most powerful because it provides the federal consistency clause – the regulation which gives Rhode Island, in appropriate instances, the right to weigh in on certain federal decisions. McCann indicated during the discussion that while Massachusetts also has federal consistency, the Cape Wind project involves state waters, so the situation is different from Rhode Island. Goldman also said that Rhode Island is working closely with federal regulators because doing so gives the government plenty of opportunity to consider the SAMP research studies and carefully determine how much of the data can be used for an Environmental Impact Statement (EIS), thus streamlining the EIS overall process. Following on this discussion, CRMC Aquaculture Manager Dave Beutel pointed out that while he recognized that Goldman's list was not exhaustive, he would emphasize the need to include additional regulatory codes, including the Interstate Fisheries Management Program, as fishermen will be extremely interested in this. Goldman agreed. The final discussion point regarding the regulatory chapter concerned where the Exclusion Economic Zone begins and ends. Goldman agreed to review this section to confirm its accuracy.

Air quality for the Ocean SAMP – John Merrill, URI

Merrill's presentation provided an overview of the basic makeup and quality of the onshore and offshore air concerning the SAMP area. He described the elements that make up the "local" air, and provided information on basic relationships among the elements in the air, and aspects of weather and topography. He explained how government regulations ensure that states monitor and test for air quality, and that Rhode Island is generally in compliance for all tested elements except for ozone. On the one hand, he indicated that due to tightened regulations, ozone has come closer to coming into compliance. On the other hand, Rhode Island will almost assuredly continue to be out of ozone compliance because the government is about ready to enact tougher standards for the element. In terms of the relationship between air quality and the offshore environment which would host a potential windfarm, the government would require that windfarm impacts on onshore air quality be monitored. To this end, all phases of windfarm activity – preconstruction, construction, implementation, post-construction – as well as related activity (the impact of construction barges, for example, and other equipment, vehicles, or infrastructure) will be addressed in the SAMP in terms of air quality monitoring and the regulations and processes which will be important in this context. The air quality data which Merrill has summarized in his analysis will appear in several SAMP chapters, and a full appendix of the data will be provided for the final SAMP document. Merrill's presentation is available at: [LINK ON OCEAN SAMP WEB SITE](#). After the presentation, a discussion took place about the complexities of air quality issues. (Note: Merrill, in reviewing the notes for accuracy, provides these further thoughts regarding air quality issues: "...control of air pollution within a small area, such as R(hode) I(sland) is challenging because the airshed is larger in scale than the state, so that the impacts, both of emissions and of controls on emissions, extend beyond the state's borders." Finally, Merrill said that should a windfarm be built offshore Rhode Island, he's estimating that the windfarm would be subject in August to fog one out of every six days, and in winter months to icing one out of every 20 days.

Next Meeting – Ecology and Renewable Energy Chapter March 2, 2010, Coastal Institute, URI Bay Campus

