



NEW ENGLAND CHAPTER BACKCOUNTRY HUNTERS & ANGLERS

March 14, 2024

To Chairman Shanley and members of the House Committee on State Government and Elections

Re: BHA Comments on RI - 2024 – H8006 – CRMC Submerged Leases

Backcountry Hunters & Anglers (BHA) seeks to ensure North America's outdoor heritage of hunting and fishing in a natural setting. Our members consider access to public lands and waters and the protection of our natural resources top priorities, recognizing that both of these things are essential to our participation in, and the perpetuation of, our outdoor traditions.

We recognize the primary purpose of H8006 is to provide clarity in RI General Laws on tidal land leases of 25 acres or more, which we agree is necessary given the controversy that occurred related to the submerged transmission cable lease supporting the Revolution Wind project last year. However, we are concerned with some of the changes proposed in the bill. Most significantly, it seeks to alter § 46-23-1 (f)(2), in which CRMC is assigned *'sole and exclusive authority for the leasing of submerged and filled lands and giving licenses for the use of that land.'* for leases less than 25 acres. H8006 requests the deletion of guidance on how CRMC implements this responsibility, removing the directive to *'develop, coordinate, and adopt a system for the leasing of submerged and filled lands, and licenses for the use of that land, and will ensure that all leases and licenses are consistent with the public trust.'*

§ 46-23-1 (f)(1) is clear that submerged lands are impressed with a public trust, and that the State is responsible to protect of the public's interest pursuant to RI's Constitution. Given that development pressure in RI's coastal zone is higher than ever it is unclear why the General Assembly should, at this point, eliminate its explicit requirement for CRMC to adopt a leasing and licensing process that ensures tidal land leases are consistent with the State's obligations. While H8006 seeks to clarify that CRMC does not have authority to grant leases 25 acres and greater, the Council would retain authority over smaller leases, and subsequently the guidance remains relevant and necessary.

Further, given the wide range of interests and outcomes, and increasing demand for large tidal land leases, we feel it would also be appropriate to provide some level of guidance and/or guardrails around the criteria that should be considered and prioritized when evaluating large tidal lands leases prior to presenting them to the General Assembly for approval.

Thank you for your consideration,

Sincerely,

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