



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, R.I. 02879-1900

(401) 783-3370
FAX: (401) 783-3767

In accordance with notice to members of the Rhode Island Coastal Resources Management Council's Planning and Procedures subcommittee, a meeting of the subcommittee was held on Tuesday, September 24, 2007 at 5:00 p.m. at Piccerilli Gilstein & Co, 144 Westminster Street, Providence, RI.

MEMBERS PRESENT

Michael M. Tikoian, Chair
Donald Gomez
Bruce Dawson

STAFF PRESENT

Grover Fugate, CRMC Executive Director
Jeff Willis, Deputy Director
Brian Goldman, Legal Counsel

OTHER ATTENDEES

Pam Rubinoff, RI Sea Grant/CRC
Doug Groff
Wendy Waller, Save the Bay
Megan Higgins, Roger Williams University

Call to Order. Mr. Tikoian called the meeting to order at 5:09 p.m.

Hearing no objection, Mr. Tikoian asked the subcommittee to dispense with the reading of the usual opening statements, but to have them reflected within the record nonetheless:

Mr. Tikoian made a brief statement of the subcommittee's function and purpose. The Planning and Procedures subcommittee meeting is an open public meeting; it is not a public hearing. Therefore, discussion is available to the Council members themselves, and to all else at the allowance of the Chairman. Mr. Tikoian further explained that the subcommittee is the program and policy development arm of the Council, and that any programmatic decisions made by this group must ultimately be approved by the full Council in accordance with all proper procedures.

Mr. Tikoian made a statement as to why the subcommittee meetings are held at his offices, Piccerilli Gilstein & Company. Mr. Tikoian stated that the meetings are held at Piccerilli Gilstein & Company to facilitate a number of issues: ease of transition from the previous location (CRMC's Providence office at 40 Fountain Street) which had to be changed because the Council's downtown office was closed due to budget cuts; accommodation of subcommittee members whose work locations and/or residences are in or nearer to Providence; and, it's cost to the agency: free.

The Chair asked the members if there were any questions concerning the August 21, 2007 meeting minutes that was included in their agenda packets. There were no questions and Mr. Tikoian requested a motion to approve the subcommittee's August 21, 2007 meeting minutes.

Mr. Gomez, seconded by Mr. Dawson, moved to approve the August 21, 2007 meeting minutes. All voted in favor of the motion to approve.

Item 4.A – Greenwich Bay SAMP Section 390.7 – Vegetated Buffers. G. Fugate explained that certain activities under certain conditions, when they do not meet the SAMP’s buffer requirements, become prohibited. This applies for activities such as additions proposed on the street side of an existing dwelling; due to the additions proposed square footage, that activity triggers a buffer. However when the lot subsequently cannot accommodate the new buffer width because of where the existing structure is situated on the lot relative to the feature (i.e., the width of the additional buffer from the proposed addition will encroach and/or encompass the structure) the proposed addition – even when on the street side of the existing structure – becomes a prohibited activity. This example was not an intended result of the policy.

Mr. Gomez asked about the typical size of lots in the Greenwich Bay SAMP area. G. Fugate explained that many lots on average are small – the 5,000 sq. ft. range and less in some areas – and the structures that are located on them are close to the coastal feature. Given this, an idea behind the proposed regulations was not only to mitigate an unintended result of the current application of the regulation, but also to best manage impacts to the coastal environment through devices that mitigate water quality issues: because these lots are very small, and buffers cannot be adequately applied, these proposed regulations look to LID techniques to mitigate WQ issues, which is the highest attainable issue to mitigate under these conditions.

Mr. Tikoian asked how staff worked the communities to develop this proposal. G. Fugate explained that CRMC staff worked with the local planning departments. Also, staff appraised the CAC of the issue, but the actual language was not run by the CAC. Mr. Tikoian felt that because the CAC was an integral part of the SAMP development process, they should be involved in this regulation change as well. Mr. Tikoian felt that it was important to the group to be a part of the process. The subcommittee was informed that a Greenwich Bay Implementation Team meeting is scheduled in October, and that because the CAC no longer exists – but most of the members of the GBIT were members of the CAC – this group could serve that purpose.

Mr. Gomez, seconded by Mr. Dawson, moved to approve the proposed regulations as written provided that the Greenwich Bay Implementation Team is presented with them and that GBIT input on them is obtained prior to rule-making. All voted in favor of the motion to approve.

Item 5.A – Sea Level Rise. G. Fugate explained that during the course of the development of the MetroBay SAMP (i.e.: the Providence Harbor SAMP), issues were presented that needed to be examined. One of these was the issue of sea level rise. As discussions evolved around coastal hazards and storm surge issues, the issue of sea level rise became important, as it complicated these discussions and was found to be an area that lacked understanding when discussion hazards management. Therefore, Fugate explained, he asked the University of Rhode Island through Sea Grant/Coastal Resources Center to hold a symposium with leading sea level rise researchers and experts and the council to begin a dialogue on how management can and should begin to address this issue and how to understand and employ a best-estimate of sea level rise for Rhode Island. This symposium was held in June 2007 and lead to the development of the draft regulations being discussed at this meeting. One of the presenters at the symposium will be making a sea level rise presentation to the Council at the council’s October 9, 2007 semi-monthly meeting, as part of the Coastal Education Series, an implementation of the Marine Resources Development Plan.

Pam Rubinoff of Sea Grant/CRC presented how the symposium was organized (i.e.: local experts in the field and their connection to Sea Grant and the integration of science and management) and how its purpose is to help further the understanding of sea level rise as well as to foster an environment for sea level rise regulation development. She explained how a symposium such as this is used to bridge the understanding of science and management and collaborate on the same. The collection of experts consisted of researchers from URI’s Graduate School of Oceanography; NOAA; CT CZM; and the US Geological Service. P. Rubinoff also explained that recent legislation (2007 session) directed the state building commissioner’s

office to work with the council on the issue of sea level rise. G. Fugate noted that he and staff have met with the state building official's office, where both agencies are coordinating their efforts by working cooperatively to address this issue.

P. Rubinoff gave a PowerPoint presentation on the science and knowledge of sea level rise, which she said was a synthesis of the June symposium research presentations. The presentation showed that there is a 90 percent confidence level in the real effects of sea level rise and that sea level rise could raise levels of the ocean in this region by three (3) to five (5) feet by 2100. She noted that the local science community believes that Rhode Island will fall into the upper end of this range by 2100. P. Rubinoff presented current-day photos of shore side structures such as bridges and bulkheads at public parks that were altered to account for the projected sea level rise in Rhode Island in 2100.

G. Fugate explained that it appears that nobody in the state is thinking about sea level rise in their capital project or infrastructure designs, for example DOT in road and bridge work. He stated that the regulations that the council develops should not only account for the three (3) to five (5) feet of sea level rise, but also add a "freeboard" measurement on top of that of possibly one (1) or more feet to account for and mitigate hazards. G. Fugate stated that the council has a noteworthy opportunity to provide the state with forward-thinking in this management area and to address this issue pro-actively. He believes that these proposed findings and policies are a good first step toward that end. Chairman Tikoian noted that this type of undertaking is in keeping with the mandates of the Marine Resources Development Plan.

Chairman Tikoian felt that any such policy should be revisited on a regular basis, maybe every five years. G. Fugate explained that the next step is to develop sea level rise standards, where issues such as the incorporation of new science could be addressed. G. Fugate also stated that the proposed findings and policies give the council a much needed basis to get the concept of sea level rise out and into the development communities. G. Fugate stated that staff will continue to work to develop a set of standards for the subcommittee's consideration.

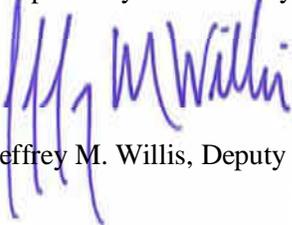
Mr. Gomez stated that the proposed findings and policies represented good work and encouraged staff to keep pursuing the development of this regulation change. Mr. Tikoian reiterated that the policy should contain a self-evaluation statement, one that requires the council to revisit the issue once every three to five years. Mr. Gomez suggested that the policy contain a statement that acknowledges that Rhode Island is expected to experience sea level rise that correspond to the year 2100 upper ranges predicted for this region.

Chairman Tikoian asked that before any rule-making proceedings, that staff hold a workshop on these proposed policies to solicit as much input as possible but also to serve in an outreach effort. Also, that staff issue a press release regarding the workshop and the upcoming October 9, 2007 council presentation of the issue to serve the same purpose. Then after incorporating the input from the workshop, report back to the subcommittee with the proposed sea level rise policy.

G. Fugate directed staff in attendance to set this effort in motion.

ADJOURNMENT. Mr. Gomez, seconded by Mr. Dawson, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 6:57 p.m.

Respectfully submitted by



Jeffrey M. Willis, Deputy Director