



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

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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, December 16, 2008 at Middletown Town Hall, Middletown, RI.

MEMBERS PRESENT

Michael M. Tikoian, Chair
Paul Lemont, Vice Chair
Dave Abedon
Bruce Dawson
Don Gomez
Russ Chateaufeuf, DEM

STAFF PRESENT

Grover J. Fugate, Executive Director
Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Laura Ricketson Dwyer, Public Ed/Outreach Coord
Brian Goldman, Legal Counsel

Call to Order. Mr. Tikoian called the meeting to order at 5:00 p.m.

The Chair welcomed everyone in attendance and thanked the subcommittee members for accommodating the change in venue and time of the meeting and expressed his appreciation for their commitment to the subcommittee. Mr. Tikoian explained how the subcommittee acts as an liaison committee for the Council and a SAMP development group and how it often holds its meetings in a SAMP community to generate maximum input into the SAMP development process, and how this meeting will also support a presentation and workshop on the proposed Coastal Development Regulations of the Aquidneck Island SAMP.

The Chair asked for a motion to approve the October 21, 2008 meeting minutes.

Mr. Lemont seconded by Mr. Dawson moved to approve the meeting minutes of October 21, 2008. All voted in favor of the motion to approve.

Item 4.A. Management Procedures - Section 5.9 Presentation of Expert and Lay Testimony. B.

Goldman presented that this section should be revised to require written notification of a list of witnesses an applicant's counsel intends to testify in front of the council, as well as copies of any exhibits or evidence.

Mr. Lemont seconded by Mr. Gomez moved to approve the proposed revisions as presented. All voted in favor of the motion to approve.

Item 4.B. Aquidneck Island SAMP - Proposed Coastal Development Regulations. Mr. Tikoian again noted that this portion of the meeting is to support a SAMP community presentation and workshop on the council's proposed Coastal Development Regulations. Mr. Tikoian turned the meeting over to staff. G. Fugate explained how staff is seeking subcommittee approval to begin rule-making on the Coastal Development Regulations. G. Fugate explained the state rule-making process, detailing APA requirements. J. Boyd gave a powerpoint presentation on the proposed regulations, attached hereto. Mr.

Tikoian thanked staff for their presentation and at his discretion, opened the floor to audience member to also participate in subcommittee discussions on the proposed regulations.

Mr. Abedon asked how the greenway proposed therein would ultimately be developed. Would it run the entire length of the AI SAMP planning area or just within the areas covered by the proposed by these regulations. J. Boyd explained that the greenway would only apply to the pre-identified development areas within these regulations and that upon build-out would indeed run the entire length of each development zone, with the Newport Naval Base area the only exception.

Mr. Abedon asked what regulations apply if a developer does not want to provide a greenway. J. Boyd and G. Fugate explained that sections 140 and 150 of the RICRMP would apply.

Mr. Dawson asked what limitations will be placed on excised Naval lands. J. Boyd explained that all such lands will need to be remediated to either residential or commercial standards, based on development proposed. G. Fugate explained the excise process in how the federal government attempts to excise for highest and best use for taxpayers.

Mr. Lemont believes that there is public support to keep much of the excised lands remain open and not developed and asked how the SAMP/these regulations can address that. J. Boyd explained how SAMP is being developed to identify lands that should remain not developed. The AISAMP planning group is spearheading this effort. G. Fugate explained federal consistency requirements in that any federal action must be consistent with the council's management programs.

Ms. Tina Dolan, the AI Planning Commission director explained three island communities are also meeting to address this issue, as the Navy excise plan must include this effort.

Mr. Dawson stated that the SAMP is in good position to be able to affect any excise activities.

Mr. Ted Clement offered appreciation for the habitat valuation work performed by Dr. Numi Mitchell and its integration into the regulations and AI SAMP. He would also like to see additional issues incorporated, such as sea level rise, more open space, green infrastructure and alternative energy.

Mr. Tikoian asked for details on the habitats found in the study area, how do greenways handle erosion and how staff worked with the communities. J. Boyd explained that beech forests and grasslands are two of the unexpected habitats that are of significance and that greenways will also afford setbacks from the shoreline as well as vegetation that addresses erosion needs. Also, staff indicated that the communities are intimately involved in the planning process and offer significant input and insight in the development of all aspects of the SAMP. Mr. Tikoian also asked what the SAMP timeline and budget are. G. Fugate explained CRMC cooperative agreement with URI Coastal Services Center and that this project has a two-to-three year period for completion. Jen McCann from URI/CRC will prepare a detailed budget for the subcommittee.

Paige Bronk, Newport Planning Director thanked the CRMC for its very dedicated support of the AI communities' efforts to manage development along the west side of the island through the state-level effort that is the SAMP. He also stated a need for economic development to be a part of the planning process.

Helen Mathieu noted that the habitat data from Dr. Mitchell will allow for a better understanding of what exists on the community and that maybe it can be used to protect greater amounts of acreage. Ms. Mathieu also asked that the SAMP address hazards.

Dr. Quigley offered that the SAMP planning process to-date has already been a success and noted that a major developer on the island has already agreed to be consistent with the SAMP as its being developed. Dr. Quigley also noted that working with the CRMC has developed a very good relationship between the state and the municipalities that has never existed before.

Mr. Gomez asked how the SAMP will address sea level rise and climate change. J. Boyd stated that section 145 of the RICRMP will be the primary regulatory mechanism for these issues.

Mr. Tikoian asked for a motion to approve the coastal development regulations as presented.

Mr. Lemont seconded by Mr. Abedon moved to approve the proposed revisions as presented. All voted in favor of the motion to approve.

ADJOURNMENT. Mr. Dawson, seconded by Mr. Gomez, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 6:51 p.m.

Respectfully submitted by

DRAFT

Jeffrey M Willis, Deputy Director