



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, August 18, 2009 at CRMC, Stedman Government Center, Wakefield, RI.

MEMBERS PRESENT

Paul Lemont, Vice Chair
Don Gomez
Bruce Dawson
Russ Chateauf, DEM

STAFF PRESENT

Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Laura Ricketson Dwyer, Public Ed/Outreach Coord

Brian Goldman, Legal Counsel

OTHERS PRESENT

Wendy Waller, Save the Bay
Doug Groff

Call to Order. Mr. Lemont called the meeting to order at 8:30 a.m.

Mr. Lemont asked for a motion to approve the July 21, 2009 meeting minutes.

Mr. Chateauf seconded by Mr. Dawson and Mr. Gomez moved to approve the meeting minutes of July 21, 2009. All voted in favor of the motion to approve.

Item 3.A. Section 300.11 - Aquaculture. J. Willis explained that this item was first presented to the subcommittee from a previous meeting. At that meeting, the subcommittee wanted staff to address some unanswered questions posed by the Aquaculture Working group which were contained in the draft regulation change document. J. Willis explained how D. Beutel brought these issues to the Aquaculture Working Group and had addressed each as now contained in the draft. J. Willis reiterated the major issues of the proposed changes being, among others, a 5% maximum area coverage for any given pond and a provision for recreational aquaculture.

Mr. Dawson seconded by Mr. Gomez moved to begin rule-making on the revisions as presented. The motion was approved on an unanimous voice vote.

Item 3.B. USFWS Correspondence – No Wake Zone/Narrow River. As directed from a previous meeting, J. Willis presented an analysis of the issue of the U.S. Fish & Wildlife Service seeking Council intervention into requiring that the Town of Narragansett restore the No Wake Zone as previously established due to the reduced area causing significant erosion of adjacent salt marshes and undermining their value to the Narrow River ecosystem.

J. Willis and B. Goldman again explained that the Council does not generally need to act on a municipal police action such as vessel speed zones and other legislatively-allowed marine police actions, but that

given the salt marsh resource issues presented by the USFWS, the Council could interject itself into the issue as the primary manager of the coastal resources and their protection, which would trump local marine management issues such as speed zones.

Mr. Lemont asked who has the overall controlling jurisdiction. J. Willis and B. Goldman explained that while police actions are local in nature, the state, when posed with an environmental risk caused by such a local action, may invoke over-riding environmental management allowances.

Mr. Lemont offered that in this case, maybe the best course of action should be to work with the town to effectuate a change that both parties agree provides a solution. He suggested that a letter from the Chairman addressing this should be the council's first effort.

*Mr. Dawson seconded by Mr. Gomez moved to have staff draft a letter for the Chairman's signature that seeks that the town and CRMC work together to address this issue. **The motion was approved on an unanimous voice vote.***

Item 4.A. Section 110.C – Applications for Category A and Category B Council Assents. J. Willis presented the proposed revision to clarify that subdivision reviews should have been identified as including 20 units, but no more than 20 units.

*Mr. Gomez seconded by Mr. Dawson moved to begin rule-making on the revisions as presented. **The motion was approved on an unanimous voice vote.***

Item 4.B. Section 210.2.D.5 – Barrier Islands and Spits/Prohibitions. J. Willis explained that the proposed revisions are to segregate ancillary utility activities such as cable lines and telephone lines as being excepted from the prohibition.

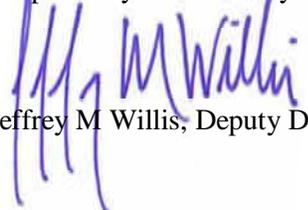
*Mr. Gomez seconded by Mr. Dawson moved to begin rule-making on the revisions as presented. **The motion was approved on an unanimous voice vote.***

Item 6. New Business. Mr. Gomez stated that in his opinion the council's statutorily-derived fines are too low and would like to see the council petition the legislature to have them raised.

Item 7. Staff Reports. J. Boyd updated the subcommittee on the latest set of revisions to the Ports and Harbors chapter of the Metro Bay SAMP.

ADJOURNMENT. Mr. Dawson, seconded by Mr. Chateaufeuf, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:07 a.m.

Respectfully submitted by


Jeffrey M Willis, Deputy Director