



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, May 18, 2010 at CRMC, Stedman Government Center, Wakefield, RI.

MEMBERS PRESENT

Michael Tikoian, Chairman
Paul Lemont, Vice Chair
Russ Chateaufneuf, DEM
Don Gomez
Bruce Dawson

STAFF PRESENT

Grover Fugate, Executive Director
Jeff Willis, Deputy Director
James Boyd, Coastal Policy Analyst
Dave Beutel, Aquaculture Coordinator
Laura Ricketson Dwyer, Public Ed/Outreach Coord
Kevin Cute, Marine Resources Specialist

Brian Goldman, Legal Counsel

OTHERS PRESENT

Wendy Waller, Save the Bay; Doug Groff

Call to Order. Mr. Tikoian called the meeting to order at 8:31 a.m.

Mr. Tikoian asked that the minutes of the March 16, 2010 subcommittee meeting be revised to reflect that Mr. Tikoian could not attend the meeting due to a scheduled business engagement and that B. Goldman could not attend the meeting due to a flight being cancelled that forced him to miss the meeting.

Mr. Lemont seconded by Mr. Dawson moved to approve the meeting minutes of March 16, 2010 as revised. All voted in favor of the motion to approve.

Item 4.A. – Section 210.2 Barrier Islands and Spits. J. Boyd explained that section has been re-organized. Policies were previously written to be prohibitions. Now there is a separate prohibition section. The CoBRA designations for barriers are now more identifiable and more exhaustively listed, as Congress has been adding such designations over the years. J. Boyd explained that sea level rise discussions and references have been added throughout the section. J. Willis explained how staff is working on incorporating sea level rise policies throughout the program. Mr. Tikoian asked these issues are being worked out with the Town of South Kingstown and the erosion issues in Matunuck. J. Willis stated that over the years the town has contacted the agency various times to discuss options and their ideas on managing this section of the shoreline. The town is also undergoing a study on the area. Mr. Tikoian questioned the use of "CRMC" and "Council" in the proposed regulations. G. Fugate stated that the Management Procedures equates their meanings. B. Goldman felt that in terms of the regulations the use of each carries the same meaning. Mr. Gomez suggested reflecting the council's goal for moderately developed barriers by having a separate policy statement of such. J. Boyd suggested the following:

Many moderately-developed barriers support recreational structures that provide public access to the State's beaches. On the moderately-developed barriers listed in Table 4, the Council's goal is to ensure that the risks of storm damage and erosion for the people using these features are

minimized, that activities that may reduce the effectiveness of the barrier as a storm buffer are avoided, and that associated wetlands and ponds are protected.

Mr. Lemont seconded by Mr. Dawson moved to approve the proposed revisions and adding that suggested by Mr. Gomez. All voted in favor of the motion to approve.

Item 4.B. – Section 210.3 Coastal Wetlands. J. Boyd explained that section has been re-organized. Policies were previously written to be prohibitions. Now there is a separate prohibition section. G. Fugate expressed that the term “contiguous brackish” wetland should remain throughout and not be replaced with the word “brackish.” J. Boyd explained that sea level rise discussions and references have been added throughout the section. He noted new policies that addressed protection of wetlands due to sea level rise, primarily that of limiting buffer zone width variances under certain topographic conditions, such as for properties where the elevation does not rise above five feet from the inland edge of the wetland. Discussion regarding the five foot topographic elevation and buffer width policies ensued. Mr. Dawson stated that technically the proposed policy is sound, but asked staff for scenarios and/or the number of properties affected by the proposed policy to better understand its effects.

Mr. Lemont seconded by Mr. Dawson moved to table the proposed revisions to allow staff to address the issues raised by Mr. Dawson. All voted in favor of the motion.

Item 5.A. – Aquatic Invasive Species Management. K. Cute explained that the council’s AIS plan contains a number of initiatives that are coordinated among its partners in this effort. However one that is the lead of the agency is the development of AIS-related policies for the RICRMP. Invasive species are not as comprehensively planned for in the marine environment as they are in the freshwater environment. K. Cute recommends that a section similar in structure to the program’s sea level rise section would be a good format for AIS policies to follow. He noted that long-term AIS planning efforts should be vetted through the council’s Bio-security Board. Mr. Tikoian asked how coordination of the issues is handled with DEM. Mr. Chateaufneuf replied that for treatment of freshwater aquatic invasive plants with herbicides, which is currently the most common practice, the DEM’s Div of Agriculture is the lead. However, for planning efforts council and DEM staffs have been working side by side on the issues for a couple of years. Mr. Tikoian with consensus of the subcommittee directed staff to continue to address and plan for AIS as presented.

Item 5.B. – Aquaculture Lease Areas and Subleases. D. Beutel explained the issue wherein he has been approached by the Town of New Shoreham on how to obtain an aquaculture lease so that they can sublease the site to others. Staff is seeking direction on this issue as the aquaculture regulations do not address it. B. Goldman stated that the language of the lease needs to be investigated to see how or if the issue is addressed. Mr. Tikoian felt that there was such a discussion at the council regarding not allowing the subleasing of aquaculture lease sites. Mr. Dawson asked for more information for further discussion and that the issue is fully vetted. Mr. Tikoian directed staff to come back with additional information on the issue for further discussions.

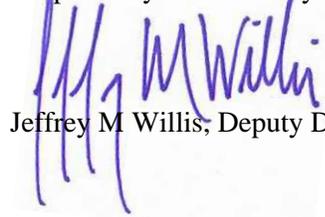
Item 5.C. – “Grandfather” Activities. B. Goldman asked that this item be moved to a future agenda. A formal request is forthcoming.

Item 7.A. – Staff Report. J. Willis noted that is response to the agency’s work in performing safety inspections during and throughout the recent flood disaster period of March 12 – April 12, 2010, the agency was able to recoup over \$1,500 from FEMA for the state. G. Fugate stated that the recent flood disaster has also resulted in serious impacts to navigation in the Pawtuxet Cove FNP. Approximately 25K – 30K cy of new sediment has found its way from above the dam into the channel, impeding navigation and wiping out several residential docks. Staff is coordinating all issues associated with the

sedimentation and damages: ACOE and DEM re: dredging; Coast Guard re: navigation; and meeting with residents re: submitting applications for rebuilding their docks. Permitting issues for those residential dock owners who lost their docks will be coordinated and dependent on when dredging occurs: prior to dredging, a temporary docking solution may be employed so that residents can use the cove over the course of the summer. Once the ACOE dredges the channel, the docks can go back in as originally permitted.

ADJOURNMENT. Mr. Gomez, seconded by Chateaufeuf, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:55 a.m.

Respectfully submitted by



Jeffrey M Willis, Deputy Director