



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, January 21, 2014 at the offices of the CRMC, Stedman Government Center, 4808 Tower Hill Rd, Wakefield, RI.

MEMBERS PRESENT

Anne Livingston, Chair
Paul Lemont, Vice Chair
Don Gomez
Joy Montanaro
Angelo Liberti, DEM

STAFF PRESENT

Grover Fugate, Executive Director
Jeff Willis, Deputy Director
Dave Reis, Supervising Environmental Scientist

Brian Goldman, Legal Counsel

Call to Order. Ms. Livingston called the meeting to order at 8:34 a.m.

Ms. Livingston called for a motion to approve the minutes of the November 20, 2013 subcommittee meetings.

Mr. Gomez seconded by Ms. Livingston moved to approve the meeting minutes of November 20, 2013. All voted in favor of the motion.

Item 4.A. & 4.B – RICRMP Section 210.3 Coastal Wetlands: Limited View Restoration Activities & RICRMP Section Glossary: Water Enjoyment Uses. J. Willis introduced issue of proposing limited view activities in forested wetland areas only for commercial businesses that can demonstrate a lost view over time. G. Fugate explained Conservation Easement requirement and five-to-one restoration requirement. Mr. Gomez asked if the public would have access at these sites. D. Reis explained the Public Access Plan requirements and how public access would be required and stipulated. Mr. Gomez asked how such allowances would be handled if the business was dissolved. G. Fugate answered that the conservation easement and public access plan both run with the property and would still be enforceable to any subsequent owner of the property. The subcommittee generally questioned the use of the term water enjoyment. D. Reis explained that the term and the definition were taken from the Seattle CZM program. Staff was asked to better define the intent of the term. Mr. Liberti asked if the proposal would apply to condominium activities. Staff explained that the proposal would apply only to commercial businesses and then only for those that support water enjoyment (as written) uses; demonstrate that such uses have been lost over time; and, then only to forested wetland vegetation. Ms. Montanaro suggested that the proposal more speaks to activities that are view dependent or view enriched and therefore a definition can be developed that better reflects this. Ms. Montanaro and Mr. Liberti suggested that staff better explain that the proposal would be for existing commercial activities that meet the criteria and not for proposed commercial activities. Ms. Livingston suggested that a better connection be made for the intent of the proposal and commercial businesses. D. Reis explained programmatic policies and inconsistencies for salt marshes and coastal wetlands and areas designated for preservation. He further explained that wetland restoration does not mean replacing one type of wetland for another. Mr. Gomez offered that a

Finding be developed to better explain the intent as well as be able to link to it in subsequent sections. Mr. Lemont questioned why other activities might not be afforded this allowance.

With the subcommittee's concurrence, Ms. Livingston directed staff to address the issues raised and bring back to the subcommittee a revised proposal for consideration at a future meeting.

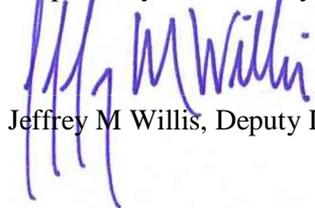
Item 7.A. – Shoreline Change “Beach” SAMP Update.

G. Fugate explained that funding issues are still an obstacle to accomplishing significant science and engineering tasks towards the development of the SAMP. Additionally the SAMP Team has advocated for an economic component. To that end has asked the Administration for \$300,000 in a Capital Plan project request split over FY2014 and FY2015 as well as restoring funding for an engineering position at the agency. The Budget Office has asked the agency to look into raising its fees to offset potential state funds for the position. As reported previously the Team is putting together another application to NOAA for its competitive Projects of Special Merit program. The Department of Interior has received significant amounts for funding for SANDY-related projects and the staff have joined with USFWS staff to assist in developing projects that can be funded and implemented internally by USFWS as well as externally awarded by USFWS. The Team has applied for a maximum one million dollar award from DOI for the Beach SAMP effort. HUD funds have also been made available for SANDY-related projects. The team and Statewide Planning, URI and the municipalities are seeking \$3.5 million for the Beach SAMP effort.

The regulations on experimental shoreline erosion control are effective; the agency has formed the Technical Advisory Committee and begun its enforcement sweep as per the regulations by initiating a first round of letters advising those with illegal structures of their options. Only one response has been received to-date from said letters, which were sent certified in early December 2013. B. Goldman offered that it is possible that many have not responded due to the pending litigation on this issue and further offered that the Council could still move forward with its enforcement regardless. Ms. Livingston directed staff to issue one more round of letters then proceed with restoration order hearings as necessary.

ADJOURNMENT. Mr. Gomez, seconded by Mr. Lemont, moved to adjourn the subcommittee meeting. All voted in favor of the motion and the meeting was adjourned at 9:41 a.m.

Respectfully submitted by



Jeffrey M Willis, Deputy Director