

In accordance with notice to members of the Rhode Island Coastal Resources Management Council, a meeting was held on Tuesday, April 13, 2010 at 6:00 p.m. in Conference Room A, Administration Building, One Capitol Hill, Providence, RI.

MEMBERS PRESENT

Michael M. Tikoian, Chair
Paul Lemont, Vice Chair
David Abedon
Raymond Coia
Donald Gomez
Ron Gagnon, DEM
Robert Driscoll

STAFF PRESENT

Grover J. Fugate, Executive Director
Jeffrey M. Willis, Deputy Director
Laura Ricketson Dwyer, Public Education/Outreach Coord
Brian Goldman, Legal Counsel

1. CALL TO ORDER

Chair Tikoian called the meeting to order at 6:00 p.m. and hearing no objection dispensed with the reading of the Opening Statement due to no applications being on the council's docket.

2. APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING:

Mr. Coia, seconded by Vice Chair Lemont, moved to approve the minutes of the previous meeting, March 23, 2010. Minutes approved on a unanimous voice vote.

3. SUBCOMMITTEE REPORTS

There were no subcommittee reports.

4. STAFF REPORTS

Mr. Willis reported that a partial transfer of an existing aquaculture lease was approved, from John and Cindy West to David Sipperly, in Point Judith Pond with the business names of Cedar Island Oysters Inc. and South County Farm, respectively.

5. PERMIT APPLICATION TRENDS

Chair Tikoian asked staff to present on the trends of the council's permit applications. Mr. Willis presented statistics on the last five-plus years of permit applications. He noted that for the years 2005 through 2008, the total number of applications both by category and yearly totals were relatively constant, even though in years previous to these, annual numbers could be higher. In 2009 he noted that both sets of numbers were down from recent trends, but that the same categories receiving high numbers of applications over the years were the same categories to receive higher numbers in 2009. Mr. Willis speculated that the 2009 economy slowed the submittal of all applications and pointed to the number of residential dock applications as a concrete example. Mr. Willis presented statistics on pending applications, noting that the majority of those outstanding applications are current and/or from 2009. Mr. Fugate noted that some outstanding applications such as residential dock applications are on

hold due to issues such as claims of ownership or infringement of property boundaries and need to be resolved by the parties involved outside of the council's review processes before any agency action can be taken. Mr. Willis presented the most applied-for applications, such as maintenance, dwelling alterations and demolition/rebuilds. He noted that of the top six presented, five were directly associated with residential maintenance construction – not new construction – as maintenance of residential structures has been a significant trend for all council application requests over the period presented. Mr. Willis ended by presenting the total number of applications by town over the report period, with Narragansett topping the list and five of the top six being south county coastal communities. Mr. Tikoian asked when the council revised the RICRMP to implement the Marine Resources Development Plan such that certain Category B applications could be handled administratively. Mr. Willis stated that he believed that it was in 2007 since it was developed as an implementation regulation of the MRDP which was adopted in 2006. Mr. Gomez asked about the trend for aquaculture applications. Mr. Willis answered that of late, such applications average one to two per year. Mr. Gomez stated that aquaculture should be a growth industry and that maybe more such activities should be promoted. Mr. Fugate responded that approximately over the last ten years and up to the last five to six, the council annually saw multiple such applications, but that trend has slowed. Mr. Fugate noted that the Farm Gate value of the existing lease areas have consistently showed double-digit growth over this report period. He stated that the council tracks that information in its annual report. Mr. Gomez asked if there still is capacity for growth. Mr. Fugate stated that two such studies are being undertaken for the salt ponds region by the GSO to address that question. One suggests that the ponds can biologically support approximately 49% of their volume with aquaculture activity. However, he also stated that this allowance would never be tolerated socially; the second study is attempting to quantify that tolerance level. Results of both studies should be completed within the year he said.

6. REVIEW AND ADOPTION OF AMENDMENTS TO THE MEMORANDUM OF UNDERSTANDING (MOU) DATED AUGUST 1, 2008 BETWEEN RIEDC, URI AND CRMC

Chair Tikoian noted that because there was no budget associated with the MOU the council would not be voting on the adoption of amendments to the MOU. Chair Tikoian asked Mr. Fugate to present the amendments to the MOU. Mr. Fugate stated that ARRA funding has been appropriated to the OSAMP project for additional scientific data research for areas that partially lie within but predominately exist just outside the boundaries of the OSAMP. Mr. Fugate explained that the intent of the ARRA funding was to undertake data collection of avian species, marine mammals, and marine fisheries. The primary purpose of the research is geared towards adding to exiting and previously generated scientific data of the OSAMP regions with new data in these new areas that would among other research pinpoint the end Moraines in the study areas. The URI R/V Endeavor will perform the geophysical characteristics of the study area. The approximate \$2 million ARRA funding was allocated for marine mammal, avian species and marine fisheries issues relative to siting characteristics, but marine mammal data will be extrapolated for the new study areas from existing data as the \$2 million is not enough to adequately fund the two remaining data collections efforts let alone all three, Mr. Fugate said. Mr. Tikoian stated that the original work to map the moraines already identified the extent of the moraines based on the TDIs. Mr. Fugate stated that TDI represents an analysis of the best available science to map the extent of various features. This ARRA research funding will perform site-specific data

collection to pinpoint and actually identify the moraines in these areas. Mr. Tikoian asked if this work will slow down the SAMP timeline as the same researchers for the SAMP will also be doing this work. Mr. Fugate said that it will not as it is additional data collection that has its own timeline that extends past the timeline of the SAMP. The researchers will be responsible for meeting all timelines of the SAMP and this additional work. Mr. Tikoian asked if the RFI could be applied for in 2012. Mr. Fugate said that the RFI is to be applied for soon and that there may be more than one RFI. Mr. Gomez noted that the SAMP effort is generating about \$10 million, including this \$2 million ARRA funding. He asked how the ARRA proposal was developed. Mr. Fugate answered that the OSAMP management team developed it. Mr. Gomez asked who the members of the management team were. Mr. Fugate stated that they are Jen McCann, Sam DeBow, Malcolm Spaulding and Dennis Nixon of the University of Rhode Island, and himself. Mr. Gomez asked if the Endeavor is doing any of the work. Mr. Fugate said that yes it was doing the geophysical surveys in the additional study area. Mr. Gomez asked if this work could become an appendix to the SAMP once it has been completed. Mr. Fugate said that it would. Mr. Goldman noted that the management team develops such proposals and submits them to the council who ultimately votes on submitting such to EDC as an amendment to the MOU. Mr. Abedon asked where the ARRA funds are from. Mr. Fugate said that these funds are from the Department of the Energy for utility scale projects. Mr. Gomez asked if the funding will go to URI and not the CRMC. Mr. Fugate answered that that would be the case. Mr. Tikoian asked if this work is a supplement to the SAMP. Mr. Fugate stated that this work is not part of the SAMP in its current form but as the SAMP is a living document this work will augment the work of the SAMP and become appendixes to the SAMP. Mr. Gomez stated that this work is basically a data report. Mr. Tikoian asked Ms. McCann if the ARRA work will supplement the existing progress reports of the SAMP that are forwarded to EDC. Ms. McCann said that it would be separate due to ARRA reporting requirements which are different and separate from the EDC process. Mr. Fugate stated that while the progress of this work will be reported separately following ARRA requirements, the funds themselves will be tracked using the template developed by the subcommittee for the SAMP.

7. ENFORCEMENT REPORT – MARCH 2010

Accepted as presented.

8. CATEGORY “A” LIST

Mr. Tikoian asked why some category A applications appear to be old. Mr. Willis explained that some are modification requests, which carry original assent numbers, but some may be due to database entry issues. Mr. Willis will work with staff to correct any database issue.

9. ADJOURN

Chairman Tikoian asked for a motion to adjourn. Mr. Coia seconded by Vice Chair Lemont moved to adjourn with a unanimous vote for the motion following. The meeting adjourned at 6:39 pm.