



Oliver Stedman Government Center
4808 Tower Hill Road; Suite 116
Wakefield, RI 02879
401-783-3370

AGENDA

Semi-Monthly Meeting – Full Council
Wednesday, May 4, 2011; 6:00 p.m.
Conference Room B, Administration Building
One Capitol Hill, Providence, RI

Approval of the minutes of the previous meeting – April 12, 2011
Subcommittee Reports
Staff Reports

Status, staff briefing and ratification of Matunuck Erosion Temporary Permit and process.

Application requesting Special Exception and are before the Full Council for Decision:

2010-08-041 TOWN OF CHARLESTOWN -- Construct and maintain passive recreational and trail improvements at the former Town of Charlestown Driving Range. Proposed improvements will provide the Town of Charlestown and the surrounding region with a passive recreation facility and pedestrian access to the coastal resources of Ninigret Pond and Mud Cove. The project requires a special exception to: RICRMP 300.17.E.1. (10' x 20' observation platform, platform not allowed); RICRMP 300.17.E.2. (crossing greater than 10 acres wetland, 170' length, high fish and wildlife habitat); RICRMP 210.3(C)(4) (Alteration to coastal wetlands). Project location: Plat 5, Lot 14; Post Road, Charlestown, RI.

Public Hearing on Changes to the Rhode Island Coastal Resources Management Program:

RI Coastal Resources Management Program

MANAGEMENT PROCEDURES

Revise Section 4.2 Information Requirements, Application Forms and Fees as follows:

- (1) Application forms may be obtained from the Coastal Resources Management Council, Oliver Stedman Government Center, 4808 Tower Hill Road, Wakefield, R.I. 02879-1900, ~~or~~ by calling (401) 783-3370, or from the CRMC website: www.crmc.ri.gov.
- (2) An application checklist/instruction sheet will be ~~forwarded~~ provided to each applicant together with required forms.

- (3) Applicants must complete four (4) application forms and return them together with the proper application processing fee to the Coastal Resources Management Council. Application processing fees are non-refundable in the event the CRMC denies an application or another state agency denies a permit that is a prerequisite for a CRMC Assent.
- (4) Public, Quasi-public Entity: The above fees may be waived for any public or quasi- public entity based upon a finding by the Executive Director of general public benefit.
- (5) Applicants shall be required to obtain and certify that they have in their possession current approvals from municipal bodies which are otherwise required for the proposed action. Municipal approval shall be construed to mean compliance and conformity with all applicable comprehensive plans and zoning ordinances and/or the necessary variance, exception and other special relief there from (see RICRMP Section 300.1). However, qualifying businesses may be exempt from this requirement provided they meet the provisions of R.I.G.L. § 42-35-3.5.
- (6) Applicants shall further be required to obtain and certify that they have in their possession current approvals from all other agencies which are otherwise required for the proposed action. However, qualifying businesses may be exempt from this requirement provided they meet the provisions of R.I.G.L. § 42-35-3.5.
- (7) The above required municipal and state approvals shall be construed as a prerequisite for any application before the Council considers the application. The Council may waive the requirements of obtaining approvals in the usual sequence by a majority vote of the Council. But a final assent shall not issue until all required approvals have been obtained.
- (8) In contested cases, the Subcommittee shall not proceed until it has received the comments from staff biologist, staff engineer, Historical Preservation Commission, and water quality certification comment.
- (9) Provided they meet the provisions of R.I.G.L. § 42-35-3.5, a qualifying business may request in writing a concurrent review at the time of filing a CRMC application. Upon receiving the written request, the CRMC will conduct a simultaneous application review with other applicable state agencies and the municipality provided the business obtains a preliminary determination from the local municipality that demonstrates the proposed project is consistent with the applicable municipal zoning ordinances. Under this process, the CRMC will not require prior approvals or permits from municipalities or state agencies under subsections 5 and 6 above to conduct the simultaneous review. The CRMC, however, will not issue the CRMC Assent until such time that the applicant submits to the CRMC the required municipal and state agency permits.

Purpose: to revise the section to be in conformance with recent legislative requirements as contained in RIGL 42-35-3.5 and to make editorial revisions

MANAGEMENT PROCEDURES

Revise Section 4.3.2 Schedule of Fees as follows:

- 4.3.2(p)**(1)** Aquaculture Renewal Fee: **\$75.00**
(2) [Recreational Aquaculture Fee](#)
(i) [Initial: \\$50](#)
(ii) [Annual: \\$25](#)

Purpose: to revise the fee schedule by adding initial and annual fees for recreational aquaculture activities

REDBOOK

Revise Table 4. Undeveloped, Moderately Developed, and Developed Barriers as follows:

Undeveloped

Sandy Point Island, Westerly¹
Napatree Beach, Westerly¹ (west of Watch Hill Beach Club)
Maschaug Beach, Westerly¹
Quonochontaug Beach, Westerly/Charlestown¹ (west of Breachway)¹
East Pond Beach, Charlestown
East Beach (Ninigret conservation area to Charlestown Breachway)¹
Green Hill Beach, South Kingstown¹ (central portion)
Moonstone Beach, South Kingstown
Browning Beach, South Kingstown¹
Long Pond Beach, Little Compton¹
Round Pond Beach, Little Compton¹
Briggs Beach, Little Compton¹
Ship Pond Cove, Little Compton
Round Meadow Pond, Little Compton
Quicksand Pond Beach, Little Compton¹
High Hill Marsh Barrier, Little Compton¹ (eastern portion)
Sandy Point/West Beach, New Shoreham¹
Casey Point, North Kingstown¹
Greene Point, North Kingstown¹
Bissel Cove Barrier, North Kingstown
Tibbit's Creek, North Kingstown
Baker's Creek, Warwick
Buttonwood Cove, Warwick
Gaspee Point, Warwick
Conimicut Point, Warwick
Nayatt Point Beach, Barrington
Mussachuk Creek, Barrington
Rumstick Point, Barrington
Hog Island, Portsmouth¹ (2 separate areas)
Musselbed shoals, Portsmouth
Nag Pond/Jenny Pond, Portsmouth¹
Gull Point, Portsmouth
Sheep Pen Cove, Portsmouth
McCurry Point, Portsmouth
[Fogland Point, Tiverton¹](#)
Sapowet Point, Tiverton
Fox Hill Pond, Jamestown

Moderately Developed

Napatree Beach, Westerly (easterly portion)
Michel Pond Beach, Charlestown
Garden Pond Beach, Charlestown
Charlestown Beach, Charlestown (east of breachway to developed portion)
Narragansett Beach, Narragansett
Bonnet Shores Beach, Narragansett
Mackerel Cove Beach, Jamestown
Hazards Beach, Newport
Bailey's Beach, Newport
First (Easton's) Beach, Newport (western portion)
Crescent Beach, New Shoreham¹
Second Beach, Middletown
Third Beach, Middletown
Fogland Point, Tiverton¹
Tunipus Pond Beach, Little Compton
Watch House Pond Beach, Little Compton¹
Sakonnet Harbor Beach, Little Compton¹ (eastern portion)

Developed

Atlantic Beach, Westerly
Quonochontaug Beach, Charlestown (east of breachway)
East Beach, Charlestown (west of Ninigret conservation area)
Charlestown Beach, Charlestown
Green Hill Beach, South Kingstown (westerly and easterly portions only)
East Matunuck/Jerusalem Beach, South Kingstown and Narragansett
Roger Wheeler Beach (Sand Hill Cove), Narragansett
Bonnet Shores Beach, Narragansett (easterly portion)
First (Easton's) Beach, Middletown (easterly portion)
Crescent Beach, New Shoreham (southerly portion)
Coast Guard Beach, New Shoreham
High Hill Marsh Barrier, Tiverton (western portion)

¹ Denotes those barriers or portions thereof where the Coastal Barrier Resources Act of 1982 (CoBRA) prohibits federal subsidies for most new development and federal flood insurance for all new development. For the most up-to-date maps showing CoBRA designations, contact the Division of Planning, Department of Administration.

* **Note:** This list denotes most of the major barriers in Rhode Island. However, there may be some small barrier systems not contained on this list, but are subject to the policies characterized by the barrier's level of development.

Purpose: to correctly identify the barrier designation for Fogland Point, Tiverton

Ocean Special Area Management Plan (Ocean SAMP):

The Ocean Special Area Management Plan (Ocean SAMP), adopted by the Rhode Island Coastal Resources Management Council last year serves as a regulatory, planning and adaptive management tool of the CRMC to uphold its regulatory responsibilities in the ocean environment. Using the best available science and working with well-informed and committed resource users, researchers, environmental and civic organizations, and local, state and federal government agencies, the Ocean SAMP provides a comprehensive understanding of this complex and rich ecosystem.

The Ocean SAMP also documents how the people of Rhode Island have used and depended upon these offshore resources for subsistence, work, and play. It also documents important natural wildlife, fish, birds, marine mammals and sea turtles, their habitats and areas important to their survival. To fulfill the Council's mandate, the Ocean SAMP lays out enforceable policies and recommendations to guide CRMC in promoting a balanced and comprehensive ecosystem-based management approach to the development and protection of Rhode Island's ocean-based resources within the state waters of the Ocean SAMP study area.

The comments raised by the agency's federal partner National Oceanic and Atmospheric Administration are being proposed for incorporation herein to address issues that will bring the plan into conformance with federal CZMA requirements. These proposed changes will serve as revisions to the Ocean SAMP document, approved on October 19, 2010.

Additionally, please go to the following websites to review the proposed revisions:
www.crmc.ri.gov/samp_ocean.html and <http://seagrant.gso.uri.edu/oceansamp/>.

The purpose of these proposed revisions to the Ocean Special Area Management Plan are in response to comments received from the NOAA Office of Ocean and Coastal Resource Management to address issues that would bring the plan into conformance with federal CZMA requirements.

Administrative Fine Hearing

09-0121, 09-0122, 09-0126, 09-0127, 09-0128, 09-0129 PBH REALTY, LLC; Jamestown

Category "A" List

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