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AGENDA

**Semi-Monthly Meeting – Full Council
Tuesday, February 28, 2012; 6:00 p.m.
Conference Room A, Administration Building
One Capitol Hill, Providence, RI**

**Approval of the minutes of the previous meetings – February 14, 2012
Subcommittee Reports
Staff Reports**

Coastal Habitat Restoration Trust Fund Applications before the Council for Review and Decision:

The projects recommended for full funding are:

1. Restoring Fish Passage on the Upper Pawcatuck River: Phase 3- Kenyon Mill Dam; Wood-Pawcatuck Watershed Association (\$50,000)
2. Fish Passage Improvements at the Main Street Dam and Fishway; RI Dept. of Environmental Management (\$50,000)
3. Blackstone River Fish Passage; Friends of the Blackstone (\$40,000)
4. Diadromous Fish Passage Improvements at Palisades; RI Dept. of Environmental Management (\$25,000)
5. Salt Marsh Rapid Assessment; Save The Bay (\$12,500)
6. Caged Scallop Spawning Sanctuary; Save The Bay (\$6,536)
7. Ten Mile River Reservation Dam Assessment; RI Dept. of Environmental Management (\$5,000)
8. Winnipaug Marsh Restoration; Save The Bay (\$4,000)

The projects recommended for partial funding are:

1. Enhanced eastern oyster (*Crassostrea virginica*) restoration: experimental reef construction using defined baselines and goals in coastal salt ponds; Rhode Island, the Nature Conservancy (\$28,964)
2. Avondale Farm & Colonel Willie Cove Preserves Phragmites Control Project; Westerly Land Trust (\$3,000)

2011-2012 Contingency List:

1. Racquet Road Salt Marsh Restoration; Audubon Society of RI (\$8,700)
2. Cocumscussoc Brook and Meadow Brook Wetlands Restoration; the Cocumscussoc Association (\$18,710)
3. Enhanced eastern oyster (*Crassostrea virginica*) restoration: experimental reef construction using defined baselines and goals in coastal salt ponds, Rhode Island (\$10,252 remainder of request)
4. Avondale Farm & Colonel Willie Cove Preserves Phragmites Control Project (\$1,000 remainder of request)

Applications Which Have Been Out-to-Notice for 30 days and are Before the Full Council for Decision:

- 2011-11-016 PHILIP LARSON** – Construct and maintain an educational oyster and hard clam aquaculture project with a nursery site within Sheffield Cove, and the grow-out site outside of Fox Hill Pond. Both aspects of the project will require floating gear. Located in Dutch Harbor/Sheffield Cove, Jamestown, RI.
- 2011-07-026 HARRY STONE** – Construct and maintain: a 4' x 120.4' residential pier. The facility will consist of a 4' x 77' fixed timber pier, a 3.5' x 20' ramp, and a 6' x 25' float. The facility will extend 75' beyond mean low water. A variance of 25' is required to the 50' beyond mean low water (RICRMP 300.4.E.3.1). Located at plat 142, lot 45; 591 Shore Acres Avenue, North Kingstown, RI.
- 2011-10-019 HIGH TIDES, LLC** – Subdivide AP 81-3, Lot 52 in South Kingstown into 41 lots. 40 lots are to be used to site single-family residences serviced by public water and by individual denitrifying OWTS. The remaining lot is to be used as open space. The applicant proposes to construct approximately 2,350 lf of roadway and associated stormwater drainage facilities. Located at Gooseberry Road, South Kingstown, RI.

Public Hearing on Program Changes to the RI CRMP:

Management Procedures

Revise Section 4.3.1 –Schedule of Fees/Determination Requests as follows:

4.3.1. Determination Request:

- (a) Those involving projects of the individual residential homeowner/potential homeowner: \$150.00.
- (b) All other projects (development of subdivisions, condominiums, commercial, industrial, waterfront business, etc.): \$1000.00.
- (c) Jurisdictional determinations: \$100.00.
- (d) Jurisdictional Determinations for Individual Lot Development of Residential Properties Adjacent to New Sewer Lines that no longer require an ISDS for Development: \$25.00.
- (e) Coastal Feature Verification: \$300.00.

Purpose: To provide for CRMC staff verification of coastal features on a project site upon application (\$300 application fee).

RI Coastal Resources Management Program - Redbook

Revise Section 100, Table 1 and Type 6 water activity matrix as follows:

Table 1. Review Categories and Prohibited Activities in Tidal Waters and on Adjacent Shoreline Features (Water Type Matrices)

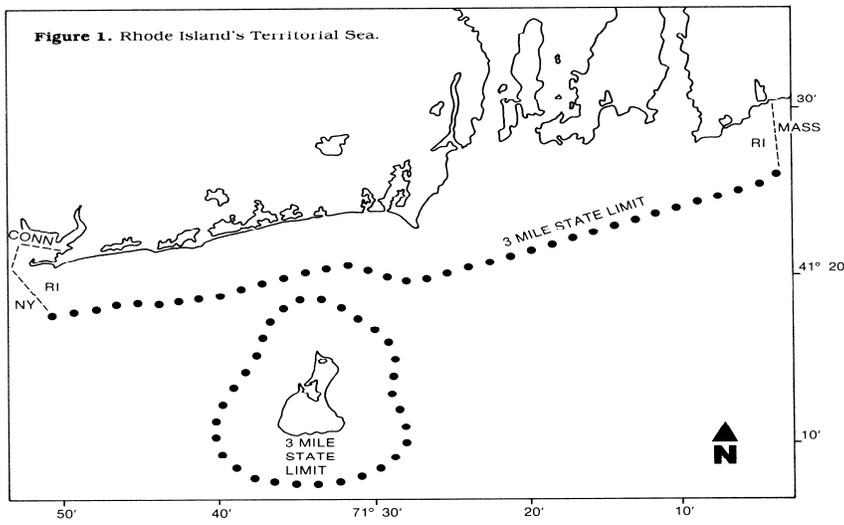
Review categories for activities within the 200-foot area contiguous to shoreline features are listed in Table 1A. All Category B activities and starred (*) Category A activities are put out to public notice. Maintenance of existing structures is treated in Section 300.14. Letter codes are as follows:

- A - Category A Assent required;
- B - Category B Assent required;
- P - Prohibited; and
- n/a - Not applicable.

Footnotes appearing infor Table 1 (Water Type Matrices)

- ¹ See definitions in Section 300.2(A) for differentiation between Category A and B reviews.
- ² Municipal sewer lines are reviewed as Category B.
- ³ Utility lines are reviewed as Category B.
- ⁴ See Section 210.3(C)6; the review categories shown here for Type 3, 4, 5, and 6 waters apply to wetlands designated for preservation.
- ⁵ For residential docks, piers, floats see Section 300.4.C.4 for review procedures.
- ⁶ See Section 200.2.C.2 for pre-existing marinas in Type 2 Waters.
- ⁷ Category A review for pre-existing marinas in Type 2 waters (See Section 300.9.A.1); Category B review for residential boating facilities in Type 2 waters (See Section 300.9.E.7).
- ⁸ Structural shoreline protection facilities may only be permitted to protect historic structures which are currently listed in the National Register of Historic Places. Additionally, the proposal must meet all applicable standards contained within in Section 300.7.
- ⁹ See Section 300.4.D.6
- ¹⁰ Where an activity substantially detracts from or interferes with the priority uses of Type 6 Waters, as specified in Section 200.6, the Council may prohibit such activity.

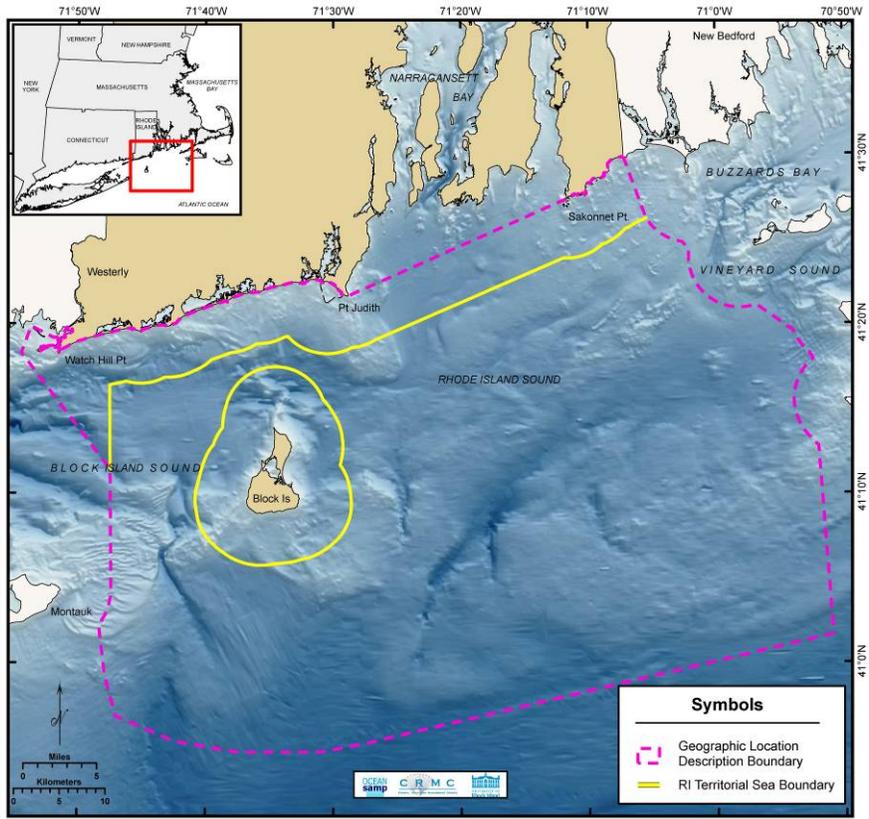
Figure 1. Rhode Island's Territorial Sea and Geographic Location Description (GLD) boundary



The offshore limits of the state's territorial sea are being litigated before the U.S. Supreme Court. This sketch shows the maximum area that the state may claim under existing laws and treaties.

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Delete Figure 1 map above and replace with the following map:



Type 6 Waters¹⁰	Tidal Waters	Beaches and Dunes	Undeveloped Barriers	Moderately Developed Barriers	Developed Barriers	Coastal Wetlands	Headlands, Bluffs and Cliffs	Rocky Shores	Manmade Shorelines	Areas of Historic/Archaeological Significance
Filling, Removal, and Grading of Shoreline Features	n/a	B	P	A ¹	A ¹	P	B	B	A ¹	B
Residential Structures	P	P	P	P	A	P	B	B	A	B

Commercial/Industrial Structures	B	B	P	P	B	P	B	B	B	B
Recreational Structures	B	B	P	P	B	P	B	B	B	B
Recreational Mooring Areas	B	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Marinas	B	B	P	P	B	P	B	B	B	B
Launching Ramps*	B	B	P	B	B	P	B	B	B	B
Residential Docks,*Piers,*& Floats	A/B ⁵	B	P	P	B	B	B	B	B	B
Mooring of Houseboats	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mooring of Floating Businesses	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Municipal Sewage Treatment Facilities	B	B	P	P ²	B	P	B	B	B	B
Individual Sewage Disposal Systems	P	P	P	P	A	P	B	B	A	B
Point Discharges – Runoff	A	A	A	A	A	A	A	A	A	A
Point Discharges – Other	B	B	P	B	B	P	B	B	B	B
Non-Structural Shoreline Protection	A	A	A	A	A	A	A	A	A	A
Structural Shoreline Protection	B	B	P	P	P	P	B	B	B	B
Energy-related Activities/Structures	B	B	P	P ³	B	P	B	B	B	B
Dredging – Improvement	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Dredging – Maintenance	A	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Open-Water Dredged Material Disposal	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Upland Dredged Material Disposal	n/a	B	B	B	B	P	B	B	B	B
Beach Nourishment	B	B	B	B	B	P	n/a	n/a	n/a	B
Filling in Tidal Waters	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Aquaculture	B	n/a	n/a	n/a	n/a	P	n/a	n/a	n/a	n/a
Mosquito Control Ditching	A	n/a	n/a	n/a	n/a	A	n/a	n/a	n/a	B
Mining	P	P	P	P	P	P	P	P	P	P
Construction of Public Roads, Bridges, Parking Lots, Railroad Lines, Airports	B	B	P	P	B	P	B	B	B	B

Purpose: Minor editing to clarify Table 1 text, replace Figure 1 to recognize federally-approved Geographic Location Description (GLD) and to add footnote 10 to Type 6 waters indicating the Council may prohibit activities that significantly detract from or interfere with the Council’s priority activities for Type 6 waters pursuant to existing policy within CRMP Section 200.6.

Category “A” List

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