



State of Rhode Island
Coastal Resources Management Council
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AGENDA

Semi-Monthly Meeting – Full Council

Tuesday, May 28, 2024; 6:00 p.m.

Administration Building, Conference Room A
One Capitol Hill, Providence, RI

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/84110391167?pwd=WDJBcTdFS2psTU00TGpWWnV4ZHFYZz09>

Passcode: **577513** Passcode: **577513**

(Hybrid Meeting Link for Public Viewing Only-

All Public Comment Must Be In-Person– Members Must Attend In-Person)

1. **Approval of the minutes of the previous meeting – May 14, 2024**
2. **Subcommittee Reports**
3. **Staff Reports**
4. **Revolution Wind Cable Burial Plan, as required by Condition #F of Assent #B2021-07-005**
5. **Applications requiring a Special Exception before the Full Council for Review and Action on Final Decision:**

2023-04-094 RI DEPARTMENT OF TRANSPORTATION -- The reconstruction of the East Bay Bike Path bridges over the Barrington River and Palmer River including the installation of new piers, abutments, truss spans, riprap scour protection, and stormwater management. This project requires special exceptions to CRMC Red Book 650-RICR-20-00-1 §1.3.1(L)(3)(c) – alterations to coastal wetlands not designated for preservation adjacent to Type3 Waters §1.3.1(M)(2)(a) – the construction of new public transportation facilities in tidal waters, §1.3.1(G)(3)(c) – the filling on a coastal feature or tidal waters and §1.3.1(J)(3)(a) - the filling in Type 1 and 2 waters is prohibited. Variances are required for (CRMP §1.3.1(B)(3)(a)(6)), filling rather than cutting on causeway slopes and §1.3.1(B)(3)(e)(1)(AA)) filling on slopes steeper than 15 percent. Located at the East Bay Bike Path Bridges, Barrington and Warren, RI.

5. **Proposed Rulemaking before the Council for Review and Action:**

Management Procedures (650-RICR-10-00-1)

Section 1.4.6(A)(10) Beach Vehicle Permits:

10. Beach Vehicle Permits:

- a. Annual, in-State vehicle registration: one hundred dollars (\$100.00)
- b. Annual, out-of-State vehicle registration: two hundred dollars (\$200.00)
- c. Three (3) day pass, in-State vehicle registration: twenty-five dollars (\$25.00)
- d. Three (3) day pass, out-of-State vehicle registration: sixty dollars (\$60.00)

Section 1.5.12 Permit Extensions

A. Where the Council has issued a permit to undertake an activity in accordance with this Program, said permit shall require such activity licensed or permitted thereunder to be completed within (3) years from the date of issuance unless specifically granted a longer period of time by the

Council. Extensions may be granted for good cause demonstrated by the applicant. Additionally, in determining whether to grant an extension, the Council will consider whether there has been a substantial change in the environmental conditions on the site, whether the CRMP has been amended such that the activity would now require variances or special exceptions, or additional variances or special exceptions, and whether the applicant has made a good faith effort to undertake construction of the permitted activity. In the event an applicant or his agents cannot complete said activity within the three (3) year permitted time, unless specifically granted a longer period of time by the Council, the permit shall expire unless the applicant files a timely written petition with the Council for a permit extension. The applicant may, 30 days prior to the expiration of said time, petition the Council in writing for an extension. Extensions may be granted for projects only if it has been determined by staff that the work accomplished is in compliance with the conditions of approval established by the Council.

B. The Executive Director in his discretion for cause shown may administratively grant an extension for a period of time of up to one (1) year from the expiration date of the permit. The Executive Director may grant a maximum of three (3) one (1) year extensions. A fourth (4th) and final one (1) year extension may be granted only by the Council and only for a period of time of up to one (1) year. However, for projects associated with public infrastructure, the Council may grant extensions for more than one (1) year.

C. Large-scale projects are generally commercial or public projects which, due to their size, complexity and scope, have construction schedules which, at reasonable rates of build-out, exceed seven (7) years. The applicant may, 30 days prior to the expiration of a permit, petition the Council in writing for an extension beyond that period of time originally and specifically granted by the Council. The Council itself may grant an extension that exceeds the permitted assent completion date upon demonstration of a good faith effort to meet construction timelines. The granting of an extension by the Council shall be the minimum necessary to complete the project, but shall not exceed ten (10) years beyond that period of time originally and specifically granted by the Council. In granting this extension the Council may place additional conditions on the previous permit that may be necessary to bring remaining elements of the project in conformance with current regulatory standards.

D. A notification of permit extension shall be mailed to appropriate municipal and State agencies.

E. Where a proposed activity requires a Section 401 water quality certification (WQC) (or its waiver) from the RIDEM as a prerequisite of the Rhode Island Coastal Resources Management Program (RICRMP), the applicant shall obtain the WQC, its waiver, or its denial within one (1) year from the date of public notice otherwise the prerequisite will be waived. However, if the applicant has not obtained the section 401 water quality certification, its waiver, its cancellation, or its denial within one (1) year of the date of public notice, the prerequisite contained in the Rhode Island CRMP may be waived by the Executive Director in his discretion if he determines that there is no significant potential for the proposed activity to result in a discharge of pollutants into the State's coastal waters. Thirty (30) days prior to waiving the section 401 WQC of the RICRMP, the Council shall notify the RIDEM that it is considering such a waiver.

F. If, at any time, the RIDEM issues a denial for a section 401 WQC, then the applicant shall have thirty (30) days after such final determination of denial to obtain a section 401 WQC otherwise the application and/or the Council's approval shall be canceled.

6. Adjourn