



Oliver Stedman Government Center
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NOTICE OF RESCHEDULING OF PUBLIC HEARING

The Coastal Resources Management Council, in accordance with and pursuant to the provisions of the “Administrative Procedures Act” (Section 42-35-3 of the General Laws of Rhode Island) and the Rules and Regulations of the Coastal Resources Management Council, gave notice signed and dated March 15, 2012 to change the management plans, policies, procedures and regulations of the agency regarding planning and management of the coastal resources of the State relative to Chapter 46-23 of the State of Rhode Island and specifically in regard to the development and adoption of proposed changes to the Coastal Resources Management Program Section 300.7.

This Notice is being published to advertise that the Public Hearing on these proposed changes have been scheduled for Tuesday, June 26, 2012 in the **Department of Administration, Conference Room A, One Capitol Hill, Providence, RI** at 6:00 p.m.

Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370.

Signed this 12th day of April, 2012.

Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

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In accordance with and pursuant to the provisions of the "Administrative Procedures Act" (Section 42-35-3 of the General Laws of Rhode Island) and the Rule and Regulations of the Coastal Resources Management Council, notice is hereby given of the intention of the Coastal Resources Management Council to change the management plans, policies, procedures and regulations of the agency regarding planning and management of the coastal resources of the State relative to Chapter 46-23 of the State of Rhode Island.

The following changes are proposed:

Rhode Island Coastal Resources Management Program (RICRMP)

Section 300.7. -- Construction of Shoreline Protection Facilities

Modify 300.7.A.1 as follows:

1. Structural shoreline protection facilities include revetments, bulkheads, seawalls, groins, breakwaters, jetties, and other structures, the purpose or effect of which is to control the erosion of coastal features, and includes any sheet pile walls, concrete or stone walls, or other structures that are located within the 50-foot minimum setback or the erosion setback pursuant to Section 140 and which would extend to a depth below grade to protect land or structures from active or future shoreline erosion.

Add new 300.7.B.4 as follows:

4. Any sheet pile walls, concrete or stone walls, or other structures that are located within the 50-foot minimum setback or the erosion setback pursuant to Section 140 and which would extend to a depth below grade to protect land or structures from active or future shoreline erosion shall be defined as a structural shoreline protection facility. Such facilities shall comply with the policies, prerequisites, prohibitions, and standards herein.

Modify 300.7.C.1 as follows

1. Permits for projects with structural shoreline protection facilities located below mean high water must be obtained concurrently from the Army Corps of Engineers and the CRMC. Council and Army Corps requirements are designed to complement one another; applicants should consider the requirements of both agencies when beginning the permit process. In some cases, the Council may require an applicant to obtain applicable Army Corps of Engineers permits prior to applying to the Council. A CRMC Assent is not valid unless the applicant has received all required Army Corps of Engineers approvals. For purposes of federal consistency the CRMC shall require applicants to submit a copy of the completed Army Corps of Engineers application to partially fulfill the federal requirements pursuant to 15 CFR § 930.

The purpose of these proposed changes are to define certain structures within CRMC defined setbacks as structural shoreline protection facilities, and provide specific requirements for federal consistency activities involving structural shoreline protection.

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The Council has complied with the requirements of R.I. Gen. Laws Section 42-35-3 by considering alternative approaches to the proposed regulation(s) and has determined that there is/are no alternative approach(es) that would be as effective and less burdensome. The Council has also determined that the proposed regulation(s) do(es) not overlap or duplicate any other state regulation. The Council has complied with the requirements of R.I. Gen. Laws Section 42-35-3.3 by submitting copies of the proposed regulation(s) to the Governor's Office and the Economic Development Corporation (EDC).

Parties interested in or concerned with the above proposed changes are invited to **submit written comments** by April 17, 2012. All such comments should be directed to Grover J. Fugate, Executive Director, at the above address.

A public hearing has been scheduled for these proposed changes to be held in Conference Room A, Administration Building, One Capitol Hill, Providence, RI on Tuesday, April 24, 2012 at 6:00 p.m.

Copies of the proposed regulations are also available from the Coastal Resources Management Council offices and its website – www.crmc.ri.gov.

Individuals requesting interpreter services for the hearing impaired must notify the Council office at 783-3370, 72 hours in advance of the hearing date.

Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370.

Signed this 15th day of March, 2012.



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

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