

STATE OF RHODE ISLAND
COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver Stedman Government Center
4808 Tower Hill Road Suite 3, Wakefield, RI 02879

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 revisions are proposed to the Providence Harbor: A Special Area Management Plan:

1. Revise Section 110: Providence Harbor: A Special Area Of Concern To Rhode Island

Providence Harbor is the state's largest urban waterfront, reaching from ~~Sabin Gaspee Point and the Pawtuxet River~~ ~~Bullock's Cove~~ northward to the falls at the head of the Seekonk River (Figure 1), and the tidal portions of the Woonasquatucket and Mossashuck major rivers and streams which drain a 1500 square kilometer basin inhabited by nearly one million people north of the Fox Point Hurricane Barrier. For the purposes of this plan, it also encompasses the area bounded by the Woonasquatucket and Mossashuck rivers known as the Capital Center District, as defined in Capital Center Special Development District Design and Development Regulations.

2. Add Section 520.5: Capital Center District

A. The Capital Center District encompasses the area bounded by the Woonasquatucket and Mossashuck rivers and which is managed and regulated by the Capital Center Commission. The Capital Center Commission was established by the state in 1981 to adopt, implement and administer a plan of development for the Capital Center District. The Capital Center District includes approximately 77 acres of land.

The Capital Center Commission establishes and enforces design criteria and regulations within this special development district. In lieu of municipal project design/zoning review for development projects within the Capital Center District, Capital Center Commission performs these functions. The Commission must review and approve all development plans and improvements in conformance with its Capital Center Special Development District Design and Development Regulations.

For the purposes of implementing the Providence Harbor SAMP and for regulatory consistency between the CRMC and the Capital Center Commission, the Capital Center District and the Capital Center Special Development District Design and Development Regulations as of February 13, 2003 shall be the land use designations and review criteria of the CRMC for projects within the Capital Center District, with the following exceptions:

1. Setbacks. Minimum setback distances from the Woonasquatucket and Mossashuck rivers shall be 20 feet for the purposes of establishing/creating public access. Such access shall be dedicated for public uses by way of a deed restriction running with the land to the CRMC and shall be recorded as such in each parcel's land evidence record.

2. Coastal Buffer Zones. The provision of a minimum 20 foot setback, as above, shall also serve to meet the Council's objectives for requiring coastal buffer zones. Design plans for coastal buffer zones within these areas shall strive to provide for the multiple benefits of coastal buffer zones as outlined in Section 150 of the RICRMP.
- B. Development projects within the Capital Center District that meet the Capital Center Special Development District Design and Development Regulations and the requirements in 520.5.A.1 and 520.5.A.2 shall be reviewed as Category A applications as applicable. Development projects that propose work in tidal waters shall be reviewed as Category B applications.
- C. Development projects requesting a variance to 520.A.1 to 25% of the required setback width may be granted administratively with the concurrence of the Chairman. Requested variances in excess of 25% shall be reviewed by the full Council. Development projects that do not provide for a coastal buffer zone shall be reviewed by the full Council.

NOTICE

These changes are considered to be routine program changes to the Federally approved Coastal Resources Management Program of Rhode Island. The CRMC will be requesting that the federal Office of Ocean and Coastal Resources Management concurs with this determination. Persons who disagree that these are routine modifications may submit written comments within three weeks of the date of the issuance of this notice to:

Josh Lott
Program Specialist
Ocean and Coastal Resources Management - NOAA
SSMC4-1305 East West Highway
Silver Spring, MD 20910
and

Grover J. Fugate
Executive Director
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road
Wakefield, RI 02879

The Public Hearing will be held at the Dept. of Administration Building, 2nd floor, Conference Rooms B/C, One Capitol Hill, Providence, RI, on Tuesday, October 28, 2003, at 6:00 p.m.

Parties interested in/or concerned with the above mentioned matter are invited to be present and/or represented by counsel at the above mentioned time and place. Individuals requesting interpreter services for the hearing impaired must notify the Council office at 783-3370, 72 hours in advance of the hearing date.

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Further information may be obtained by contacting the Coastal Resources Management Council offices at 783-3370. Oral statements will be heard and recorded and statements may be submitted to hearing Officers at the time of hearing.

Signed this 19th day of September, 2003.

Grover J. Fugate, Executive Director
Coastal Resources Management Council

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