



TOWN OF SOUTH KINGSTOWN

OFFICE OF THE TOWN MANAGER

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STEPHEN A. ALFRED
TOWN MANAGER

April 28, 2011

Mr. Michael Tikoian, Chair
Coastal Resources Management Council
Oliver Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900

Dear Mr. Tikoian:

We are in receipt of the recent report by the CRMC staff entitled: "Matunuck Erosion" dated April 20, 2011. We are appreciative of the direction provided by you and the Coastal Council members at the public workshop held here at South Kingstown Town Hall on March 29, 2011 concerning this issue. Attendees at the workshop widely expressed the view that the discussion and policy intents articulated at the meeting represented a long-awaited positive step forward toward addressing this emergency situation. Your personal attention to this matter is viewed as instrumental in this regard.

My staff and I have completed an initial review of the report, with accompanying appendices, and the various recommendations contained therein. We understand the complex, difficult and unique nature of the situation and how the erosion crisis at Matunuck presents a difficult fit with the Coastal Resources Management Program's regulatory framework. We also understand the concerns expressed by the CRMC staff relative to this issue in the context of the overall management program.

Utilizing this background framework, the following comments and concerns are offered for your consideration with regard to the report contents and its various recommendations:

- While the staff report addresses the CRMC Chair's direction in very basic terms, it maintains an inflexible posture towards the real life issues presented by the Matunuck erosion emergency. As such, the emergency accommodation of wooden bulkheads comes forward with application and permitting requirements that will be difficult and time consuming for individual property owners to comply with and design conditions that may promote failure of the so-called temporary structures (i.e. prohibition of tie-back into the embankment).

- The report proposes that the temporary wooden bulkhead structures be licensed for one-year with the applicant able to procure a single six (6) month extension. It should be noted that identification of long-term shoreline protection options has been on-going for the past several years. Research has somewhat refined / narrowed those few options deemed feasible from a shoreline protection perspective. Selection of the proper shoreline protection measure, development of detailed plans, procurement of needed funding and actual construction will clearly take in excess of eighteen months to be completed. As such, the Temporary Assents issued should include a more flexible stipulation for approval extensions. We would recommend that CRMC consider amending the Temporary Assent language to allow for subsequent six-month extensions until such time as the long-term shoreline protection option is constructed.
- Inaction by choice or due to regulatory rigidity is not an acceptable outcome at Matunuck. CRMC staff raise potential worse case scenarios and issues (i.e. non-compliance with federal statutes) that may be avoided with careful planning and construction techniques.
- The report also continues to advocate previously suggested means to mitigate the crisis (i.e. soft armor, sand bags and/or burritos), when practice has indicated that such methods have failed to address the issue even for a short period of time. Property owners along the Matunuck headland have invested significant time and money to install 'soft' shoreline protection measures. As was the case at Browning's Beach, these soft techniques have been unsuccessful. Staff would recommend that Item #2 of the Temporary Assent be revised by deleting the first sentence (requirement of a 'tiered' approach).
- With regard to the argument against changing the water classification from Class 1 "Conservation Areas" to Class 2 "Low Intensity Use", the report cites Class 1 waters as including "water areas that are particularly unsuitable for structures due to their exposure to severe wave action, flooding and erosion". In this regard it might be noted that all of the structures along this coastal stretch were present well before the advent of the Coastal Resources Management Program, both nationally and in RI. It might be argued that these structures represent an historic resource area in the Village of Matunuck. Most of these structures survived the 1954 hurricane and certain of same endured the 1938 hurricane (i.e. Matunuck Breakers Cottages).
- Raising the issue of residential docks being allowed in Type 2 waters as an argument against such a consideration is without merit. Further, this argument notes that this area contains "non-water dependent" commercial structures, i.e. Ocean Mist and Tara's Joyce Family Pub. These longstanding and successful businesses are indeed dependent upon their location as a component of their success. Relocating these uses inland, if a site could be acquired and permitted, would not replicate the draw their existing sites represent.

Michael Tikoian, Chair
Coastal Resources Management Council
April 28, 2011
Page 3

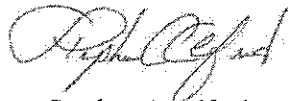
- Suggested long-term "solutions" noted in the report are comprised of beach nourishment or "inland retreat" of structures. There is no discussion of the practicality of such approaches, the costs and logistics involved, needed permitting requirements or the length of time necessary to implement such measures. Inland retreat in particular is not, in our view, practicable.
- The suggested relocation of Matunuck Beach Road is also not seen as practicable or reasonable given existing conditions, topography and other constraints.
- The report and appendices provide a good discussion of the tremendous value of the Matunuck shore area from a recreational perspective for a variety of user groups. We would agree that this is indeed the case. In this regard we would point out the obvious in that the loss of the headland and road due to unmitigated erosive forces would reduce or eliminate the accessibility of these recreational resources by all user groups.

It is suggested that the Coastal Council take the staff report under advisement. Further, in keeping with the Council's appropriate role in terms of policy determination and direction, we would respectfully suggest that the full Council require modifications to the CRMC staff's recommended actions. Specifically, the 'Conditions and Stipulations' of the Temporary Assent, must provide a reasonable, balanced and practically oriented approach to mitigate erosion at Matunuck is available until a permanent solution is determined. .

Please also note that, as discussed, the Town staff is currently working to assemble an application for a "pre-hazardous mitigation" assent to protect the right of way for Matunuck Beach Road in the affected areas. We look forward to working with the CRMC staff and Council in gaining expeditious authorization for this work.

Your continued leadership in this matter is greatly appreciated. If you have questions or comments on any aspect of this communication or wish to discuss the Matunuck situation in greater detail please so advise.

Sincerely,



Stephen A. Alfred
Town Manager

cc: Town Council