



STATE OF RHODE ISLAND
OFFICE OF THE ATTORNEY GENERAL

150 South Main Street • Providence, RI 02903
(401) 274-4400 • www.riag.ri.gov

Peter F. Neronha
Attorney General

June 6, 2025

Coastal Resources Management Council
Stedmand Government Center
4808 Tower Hill Road
Wakefield, RI 02879
cstaff1@crmc.ri.gov

RE: Quidnessett Country Club Enforcement File 23-0185

Dear Coastal Resources Management Council,

Attorney General Peter F. Neronha submits this comment in strong support of the Coastal Resources Management Council's ("CRMC" or the "Council") Enforcement Report and the staff recommendations contained therein related to the Quidnessett Country Club ("QCC") Enforcement File 23-0185 (the "Enforcement Report"). To protect Rhode Island's natural resources from further destruction for the private benefit of the few, and to restore the lateral shoreline access belonging to the State for the benefit of the public, the Council should order QCC to expeditiously remove its illegal riprap revetment, or structure comprised of stone meant to armor the shore, and other alterations to the coastline and perform all necessary restorative work in accordance with a CRMC approved plan.

The QCC has intentionally constructed the illegal structure along its shores without seeking the requisite assent from either CRMC or the United States Army Corps of Engineers ("USACOE"). QCC undertook this illegal construction, despite being fully aware of the requirement to seek CRMC approval via an assent prior to undertaking any work on its coastal lands, as evidenced by QCC's past permit and application history. *Enforcement Report* at 3. For example, in the aftermath of Super Storm Sandy in 2013, QCC applied for an assent, which was granted by the CRMC as assent A2013-03-133 ("2013 Assent"). *See Enforcement Report* at 4, Ex. 1.

That 2013 Assent permitted certain “storm erosion repairs[.]” *Id.* at 4. However, as the Enforcement Report points out, the erosion repairs actually undertaken went beyond what was allowed pursuant to the 2013 Assent, and QCC ignored requirements, such as weekly monitoring reports and submission of a final compliance report. *Id.* at 4, Ex. 1, Ex. 2, I5. The 2013 “repairs” wrongfully impeded public trust resources, and the newer illegal structure extends even further into public trust resources, piling rocks all the way into the water as shown in Figure 1.

Figure 1 -QCC Illegal Structure



The CRMC has been incredibly patient with QCC for nearly two years and has allowed them at least five bites at the apple. *See id.* at 1 (indicating that QCC has, to date, submitted five unacceptable proposed restoration plans despite clear direction and guidance from CRMC staff).

It is time for the Council to definitively and decisively act. CRMC’s good faith efforts to work with the country club have not been reciprocated, and there must be swift restoration of the property and real consequences for any continued bad faith efforts and delays that seek to protect a private golf course at the expense of the public.

As the Environmental Advocate, this Office is charged with ensuring enforcement of environmental quality standards like the ones QCC has violated here. R.I. Gen. L. § 10-20-3(d). In that capacity, we urge the Council to adopt the recommendation of its staff found in the Enforcement Report for the reasons contained therein and diligently move this matter to a resolution.

In particular, and as outlined in the staff recommendation, the CRMC has a duty to protect Rhode Island’s public trust resources, including lateral access along the shore.

Pursuant to the public-trust doctrine, “the state holds title to all land below the high water mark in a proprietary capacity for the benefit of the public.” *Town of Warren v. Thornton-Whitehouse*, 740 A.2d 1255, 1259 (R.I. 1999) (quoting *Greater Providence Chamber of Commerce v. State*, 657 A.2d 1038, 1041 (R.I.1995)) (citing *Nugent v. Vallone*, 91 R.I. 145, 152, 161 A.2d 802, 805 (1960); *Bailey v. Burges*, 11 R.I. 330, 331 (1876)); *see Champlin’s Realty Assocs., L.P. v. Tillson*, 823 A.2d 1162, 1166 (R.I. 2003) (discussing the public trust doctrine and the history of the public trust doctrine). The Rhode Island Supreme Court has stated that the “CRMC is vested with exclusive jurisdiction of development, operations and dredging activities ‘occurring below the mean high-water mark.’” *State ex rel. Town of Westerly v. Bradley*, 877 A.2d 601, 607 (R.I. 2005) (citing *Champlin’s Realty Associates, L.P.*, 823 A.2d 1162, 1169 (citing G.L. 1956 § 46-23-6(2)(ii)(A))). Moreover, Rhode Island courts have “consistently [...] acknowledged CRMC’s comprehensive and exclusive ‘responsibility for a wide array of activities taking place below the mean high-water mark, including aquaculture,

dredging, and ‘use of coastal resources which are held in trust by the state for all its citizens.’” *Id.* (further citations omitted).

As laid out in Enforcement Report, CRMC staff have been working to enforce against QCC since at least August 2023. *See Enforcement Report* at Appendix 1 (listing the “Abridged Enforcement Chronology” regarding QCC). The USACOE has also issued a Notice of Violation and thus QCC must satisfy the federal government’s requirements as well. Still, QCC has done nothing. The CRMC staff’s recommendation that the Council exercise its jurisdiction over these public trust lands to order QCC to remedy its illegal modification to Rhode Island’s coast and its encroachment onto public trust resources is not only appropriate, but necessary to ensure that this offensive and blatant disregard for the law and public trust resources is remedied.

Accordingly, CRMC should accept the recommendations provided by CRMC staff in the Enforcement Report, and QCC should be required to (1) remove the illegal riprap revetment and fill within 60 days, (2) submit an acceptable restoration plan within 30 days, and (3) restore and stabilize the site pursuant to the aforementioned restoration plan within 90 days. QCC’s pattern of continued disregard for the law and their responsibilities has gone on long enough, and swift action is necessary to protect the State’s natural resources and the public’s interests in the lateral shoreline. The Council must immediately end this game of noncompliance and delay. If swift action is not assured by the Council, further enforcement may be warranted, and the Attorney General stands ready to take any necessary and appropriate action.

Respectfully submitted,

PETER F. NERONHA
ATTORNEY GENERAL

/s/ Randelle L. Boots
Randelle L. Boots (#10026)
Special Assistant Attorney General
Environment and Energy Unit
Office of the Rhode Island Attorney General
150 South Main Street
Providence, RI 02903
(401) 274-4400
rboots@riag.ri.gov