### STATE OF RHODE ISLAND COASTAL RESOURCES MANAGEMENT COUNCIL ENFORCEMENT REPORT ADDENDUM SEPTEMBER 16, 2025

**RE:** CRMC Enforcement File 23-0185

LOCATION: Plat 167, Lot 2, 950 North Quidnessett Road, North Kingstown, RI

**OWNER:** Quidnessett Country Club, Inc.

#### A. FILE SUMMARY

On June 10, 2025, an Enforcement Hearing for an Order to Restore was held before the Coastal Council. At this Enforcement Hearing, the Coastal Council ordered Quidnessett Country Club, Inc. (QCC) to remove the unauthorized revetment of dumped stone within 120 days, then stayed the timetable to require the Quidnessett Country Club, Inc. to submit a restoration plan acceptable to staff within the following 30 days. On July 22, 2025, the Coastal Council extended the deadline for submitting a restoration plan acceptable to staff for 30 additional days. To date, a restoration plan acceptable to staff has not been submitted.

#### **B. RESTORATION PLAN REQUIREMENTS**

As per correspondence from Brian Harrington to Attorney Jennifer Cervenka dated May 22, 2024, August 2, 2024, September 3, 2024, October 11, 2024, November 22, 2024, February 25, 2025, April 10, 2025, May 9, 2025, August 8, 2025, and September 10, 2025 a restoration plan acceptable to staff requires:

- Removal of all unauthorized riprap and fill
- Nonstructural stabilization of the coastal feature
- Proposed native shrub and tree plantings, of appropriate size and density, throughout all areas of previously vegetated natural buffer zone

A plan that meets these three requirements allows QCC to come into conformance with the policies and goals of the CRMP to the maximum extent possible. To disregard any of the three requirements would allow for prohibited activities to continue on this stretch of sensitive shoreline. Staff would not support the approval of prohibited activities via the enforcement restoration process.

#### C. EVENTS POST JUNE 10<sup>TH</sup> COUNCIL MEETING

- **June 25, 2025** Meeting held between staff and QCC representatives to discuss proposed restoration.
- **July 3, 2025** Meeting held between staff and QCC representatives to discuss proposed restoration.
- Aug. 5, 2025 Proposed restoration plan received.
- **Aug. 8, 2025** Letter sent to Attorney Jennifer Cervenka indicating and detailing why proposed restoration plan is unacceptable.
- **Aug. 15, 2025** Meeting held between staff and QCC representatives to discuss proposed restoration.
- **Sept. 5, 2025** Proposed restoration plan received.
- **Sept. 10, 2025** Letter sent to Attorney Jennifer Cervenka indicating that proposed restoration plan is unacceptable.

#### D. PROGRAMMATIC INTERPRETATIONS FACILITATING RESOLUTION

### 1. The use of the blue line as the toe of the slope is the more favorable interpretation of the 2013 DiPrete Plan to QCC

Staff would like to emphasize that the adoption of the blue line is not arbitrary. The blue line is the last known permissible location of the toe of the feature, as was approved during the review of the QCC application in 2013. As such, Staff stand by the assertion that the blue line must be used as a restoration standard. Any expansion seaward of the blue line is unauthorized and does not align with the goals and policies of the CRMP.

As noted in the previous Enforcement Report, there were internal inconsistencies in the Accepted Site Plan from CRMC Assent 2013-03-133 (referred to as the DiPrete Plan.) The "bird's eye view" extent of the restoration elements did not match the extent of what the cross-section detail depicted. This is important. If the extent depicted from the bird's eye view was adhered to during construction, the toe of restoration would have ended approximately 20 feet inland of the high tide line. If the extent from the cross-section plan was followed, the toe of restoration would have ended approximately 10 feet inland of the high tide line (i.e., the blue line). What was constructed followed neither the bird's eye view nor cross-section plan from the Assent. In fact, the as-built extent of the restoration was *seaward* of the high tide line at all points (i.e., what QCC now represents as the magenta line).



Note the bird's eye view extent (red) is farthest inland. The extent that would have been achieved if the 2H:1V slope from the cross-section view was followed (dark blue) is still inland of the high tide line (light blue). The as-built extent (magenta) is farther seaward than either interpretation of the DiPrete Plan and was built out of compliance with Assent 2013-03-133.

The adoption of the blue line as a restoration standard inherently includes several concessions to QCC. The blue line is the more liberal interpretation of the DiPrete Plan, as it depicts the area that would have been impacted if the cross section depicting a restored 2H:1V slope was accurately adhered to. At all points, the blue line is farther seaward than what was depicted in the spatial extent of the site plan.

#### 2. Erosion has occurred since 2013

Staff have consented to the use of the blue line as the seaward extent of the toe of slope. As the blue line is the last authorized location of the toe, the use of the blue line does not account for changes to the toe of slope that have happened since the creation of the DiPrete Plan. QCC has self-reported erosion of the site since 2013, including photos of erosion in the winter of 2022/2023 submitted in the June 10, 2025 CRMC Prehearing memorandum. Average shoreline change rates for this area range from 1.4 to 1.9 feet per year (CRMC Shoreline Change Transects 1799-1802), which is less than the state average. In the 12 years since the 2013 plan, it would be reasonable to expect up to 16 feet of further erosion. However, this is a prediction based off an average, and there is no real data available to

verify the exact location of the toe prior to the unauthorized rock dumping. As such, Staff are using the best available information, which is the blue line derived from the DiPrete Plan. This allows QCC to reset to the state of the shoreline in 2013.

#### 3. Lateral access is likely to be impacted

Staff have been willing to provide some concessions regarding lateral access. The CRMP has specific regulations that prioritize lateral access along the shore; in regards to projects that may impact access, "it is the Council's policy to require applicants to provide, where appropriate, on-site access of a similar type and level to that which is being impacted as the result of a proposed activity or development project" (§1.3.6(A)(3)). Additionally, since the passage of the recent lateral access legislation that allows for access up to 10 feet inland of the most recent high tide line (R.I. Gen Laws § 46-23-26), it has been the administrative policy of the Agency to ensure that any new work along the coastline does not interfere with lateral access. As such, to comply with both State Law and policy, new work is generally required to not interfere with any portions of passable shore that are 10 feet inland of the recent high tide line. The proposed blue line does not always meet the 10 feet statute – at times, it is approximately 7 feet inland of the 2022 high tide line. However, it is Staff opinion that the blue line, as it was previously approved, would still provide access of "a similar type and level" to what was available prior to the unauthorized dumping of stone.

#### 4. Slope standards have been relaxed to account for existing upland uses

Staff have been willing to accept a plan with a restored slope that exceeds programmatic standards along approximately 200 feet of the northern shoreline. The shallower slope a coastal bank has, the more stable the slope will be from erosion via undercutting (i.e., waves attacking the base and face), and mass wasting (i.e., slumping of the slope due to gravity). The risks of steeper slopes have directly informed the slope standards in the CRMP for earthwork (maximum slope of 3H:1V) and nonstructural shoreline protection (maximum slope of 2H:1V) (§1.3.1(B)(3)(a)(1), §1.3.1(G)(5)(h)). The slope requirement is best met by cutting into a coastal bank and reconfiguring the upland (§1.3.1(B)(3)(a)(6)). In the meetings held between QCC and CRMC Staff, representatives from QCC have repeatedly stated an unwillingness to grade inland at a 2H:1V slope starting from the blue line in an area approximately 200 feet in length at the northern section of the shoreline. The slope and toe location requirements may require portions of the course to undergo minor alterations, and QCC has stated their primary concern is to not alter the golf course configuration.

A steeper slope in the most northern portions of the shoreline would allow QCC to create a restoration plan that achieves a toe of slope that in a permissible location (i.e., the blue line), has minor impacts to lateral access (i.e., inland of the high tide line), and minimizes impacts

to the current use of the upland areas. QCC has shown willingness to construct a shallower slope of 2H:1V on the southern portions of the shoreline, where alterations to the course configuration would not be needed.

#### 5. Novel technologies can be entertained

Staff have consistently expressed to QCC a willingness to consider alternative technologies to stabilize the shoreline following removal of the unauthorized revetment. Plans submitted on August 5, 2025 and September 5, 2025 proposed the use of a TrapBag® system and are contrary to staff guidance. Per the provided specifications, trapbags are a "geotextile cellular barrier system constructed from multi-layer, heavy duty, permeable polypropylene fabric" (Addendum Attachments 1 and 3). The only type of shoreline protection permitted on Type 1 waters is **nonstructural** shoreline protection (§1.3.1(G)(3)(a)). Nonstructural shoreline protection is defined as "practices that use only native or sustainable vegetation and biodegradable materials... the purpose or effect of which is to reduce the erosion of coastal features" (§1.1.2(97)). The polypropylene fabric proposed is plastic and non-biodegradable, is not a form of nonstructural shoreline protection, and is not in compliance with the CRMP.

Again, QCC has been seemingly unwilling to pursue a nonstructural shoreline protection system. In the August 16, 2024 letter to CRMC (see June 10, 2025 Enforcement Report Appendix J.2), QCC stated "the large-scale non-structural shoreline protection installed by the Club in 2013 has failed to protect the Club's golf course from rapid erosion, even with annual maintenance... Due to the shoreline's highly erosive conditions, there is no non-structural design that will provide true stabilization of the bluff." Staff note that no post-construction surveys were ever received by QCC, nor were any Maintenance Certification applications ever filed to repair the nonstructural shoreline stabilization.

It is not a goal of the CRMP to stop erosion; rather, the CRMP repeatedly acknowledges that erosion must be managed in a balanced approach that considers both the provenance and final destination of the eroded sediment (§1.1.2(97), §1.2.2(D)(1)(f), §1.2.2(D)(1)(h)). As such, any reduction in the average erosion rate (1.4-1.9 feet per year) would be considered a successful application of nonstructural shoreline protection. The system installed was out of conformance with the Accepted Site Plan and installed below the high tide line. It is Staff opinion that nonstructural shoreline protection systems such as coir logs function best when located as far inland from the high tide line as possible, constructed on as shallow of a slope as possible (with an ideal of 3H:1V) (Shoreline Change Special Area Management Plan, §7.2.6(6)).

#### E. QCC's FAILURE TO COMPLY WITH THE COUNCIL'S JUNE 10<sup>TH</sup> ORDER

Since this violation was issued over two (2) years ago, seven (7) proposed restoration plans have been submitted and rejected. Staff have consistently and repeatedly explained programmatic policies and prohibitions that preclude approval of each iteration of proposed restoration plans.

QCC has failed to submit a plan that utilizes the blue line as the seaward extent of the toe. Plans continue to propose structural components, which are prohibited on Type 1 shores. Plans have not shown complete planting plans for the bluff and buffer zones. Even amidst delays and an extension, QCC has failed to provide a restoration plan that is acceptable to Staff, in accordance with the Council's June 10<sup>th</sup> Order, and compliant with the goals and policies of the CRMP.

Furthermore, on September 9, 2025, QCC filed a complaint in Providence/Bristol County Superior Court for declaratory judgement and other relief against the CRMC (Case Number PC-2025-04735). In the Complaint, QCC filed a petition for rule change to allow structural shoreline protection methods, and claim "it is apparent that no-nonstructural design will stabilize the area adjacent to the shoreline."

Staff conclude that not only did the QCC deliberately, willfully, and knowingly violate CRMC regulations by installing an unauthorized revetment of dumped stone over 600 feet in length, but also does not intend to comply with the Council's Order to Restore.

#### F. RECOMMENDATION

Staff recommend that the Council direct CRMC Legal Counsel to pursue all appropriate enforcement actions to enforce the Order to Restore.

#### G. ADDENDUM ATTACHMENTS

- 1. Letter from attorney Jennifer Cervenka, dated August 5, 2025
- 2. Coastal Restoration Plan, dated August 4, 2025
- 3. Letter to Quidnessett Country Club, Inc., dated August 8, 2025
- 4. Letter from attorney Jennifer Cervenka, dated September 5, 2025
- 5. Coastal Restoration Plan, dated September 4, 2025
- **6.** Letter to Quidnessett Country Club, Inc., dated September 10, 2025



Jennifer R. Cervenka (401) 480-8768 jcervenka@cgdesq.com

August 5, 2025

#### VIA EMAIL ONLY

Brian A. Harrington
Environmental Scientist III
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900
bharrington@crmc.ri.gov

Re: Quidnessett Country Club, Inc. ("QCC") – Cease & Desist Order, Notices of Administrative Fines, CRMC Enforcement File No. 23-0185 – Coastal

Postoretion Diag

Restoration Plan

#### Dear Mr. Harrington:

Enclosed please find QCC's Coastal Restoration Plan dated August 4, 2025, which proposes the installation of a 1:1, soft shoreline protection facility using a geotextile cellular barrier system (manufactured by TrapBag), with beach sand and plantings. The shoreline protection system will remain behind the so-called "blue line" (the CRMC's preferred toe of berm line) along the southern half of the bluff, and between the blue line and magenta line (previously authorized by the CRMC's 2013 emergency assent) for the northern half of the bluff. Notwithstanding the restoration line depicted on this plan, QCC continues to believe that restoration is authorized to the extent of the magenta line, and by submission of this plan, QCC does not waive its argument that restoration to the magenta line was approved by the agency as part of the 2013 emergency assent.

At the Council meeting on July 22, 2025, staff stated their view that TrapBags are "structural" in that the bags are made of geotextile material. However, we note that such material is not listed as a type of prohibited "structure" in the CRMP's definition of "structural shoreline protection", and is not akin to "revetments, bulkheads, seawalls, groins, breakwaters, [or] jetties". CRMP, 650- RICR-20-00-1.1.2 (155). Indeed, coastal regulators in Florida, Illinois (Chicago), and New York have classified the TrapBag system

as soft protection that absorbs, rather than reflects, wave action. As you know, biodegradable envelope materials are not suitable to stabilize this shoreline, having been tried without success for the last thirty years. Use of living shorelines in high wave energy environments is simply not appropriate. *See* NOAA's Guidance for Considering the Use of Living Shorelines (2015).

Given the above, we hope that the agency will view the proposed restoration plan as an acceptable resolution to the pending enforcement action. This plan is submitted subject to QCC's reservation of rights to seek relief from the order of the Council issued June 10, 2025, as modified on July 22, 2025, as part of the pending administrative appeal, *Quidnessett Country Club v. CRMC et al.*, PC-2025-03672.

Sincerely,

Jennifer R. Cervenka

#### Enclosure

cc: Janice Mathews, QCC
Robin L. Main, Hinkley Allen
Sergio F. Cherenzia, PE, Cherenzia & Associates, Ltd.
Joseph Klinger, Ecotones, Inc.
Joshua Rosenberg, PE, RMA Environmental, LLC
Anthony DeSisto, CRMC Chief Legal Counsel
Jeffrey M. Willis, CRMC Executive Director
Elizabeth Waterhouse, ACOE

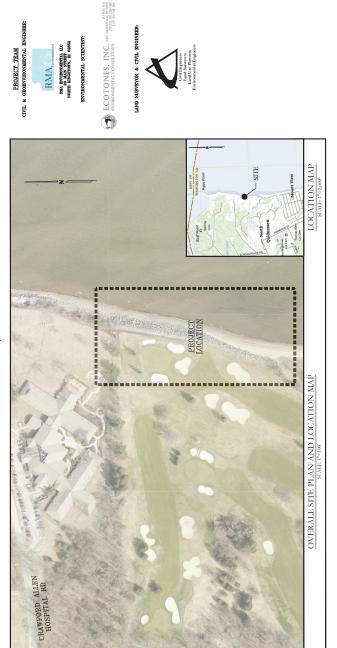
# SITE DEVELOPMENT PLANS COASTAL RESTORATION

NORTH KINGSTOWN, RHODE ISLAND 950 NORTH QUIDNESSETT ROAD PLAT 167 LOT 2

ISSUED FOR PERMITTING

QUIDNESSETT COUNTRY CLUB INC. PREPARED FOR

DATE ISSUED: AUGUST 4, 2025



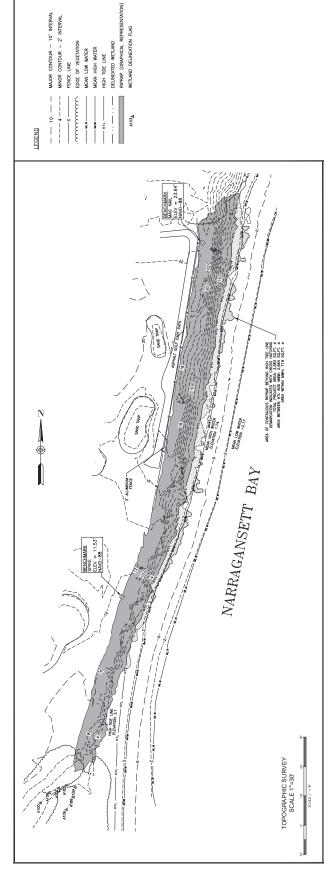


ENVIRONMENTAL SCIENTIST: RMA ENVIRONMENTAL LLC 20 MAIN STREET NORTH KINGSTOWN, RI 02852 RMA



ISSUED FOR REGULATORY REVIEW ONLY - NOT FOR CONSTRUCTION QUIDNESSETT COUNTRY CLUB INC COASTAL RESTORATION PLAN QUIDNESSETT COUNTRY CLUB 950 NORTH QUIDNESSETT ROAD PLAT 167 LOT 2 NORTH KINGSTOWN, RHODE ISLAND





LOCATION MAP

CHERENZIA
& ASSOCIATES, LTD.

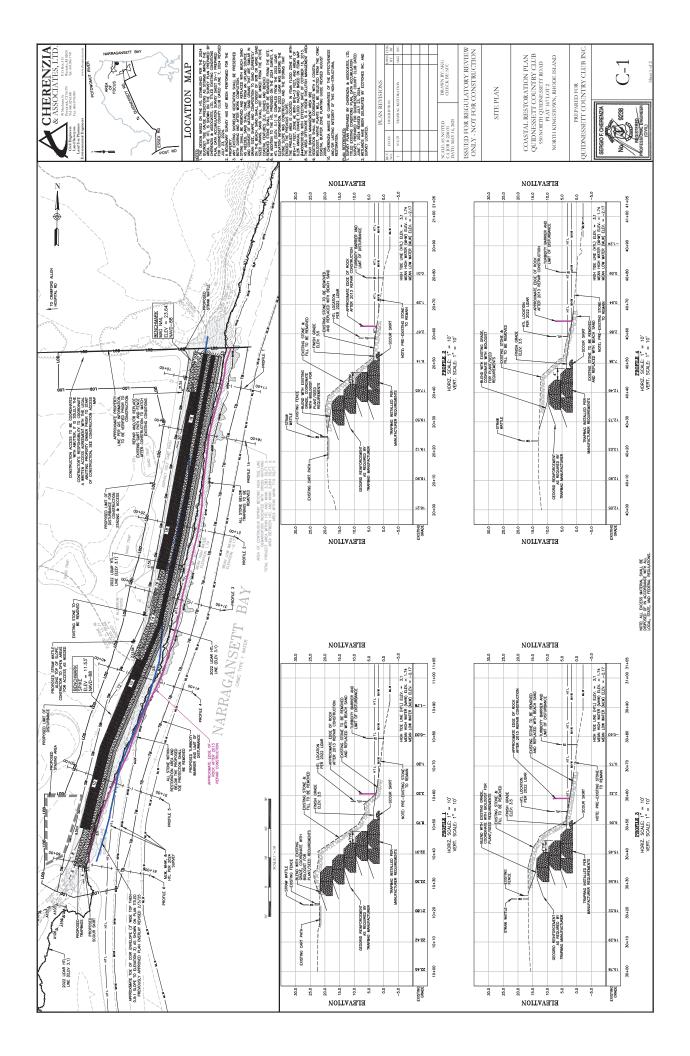
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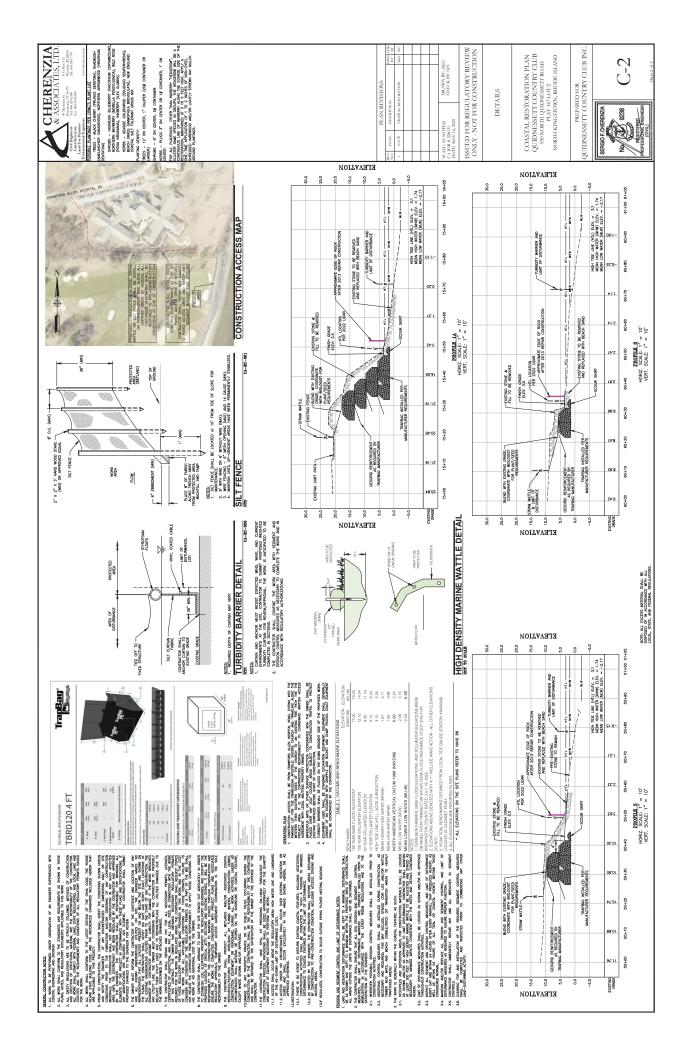
980 NORTH QUIDNESSETT ROAD PLAT 167 LOT 2 NORTH KINGSTOWN, RHODE ISLAND PREPARED FOR QUIDNESSETT COUNTRY CLUB DRAWN BY: JF CHECKED BY: MAC EXISTING CONDITIONS PLAN DATA ACCUMULATION SURVEY No. 2511 MARK A. CASTELLANOS PROFESSIONAL LAND SURVEYOR SCALE: 1"=20" CA JOB #224031 DATE: JUNE 7, 2024 MEAN HIGH WITER AND MEAN LOW WATER ELEMATIONS WERE INTERPOLATION TO THE STATIONS OF SEASONS (CONCILORING) THOSE WAS AND SEASONS (CONCILORING) THOSE THOSE SEASONS (CONCILORING) THOSE THOSE SEASONS OF THE PREDICTION OF THE ZOXA-CALEDING WAS AND SEASONS OF RESEASONS OF PREDICTION OF THE ZOXA-CALEDING SEASONS OF SEASONS OF STATION GOORSET. 1. ELEATIONS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL ANNUAL DERIVED FROM ANNO DESERVATIONS UTILIZING THE COTOT ACCION THE NETWORN WITH CORS TO RETERENCE "URIL"; KINGSTON, RI. & GEOD MODEL GEODIFIC. THIS SUREY HAS BEEN CONDUCTED AND THE PLAN HAS BEEN PERMEATED THE STATE OF THE RILLS AND REDUTATIONS. ADDRESS HAD STATE BOARD OF STATES AND RESISTANCING FOR PROFESSIONAL LAND SURFECHES ON NOVEMBER 25, 2015, AS FOLLOWS: THE PLAROSE FOR THE CONDUCT OF THE SIRREY AND THE PREPARATION OF THE THAN IS TO SHOW EXISTING CONDITIONS OF THE SUMLY, SHOW MERCON.

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INFORMATION GATHERED FROM FIELD SURVEYS CONDUCTED BY
CHERENZIA & ASSOCIATES, LTD ON 05/14/24, 06/03/24,
07/17/24. PLS #2511 TYPE OF SURVEY:
MEASUREMENT SPECIFICATION:
DATA ACCUMULATION-PLANIMETRICS
TOPOGRAPHY MARK A. CASTELLANOS PL PRINTED PLS NAME & LICENSE NO. LS.000A133-COA CERTIFICATION: BENCHMARK MAG NAIL ELEV = 23.64' NAVD-88

NARRAGANSETT BAY

ORTHOMOSIAC SCALE 1"=30' IMAGE DATE JULY 17, 2024





#### State of Rhode Island Coastal Resources Management Council Oliver H. Stedman Government Center 4808 Tower Hill Road, Suite 3 Wakefield, RI 02879-1900

(401) 783-3370 Fax (401) 783-2069

August 8, 2025

#### Sent Via Email

Quidnessett Country Club, Inc. PO Box 860 East Greenwich, RI 02818

RE: CRMC Cease & Desist Order 23-0185, dated August 28, 2023 Plat 167, Lot 2, 950 North Quidnessett Road, North Kingstown

Dear Attorney Cervenka,

On August 28, 2023, Quidnessett Country Club, Inc. was issued CRMC Cease & Desist Order 23-0185, for undertaking unauthorized construction of a rip-rap revetment on a coastal feature, cutting of vegetation on a coastal feature, and filling of tidal waters without benefit of a CRMC assent.

At the Enforcement Hearing held on June 10, 2025, the Coastal Council ordered Quidnessett Country Club Inc. to remove the unauthorized revetment of dumped stone within 120 days, then stayed that timetable to require Quidnessett Country Club Inc. to submit a restoration plan acceptable to staff within the following 30 days. On July 22, 2025, a status conference was held before the Coastal Council. At this status conference the Coastal Council granted a 30-day extension to submit a restoration plan acceptable to staff.

As per my letters to you dated May 22, 2024, August 2, 2024, October 11, 2024, November 22, 2024, February 25, 2025, & May 29, 2025, a restoration plan acceptable to staff requires stabilizing the site using nonstructural means and must include the following:

- Removal of all unauthorized riprap and fill.
- The "toe of berm" be no further seaward than the blue line labeled, "approximate toe of coir envelope" as shown on the plan titled "Previous Approved Plan Overlay", dated revised February 3, 2025.
- Deep rooted native vegetation of appropriate size and density throughout all areas of previously vegetated natural buffer zone.

On August 5, 2025, you submitted a letter and a plan titled "Coastal Restoration Plan", dated August 4, 2025, by Cherenzia & Associates, LTD. This plan is unacceptable for the following reasons:

- The plan proposes a geotextile cellular barrier system (manufactured by Trapbag)". This system does not meet the definition of "nonstructural shoreline protection" (see 650-RICR-20-00-1.1.2(97)).
- New structural shoreline protection is prohibited on shorelines abutting Type 1 waters (see 650-RICR-20-00-1.3.1(G)(3)(a)).
- The "toe of berm" extends seaward of the blue line labeled, "approximate toe of coir envelope" as shown on the plan titled "Previous Approved Plan Overlay", dated revised February 3, 2025.

Quidnessett Country Club, Inc. August 8, 2025 Page Two

• The plan does not propose deep rooted native vegetation of appropriate size and density throughout all areas of previously vegetated natural buffer zone.

As per the Council's decision at the July 22, 2025 meeting, a plan acceptable to staff must be submitted by August 21, 2025. Failure to do so will result in the matter being referred back to the Council for further action.

Sincerely,

Brian A. Harrington, Environmental Scientist III Coastal Resources Management Council

#### /bah

#### cc via email:

- Janice Matthews, Quidnessett Country Club
- Robin Main, Esq, Hinckley Allen
- Jeffrey Willis, Executive Director, CRMC
- Laura Miguel, Deputy Director, CRMC
- Anthony DeSisto, Esq., Legal Counsel
- Mark Hartmann, Esq., Asst Legal Counsel



Jennifer R. Cervenka (401) 480-8768 jcervenka@cgdesq.com

September 5, 2025

#### VIA EMAIL ONLY

Brian A. Harrington
Environmental Scientist III
Coastal Resources Management Council
Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, RI 02879-1900
bharrington@crmc.ri.gov

Re: Quidnessett Country Club, Inc. ("QCC") – Cease & Desist Order, Notices of Administrative Fines, CRMC Enforcement File No. 23-0185

#### Dear Mr. Harrington:

On August 4, 2025, OCC submitted a Coastal Restoration Plan proposing installation of a 1:1, soft shoreline protection facility, using a geotextile cellular barrier system manufactured by TrapBag. Following comments received from you by letter dated August 8, 2025, QCC and CRMC met on August 15, 2025. At that meeting, Executive Director Willis requested that QCC consider modifying its plan by moving the 14<sup>th</sup> hole cart path back from the bluff. Thereafter, QCC engaged its golf course architect to review options for relocating the path and some adjacent features. A reconfiguration of that area of the course was staked out and reviewed in the field by QCC and its experts. QCC invited Director Willis to visit the site to examine and provide feedback on the staked areas, which he declined. Notwithstanding, following the field verification, our engineer prepared the enclosed revised Coastal Restoration Plan. The plan changes show the cart path moved between 9 and 17 feet back from the bluff, reduced and/or reconfigured sand traps, and a shortened tee box for the 15<sup>th</sup> hole. These modifications allow for a new 2:1 slope, which aligns with the shoreline to the north abutting the Bay View Rehabilitation facility. To push the slope further back would expose the southern end of the Bay View shoreline, making it vulnerable to increased coastal erosion. The proposed 2:1 slope meets CRMC's standards and is consistent with the slope specification approved by the agency in 2013.

Sincerely,

Jennifer R. Cervenka

cc: Janice Mathews, QCC Robin Main, Esq.

Sergio Cherenzia, Cherenzia & Associates Ltd Timothy Gerrish, Gardner and Gerrish, LLC Anthony DeSisto, CRMC Chief Legal Counsel Jeffrey M. Willis, CRMC Executive Director

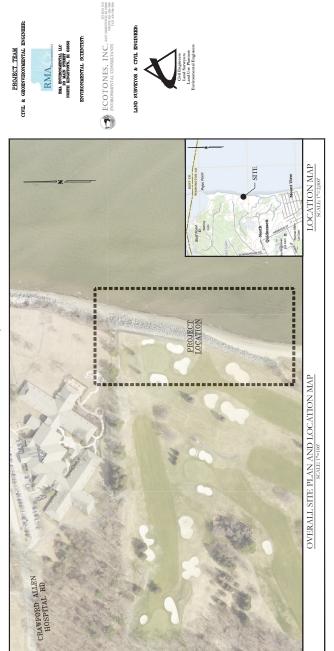
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ISSUED FOR PERMITTING

QUIDNESSETT COUNTRY CLUB INC. PREPARED FOR

DATE ISSUED: SEPTEMBER 4, 2025







SNVIRONMENTAL SCIENTIST: RMA ENVIRONMENTAL LLC 20 MAIN STREET NORTH KINGSTOWN, RI 02852 RMA

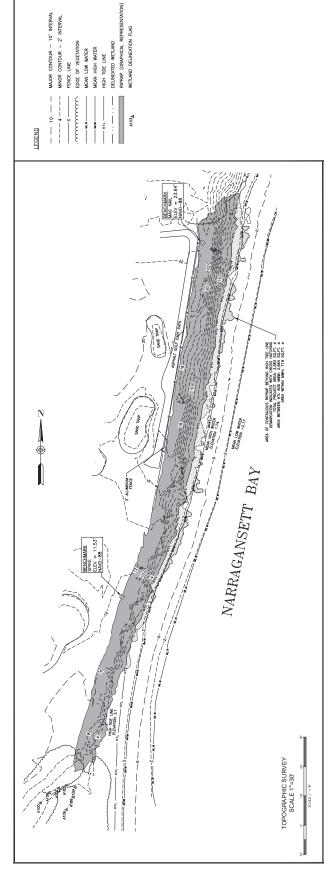




ISSUED FOR REGULATORY REVIEW ONLY - NOT FOR CONSTRUCTION QUIDNESSETT COUNTRY CLUB INC

COASTAL RESTORATION PLAN QUIDNESSETT COUNTRY CLUB 950 NORTH QUIDNESSETT ROAD PLAT 167 LOT 2 NORTH KINGSTOWN, RHODE ISLAND





LOCATION MAP

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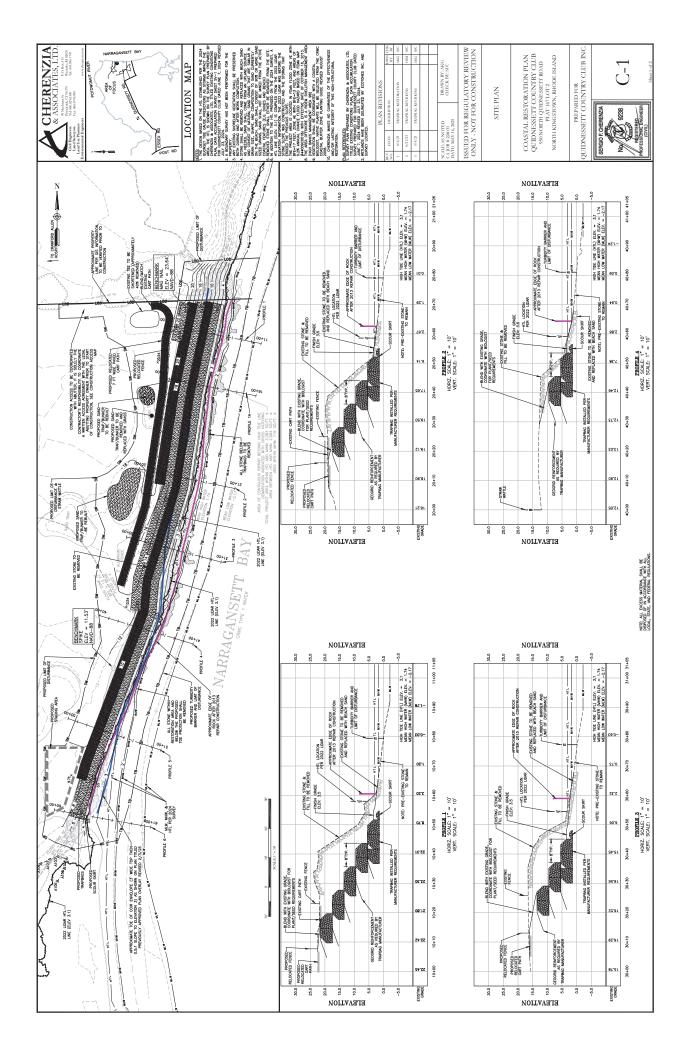
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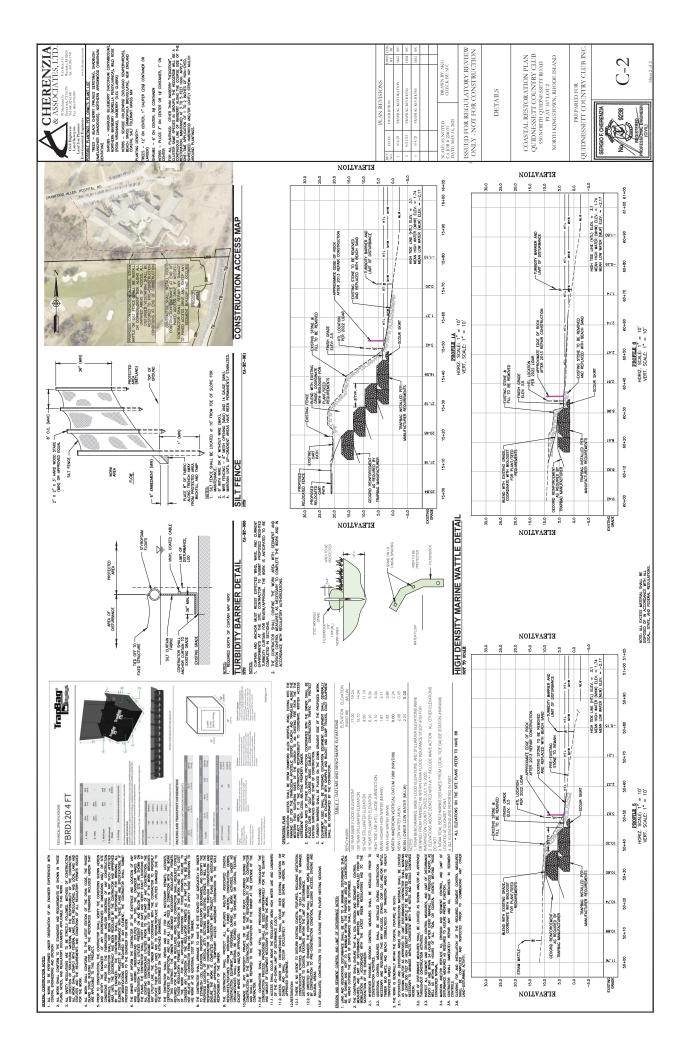
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(401) 783-3370 Fax (401) 783-2069

September 10, 2025

#### Sent Via Email

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RE: CRMC Cease & Desist Order 23-0185, dated August 28, 2023 Plat 167, Lot 2, 950 North Quidnessett Road, North Kingstown

Dear Attorney Cervenka,

On August 28, 2023, Quidnessett Country Club, Inc. was issued CRMC Cease & Desist Order 23-0185, for undertaking unauthorized construction of a rip-rap revetment on a coastal feature, cutting of vegetation on a coastal feature, and filling of tidal waters without benefit of a CRMC assent.

At the Enforcement Hearing held on June 10, 2025, the Coastal Council ordered Quidnessett Country Club, Inc. to remove the unauthorized revetment of dumped stone within 120 days, then stayed that timetable to require Quidnessett Country Club Inc. to submit a restoration plan acceptable to staff within the following 30 days. On July 22, 2025, a status conference was held before the Coastal Council. At this status conference the Coastal Council granted a 30-day extension to submit a restoration plan acceptable to staff.

As per my letters to you dated May 22, 2024, August 2, 2024, October 11, 2024, November 22, 2024, February 25, 2025, May 29, 2025, & August 8, 2025, a restoration plan acceptable to staff requires stabilizing the site using nonstructural means and must include the following:

- Removal of all unauthorized riprap and fill.
- The "toe of berm" be no further seaward than the blue line labeled, "approximate toe of coir envelope" as shown on the plan titled "Previous Approved Plan Overlay", dated revised February 3, 2025.
- Deep rooted native vegetation of appropriate size and density throughout all areas of previously vegetated natural buffer zone.

On August 5, 2025, you submitted a letter and a plan titled "Coastal Restoration Plan", dated August 4, 2025, by Cherenzia & Associates, LTD. On August 8, 2025, you were sent a letter stating that the plan was unacceptable for the following reasons:

- The plan proposes a geotextile cellular barrier system (manufactured by Trapbag)". This system does not meet the definition of "nonstructural shoreline protection" (see 650-RICR-20-00-1.1.2(97)).
- New structural shoreline protection is prohibited on shorelines abutting Type 1 waters (see 650-RICR-20-00-1 .3. l(G)(3)(a)).
- The "toe of berm" extends seaward of the blue line labeled, "approximate toe of coir envelope" as shown on the plan titled "Previous Approved Plan Overlay", dated revised February 3, 2025.
- The plan does not propose deep rooted native vegetation of appropriate size and density throughout all areas of previously vegetated natural buffer zone.

Quidnessett Country Club, Inc. September 10, 2025 Page Two

On September 5, 2025, you submitted a letter and a plan titled "Coastal Restoration Plan", revised September 5, 2025, by Cherenzia & Associates, LTD. This plan again fails to address any of the restoration criteria as previously listed and is again unacceptable for the same reasons as the August 4, 2025, plan:

- The plan proposes a geotextile cellular barrier system (manufactured by Trapbag)". This system does not meet the definition of "nonstructural shoreline protection" (see 650-RICR-20-00-1.1.2(97)).
- New structural shoreline protection is prohibited on shorelines abutting Type 1 waters (see 650-RICR-20-00-1 .3. I(G)(3)(a)).
- The "toe of berm" extends seaward of the blue line labeled, "approximate toe of coir envelope" as shown on the plan titled "Previous Approved Plan Overlay", dated revised February 3, 2025.
- The plan does not propose deep rooted native vegetation of appropriate size and density throughout all areas of previously vegetated natural buffer zone.

Per the Council's decision at the July 22, 2025, meeting, a plan acceptable to staff was required to be submitted by August 21, 2025, and to date the CRMC has yet to receive a restoration plan acceptable to staff. Therefore, this matter will be scheduled before the Coastal Council at the earliest available date, for further consideration.

Sincerely,

Brian A. Harrington, Environmental Scientist III Coastal Resources Management Council

#### /bah

cc via email:

- Janice Matthews, Quidnessett Country Club
- Robin Main, Esq, Hinckley Allen
- Jeffrey Willis, Executive Director, CRMC
- Laura Miguel, Deputy Director, CRMC
- Anthony DeSisto, Esq., Legal Counsel
- Mark Hartmann, Esq., Asst Legal Counsel