

The following revisions were duly adopted by the CRMC at its June 8, 2004 meeting.

* Changes, if any, that were made at the meeting are noted in **RED**. *

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 changes are proposed:

Rhode Island Coastal Resources Management Program
Section 300.14 Maintenance of Structures

Revise Section 300.14.B.5 as follows:

5. Many structures under Council jurisdiction predate the Council and were not permitted by Council Assent when originally constructed. Persons proposing maintenance or repair activities on such structures shall be required to obtain a Certification of Maintenance, meet relevant standards of this program, or obtain a Council Assent, as determined by the Council's Executive Director.

(A) Persons proposing to (a) demolish structures, (b) repair structures which have been physically destroyed 50 percent or more as a result of storm induced flooding, wave, or wind damage, and (c) repair structures which have been destroyed 50 percent or more by fire shall be required to submit an application and meet the current programmatic requirements.

(B) Persons proposing to maintain any structure, including utilities, in or adjacent to Type 4, 5 or 6 waters that predate the Council's jurisdiction (circa 1971) may be required to perform a fitness for purpose analysis and certification. Applicants are referred to the Council's program document *Guidelines for Fitness of Purpose Investigations and Certifications* for direction.

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 Manager
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 in the Boardroom, Narragansett Bay Commission, One Service Road, Providence, RI, on Tuesday, June 8, 2004, 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.

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 28th day of April, 2004.

Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

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