

State of Rhode Island and Providence Plantations

COASTAL RESOURCES MANAGEMENT COUNCIL
NOTICE OF

ASSENT

CRMC Assent No.: W2011-11-056 Date: March 28, 2012

This certifies that Town of Narragansett
has permission to conduct invasive species management and install restorative plantings around Lake Canonchet.

situated at Boston Neck Road
Plat No. _____ Lot No. _____

Said construction operations to be done in accordance with an approved assent on file in the Offices of the Coastal Resources Management Council and subject further to all the provisions of the building ordinances of the :

City/Town of _____
Narragansett

and to all the applicable State, Local and Federal provisions. This assent shall expire July 1, 2016.

Kathleen Cabuto
Official Designee
Coastal Resources Management Council

**THIS CARD MUST BE DISPLAYED IN A CONSPICUOUS PLACE ON THE PREMISES.
FAILURE TO DISPLAY WILL RESULT IN LEGAL ACTION.**



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

COASTAL RESOURCES MANAGEMENT COUNCIL

Oliver H. Stedman Government Center
4808 Tower Hill Road, Suite 3
Wakefield, R.I. 02879-1900

(401) 783-3370
FAX: (401) 783-3767

ASSENT

CRMC File No: 2011-11-056

CRMC Assent No. W2011-11-056

Whereas,
of

Town of Narragansett
Narragansett Town Hall
25 Fifth Avenue
Narragansett, RI 02882

has applied to the Coastal Resources Management Council for assent to: conduct invasive species management and install restorative plantings around Lake Canonchet; as shown on the approved plans, and hereby represents that they are the owners of any rights attached to the property involved and submitted plans of the work to be done.

Now, said Council, having fully considered said application in accordance with all the regulations as set forth in the Administrative Procedures Act does hereby authorize said applicant, subject to the provisions of Title 46, Chapter 23 of the General Laws of Rhode Island, 1956, as amended, and all laws which are or may be in force applicable thereto: **conduct invasive species management and install restorative plantings around Lake Canonchet;; located at Boston Neck Road, Narragansett, RI** in accordance with said plans submitted to this Council and approved by this Council. In accordance with revisions to RIGL 46-23-6.3 Expiration Tolling Periods (as amended effective June 8, 2011), all work being permitted must be completed on or before **July 1, 2016** after which date this assent is null and void, (unless written application requesting an extension is received by CRMC sixty (60) days prior to expiration date).

Applicant agrees that as a condition to the granting of this assent, members of the Coastal Resources Management Council or its staff shall have access to applicant's property to make on-site inspections to insure compliance with the assent.

Licensee shall be fully and completely liable to State, and shall waive any claims against State for contribution or otherwise, and shall indemnify, defend, and save harmless State and its agencies, employees, officers, directors, and agents with respect to any and all liability, damages (including damages to land, aquatic life, and other natural resources), expenses, causes of action, suits, claims, costs (including testing, auditing, surveying, and investigating costs), fees (including attorneys' fees and costs), penalties (civil and criminal), and response, cleanup, or remediation costs assessed against or imposed upon Licensee, State, or the Property, as a result of Licensee's control of the Property, or Licensee's use, disposal, transportation, generation and/or sale of Hazardous Substances or that of Licensee's employees, agents, assigns, sublicensees, contractors, subcontractors, permittees, or invitees.

Nothing in this assent shall be construed to impair the legal rights of this granting authority or of any person. By this assent the granting authority by no manner, shape, or form assumes any liability or responsibility implied, or in fact, for the stability or permanence of said project; nor by this assent is there any liability implied or in fact assumed or imposed on the granting authority. Further, the granting authority by its representatives or duly authorized agents shall have the right to inspect said project at all times including, but not limited to, the construction, completion, and all times thereafter.

This Assent is granted with the specific proviso that the construction authorized therein will be maintained in good condition by the owner thereof, his heirs, successors, or assigns.

Permits issued by the CRMC are issued for a finite period of time, confer no property rights, and are valid only with the conditions and stipulations under which they are granted. Permits imply no guarantee of renewal, and may be subject to denial, revocation, or modification.

If this matter appeared before the full Council, a copy of the legal decision from this proceeding may be acquired by contacting the CRMC office in writing.

A copy of this Assent shall be kept on site during construction.

Application for future construction or alteration within the CRMC jurisdiction shall be submitted to the CRMC for review prior to commencing such activity.

All applicable policies, prohibitions, and standards of the RICRMP shall be upheld.

All local, state or federal ordinances and regulations must be complied with.

Please be advised that as a further conditions of this Assent, it is hereby stipulated that you and/or your agents shall comply at all times with Federal and State Water Quality Standards and other State standards and regulations regarding water quality, and shall exercise such supervision over and control of these facilities to prevent the dumping or discarding or refuse, sanitary wastes and other pollutants in tidal and/or fresh waters, either from vessels docked at said facilities or from land adjacent thereto.

No work that involves alteration to wetlands or waters of the United States, shall be done under this Assent until the required Federal Permit has been obtained.

Non-compliance with this assent shall result in legal action and/or revocation of this permit.

CAUTION:

The limits of authorized work shall be only for that which was approved by the CRMC. Any activities or alterations in which deviate from the approved plans will require a separate application and review. If the information provided to the CRMC for this review is inaccurate or did not reveal all necessary information or data, then this permit may be found to be null and void. Plans for any future alteration of the feature or construction or alteration within the jurisdiction of the CRMC must be submitted for review to the CRMC prior to commencing such activity.

ATTENTION: AS APPLICABLE, ALL STRUCTURES AND FILLED AREAS IN THE TIDAL, COASTAL, OR NAVIGABLE WATERS OF THE STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS ARE SUBJECT TO:

1. The Superior Property Rights of the State of Rhode Island and Providence Plantations in the Submerged and Submersible Lands of the Coastal, Tidal, and Navigable Waters;
2. The Superior Navigation Servitude of the United States;
3. The Police Powers of the State of Rhode Island and the United States to regulate Structures in the Tidal, Coastal, or Navigable Waters.

THE SUBMERGED AND SUBMERSIBLE LANDS OF THE TIDAL, COASTAL, AND NAVIGABLE COASTAL WATERS OF THE STATE ARE OWNED BY THE STATE AND HELD IN TRUST FOR THE PUBLIC. CONVEYANCE OF THESE LANDS IS ILLEGAL; TITLES PURPORTING TO TRANSFER SUCH LANDS ARE VOID. ASSENTS THAT INVOLVE THE FILLING OR USE OF THE STATES SUBMERGED LANDS ARE GRANTED WITH THE PROVISIO THAT IT IS SUBJECT TO THE IMPOSITION OF A USAGE FEE TO BE ESTABLISHED BY THE COASTAL RESOURCES MANAGEMENT COUNCIL.

SPECIFIC STIPULATIONS OF APPROVAL

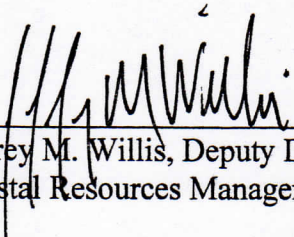
General Stipulations

- A. For the purpose of this permit, the coastal feature shall be the pond and associated wetland; and the inland edge of the coastal feature shall be the inland edge of the pond and associated wetland.
- B. No earthwork is authorized by this permit.
- C. This permit allows the removal of invasive species only. No native vegetation is to be altered.
- D. The applicant is required to notify CRMC (783-3370, Sean Feeley) at each phase of the project for an on-site consultation and compliance inspection.
- E. Plantings shall be required in areas where a healthy native plant community is not present after invasives removal. Species, location and density will be determined at the time of removal.

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- F. All debris is to be disposed of properly at a suitable and legal upland site.
- G. Work is allowed only in the area identified as Phase 1 on the submitted proposal.
- H. Upon completion of the project, the shoreline shall be full and vegetated with native species.

In Witness Whereof, said Coastal Resources Management Council has hereto set their hands and seal this 28th day of March in year two-thousand-twelve.



Jeffrey M. Willis, Deputy Director
Coastal Resources Management Council

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