

March 2, 2022

I am concerned about the current erosion of the public's constitutionally guaranteed right to shoreline access.

Summary of my concerns

The current lateral access definition is illusory as it stands now. It is most of the time underwater, and is not visible to anyone.

The public* is being increasingly prevented from accessing and enjoying their constitutional and public trust privileges of access to the shore.

Fences and signage illegally placed by property owners can be a threat to the safety of the public, wildlife, and the environment; especially when it ends up in the ocean after a storm or king high tide occurrence.

The public currently has little or no practical means of protecting themselves against being harassed. CRMC is understaffed and underfunded.

Suggested remedies

Revisit, and take a common sense approach to redefine the definition of lateral access: Use the vegetation line. It won't move around or need to be revisited/redefined over time. Or, use the swash (a/k/a wrack or seaweed) line plus ten feet to allow for passage along the shore. Once a clear, visible lateral access line is defined, launch an educational campaign that includes the general public, tourism, real estate agents, property owners, and other agencies such as AirBnb so that everyone is on the same page. Many shoreline property owners are from out of state and may be unaware of our state constitution or public trust doctrine.

Establish substantial fines for illegally placed and environmentally unsafe fences, security guards posts, and signage that is not approved by CRMC.

Provide a Hotline number for the public to call if they are being harassed by a property owner or security guard when they are exercising their constitutional privileges and rights to shoreline access within the provided limitations.

Properly fund and staff CRMC so that they are able to do their job.

* "The public" includes both RI residents and out-of-state tourists

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