

March 2, 2022

“The people shall continue to enjoy and freely exercise all the rights of fishery, and the privileges of the shore, to which they have been heretofore entitled under the charter and usages of this state, including but not limited (emphasis added) to fishing from the shore, the gathering of seaweed, leaving the shore to swim in the sea and passage along the shore; and they shall be secure in their rights to the use and enjoyment of the natural resources of the state with due regard for the preservation of their values;”

Dear Representative Cortvriend,

I have spent quite a lot of time on the beaches of Southern California. Public access is not limited. The ability for the public to use the beach helps to make Southern California such a desirable place to be. Granted, their beaches are significantly larger than Rhode Island's, but that just makes ours all the more precious and in need of protection for public access.

The current lateral access definition is underwater most of the time, 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. And as you can see from the RI Constitution, this is not just about “passage.” Passage is just one of the rights.

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

Thank you.

Gayle L. Gifford
178 Ninth Street
Providence, RI 02906