

Committee for the Great Salt Pond
PO Box 1092
Block Island, RI 02807

Press Release - January 11, 2021

In 2003 Champlin's Marina applied to the CRMC for a massive dock expansion project. That application was unanimously denied by the RI CRMC in 2011, and subsequently denied on appeal to the RI Superior court in 2020. It is now being appealed by Champlin's Marina before the RI Supreme Court. The Town of New Shoreham, the Committee for the Great Salt Pond, the Block Island Land Trust, the Block Island Conservancy, and the Conservation Law Foundation intervened in the Champlin's application, and have vigorously opposed this application as parties to the litigation every step of the way

In December the Town of New Shoreham was informed by counsel for the CRMC that the CRMC had agreed to engage in mediation with Champlin's, but only on the condition that the Town participated in the mediation. CRMC's counsel made no similar communication with any of the other intervenors in the Champlin's proceedings. The Town declined to participate in mediation for two reasons:

1. the Superior Court Judge's 72-page decision makes it clear that the CRMC 2011 decision to deny the Champlin dock expansion application was based on the facts, and the law, and
2. an effort to initiate mediation while excluding parties which were deeply involved in the litigation with strong interests in maintaining the superior court's confirmation of the denial of the Champlin's application was inherently illegitimate.

Champlin's Marina (and apparently the CRMC) are trying to make an "end run" around the superior court affirmance of the denial of the Champlin's application. In order to avoid the extremely difficult effort to succeed in an appeal of the superior court decision, Champlin's has, with the apparent approval of the CRMC (in a closed session), and with no prior notice to the parties to the Supreme Court appeal, asked the Supreme Court to approve a vast expansion of the Champlin's marina with no opportunity for public input or protest.

The Town of New Shoreham, the Committee for the Great Salt Pond, the Block Island Land Trust, and the Block Island Conservancy reject this attempt to bypass the legitimate judicial process.

- Champlin's was given full opportunity to show with evidence that its application for marina expansion satisfied the requirements of the CRMC regulations.

- The CRMC heard the Champlin's evidence, and the intervenors' evidence, and, based on more than 90 findings of fact from the evidence, the CRMC unanimously denied the application.
- Champlin's exercised its right to appeal the CRMC decision to the superior court, in which it had the opportunity to attempt to sustain its argument that the CRMC decision was faulty under the applicable law.
- The superior court in a 72 page decision rejected each of Champlin's arguments, and held that the CRMC denial of the Champlin's application was totally justified by the evidence and the law.
- Champlin's elected to attempt to overturn the superior court decision in accordance with the Administrative Procedures Act.
- There was and is no court ordered or sanctioned mediation for the Champlin's appeal.
- The CRMC has had no jurisdiction over the Champlin's application since it transferred to record to the superior court in 2013.
- The superior court entered judgment in favor of the intervenors in rejecting the Champlin's appeal.
- The CRMC and Champlin's have no authority to oust the intervenors from the benefit of the judgment they obtained in the superior court on the Champlin's appeal.

For more information, please contact the lead attorney for the parties in opposition:

R. Daniel Prentiss, Esq
56 Pine Street
Providence RI 02903
Dan@prentisslaw.com
401-348-1200 x4101