

Coastal Features



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CRMC OKs funding for 9 restoration projects

The RI Coastal Resources Management Council has awarded funding for nine habitat restoration projects, which include a number of salt marsh restorations, restoration of a fish passage, management of invasive species and support for an oyster gardening program, through its RI Coastal and Estuarine Habitat Restoration Trust Fund.

The Council approved the funding at its January semi-monthly meeting, for projects that will restore natural salt marshes at Jacob's Point in Warren, at Stillhouse Cove in Cranston, at Town Pond in Portsmouth, and at Gooseneck

Marsh in Newport. The funding will also be used for dune restoration at Third Beach and the Norman

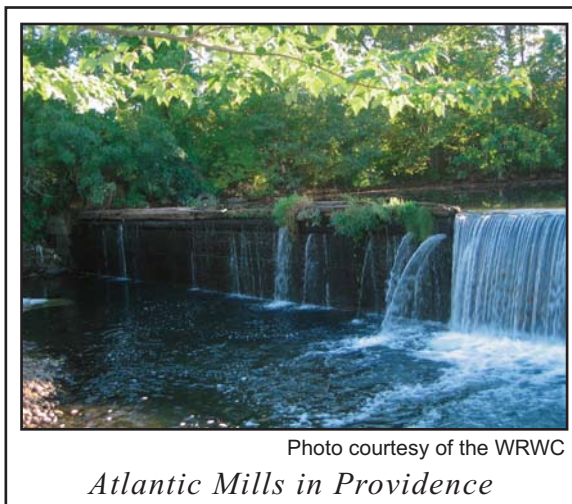


Photo courtesy of the WRWC
Atlantic Mills in Providence

Bird Sanctuary, and for the restoration of a fish passage at Atlantic Mills in Providence. The remainder of the funding will be used for equipment for the R.I. Department of Environmental Management (DEM) and for continued support of the RI Oyster Gardening for Recreation and Enhancement (RI-OGRE) which was established last year and

is funded in part by the Rhode Island Aquaculture Initiative, sponsored by the CRMC, Roger Williams University, the University of Rhode Island and RI Sea Grant.

“The CRMC is encouraged by the number and quality of restoration projects it received this year,” said CRMC Chairman Michael M. Tikoian. “With the funding the Council has granted toward these salt marsh and fish passage restoration projects, and continued support of the oyster gardening program, Rhode Island’s coastal and estuarine habitats will be greatly improved. We look forward to seeing the results of this work.”

CRMC to vote on new SAV regs, shore maps

The R.I. Coastal Resources Management Council has proposed a number of regulation changes, including a comprehensive reworking of its existing regulations on Submerged Aquatic Vegetation and the addition of supplemental shoreline change maps showing erosion rates.

The CRMC held a March public workshop on the proposed regulations – the introduction of new shoreline change maps, changes to the recently overhauled Section 300.4 – Recreational Boating Facilities, extensive additions to Section 300.18- Submerged Aquatic Vegetation, and a small addition to Table 1.B – Review Categories for Inland Activities of Section

(Continued on next page)

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Trust Fund, continued from Page 1

The Town of Portsmouth and DEM were awarded \$50,000 toward the restoration of more than 20 acres of a 40-acre salt pond complex, which is owned by the DEM and located between Anthony Road and the south shore of Mount Hope Bay in Portsmouth. The project will restore historic salt pond habitat by regrading 100,000 cubic yards of existing dredge material that was disposed on the site in 1950. The Town Pond project will also restore fringe wetlands, coastal grassland habitat and public access to the shore and improve spawning habitat for winter flounder and improve habitat for a variety of estuarine plants and animals.

The City of Newport, along with project partners Save The Bay, Natural Resources Conservation Service (NRCS) and the National Oceanic and Atmospheric Administration (NOAA), requested and received \$50,000 for the restoration of Gooseneck Cove Salt Marsh in Newport. The project will restore the salt marsh plants, prevent further marsh degradation and improve water quality by restoring the cove's tidal flushing, currently impeded by two roads and a dam. The project will also improve public access to the northern portion of the cove.

The Council awarded \$48,000 to the Jacob's Point Salt Marsh restoration project, a 47-acre marsh along the Warren River in Warren. A footpath and two collapsed culverts across the middle of the marsh have greatly restricted tidal flow, and have caused the invasive *Phragmites australis* to grow in the southern portion. The Warren Land Conservation Trust, with partners NOAA, NRCS, Save The Bay, Audubon Society of Rhode Island and DEM, plan to reintroduce tidal flow to reestablish the naturally-occurring high and low marsh plants, to cut back the *Phragmites*, reduce the mosquito population and make the marsh a habitat for fish, shellfish and aquatic birds. Public access will also be improved.

The project to restore the fish passage at Atlantic Mills in Providence also received funding from the Trust Fund. The City of Providence and its parks department received \$36,750 to restore the passage, which will in turn restore the historic anadromous fish spawning and rearing in the Woonasquatucket River, and enhance depleted spawning populations of river herring and shad.

The Trust Fund also provided \$12,500 to the DEM for the purchase of a rubber tracked, low-ground-pressure utility vehicle that will be used to transport soil excavated from salt marsh water management projects to upland disposal sites. It can also be used to spray herbicide in Phrag-

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R.I. Coastal and Estuarine Habitat Restoration Program and Trust Fund

Following the 1996 North Cape oil spill, then Lt. Governor Charles Fogarty introduced legislation establishing the Oil Spill Prevention Administration and Response Act (OSPAR). As part of this law, an oil spill response fund was created through a five-cent fee on each barrel of petroleum products shipped into the state, along with any civil and criminal fines assessed. Under the law, the fund cannot exceed \$10 million.

Legislation passed in July 2003 that created a Coastal and Estuarine Habitat Restoration Program and Trust Fund restricted solely to fund habitat restoration projects by amending OSPAR. Under the change, the trust fund received a legislative appropriation in FY2004 of \$250,000 from those monies generated through the five-cent tax. The trust fund was created to also accept private donations and federal matching grants.

This legislation tasked the RI CRMC with the creation of a Coastal and Estuarine Habitat Restoration Program. That program was then developed through the legislatively-identified Habitat Restoration Team, tri-chaired by the CRMC, the Department of Environmental Management and Save The Bay, and consisting of various state, federal and non-profit programs which have restoration objectives as part of their mission. The CRMC-adopted Coastal and Estuarine Habitat Restoration Program created the process for the eligibility, approval and disbursement of funds from the Trust Fund. It incorporates elements including a description of the state's coastal and estuarine habitats, restoration goals, inventory of restoration projects, projected comprehensive budget and timeline to complete the goals, funding sources, and outreach element, and provisions for updating the plan and project inventory.

The initial \$250,000 was made available through a competitive grant application process for projects aimed at improving coastal habitats. These projects ultimately received a vetting through the Habitat Restoration Team with final approval from the CRMC, and are either ongoing or completed restoration projects.

According to the Program, habitat restoration grant monies are dispersed in accordance with RIGL 46-23.1-5(2), which allocated funding for design, planning, construction and/or monitoring. Eligible applicants include cities and towns, any committee, board or commission chartered by a city or town, non-profit corporations, civic groups, educational institutions and state agencies.

The Program, under the direction of the CRMC, was introduced in 2004 to the General Assembly for a budget request for program costs. Legislation that year was amended (and approved) to fund the Program in perpetuity in the amount of \$250,000 per year, beginning in FY2005.

Trust Fund, continued from Page 2

mites control projects.

The Council also approved more than \$9,000 toward the Third Beach Dune Restoration in Middletown. The site is owned by the Norman Bird Sanctuary and is located between Third Beach Road and the Sakonnet River. The project will create a protective sand berm along the road to hold and form the dune, limiting access to the beach through a designated footpath, and preserving the dune habitat. Native shrubs will be planted along the berm for added protection.

Roger Williams University and the RI-OCGRE Program received more than \$8,000 for the continued support of the program, which aims to successfully reintroduce the American oyster as a viable population in Narragansett Bay and South County ponds, and to improve the habitat quality of the bay bottom with oyster beds. This program is working to reintroduce the populations in Greenwich Bay, Bristol and Prudence Island.

The CRMC also approved \$6,505 toward the monitoring and management of rare plant populations. Invasive Plant Atlas of New England, New England Plant Conservation Program, RI Natural Heritage Program, RI Natural History Survey and RI Wild Plant Society are partners. The project includes conducting surveys in Rhode Island's coastal habitats to update information and assess management needs, and to perform an invasive species removal project as a case study, and to benefit rare plant species.

The Still House Cove Marsh restoration project received \$3,250 from the Trust Fund, which will be used to continue the project in its second phase. Work will include removal of fill material from sections of the upper marsh, treatment of Phragmites and seeding of upland edge of the marsh with grasses. The funds will go toward the Phragmites mitigation and plantings.

Habitat restoration projects are funded through the RI Coastal and Estuarine Habitat Restoration Trust Fund and are selected from recommendations by

the RI Habitat Restoration Team, established by CRMC, Save The Bay and the Narragansett Bay Estuary Program in 1998. Members of the team serve as a technical advisory committee for the CRMC as required by law. Funds for the program come from the state's Oil Spill Prevention Administration and Response Act (OSPAR), established by the legislature following the 1996 North Cape oil spill. Each year, the Trust Fund and CRMC receive \$225,000 from the OSPAR account to fund habitat restoration projects in the state. To date, the Trust Fund has awarded \$975,000 for 34 projects, which have leveraged \$7.6 million in matching funds. This year's funding leveraged \$2.3 million, at a leverage ratio of 9:1. The full report will be available at CRMC's web site, www.crmc.ri.gov.



The Town Pond wetland restoration project site in Portsmouth



Photo courtesy of the Norman Bird Sanctuary

The Third Beach dune restoration site in Middletown

Council adopts Clean Marina Program

Rhode Island Clean Marina Guidebook



The newly adopted Clean Marina Guidebook

The RI Coastal Resources Management Council in February adopted its newly developed Clean Marina Program, designed to protect the state's coastal waters and benefit the marina industry in Rhode Island.

The Clean Marina Program is a voluntary initiative designed to reward marinas that go beyond regulatory requirements by applying innovative pollution prevention best management practices (BMPs) to their day-to-day operations. The program was developed by the CRMC with the cooperation of the R.I. Marine Trades Association, R.I. Department of Environmental Management (DEM), and Save The Bay. The CRMC held a number of workshops last May and September to introduce the marine trades industry to the program.

As part of this program, a Rhode Island Clean Marina Guidebook and self-assessment checklist serve as tools to assist marinas toward becoming RI Clean Marinas, a designation that certifies marinas, boatyards and yacht clubs that have voluntarily exceeded regulatory requirements and have adopted measures to reduce pollution, and recognizes them as environmentally responsible businesses. Program in-

formation is available on the CRMC web site at <http://www.crmc.ri.gov/projects/cleanmarinas.html>. A Clean Marina pledge requires that marinas striving for this designation pledge to do their part to keep the state's waters free of harmful chemicals, excess nutrients and debris. It also states that the marina owners will identify opportunities and implement practices to control pollution associated with vessel maintenance; fueling; sewage handling; storm water management; and facilities management. The marina, once a pledge is signed, must implement the pollution prevention practices within one year and apply to the CRMC for the designation as a Rhode Island Clean Marina.

Marinas that achieve this status will be presented the RI Clean Marina Award and other highly publicized incentives to distinguish them as top tier "green" businesses that offer clean, safe, and environmentally friendly facilities. The designation would also be in lieu of an Operations and Maintenance Plan, now required under the revised Section 300.4 CRMC regulations.

"The CRMC would like to thank the RI Marine Trades Association, the DEM and Save The Bay for their involvement in helping to develop the Clean Marina Program," said CRMC Chairman Michael M. Tikoian. "Each of these groups, along with the CRMC, had something valuable to offer to the process, and the marina industry will surely benefit from the expertise which contributed to this product."

A number of marinas have already begun the process – Allen Harbor Marina in North Kingstown, Pt. Judith Marina in Narragansett, Ballard's Wharf on Block Island, Conanicut Marine in Jamestown have signed pledges. Dickerson's Marina and Warwick Cove Marina in Warwick, Newport Yachting Center Marina in Newport, Port Edgewood Marina in Cranston and Lavin's Landing Marina in Charlestown have begun the process of applying to the program.

"We applaud the marinas that have taken steps to complete their designation as a Clean Marina," Tikoian said. "This program will provide an easy to follow process through which Rhode Island marinas can ensure they are environmentally friendly and responsible facilities."

CRMC begins development of new SAMP

Aquidneck Island SAMP development already underway

The Rhode Island Coastal Resources Management Council has announced that it has commenced development of a Special Area Management Plan, or SAMP, for the western side of Aquidneck Island. This will be the sixth SAMP in Rhode Island developed and implemented by the CRMC.

The CRMC and the University of Rhode Island's Coastal Resources Center (CRC) will work with the towns of Middletown, Newport and Portsmouth to design a plan that encompasses: smart growth requirements set forth by the U.S. Environmental Protection Agency; buffers and setbacks to accommodate the expected mixed-use developments on the west side of the island; the transfer of federal land from the Navy that is consistent with CRMC regulations and SAMP guidelines; and possible water type changes for that side of Aquidneck Island that will reflect the expected change in use, as envisioned by the towns.

This and other SAMPs are designed to further facilitate the CRMC's recent shift from permitting to a more policy-making focus outlined in the Marine Resources Development Plan, and will continue through additional initiatives and regulation changes. The need for an Aquidneck Island SAMP

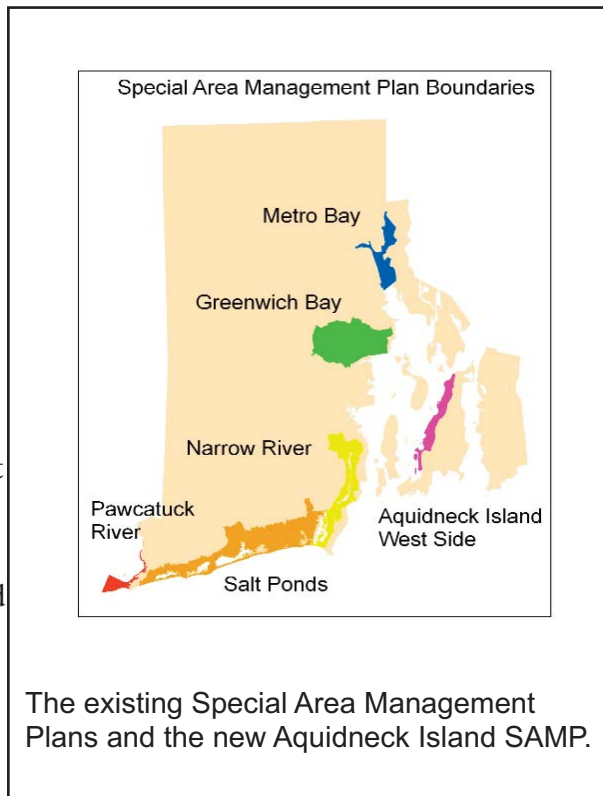
was also echoed in a recommendation made by the National Oceanic and Atmospheric Administration in its review of the CRMC this fall, where it outlined the western por-

and agencies, including CRMC. The SAMP, like the West Side Master Plan, will have a significant public access component, like other SAMPs, and will

encourage the use of low-impact development techniques for redevelopment areas along the western side of the island.

"The development of a SAMP for the west side of Aquidneck Island, is vital to the towns of Middletown, Newport and Portsmouth, as well as the island's unique environment," CRMC Chairman Michael M. Tikoian said. "SAMPs are useful and effective regional management tools, and the CRMC has had resounding success in developing and implementing them. We hope in the future to blanket the entire state with SAMPs, to better meet the goals of our Marine Resources Development Plan."

Go to the CRMC web site, www.crmc.ri.gov for periodic updates on the Aquidneck Island and other existing SAMPs.



The existing Special Area Management Plans and the new Aquidneck Island SAMP.

tion of Aquidneck Island as the next region to develop a special area management plan. The development of the SAMP coincides with the U.S. Navy's planned disposal of land on the west side. The SAMP will also incorporate many elements of the Aquidneck Island West Side Master Plan which was developed in 2005 by the Aquidneck Island Planning Commission, with the participation of local and state groups

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FAQs about the Urban Coastal Greenways Policy

Question: *What is the difference between a CRMC buffer as required in RICRMP Section 150 and the new Urban Coastal Greenway provisions for the Metro Bay Region?*

Answer: An Urban Coastal Greenway (“UCG” or “greenway”) is generally more compact (i.e., not as wide) than a typically required coastal buffer and is not entirely vegetated, as a portion of the greenway is designed to accommodate a public access path. In addition to pollution abatement and wildlife habitat benefits, the greenway is designed for public access along and to the urban waterfront.

Question: *Which UCG option should I choose for my project?*

Answer: The choice of a UCG will be dependent upon the mapped zone the project is located within (See maps in the UCG policy at the CRMC web site). Thereafter, the UCG choice should be based upon a realistic assessment of the parcel’s capacity to accommodate the scope of the proposed project, while protecting the coastal resources and the public’s interest in public access along and to the waterfront.

Question: *What if I choose not to provide public access as part of my project?*

Answer: You are required to provide mitigation as described in UCG Section 200 on a ratio of 2:1 by purchasing a parcel designated as a High Priority Conservation Area (HPCA) or establishing a successful habitat restoration project. In either case, a project will not be permitted until: (1) the

HPCA has been purchased with a conservation easement in perpetuity granted to the CRMC; or (2) the habitat restoration project has been completed with a successful first year growing cycle.

Question: *Am I required to provide compensation?*

Answer: Yes, if you choose a compact UCG rather than a standard UCG width, you are required to provide compensation (either in direct fee or commensurate public benefits) based on the method described in UCG Section 230. Applicants with parcels that meet the definition of “small lot” must also provide compensation whenever the UCG is less than 50 feet wide, with compensation based on the difference between the chosen greenway width and 50 feet. An alternative is to add more public amenities on-site, and the value of those amenities can be deducted from the compensation that would have been due.

Question: *How do I meet the 15 percent vegetative cover requirement?*

Answer: Fifteen percent of the entire project parcel must be vegetated. The greenway portion of the site counts towards meeting this requirement along with other vegetated areas within the parcel. This may include a mix of greenroofs, permanent planters, low-maintenance sustainable turf, and other vegetated bioretention areas on the site. In some cases, especially densely constructed parcels

in the downtown area, a greenroof may satisfy the entire 15 percent vegetated cover requirement.

Question: *How do I meet the 100 percent stormwater requirement?*

Answer: You must treat the first one-inch of runoff from your project site to remove 80 percent total suspended solids (TSS) as required by RICRMP Section 300.6. This treatment standard can also be defined as 100 percent removal of TSS particles with a diameter equal to or greater than 70 microns. In addition, all projects within the Metro Bay Region must incorporate Low Impact Development (LID) techniques to the maximum extent practicable. See the Urban Coastal Greenways Design Manual for guidance.

Question: *How do I demonstrate that my project has incorporated Low Impact Development techniques to the maximum extent practicable?*

Answer: Your project must be reviewed by someone who has completed the LID training course and has received a LID Master Design Certificate. This person must complete and sign the LID review sheet (available from the CRMC), which must be submitted with your application. A list of qualified persons is available on the CRMC web site, at www.crmc.ri.gov/samp/metrobay.html.

Regulations, continued from Page 1

320 and 325, all of the RI Coastal Resources Management Program (CRMP) or Red Book. The proposed changes are scheduled to go before the full Council on April 24.

The shoreline change maps are in addition to those already incorporated into the Red Book – those for the south coast between Watch Hill and Point Judith. The new maps will complete the profile for the shoreline from Point Judith into and including Narragansett Bay and its islands to the eastern shore of Little Compton. These maps will show shoreline change rates that will be applied to appropriate sections of the CRMC's regulations to address issues such as setbacks of activities from coastal features. The 150 maps detail erosion rates for the shoreline; Block Island is not included and will be assessed on a case-by-case basis. The maps are available online, and also at the CRMC offices in Wakefield.

The proposed changes to Section 300.4 – Recreational Boating Facilities include prohibiting terminal floats on residential docks in excess of 200 square feet, and in Type 2 waters, alterations to marinas will have all in-water and dry-stacked vessels count toward the 25 percent increase in vessel/boat capacity. The proposed changes also seek to address the issue of excessive fetch (a 20-degree sector in any direction in which wind can blow over the water to generate waves), and utilizing this measure-

ment to restrict the size of terminal floats in areas of high fetch.

The proposed regulation changes would also require variance requests for residential boating facilities to include a plan prepared by a RI registered land surveyor which depicts the relationship of the proposed facility to the affected property line(s) and their extensions. And all residential docks would have to be certified by the design engineer that it was constructed according to the approved plans within typical marine construction standards.

The proposed revisions to Section 300.18 – Submerged Aquatic Vegetation include the addition of standards for surveying and a longer section containing more findings of fact. The section would also be renamed to Section 300.18 – Submerged Aquatic Vegetation and Aquatic Habitats of Particular Concern. The revised regulations would allow the denial of an application where impacts on SAV are substantial or cannot be avoided or minimized, or if the proposed activity is adjacent to or includes a restoration site and/or the site includes the sole sources of SAV habitat in that area. The proposed changes would also require an SAV survey for activities proposed in areas of current or historic SAV habitat, and that surveys must be completed during peak biomass, between July 1 and September 15 in Narragansett Bay and

between July 1 and August 15 in south shore coastal ponds and shallow water embayments. Proposed prohibited activities over SAV include floats and float platform lifts (including grate-type structures) associated with residential docks; boat lifts having the capacity to service vessels larger than a tender; the long-term docking of vessels at a recreational boating facility; and residential docks that span eelgrass beds to avoid and/or minimize impacts to the eelgrass and which are proposed to be 200 feet or more in length seaward of the mean low water. A new section on standards has also been added to aid in the surveying process.

“The changes to the SAV regulations will enable the CRMC to better protect precious eelgrass beds from shading and disturbances, which have been shown to negatively impact eelgrass populations,” said CRMC Chairman Michael M. Tikoian. “With the added scientific standards in our regulations, we will be able to minimize manmade impacts and help eelgrass flourish.”

In accordance with the administrative procedures act and the rules and regulations of the agency, the Council advertised these proposed revisions in the March 9, 2007 edition of the Providence Journal.



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One of the five historic Browning's Beach cottages in Matunuck - above left, in the 1970s. Now, erosion threatens all four remaining cottages.

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