

Coastal Features



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Providence River Dredging Project: Breaking the Impasse through Partnering

This article is adapted from a presentation by Lawrence R. Oliver and Edward G. O'Donnell, New England District, U.S. Army Corps of Engineers. The presentation was delivered at WEDA XXII, Denver, CO, June 2002.

The Corps of Engineers signed a Record of Decision (ROD) for maintenance dredging the Providence River and Harbor on March 18, 2002. When this dredging is completed, it will be the first major dredging project in the state of Rhode Island in over 25 years. The ROD and Final Environmental Impact Statement (FEIS) recommend a combination of open water disposal, confined aquatic disposal (CAD) cells, and upland disposal for roughly 5 million cubic yards (mcy) of material that will be removed from the federal project and related facilities. The Providence River and Harbor Navigation Project was last dredged in 1976 when the Corps removed 100,000 cubic yards (cy) of material to complete improvements to the federal project. Previous to that dredging, the last large scale dredging (2,693,000 cy) was completed in 1971. Attempts in the late 1970s and early 1980s at dredging the nearby Fall River ship channel in Massachusetts, and to designate a regional disposal site, failed to break what had been termed a "dredging impasse." The "impasse" was caused by the lack of an acceptable a long-term disposal site.

Although the lack of dredging has potentially severe economic implications for the State, the problem has been difficult to resolve because of its magnitude. The latest efforts to maintain navigation channels in Rhode Island began in 1992 when the Corps of Engineers completed a survey of the ship channel at the request of the Governor. The survey showed mid-channel shoaling of up to 3 to 11 ft causing the Coast Guard to place emergency one-way traffic and draft restrictions on ship traffic. Strong support for dredging in a cooperative interagency framework continued under present Governor Lincoln Almond, who established the Governor's Commission on Dredging. The Commission created a Technical Committee, which was the precursor of the Coastal Resources Advisory Committee (CRAC). The objective of the CRAC was to develop a solution to the dredging issue and assist the Corps of Engineers with its Environmental Impact Statement (EIS).

Like all Corps of Engineers maintenance dredging projects, dredging of the Providence River channel and harbor is a partnership between Federal and state government. The federal partners, designated as Cooperating Agencies under NEPA, included the US Army Corps of Engineers (USACE), National Marine Fisheries Service (NMFS), US Environmental Protection Agency (EPA), and US Fish and Wildlife Service (USFWS). The State was represented by the Rhode Island Coastal Resources Management Council (RICRMC), the non-federal project sponsor, the Rhode Island Department of Environmental Management (RIDEM), and the Governor's office. The State was an integral part of the planning process and will be a financial partner in construction because of the need to construct disposal facilities for the project.

(see *Dredging*, page 3)

CRMC Hires Dredging Coordinator

With the hiring of Dan Goulet this June, the CRMC has added a full-time dredging coordinator to its staff. Dan, a licensed professional civil engineer, left his position as Vice President of Bourne Consulting Engineering to take charge of all aspects of dredging at the CRMC, including permit review and policy development.

Included in Dan's thirteen years of experience on waterfront engineering projects are over 7000 hours of professional commercial diving in support of all aspects of marine infrastructure. After receiving a B.S. in Civil Engineering from the University of Lowell in 1988, Dan attended commercial diving school at the Ocean Corporation in Houston, Texas. He then joined Boswell Underwater Engineering of South Hackensack, New Jersey, as a Senior Engineer/Diver. While with Boswell, Dan initiated and managed a marine borer study throughout New

(see *Coordinator*, page 6)



Above image shows the header and welcome message of the CRMC website

CRMC Launches Website

The CRMC is very pleased to announce that we're now on-line! Our newly launched website which can be accessed at <http://www.CRMC.state.ri.us> provides a virtual tour of every aspect of the CRMC from basic information about who we are, what we do, and where we do it, to the minutiae of our enabling legislation and regulations. The following list shows some of the publications which represent the core of the CRMC's regulatory program that are available as PDF files on the website:

- The Rhode Island Coastal Resources Management Program ("The Redbook")
- Rhode Island's Salt Pond Region: Special Area Management Plan
- The Narrow River: Special Area Management Plan
- CRMC Management Procedures
- Stormwater Design and Installation Manual
- Rules and Regulations Governing the Protection and Management of Freshwater Wetlands in the Vicinity of the Coast

PDF versions of the CRMC's Federal Consistency Manual, Guidelines for the Development of Harbor Management Plans, and other programmatic publications are also available.

The CRMC's Fact Sheet Series is also on the website, and includes information on the South Shore Coastal Habitat Restoration Project, the Allin Cove Salt Marsh Restoration Project, and the CRMC's public Rights-of-Way (ROW) designation procedures. And numerous handouts that cover a wide range of topics from landscape management strategies to the public hearing process are available.

Many graphics that illustrate key elements of the CRMC's jurisdiction can be found under various headings. Use the Jurisdiction button on the home page to access a colorized orthophoto which gives examples of jurisdictional boundaries, numerous coastal features, and other elements related to the CRMC's jurisdictional interests. A click on the Regulation button will lead you to other graphics such as shoreline erosion maps and maps that illustrate information on the CRMC's water type classification system.

Some additional items that we are developing for the website include:

- A Permit Database – Here you will be able to track the CRMC's applications, as well as undertake basic research on previously issued permits.
- Quarterly Newsletters
- Semi-Monthly Meeting Agendas
- Public Notices of Applications and Regulatory Changes

We have tried to include as much general information as possible; however, we have much more to include and will be doing so over time. So please consider our website to be a "work-in-progress" and let us know what other types of information you would like to have access to.

(Dredging, continued from page 1)

The controversy, which led to the dredging impasse, resulted from the lack of viable disposal options and dictated the need for an EIS (rather than a less detailed environmental assessment). Therefore, most of the coordination and collection of information focused on the disposal site location. The overall EIS had a strong focus on disposal site locations and the issue was resolved to a large extent through the public process. Public input helped to change disposal locations for both the suitable and unsuitable material.

A number of factors contributed to the success of the latest effort to develop a plan to dredge the Providence River, including strong support from elected representatives and marine trade groups, cooperation from other stakeholders, the dire conditions in the channel, the level of experience and empowerment of the federal and state agency representatives, and the partnering process employed. Throughout the NEPA process from the beginning of scoping through public review of the FEIS, we encouraged as much input as practical from the public and agencies. Formal scoping meetings were held at various locations surrounding Narragansett Bay at different times of day and during different weeks to get as much participation as possible. We believe these meetings enabled us to identify issues early in the development of the EIS when it could have its greatest to the process and outcome.

Another factor that helped to reinforce the partnership process was the recognition that early on in the NEPA process, a great deal of time and effort was being spent on writing letters that provided with very little benefit to the project or process. The letter writing was inordinately consuming staff resources and it interjected a large potential for miscommunication and posturing. A proposal was brought to the Cooperating Agencies that letter writing be minimized until the partnership had worked through an issue face to face and come to agreement, or identified points where of disagreement. Letter writing was replaced with meeting notes, saving hundreds of hours of staff time and facilitating a better relationship. Reducing the amount of documentation concerning positions is possible when the partners work to be trustworthy and share in the process and ultimate outcome.

Education was also used to strengthen the partnership approach. Uneven knowledge about technical matters affecting a project can be a barrier to good partnering. The lack of significant dredging in Rhode Island over a 20 to 30 year period meant that state, local, and, in some cases, federal agency staffs were not experienced with dredging projects. As a group, we took advantage of opportunities to help educate the partners on various elements of the dredging process. For instance, over the years since the last dredging and disposal operations, stories had circulated about fish and lobster kills and Narragansett Bay being filled with turbidity for months. These stories could go unchallenged because many agency representatives had never witnessed dredging and disposal operations. Believing that it is better to discuss the actual rather than the perceived effects of a dredging project, we hosted excursions to view dredging and disposal operations at the nearby dredging in Boston Harbor. This allowed agency staffs to put these claims in their proper perspectives. We also held separate meetings and workshops with invited experts to discuss various technical project issues such as beneficial uses of dredged material and computer modeling. The RI CRMC held a workshop on alternative technologies for dredged material treatment. These workshops and other efforts at education helped to eliminate the knowledge gap that may otherwise have led to mistrust.

Despite the beneficial coordination and cooperation of the partnership approach, it did not reduce the number of comments on the EIS, in particular the draft EIS. However, we believe this approach and the working relationships it helped to foster was a leading factor in the partnership's desire to use the project as a focus for follow-up monitoring. In conclusion, the following guidelines for successful partnering efforts emerged from the process:

- 1) Partners should conduct and participate in an open process
- 2) Partners should cooperatively document the approach to evaluation
- 3) Partners should replace letter writing with face to face communication to avoid misinterpretation and develop better relationships
- 4) Partners should use opportunities to educate each other and the public to increase understanding and cooperation
- 5) Partners should focus on the major issues by using separate documents and processes to obtain, guide, and display agency input.
- 6) Partners should provide input as early as possible and be prepared to share in the collection of information

Policy News & Notes...



The Coastal and Estuary Habitat Restoration Program and Trust Fund

After roughly five years, to the relief of the major players conducting habitat restoration projects, the Coastal and Estuary Habitat Restoration and Trust Fund was passed by the full Legislature on June 4, 2002. The bill became effective without the Governor's signature on June 13. The sponsor of the bill (S 3069 Sub A2) Senator Teresa Paiva-Weed, along with Lieutenant Governor Charles Fogarty and Representative Peter Ginaitt, were instrumental in the success of this measure and have long been strong supporters of improving the quality and health of Narragansett Bay.

The habitat restoration bill allocates \$250,000 of the fees collected under the oil spill response and prevention statute to potential habitat restoration projects, pursuant to the bill's criterion. Such factors include consistency with state estuary and coastal habitat restoration strategy, DEM regulations, the CRMP, the state coastal nonpoint pollution control plan, and the Narragansett Bay comprehensive conservation and management plan. Two of the most significant criteria are: (1) whether the estuary and coastal habitat restoration activity can be shown to replace habitat losses that benefit fish and wildlife resources and (2) potential improvements to fish and wildlife habitats for species which are identified as rare or endangered by the Rhode Island Natural History Survey or the federal Endangered Species Act.

The bill also stresses the importance of collaboration among the sponsoring partners of such a habitat restoration project. In other words, the level and extent of collaboration among municipalities, nongovernmental organizations, particular watershed councils, and the representative federal agency is strongly considered before funding is granted.

With the bill now established as state law many long-term projects once thought to be improbable are now possible due to the support of the General Assembly. The Habitat Restoration Team, comprised of members of the CRMC, Save The Bay, and DEM, persevere as they work together toward completion of on-going and future projects. For a complete version of the bill, go to <http://www.rilin.state.ri.us> and reference bill number 3069.

A Special Commission to Create a Strategic Plan for Narragansett Bay

Senator Teresa Paiva-Weed again demonstrated her interest in Narragansett Bay as the lead sponsor of a bill titled "A Special Commission to Create a Strategic Plan for Narragansett Bay." The bill (S 2840 Sub A) was passed by the Senate on May 30, 2002, and by the House on June 4. The bill's status as law had not been determined at the time of this writing.

The bill was shepherded through the General Assembly by the Joint Committee on Environment and Energy, chaired by Representative Peter Ginaitt. The Coastal Resources Management Council will sit on the Special Commission created by the bill, along with representatives of the Department of Environmental Management, Statewide Planning, the Economic Development Corporation, the University of Rhode Island's Coastal Institute, a member of a Marine Trades Organization, and others.

The seventeen member Special Legislative Commission is charged with the task of researching and identify existing state statutes pertaining to planning for Narragansett Bay. In addition the commission will research past and current planning programs related to Narragansett Bay, and research and summarize data on the economic value of the Bay. A summary of the existing data on the health of the Bay will also be developed, as will be a report recommending specific measures the state should take to ensure the timely creation of a strategic plan for Narragansett Bay. The commission is also responsible for submitting a report of its findings and conclusions to the General Assembly no later than April 15, 2003. The commission is slated to expire on June 30, 2003.

For a complete version of the bill go to <http://www.rilin.state.ri.us> and reference bill number 2840.

A Summary of Some Current CRMC Initiatives

The CRMC is charged by law to address the complex, often seemingly disparate goals of environmental protection and allowing appropriate development and other uses of the state's coastal resources. The following list of various projects and initiatives demonstrates the CRMC's commitment to fulfilling its policy to "*preserve, protect, develop, and where possible restore the coastal resources of the state for this and succeeding generations.*"

Providence River Dredging Project: The last significant dredging of the Providence River Shipping Channel was completed in 1971. Since that time, a significant reduction in channel water depth and channel width has been documented, a result of sedimentation in the channel. The CRMC was the lead state agency responsible for coordinating the ACOE's efforts to maintain this channel's authorized navigable depths.

South Shore Restoration Project: Sedimentation basins, designed to trap sand as it surges through the three breachways, have not been adequately maintained since breachway construction. Shoaling has formed inside the breachways, with tidal sand deltas forming into the ponds themselves. The shifting sand has killed aquatic vegetation that once sustained fertile fish and shellfish breeding areas. The purpose of this Project was to assess the need for ecosystem habitat viability through sediment removal and replanting of eelgrass to promote the return of greater numbers of valued fish and shellfish than have been seen in recent years.

Allin's Cove, Barrington: In 1959, the U.S. Army Corps of Engineers filled eleven acres of saltmarsh in Allin's Cove and some mudflats on the south shore of the cove with dredged material from a nearby navigation project. This impacted the velocity and daily tidal exchange of bay water and ultimately resulted in the replacement of saltmarsh vegetation by the common reed (*Phragmites australis*) and an increase in erosion of the remaining marsh. This project proposes to restore the degraded coastal wetlands and habitat with a healthy saltmarsh ecosystem by regarding some of the area to an elevation suitable to encourage and maintain the growth of saltmarsh vegetation and potentially restoring some of the open waters that existed prior to the filling, as well as addressing erosion by using excavated material from the fill area to widen and stabilize the eroding coastal shoreline.

Rhode Island Aquaculture Initiative: Through the efforts of U.S. Senator Jack Reed, the CRMC has received a NOAA award to plan for the future growth of aquaculture in the Ocean State. The award will be used to fund projects in the following areas: Large research grants; Mini-grants; Extension/outreach positions; and, the continued funding of aquaculture projects that are currently underway.

Coastal Habitat Restoration Portal: The purpose of this project is to provide data and information about habitat restoration in Rhode Island to the public, federal and state agencies, and nonprofit groups. The focus is on seagrass, riverine (fish runs), and salt marsh habitats. The objective is to create an information system that can be used to apply for grants, select potential projects, educate the public, and assist the state in restoration planning.

Coastal Eelgrass Habitats of Rhode Island: This project provides resource managers and the public with an interactive way to access data that has been collected to date to map eelgrass beds in Rhode Island. With this information, users of the site will gain a better understanding of potential impacts their activities may have on these vulnerable habitats.

Rhode Island Marine Resources Uses: The need to chart the uses of Rhode Island waters has been apparent for years. As the population of the region continues to grow, more conflicting uses will be proposed for the waters of Rhode Island. This project is designed to identify users of the state's waters. This identification is critical to the planning of any future development. This set of maps will allow planners to make sure stakeholders are included in the first phases of any planning process.

Freshwater Wetland Jurisdiction: The CRMC and RIDEM collaborated on this legislatively-directed project that establishes clear delineations for the jurisdictional areas for freshwater wetlands. If your project lies on one side of the jurisdiction line, then you only need one agency to review the project.

Transplanting Eelgrass to Restore Habitat in Narragansett Bay

Eelgrass beds in Narragansett Bay are currently declining largely due to increased nutrient loading from coastal septic systems, fertilizer runoff from lawns, and discharges from wastewater treatment facilities. Less than one hundred acres of eelgrass remain in the Bay due to these unfavorable conditions. However, the status of eelgrass in the Bay is beginning to improve through an ongoing project to restore eelgrass beds at currently barren but suitable sites throughout the Bay. The eelgrass transplanting program is managed through a partnership that includes the CRMC, Save The Bay, URI's Graduate School of Oceanography, and the Department of Environmental Management. And a great deal of credit belongs to a dedicated group of volunteers that performs much of the field work.

Eelgrass was transplanted at nineteen test sites last year as a first step toward identifying suitable eelgrass habitat in Narragansett Bay. Sites that showed at least a 75 percent survival rate were considered for large-scale transplanting operations this year.

Eelgrass beds near King's Beach in Newport are currently providing the shoots that are being transplanted at sites off Poplar Point in North Kingstown, and at Prudence Island. Eelgrass shoots are harvested by SCUBA divers, sorted into bundles of fifty by other volunteers, and finally tied to coated wire frames with crepe paper. The frames, similar to lobster pots, are then weighted with bricks and placed on the bottom SCUBA divers, and by non-divers in more shallow areas.

This transplanting method, aptly called Transplanting Eelgrass Remotely with Frames or TERF, was developed by Fred Short from the University of New Hampshire. A first step toward the establishment of a new eelgrass bed is taken when the frames are removed from a transplant site after the eelgrass shoots have rooted into the sandy bottom. Long-term monitoring is also an essential part of the restoration project. Thus far, a one-year minimum survival period is a good indicator for success.

The importance of eelgrass beds is twofold: (1) as a primary source of food and shelter to an abundance of marine life including economically important finfish and shellfish species, such as the bay scallop and (2) as a good indicator of the vitality of an estuary's overall

ecological health. In addition, eelgrass is an effective deterrent of erosion—now more prominent than ever along RI's shoreline. For more information, visit Save The Bay's website at <http://savebay.org>.

(Coordinator, continued from page 1)

York Harbor to investigate and predict infestation rates of submerged wooden structures.

Dan came ashore in 1994 as a Project Manager with Coast Line Engineering in Marion, Massachusetts, where his duties included the design, permitting, construction, and management of dredging projects, marine structures, and upland coastal structures. Dan's experience with dredging issues came in handy when he subsequently joined Bourne Consulting Engineering. As Vice President, he directed the company's field operations, which included extensive dredging projects. Dan also advised the Massachusetts Department of Environmental Management on planning large-scale dredging operations. The CRMC welcomes Dan as its newest staff member.

CRMC Employee Returns

We are pleased to welcome Pam Casey back to the CRMC family. Pam had previously worked with us as a Data Entry Clerk before leaving in 1988 to raise her children. Having successfully navigated through both the rigors and joys of full-time stay at home motherhood, Pam has stepped into an Administrative Assistant position.

WELCOME BACK PAM!



CRMC Rules and Regulations for Vehicular Access to the Beach

The arrival of summer in Rhode Island triggers an annual exodus of city dwellers and suburbanites to the state's numerous beaches for a day of sun, surf, and sand. Most folks probably drive to the beach with languid thoughts of staking out a hot sandy spot, laying down a blanket, and cooling off with a dip in the gently rolling waves. And most typically leave their automobile behind in a nearby parking lot as soon as they empty them of blankets, umbrellas, and coolers. Others however, have no intention of getting out of their vehicle until they have parked it on the beach itself. To salt water anglers and others, a day at the beach means driving a four-wheel drive vehicle along a sandy stretch of sand to arrive at a favorite fishing spot or vista. While public access to the shore comes in various forms in Rhode Island, those who access the beach by vehicle should be aware of the CRMC's rules and regulations for doing so. Please familiarize yourself with the following information before you set off to access the beach by vehicle:

1. Vehicles are prohibited on dunes or within 75 feet of the dune crest except on trails marked expressly for vehicle use. Prohibited areas may or may not be vegetated.
2. Vehicles are prohibited in vegetated areas anywhere on the barrier beach.
3. Vehicle access to the Salt Pond is prohibited. Access to the pond shall be by foot only.
4. Vehicle access to the beach shall only be through authorized trails.
5. Vehicular use of beaches where not otherwise prohibited or restricted by property owners or by private or public management programs is permitted only under the following conditions:
 - a) Motorcycles, minibikes, snowmobiles, all-terrain motorized cycles and tricycles are prohibited except for authorized management-related vehicles.
 - b) A Coastal Resources Management Council annually renewable use permit is required for all vehicles. Such permits are obtained for a fee from the Division of Enforcement of the Department of Environmental Management subject to the following requirements and conditions. In the event these requirements and conditions are not met, the use of the permit shall be subject to revocation by the Council or its agents:
 - (1) Vehicles shall have all documentation and registration necessary for operation on the public highways of this state.
 - (2) All permit applicants shall exhibit proof of current insurance coverage.
 - (3) All persons operating said vehicles shall have valid operator licenses.
 - (4) Maximum speed on all beaches shall not exceed 10 mph. Maximum speed on beaches shall not exceed 5 mph when approaching pedestrians.
 - (5) Ruts or holes caused by vehicles shall be filled and debris removed.
 - (6) Headlights shall be used by all vehicles while in motion between sunset and sunrise.
 - (7) Riding on or driving from any position outside the vehicles is prohibited.
 - (8) Vehicles are prohibited on swimming beaches during the period they are protected by lifeguards and in operation.
 - (9) Vehicles shall be at all times subject to town ordinances and all regulations restricting the use of private, state, or federal properties.
6. The Council requires, for the operator's safety and benefit, that every vehicle operated on a beach carry the following equipment (in good working order):
 - a) shovel (heavy-duty or military entrenching tool);
 - b) tow rope or chain (15 feet, load strength of 1,800 lbs., chain size 5/16")
 - c) jack and support stand (minimum 18" x 18" x 5/8", plywood);
 - d) street legal tires (4-ply tread, 2-ply sidewalls) - snow or mud tires are not recommended;
 - e) spare tire
 - f) low-pressure tire gage (0-20 lbs)
 - g) first aid kit
 - h) fire extinguisher (approved by Coast Guard or Interstate Commerce Commission)
 - i) appropriate emergency signal devices and/or two way radio
 - j) flashlight.



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Megan Higgins, left, a CRMC coastal policy analyst, and Amy Phelan, a Save The Bay volunteer, tie a bundle of 50 eelgrass shoots harvested at King’s Beach in Newport. The bundle will be transplanted at Poplar Point in North Kingstown and at Prudence Island, as another effort under the direction of the Rhode Island Coastal Habitat Restoration Team.

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