

Coastal Features

INFORMATION
ABOUT THE
RHODE ISLAND
COASTAL
RESOURCES
MANAGEMENT
PROGRAM

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CRMC Hosts Dredging Workshop for Rhode Island Marine Trades Association

On April 3rd, the Council hosted a workshop for the Rhode Island Marine Trades Association (RIMTA) at the Coastal Institute at URI's Narragansett Bay Campus. The purpose of the workshop was twofold. First, the CRMC provided RIMTA members with an update on its progress in meeting the mandates of the Marine Infrastructure Maintenance Act of 1996, particularly those associated with the dredging needs of RIMTA members. The second purpose of the workshop was to acquaint RIMTA members with the regulations and permit process for dredging in Rhode Island.

CRMC Chair, Sandra Thornton-

Whitehouse provided an overview of the Council's work since the adoption of the Marine Infrastructure Maintenance Act of 1996. Pursuant to the Act, and relevant to workshop participants, the CRMC was designated as lead agency for dredging in the State and mandated: to establish a technical advisory committee on dredging; to develop a comprehensive dredging plan for Rhode Island; to identify and establish one or more in-water disposal sites to be used for the purposes of disposal of dredged material from marinas and yacht clubs by January of 1997; and, to identify and establish one or more in-water disposal sites to be used for the purposes of disposal of dredged material from all other sources by January of 1998.

The technical advisory committee, chaired by Ms. Thornton-Whitehouse and comprised of representatives from academia, federal and state agencies, the scientific community, and non-governmental organizations has been meeting since November of 1996 and has identified eight potential disposal sites for

dredge materials from marinas and yacht clubs. The sites were chosen using the Army Corps' *Evaluation Factors for Site Selection* as a screening tool and the Environmental Impact Statement developed for the maintenance dredging project of the Providence River shipping channel. Additional potential sites were suggested by members based on previous field investigations and studies. None of the identified sites are under consideration by the Corps as disposal site options for the Providence River project. Seven of the eight potential sites are dispersive in nature, meaning the dredged material is placed in the open water environment and allowed to return to the littoral system. The eight sites include:

- Block Island Sound, nearshore at Mashaug Pond and, nearshore east of Charlestown Breachway - both of these sites would allow the dredged material to return to the south shore beach system.
- North of Conimicut Point, south of Conimicut Point and north of Sandy Point at

continued on page 2

Inside This Issue

Army Corps of Engineers Issues
Programmatic General Permit
Page 2

Salt Marsh Restoration at Galilee
Bird Sanctuary
Page 4

Federal Review Team Gives
CRMC High Marks
Page 6

and more.....



Army Corps of Engineers Issues Programmatic General Permit

The New England Division of the U.S. Army Corps of Engineers has issued a programmatic general permit (PGP) for activities it has determined have a minimal impact and which have previously required permits from the Corps under section 10 of the Rivers and Harbors Act or section 404 of the Clean Water Act. Under the PGP, the Corps will rely upon state review and approval, through either the RIDEM or the CRMC, and no longer require a separate federal permit for specific activities. In order to be eligible for the PGP, the activity must be listed by the Corps and state permits required by the CRMC or the RIDEM must be obtained.

The Corps has divided activities into three categories for the purposes of implementing the PGP. Category I and II activities are minor activities which have been determined to have only minimal impacts to the aquatic environment and are currently reviewed by the CRMC or RIDEM. The Corps will not require notification or a separate application for Category I activities. Category II activities will be reviewed at monthly meetings of an interagency review team comprised of the Corps, federal resource agencies, and Rhode Island resource agencies. The interagency review team will screen activities to determine their eligibility under the PGP. The interagency review team will then determine that

continued from page 1

Goddard Park - all three sites have potential for dredged materials to serve as a beach nourishment source.

- Greene Island, Warwick - dredged materials would be used to enlarge portions of the island which serves as a sediment source for Gaspee Pt.
- East Passage, south of Gould Island, north of the Newport Bridge - potential deep-water, dispersive disposal site.
- Field's Point bulkhead expansion at southern tip - only fill project contemplated at this time would involve the creation of approximately 15 acres of upland to benefit port development already found at the site.

Ms. Thornton Whitehouse was careful to point out to workshop participants that each of the eight potential sites would require a significant amount of study as well as EPA and Corps approval before any final determination of suitability could occur. Currently, efforts are being made to obtain funding to support such studies as the next step in the designation process. It is hoped that the CRMC will be able to gather a sufficient

amount of data to submit a final list of sites for federal approval this summer.

Despite the lack of one or more designated dredged material disposal sites for marinas and yacht clubs, maintenance dredging at the state's recreational boating facilities remains necessary and may be permitted provided dredged material can be disposed of at a suitable upland location. Recognizing that, the second purpose of the workshop was to acquaint participants with the Council's dredging application process. Council and RIDEM staff provided a panel presentation outlining the typical application information requirements and review process. To assist applicants, the CRMC put together a dredging application package that contains all the information requirements the state needs to process a dredging application. As the lead agency for dredging, the CRMC will coordinate the application process with RIDEM, the Army Corps and EPA and serve as the point of contact for applicants. It is expected that this will result in a simplified permit process for applicants.

the activity is either eligible for the PGP or that it requires a separate Corps application. The third category of activities are those that will always require a separate Corps application and permit.

Examples of Category I activities include: fill of less than 5,000 sq. ft. in a waterway or wetland; bank stabilization of 500 linear feet or less; maintenance of previously authorized structures and fills; and private moorings within a mooring field approved by the CRMC. Examples of Category II activities include aquaculture projects, filling of up to one acre in a waterway or wetland, and private moorings not covered under Category I. Activities not specifically listed in the PGP remain subject to the Corps' Individual Permit requirements. In addition, the Corps retains discretionary authority to require an application for an individual permit for any project based on concerns for the aquatic environment or for any other factor of the public interest.

Monthly meetings of the inter-agency review team will be held on the third Thursday of each month at the Department of Environmental Management and are open to the public. For general information on the PGP, contact Joanna Barry at the U.S. Army Corps of Engineers, New England Division, 424 Trapelo Road, Waltham, MA 02254-9149. For more specific information on the PGP as it relates to the CRMC permit process, contact the CRMC at 277-2476.

Technical Review Committee Considers New Wastewater Treatment Technologies

Nonpoint source pollution associated with failing or sub-standard onsite systems has resulted in water quality degradation nationwide. Sewage contamination of coastal waters, as indicated by fecal coliform bacteria, has forced the closure of shellfish harvesting areas and bathing beaches. Additionally, nutrient loading (nitrogen and phosphorous) poses severe negative impacts to poorly flushed coastal embayments. In an effort to address these problems, Rhode Island has been trying to embrace innovative and alternative sewage disposal system technologies. However, State regulators have struggled with the review and approval of these new technologies, particularly those with no prior operation history, due to concerns related to long-term operation and maintenance.

In June of 1996, the Department of Environmental Management (DEM) amended the "Rules and Regulations Establishing Minimum Standards Relating to Location, Design, Construction and Maintenance of Individual Sewage Disposal Systems" to permit the review and approval of innovative and alternative sewage disposal systems. Prior to the amendments, alternative technologies could only be approved through a variance procedure, which was more costly to applicants and delayed permit approval. Now, DEM can approve the installation of these systems without variances, provided they are included on

the list of approved technologies. Installation, operation and maintenance of these systems must, however, be conducted in strict accordance with the procedures outlined in the guidance document approved for each technology.

Pursuant to the amendments, a Technical Review Committee (TRC) has been established to assist DEM in reviewing new technologies. The 12-member TRC is composed representatives from the regulatory community, including the CRMC, professionals, academia, municipalities and environmental groups. The Committee's role is to advise DEM on technologies submitted to the Department for review. Upon DEM approval of a new system or technology, applicants can apply for a permit for their use on individual sites without seeking a variance.

The TRC has been meeting on a regular basis since October. Thus far, they have developed general procedures for the review of alternative and innovative systems and several draft approvals have been prepared. More recently, their focus has been on developing minimum effluent criteria for alternative systems with drainfield reductions to ensure their long-term effectiveness.

For more information on the TRC, contact DEM, Division of Water Resources at 277-6820

Salt Marsh Restoration at Galilee:

A creative approach to environmental restoration leads to rebirth at the Galilee Bird Sanctuary

by Jim Scott, CRMC Intern

On October 15 of last year, an assortment of government officials and interested citizens took part in a ceremonial groundbreaking at the Galilee Bird Sanctuary in Narragansett. Celebrating the beginning of salt marsh restoration in the 128-acre sanctuary, the ceremony was also an opportunity to reflect upon the coalition of interests that had worked to bring about this \$2.6 million project. The project exemplifies how creativity and cooperation can restore degraded ecological habitats in Rhode Island.

A diminishing resource

The Rhode Island Department of Fish and Wildlife acquired the Galilee Bird Sanctuary in 1955. The Sanctuary, situated between the Point Judith Harbor of Refuge and Bluff Hill Cove, was historically an area of extensive salt marsh. Federal disposal of dredged material in the wetland from 1952-1977 contributed to the loss of salt marsh in this area and construction of the Galilee Escape Road in 1956 completely fragmented the salt marsh. After the State constructed the Escape Road, a 30-inch culvert, installed primarily for drainage purposes, provided the only flow of water in and out of the marsh. Despite a second culvert constructed next to the original culvert in 1984, less than twenty acres of salt marsh and open water existed in the sanctuary, as of last year. Of those twenty

acres, only about nine acres were vegetated salt marsh supported by tidal flow.

The Rhode Island Department of Environmental Management (DEM), Division of Fish and Wildlife had long been interested in the restoration of salt marsh habitat at the Galilee Bird Sanctuary, but without re-establishment of full tidal flow to the marsh habitat, significant restoration was impossible. For decades, the issue of reestablishing tidal flow remained a stumbling block for all conceptions of habitat restoration at the Galilee Bird Sanctuary.

An innovative coalition

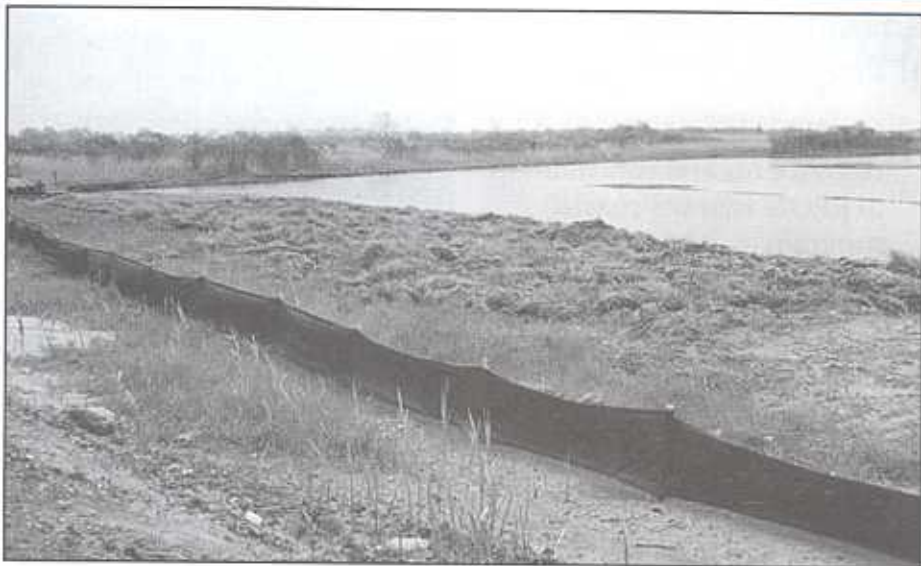
In April 1991, the CRMC recommended that the Department of Transportation (DOT) mitigate the loss of a 0.7 acre marsh in North Kingstown, filled during the Rt. 138/ Jamestown Bridge reconstruction project, in a unique fashion. As there were no adjacent areas suitable for creation of new wetlands,

CRMC recommended that DOT fulfill its mitigation requirement (stipulated by the Army Corps of Engineers and CRMC) by contributing to marsh restoration efforts in Galilee.

Both DOT and the Army Corps accepted this idea and in September 1991, DOT entered into an agreement with the DEM to partially restore some of the salt marsh in the Galilee Bird Sanctuary. That October, the Division of Fish and Wildlife requested that the Army Corps review previous water resource projects to determine if the Army Corps had placed dredged material from federal channels in the salt marsh at Galilee. The Corps determined that it had indeed placed dredged material in the western part of the sanctuary. As a result, the Corps' role in the restoration project was expanded to include remediation of past activities.

Coastal America, a partnership





of federal, state, and nongovernmental groups, is coordinating the overall salt marsh restoration project. Participating agencies include the CRMC, Army Corps; US Environmental Protection Agency, Region I; US Fish and Wildlife Service; RIDOT; DEM, Division of Fish and Wildlife; University of Rhode Island, Department of Natural Resources; Ducks Unlimited; and the National Fish and Wildlife Foundation.

Project design

A causeway bisects the Galilee Bird Sanctuary; therefore the salt marsh restoration work will take place at two sites east and west of that causeway. On the eastern side of the Sanctuary, the construction of twin 6x10 foot box culverts underneath the Galilee Escape Road will restore tidal flow to the salt marsh. Two hundred feet long and equipped with self-regulating tide gates and manually operated backup sluice gates, they will replace the inadequate 30 inch culverts. With no increase to the flood risks of adjacent properties, these gated box

culverts will result in the restoration of 33 acres of salt marsh now overgrown with common reeds and shrubs. The State of Rhode Island (DOT) will fund this wetland mitigation work, required as a permit condition for the Rt. 138/ Jamestown Bridge project, through grants provided by the Federal Highway Administration and the EPA. The anticipated cost is \$672,200. The US Fish and Wildlife Service will assist with the restoration of an historical channel network at a later date.

Similar work will be completed on the western side of the Galilee Bird Sanctuary. Two more gated box culverts will be installed underneath the Escape road at this site, and an historical channel network will be extensively excavated. This work, which will restore 34 acres of salt marsh, will cost \$1,893,000. Because federal disposal of dredged material contributed to the degradation of this salt marsh, the federal government will contribute 75 percent of this cost. The State will pay the remaining 25 percent.

The culvert and channel work will take about a year to complete. The US Fish and Wildlife Service, the Division of Fish and Wildlife, and Ducks Unlimited will then implement additional marsh improvements after this initial period of major construction. They will also undertake an educational outreach effort when the project is completed.

Numerous benefits

The restoration of the Galilee Bird Sanctuary salt marsh will provide a myriad of environmental benefits to this area, including enhancements to water quality, finfish and shellfish populations, and habitat for migratory birds. The restored site will also better serve recreation and scientific research uses. Perhaps most importantly, it will provide an example of what is possible when innovation and cooperation are employed in environmental restoration.

Coastal Features

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Federal Review Team Issues Findings for the Rhode Island Coastal Program

The Council has received a report on the findings of a federal evaluation team which reviewed the Rhode Island coastal program and its implementation by the CRMC in accordance with requirements contained in section 312 of the federal Coastal Zone Management Act. The purpose of the evaluation was to identify major accomplishments and areas for improvement of Rhode Island's coastal program. The evaluation was conducted during the week of September 9th and covered a period from June 1993 through September 1996.

In its report, the evaluation team identified several areas in which the CRMC made major accomplishments. Among these:

- The Council was commended for its development and implementation of the Dock Registration Program and the Marina Certification Program.
- The Council's efforts to improve public access, to provide technical assistance to permit applicants and municipalities, and to streamline the permit process were identified as major achievements.
- The team applauded the Council's efforts to address aquaculture and dredging, two particularly complex coastal issues.
- The Council's continued cooperative relationship with the University of Rhode Island, Sea Grant and the Coastal Resources Center was

identified as an important resource for and contribution to Rhode Island's coastal program.

The report also contains seven recommendations, four of which are mandatory for Rhode Island to implement in order to be consistent with federal funding requirements. In general the mandatory recommendations relate to federal procedures for meeting programmatic requirements. Identified necessary actions include: continued efforts to better coordinate with RIDEM; improvements in reporting and submittal procedures; submittal of a description of the Council's public participation process; and finalization of past program changes in accordance with federal procedures.

In addition to the necessary actions, the Evaluation Team made three program suggestions. Two of these involved the hiring of additional staff for the areas of freshwater wetlands permitting, aquaculture program development, dredging program development and education and outreach activities. The third recommendation was that the Council develop better statistics on permitting trends in the state.

In most cases the recommendations focused on areas the CRMC had previously identified as requiring additional resources, in terms of both staff time and funding, and for which the Council had been working to gain support. However, since some of the recommendations

NOAA Approves CRMC Strategy for Program Enhancement

NOAA's Office of Ocean and Coastal Resource Management has approved the Council's Assessment and Strategy for Program Enhancement and, as a result, will award the CRMC \$120,000 in implementation funds for 1997. As reported in the last issue of *Coastal Features*, the Council recently conducted an assessment of priorities for improving Rhode Island's coastal program and, based on that assessment, developed a three-year strategy for program enhancement to address identified needs. This assessment/strategy was undertaken to meet the requirements of section 309 of the Coastal Zone Management Act (CZMA).

Pursuant to the CZMA, as amended, states were required to assess the strengths and weaknesses of their coastal management programs in the following nine areas: coastal hazards; public access; ocean resources; wetlands; marine debris; aquaculture; special area management planning; cumulative and secondary impacts; and, government and energy facilities siting. Based on this assessment, the Council identified ocean resources (specifically, dredging), wetlands and aquaculture as

continued on page 8

require action on the part of the legislature or other state agencies, there is no guarantee that they will be implemented, in spite of the Council's best efforts.

Marina Pollution Control Project Completed

The control of pollution from marina-related activities has become an increasingly pressing concern over recent years. To comply with new federal regulatory mandates for states to control pollution generated by recreational boating activities and marinas, operators of recreational boating facilities find themselves searching for ways to manage sewage and solid waste, to prevent oil and gasoline spills, and to minimize the impact of boat maintenance activities.

Until now, there has been a lack of practical, widely applicable approaches to controlling these diffuse and often elusive nonpoint sources of pollution. But a six-year collaborative pilot project has produced regulatory benefits for five Rhode Island marinas, as well as a Sea Grant publication offering recommendations that will help other marinas achieve similar results.

The project - funded by the Environmental Protection Agency - addressed a variety of nonpoint source pollution problems common to marinas nationwide. Solutions to these problems include methods to clean up spills, to reduce solid waste, and to educate boaters about practices and equipment to prevent pollution.

Five pilot facilities - Wharf Marina, Apponaug Harbor Marina, Brewer's Yacht Club, Ponaug Marina, and C-Lark Marina, all located in the Green-

wich Bay area - tested pollution control measures, known as best management practices, or BMPs, and have now put many of them into place. By incorporating the BMPs for controlling nonpoint source pollution into their operation and maintenance plans, the facilities have received a unique type of approval from the CRMC. As a result of developing and implementing an approved operation and maintenance plan, the marinas are allowed to make certain types of changes and conduct a variety of routine maintenance activities, from painting buildings to repairing parking lots, without prior CRMC approval. The result is a savings of time and money for both the marina operator and the CRMC, as well as improvements in water quality.

By 1999, in accordance with the Coastal Nonpoint Pollution Control Program, all marinas in states with federally-approved coastal zone management programs must have in place BMPs for controlling nonpoint source pollution. In an effort to facilitate implementation of this requirement, the CRMC has been working closely with Rhode Island Sea Grant, URI's Coastal Resources Center, and marina operators throughout the State.

In September of 1994 Rhode Island Sea Grant and the Coastal Resources Center published the *Environmental Guide for Marinas: Controlling Nonpoint*

Source and Storm Water Pollution in Rhode Island

which provides a comprehensive discussion of the requirements for marinas associated with the Coastal Nonpoint Pollution Control Program and of the range of BMPs available for marinas to meet those requirements. Now, as a follow up to the *Environmental Guide for Marinas*, Rhode Island Sea Grant has published the experiences of the five pilot marinas. *Best Management Practices for Clean Marinas: Lessons Learned* presents nine case studies of BMP implementation and contains general descriptions of each BMP, looking at costs, pollutants collected, overall effectiveness and recommendations for future use of the practice.

Best Management Practices for Clean Marinas: Lessons Learned can be accessed through the Rhode Island Sea Grant home page at : <http://seagrant.gso.uri.edu/riseagrant/BMPcases.html>. Also on-line is a series of boater fact sheets - on topics ranging from vessel sewage to sanding and painting - and selected sections of the *Environmental Guide for Marinas*. Hard copies of *Best Management Practices for Clean Marinas: Lessons Learned* are available from the Rhode Island Sea Grant Communications Office, University of Rhode Island, Bay Campus, Narragansett, RI, 02882; (401)874-6842.

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continued from page 6

priority enhancement areas and developed a three-year strategy to address management needs. In general, the strategy drives off of new legislative mandates and the findings contained in the 312 evaluation of Rhode Island's coastal program (see page **). The strategy for improving management of Rhode Island's ocean resources involves implementation of the Marine Infrastructure Maintenance Act of 1996, with particular emphasis on the requirement for the Council to develop a long-term dredged materials management plan for the state. In the area of wetlands, the Council's strategy focuses on implementation of the Aquaculture Act of 1996 which included amendments to the Council's enabling legislation that require the CRMC to manage freshwater wetlands in the vicinity of the coast. The third enhancement area, aquaculture, will be addressed through the development of a management plan which, among other things, will identify sites suitable for certain aquaculture gear and activities.

The Council looks forward to implementing its strategy for program enhancement and is hopeful that, with the additional resources, it will be able to better meet the coastal management needs of Rhode Island. Coastal Features will continue to update its readers on the Council's progress in these areas.

Coastal Features

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