

Coastal Features



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Coastal Habitat Restoration Goal is Realized: Ninigret Pond Restoration Begins



CRMC Chairman Mike Tikoian draws a laugh from Governor Donald J. Carcieri as he kicks off a groundbreaking ceremony to celebrate the restoration of Ninigret Pond, a coastal lagoon located in the Town of Charlestown, on Rhode Island's south shore.

The CRMC, the U.S. Army Corps of Engineers, and other partners in coastal habitat restoration celebrated a major milestone when the arrival of the restoration phase of the South Shore Habitat Restoration Project was announced during a groundbreaking ceremony at the Ninigret Breachway on October 27, 2004. CRMC Chairman Mike Tikoian noted that "when completed, the state will add 52 acres of restored eelgrass habitat to three salt ponds along the south shore." While the day was decidedly celebratory in nature, Chairman Tikoian reminded the crowd, that it was "by our own hands" that the pristine habitat values of the coastal salt ponds had been compromised. "As well-intentioned as it was at the time, the building of breachways during the 1950s to connect the salt ponds to the ocean, introduced large sand deposits which formed deltas that smothered eelgrass beds in the ponds," said Tikoian. And with the loss of eelgrass beds, the finfish and shellfish populations that thrived in the ponds due to the high habitat values of eelgrass beds, began to decline as well. But Tikoian concluded his comments by announcing "we begin the process of fixing this damage today." Through a two fold approach, over 280,000 yards of sand will be removed from the ponds by dredging, to reclaim the delta areas and reintroduce eelgrass habitats. Better yet, that sand will have a beneficial re-use to nourish and widen the beaches of South County. For more information on the South Shore Habitat Restoration Project go to the CRMC website <http://www.crmc.state.ri.us/pubs/#trustfund>

Coastal & Estuarine Habitat Restoration Trust Fund Update

The prospects for continued coastal habitat restoration just got decidedly brighter. Rhode Island General Law [46-23.1-3](#) The Rhode Island coastal and estuarine habitat restoration trust fund, which established the RI coastal and estuarine trust fund ("the trust") within the CRMC, was recently strengthened. As initially approved by the General Assembly, \$250,000.00 of the fees collected under the uniform oil response and prevention statute (section 46-12.7-4.1) were deposited into the trust on July 1, 2002. But after such a promising beginning, it was unclear whether or not additional funding would be forthcoming to provide for future habitat restoration projects. But with the General Assembly's approval of the amended language to 46-23.1-3 which now calls for \$250,000.00 to be deposited into the trust on *July 1, 2004 and each July 1st thereafter*, restoring Rhode Island's critical coastal and estuarine habitats can continue with a greater degree of certainty.

A Summary of the South Coast Habitat Restoration Project

Purpose: The Rhode Island South Coast Habitat Restoration Project will restore 57 acres of eelgrass habitat in Ninigret, Quonochontaug and Winnapaug Ponds in Charlestown and Westerly, RI. A second component of the project will restore fish passage to Cross Mills Pond in Charlestown, creating 20 acres of anadromous fish spawning habitat.

Benefits: Eelgrass is classified as a Special Aquatic Site in the Clean Water Act. The restored eelgrass beds will serve as nursery areas for many recreational and commercial fisheries species, including bay scallop and winter flounder. The new eelgrass beds and spawning habitat will promote the return of greater numbers of valued fish and shellfish than have been seen in recent years. They, in turn, will generate more robust fisheries in the northeast United States and healthier salt ponds along the Rhode Island south shore.

Status: The South Coast Habitat Restoration will be done in phases. Dredging operations to remove sediment from Ninigret Pond have already begun. When dredging is complete, eelgrass plantings will be placed on the pond bottom to begin the process of re-establishing the extensive beds of submerged aquatic vegetation that existed in the pond prior to the construction of the breachway. Plans and Specifications have been completed for the Cross Mills Pond Fish Passage. The RI Coastal Resources Management Council is currently in negotiations for one of the Cross Mills Pond easements. As soon as that easement is acquired, the project will be issued for construction bids. Finally, the restoration of submerged aquatic vegetation in Winnapaug Pond and Quonochontaug Pond is scheduled to begin in the Fall of 2005 and Fall of 2006 respectively.

Cost: The cost share for the South Coast Habitat Restoration Project is 65% Federal and 35% local. The total estimated project costs are \$7,572,500. The Ninigret Pond restoration estimated costs are \$4,168,500 (\$2,709,500 federal and \$1,459,000 local cost shares). The Cross Mills Pond Fish Passage total project costs are \$552,400 (\$359,100 federal and 193,300 local cost shares). Total estimated costs for Winnapaug Pond and Quonochontaug Ponds are \$1,625,700 and \$1,225,900.

Partners: The U.S. Army Corps of Engineers, and the Rhode Island Coastal Resources Management Council.

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Not to be forgotten in the day's festivities are Megan Higgins (r), who chairs the Rhode Island Habitat Restoration Team, and Janet Freedman (l), the CRMC's Coastal Geologist. Both Megan and Janet have been indispensable toward the success of the Ninigret Pond habitat restoration project. Keep those hardhats and shovels handy, as you continue the task of managing the largest coastal habitat restoration project in New England. Great job Megan and Janet!



Rhode Island Habitat Restoration Project Update

The Lonsdale Drive-In Environmental Restoration Project, Lincoln (\$152,962.85)

Partners: Rhode Island Department of Environmental Management; United States Army Corps of Engineers, New England District; United States Fish and Wildlife Service; and United States Environmental Protection Agency

The pre-restoration conditions at the site of the former
Lonsdale Drive-In Theater



Photo: Janet Freedman, CRMC

Post-restoration conditions



Photo: Megan Higgins, CRMC

The Lonsdale Drive-In is located along the Blackstone River in Lincoln, RI and is owned by the Department of Environmental Management. The site is within the Blackstone River National Heritage Corridor and the Blackstone River Watershed, and is also upstream from the Valley Falls Marshes, one of the most highly valued freshwater wetlands in Rhode Island. It is intended that the Blackstone Bikeway to be constructed in the Spring 2003 will run along the outer perimeter of the drive-in property

The Lonsdale Drive-In site is a broad floodplain terrace that was developed as a drive-in theater in the early 1950's. Before construction of the theater, the site was used as a pasture and farmland for many years. Approximately 20.4 acres of the 36.8-acre site were paved to construct the drive-in. The theater was closed in the early 1980s and the site has been abandoned and unused since that time. The State of Rhode Island purchased the site in 1998 with the intention of restoring wetland and riparian habitat in conjunction with the US Army Corps of Engineers (USACOE).

Vestiges of the old drive-in, including two dilapidated movie screens, a 75-foot radio tower, and several small structures remain on the site. Significant testing indicated no hazardous materials or hazardous wastes exist on the site. Although the pavement has deteriorated somewhat over the years, most of the site remains very sparsely vegetated and provides little wildlife habitat value.

A restoration plan was developed by an interdisciplinary team, including engineers, biologists, hydrologists, ecologists, and economists. The team included representatives from the USACOE New England District, RIDEM Division of Planning and Development, RI Natural Heritage Program, the US Fish and Wildlife Service, the University of Rhode Island, and the National Marine Fisheries Service.

The restoration plan consists of construction of a 7-acre wetland and restoration of 13.4 acres of upland riparian habitat. Constructed wetlands would include 3.6 acres of emergent and open water habitat and 3.4 acres of scrub/shrub and forested wetlands. The plan includes establishment of a continuous wooded riparian buffer along the Blackstone River.

RIDEM will monitor wildlife use of the site after construction before determining how to manage upland vegetation. Uplands will be either maintained as grassland or allowed to develop into forest through natural succession. The USACOE will monitor development of wetland vegetation as well as areas with the potential for erosion during a 3-year initial establishment phase. No long-term maintenance of constructed wetlands is expected to be required.

Rhode Island Superior Court Ruling Allows Parking on CRMC Designated Rights-of-Way to the Shore

by

Bob Moeller, Chairman, RISAA Public Access Committee

This article from the September 2004 RISAA Newsletter is reprinted with permission

Sometime in early August, 2003 I received a phone call from a fellow angler named Lou DeIorio. Lou was upset because one of his favorite fishing spots in Barrington was being threatened by neighbors who no longer wanted parking for fisherman at the end of their street. Lou's story was compelling. Lou and several of his retired buddies had been fishing this spot near Nyatt Point longer than Lou could remember. Lou reported that he and his friends had always shown respect for the property owners in the area by trying to keep the fishing access clean and orderly. More and more "no parking signs" kept going up just the same.

Lou had been communicating with Barrington town officials, law enforcement, Save the Bay, the Coastal Resource Management Council, even legal counsel. I remember vividly Lou's passion for keeping this access open, and his fear of losing his favorite fishing spot. I told Lou I would talk to someone I knew at CRMC, to see what was happening with this situation. As it turned out, Kevin Cute at CRMC, was very familiar with Lou and the deteriorating situation down at the CRMC designated, Daunis Right of Way (ROW). We discussed ways through which the situation might be resolved.

Daunis is located on the west side of one of Barrington's most affluent neighborhoods. This ROW is just a short walk from the RI Country Club, and is bordered by million-dollar, saltwater front homes. The ROW extends along a stream that empties into Narragansett Bay. Million-dollar, striped bass territory, as well! Kevin Cute advised me that this public access was wide enough near the street to actually accommodate parking on the ROW, itself.

Apparently, that's where the situation reached a boiling point. The Town of Barrington became the applicant to CRMC for the development of parking on the ROW. Some neighbors did not want parking on the ROW, or the street for that matter. Subsequent to Town meetings on the issue, which were attended by Lou and members of our committee, the neighbors decided to bring their case to court and filed a restraining order to block the development of parking at Daunis. The Town of Barrington presented its case for parking at Daunis in Superior Court through attorney, Mike Ursillo. Said court case was not decided until recently.

According to the Providence Journal article, dated August 10, 2004, Judge Procaccini states in his Superior Court decision: "The Parcel is a right-of-way that is intended to accommodate the public at-large and not merely abutters for the property or those in walking distance. In such a case, automobile access is necessary and reasonable." We all send a big "Thank-You" to Judge Procaccini, the Town of Barrington, Kevin Cute at CRMC, and most importantly, to RISAA member Lou DeIorio. Did I mention that Lou joined RISAA after our conversation?

Although this Superior Court decision could be appealed by the neighbors, we hope that they will recognize the decision as fair and just. The decision is harmonious with our State's constitution which guarantees the public's right to use the water and shoreline below mean high tide. Public access ways or right-of ways (ROW's) were established long ago to provide public paths to the water. Said ROW's can exist on private and public property. ROW's are usually recorded by deed and/or approved plat plans. We all hope that this month's public access here, Lou DeIorio, can park, walk, and fish in peace here at Daunis for many, years to come.

"Fine Tuning the Parking"

On August 18 I attended a meeting at Daunis with Kevin Cute of CRMC, Barrington Town Manager Peter DeAngelis, and happy, RISAA member Lou DeIorio. We discussed plans for the development of parking and the posting of multi-lingual signage at the site. We also discussed RISAA's participation through "Adopt An Access" to help keep things running smoothly. Guess who already volunteered to help out for RISAA! Lou, of course.

CRMC Designates East Transit Street in Providence as a Public Right-of-Way to the Shore

by
Kevin R. Cute

When the CRMC designates a public right-of-way to the shore, the typical result is the legally confirmed existence of a pathway by which the public may gain unimpeded access to the shore in Rhode Island. But when the full council of the CRMC voted to designate East Transit Street in Providence as a public right-of-way to the shore (ROW) in November, 2004, a walking path was only the beginning. Although the CRMC's designation of East Transit Street as a ROW is critical to ensuring a rare opportunity for public access to the shore along the Seekonk River, the northernmost reach of tidal waters in the state, it only marks the beginning of the agency's involvement in what is slated to become a significant public access site.

East Transit Street's ROW designation was born from opportunity, when longtime city residents informed CRMC staff that they had launched canoes near the end of the street as children. Overgrown and used as a storage area by a neighboring business, East Transit Street's potential as much more than a pedestrian way to the shore became clear when it was discovered that the city owned some waterfront parcels adjacent to it. What at first seemed like a potential walking path, suddenly became a candidate for development as a recreational boating facility.

A partnership between CRMC, the City of Providence, the Rhode Island Department of Environmental Management (DEM), and another neighboring private business has formed as a result of this discovery. The CRMC's legal counsel has coordinated legal discussions between the partners, and the DEM and the City of Providence are working toward funding the construction of a public boat launching facility. At the time of this writing, landscaping plans have been drafted that show the site - which includes East Transit Street and the adjacent city owned parcels - can support a boat launching ramp, a canoe and kayak launching beach site, numerous parking spaces automobiles, and others large for automobiles with trailers. The CRMC will coordinate any dredging activities that may be needed, and will also be responsible for overall project permitting.

Rhode Island Salt Water Anglers Association Public Access Committee Report

by
Bob Moeller, Chairman

This article from the November 2004 RISAA Newsletter is reprinted with permission

Our committee is optimistic about the development of year-round, four-wheel drive access and parking over the sand trail to Green Hill Beach, South Kingstown. On October 1, I met with South Kingstown Representatives and Kevin Cute from the CRMC at the site off Charlestown Beach Road, South Kingstown. Three CRMC designated rights-of-ways exist along this sand trail. Due to a lack of parking, only property owners have been able to utilize this stretch of public shoreline. The fall does provide an opportunity for permitted vehicles to run the beach to Green Hill. Shifting sands and tides sometimes make travel along the beach treacherous at best. If parking can be developed for a limited number of CRMC permitted vehicles at the end of Charlestown Beach Road, anglers would only have a short walk to prime shore fishing spots. Currently, only the sand trail at East Beach in Charlestown is open year round for four wheel drive access. The RISAA public access committee has proposed "adopting" this important shore access site, once plans are finalized.

**RISAA Awards Commendation
to Kevin Cute, at CRMC**

The RISAA Board of Directors and general membership voted to recognize the efforts of Kevin Cute at the Coastal Resources Management Council. Kevin works diligently to protect, identify, and develop public access sites throughout Rhode Island. Kevin has been RISAA's liaison to CRMC and local government since our committee was formed. His tireless efforts have recently been rewarded by the development of public parking at the Daunis Right-of-Way in Barrington. Kevin is always available for consultation when public access issues and emergencies come before our committee. Great work Kevin!

CRMC UPDATES PROVIDENCE HARBOR SPECIAL AREA MANAGEMENT PLAN

PROJECT SUMMARY

Metro Bay Special Area Management Plan

The University of Rhode Island Coastal Resources Center/Rhode Island Sea Grant at the Graduate School of Oceanography (CRC/RISG) will be updating the Providence Harbor Special Area Management Plan (SAMP) for the Rhode Island Coastal Resources Management Council (RICRMC). The Center has recently initiated phase I of a three year effort. The initial plan was developed almost three decades ago; the new Metro Bay SAMP will incorporate the current vision and process for waterfront development in the region.

The Metro Bay region is the state's largest urban waterfront, reaching from Gaspee Point and Bullock's Cove northward to the falls at the head of the Seekonk River, and the tidal portions of the Woonasquatucket and Mossashuck rivers north of the Fox Point Hurricane Barrier. It also encompasses the area bounded by the Woonasquatucket and Mossashuck rivers known as the Capital Center District.

Recent legislative changes have created, in essence, autonomous zoning authorities within both the cities of Providence and East Providence. The Capitol Center Commission in Providence and the Waterfront Special Development District Commission in East Providence have been given land use, zoning and design authorities for projects that fall within their jurisdictions. These areas also fall within the SAMP boundaries. Together with the municipal authorities of these cities (plus at least two others), and the Council's, an institutional framework need to be established that identifies and coordinates all these separate but similar jurisdictions, beyond that which is identified in the current SAMP. This SAMP process is seen as being the perfect vehicle to accomplish this, and each community that the Council has visited to-date to explain its forthcoming intentions, has been well received.

Revising the SAMP will require technical assistance and facilitation of a process that includes partnership building with the four municipalities and other major stakeholders, issue identification, plan development, synthesis of science for the development of management recommendations and policy formulation, and implementation of early actions and formal adoption by the state and municipal agencies. Virginia Lee and Jennifer McCann will coordinate all aspects of this project at CRC/RISG.

Metro Bay SAMP Vision: We imagine people around a Bay where choices are shaped by a concern for quality of life, equity, economic opportunity and the environment. Specifically, the four cities of the Upper Narragansett Bay recognize that they belong to a coherent urban ecosystem promoting a shared vision, with measurable goals to enhance both economic opportunity and a healthy environment at a regional scale. The SAMP is an effective decision-making tool for coordinating the cities and state agencies. They are consistent with the vision, and fit within the context of the broader geographic and economic region while embracing local community implementation. The citizens, leaders, and decision-makers of the Upper Narragansett Bay work to ensure that waterfront redevelopment and use of the coastal resources provides not only economic and social, but also net environmental benefits for the region.

Metro Bay SAMP Mission: In support of the vision, the program will work to mobilize governments, business and communities around the Upper Narragansett Bay to work collectively as stewards of our urban waterfront, coast and tidal waters – to define and achieve the health, equitable allocation, and sustainable use of coastal resources. The Special Area Management Plan will be developed in a manner that ensures waterfront redevelopment is regionally coherent and supportive of the Narragansett Bay marine development plan. The program will assist municipalities work together to take advantage of opportunities to advance plans for waterfront development, solve regional problems, and incorporate community needs to the process, as appropriate.

The update is a three-year initiative with three phases:

Phase I – Information gathering and developing a constituency: identifying SAMP region stakeholders, key issues, current visions, plans and policies; synthesizing science and available information to understanding of issues and formulating additional research questions; implementing early actions, and building a diverse, knowledgeable constituency for the long term.

Phase II – Formulating the SAMP Plan: building upon available information and issue analyses; debating options, reaching agreement and reviewing draft findings and policy chapters.

Phase III: - Adopting and preparing to implement the SAMP: Developing and securing formal adoption of the SAMP and collaborating with major stakeholders to initiate implementation of SAMP policies and recommendations.

EXPECTED RESULTS OF A REVISED SAMP

This initiative will aim to achieve the following results:

- 1) Urban redevelopment within the SAMP boundary is more economically and environmentally sustainable.
- 2) Early involvement by CRMC results in a stronger meshing of state and municipal goals, that reduces the risk to developers and increases economic feasibility for the municipalities.
- 3) Regional solutions to SAMP issues such as public access, brownfields, port development policy, debris removal, and hazard mitigation resolve some of the key obstacles to success perceived by the municipalities and attracts additional implementation resources.
- 4) Applied research is incorporated into resolving user conflict issues in the Providence Harbor Region.
- 5) Communities within the SAMP region identify themselves and users and beneficiaries of the environment, economic, and social improvements that municipal and states are achieving through this SAMP process. As a results these communities are increasingly engaged in these waterfront activities.

YEAR 1 ACTIVITIES (July 2004 – June 2005)

Issue Identification and Assessment

- *Kick-off meeting (July 21)*
- *Orientation events (September, October)*
- *Focus group meetings (October – January)*
- *Define the goals of the management initiative (August, September)*
- *Develop Ecohistory as a tool to learn from the past and link to the future (August – June)*

Communication Strategy

- *Set up list serve for email communication (January)*
- *Develop external web site (November-January)*
- *Meet with media (January)*

Implement Early Actions

- *Develop a regional GIS for landuse, demographics, visioning and scenario development (Jan – June)*
- *Scan the regulatory process for conflicts and “easy fixes” to streamline appropriate coastal development. Work with House and Senate for incorporation of legislation in the spring (Oct – June)*
- *Science and economic Symposium (May)*
- *Identify opportunities to work with local organizations in issues related to the SAMP (Jan-June)*

For more information, contact Pam Rubinoff (rubi@gso.uri.edu) or Sue Kennedy (skennedy@gso.uri.edu), University of Rhode Island Sea Grant Program 401-874-6224



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Grover J. Fugate, Executive Director
 Goldman Law Offices, Legal Counsel



Ready, set, toss! The contingent of dignitaries breaking ground by the Ninigret Breachway to mark the beginning of the restoration of Ninigret Pond include, from left to right: Fred Vincent, Acting Director, DEM; Tim Keeney, Deputy Assistant Secretary for Oceans and Atmosphere, NOAA.; U.S. Senator Jack Reed; Mike Tikoian, Chairman, CRMC; Governor Donald J. Carcieri; Grover J. Fugate, Executive Director, CRMC; State Senator Susan Sosnowski; and, John Kennelly, Chief of the ACOE Planning Branch.

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