

COASTAL MANAGEMENT NEWS

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Looking northwest over the St. Louis Estuary and Pokegama Bay, proposed site for the Wisconsin Lake Superior National Estuarine Research Reserve. Photo by Travis Olson, WCMP

Wisconsin Announces NERR Site Along Lake Superior

On May 30th Wisconsin Governor Jim Doyle announced the nomination of the St. Louis River estuary as a National Estuarine Research Reserve (NERR) in Lake Superior. Wisconsin Coastal Management Program staff were at the announcement in recognition of their involvement in the site selection process.

The Coastal Program was instrumental in the reserve's nomination. The Wisconsin Coastal Program contributed funding and staff expertise, in partnership with University of Wisconsin–Extension, to conduct a Great Lakes freshwater estuary needs assessment and to facilitate the a public stakeholder site selection team. Since beginning the process in 2006, the St. Louis River estuarine was one of 35 sites the site selection team evaluated with input from citizens, local and tribal

governments, organizations and conservation agencies. The Coastal Program staff also coordinated the relationship between NOAA and the site selection team.

The St. Louis River is the largest U.S. tributary to Lake Superior. Its waters and wetlands are nationally significant and provide critical habitat for birds, fish and plants. Additionally, the estuary is adjacent to the working harbor of Duluth/Superior, making it an excellent site for research into broader issues such as aquatic invasive species, lake level changes and climate change.

The designation would include the development of a center on Lake Superior's south shore dedicated to research and educational outreach related to freshwater estuaries.

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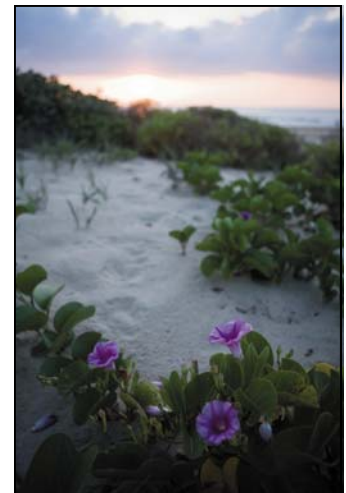
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The reserve would consist of about 15,000 acres of publicly-owned land and water including areas within the St. Louis River Stream Bank Protection Area, Superior Municipal Forest, Wisconsin Point Conservation and Recreation Area, Dutchman Creek property, Pokegama Carnegie Wetlands State Natural Area, and connecting waterway



Wisconsin Coastal Program Staff with Governor Jim Doyle at the reserve designation ceremony. Photo courtesy of WCMP

portions of the St. Louis River, Allouezay and Lake Superior.

The St. Louis River estuary is anticipated to be officially designated as a National Estuarine Research Reserve in the Fall of 2010. For additional information, contact Travis Olson at travis.olson@wisconsin.gov.

Massachusetts Launches StormSmart Coasts Program

While the Massachusetts coastline has been well loved and well used for centuries, events like the “Patriot’s Day Nor’easter” on April 14-17, 2007—which caused millions of dollars in property damage—show that the business-as-usual approach to coastal floodplain management is likely to lead to ever-growing storm-related costs. To encourage and enable better management of coastal floodplains, the Massachusetts Office of Coastal Zone Management launched the StormSmart Coasts program in May with a series of four regional workshops. This program is specifically targeted to local officials and seeks to provide the information necessary for more informed and appropriate management decisions.

The central theme of StormSmart Coasts is No Adverse Impact (NAI). First articulated in a 2000 Association of State Floodplain Managers white paper (available at www.floods.org), the NAI approach ensures that the action of any property owner, public or private, does not adversely impact the property and rights of others. Before a project is permitted, land owners are required to mitigate for any potential harm that they may cause to other properties, thereby protecting everyone’s property rights. In its simplest sense, it is a “good neighbor” policy.

In addition to reducing storm damage, one of the greatest benefits of following the NAI approach is its legal robustness. While the NAI name is new, the NAI approach was actually founded in ancient Roman law. As StormSmart Coasts documents explain, courts at all levels (and even traditional property-rights organizations) have shown extreme deference towards NAI-type regulations—giving municipalities a solid legal foundation for effective floodplain management.

To disseminate this information to local governments and those making land use decisions, the StormSmart Coasts program has developed a



Coastal erosion along Massachusetts’ North Shore after the Patriot’s Day Storm. Photo courtesy of MACZM

website (mass.gov/czm/stormsmart). On the website, local officials can find technical assistance in seven areas of floodplain management: hazard identification and mapping; planning; mitigation; infrastructure; regulations and development standards; emergency services; and education and outreach. The site also houses information on NAI and common legal issues in coastal areas, and links to potential funding sources. To help ensure that the website meets audience needs, a working group of local officials is providing on-going advice and insight throughout the program’s development.

StormSmart Coasts development was led by Massachusetts’ 2006-2008 NOAA Coastal Management Fellow. Beginning in September of this year, StormSmart Coasts will move into its second phase as the Coastal Zone Management Program’s new Fellow will work with coastal communities to help them implement the StormSmart Coasts tools.

For more information on StormSmart Coasts, contact Wes Shaw at wes.shaw@state.ma.us.

Delaware Launches “Thank You Delaware Bay” Campaign

Delaware recently launched a new “Thank You Delaware Bay” campaign to showcase the beauty and amenities of the bay and encourage actions to help protect its health and resources. The campaign uses an action-oriented slogan—The Delaware Bay Takes Care of Us. Let’s Return the Favor—in print advertisements, posters and public service announcements to promote bay stewardship and direct people to the new “Thank You Delaware Bay” website—the center of the outreach campaign.

The website serves as a comprehensive “portal” for Delaware Bay information and encourages citizens to take action. The site highlights the many benefits the bay provides: jobs; food; medicine; flood protection; wildlife; recreation; and beautiful views. The website enables visitors to “Experience the Bay” by exploring the bay — its

wildlife refuges, nature centers, museums, cultural sites and more. The site also provides links to many bay amenities such as hunting, fishing, boating, hiking and bird watching opportunities.

The site encourages citizens to “Get Involved”. Visitors can take a pledge to commit to actions at home, work, school and in their communities to protect the bay. Links to organizations committed to safeguarding and protecting the bay are listed, and visitors are challenged to join an organization, volunteer on a bay program, and report pollution impacts and threats to animals and marine life.

The website also serves as the place to “Be Heard” by including a page where citizens can learn more about policy work and pending legislation at the local, state and federal level that have implications for the Bay. State and federal government links are included to encourage public input and comment.

The Delaware Coastal Management Program partnered with the Delaware Bay National Estuarine Research Reserve, the Delaware Nature Conservancy and the Partnership for the Delaware Estuary to carry out the “Thank You Delaware Bay” campaign, inspired by California’s “Thank You Ocean” campaign.

To find out more about the “Thank You Delaware Bay” project go to: <http://www.thankyoudelawarebay.org/>. For additional information, contact Kim Cole at kimberly.cole@state.de.us.



The Thank You Delaware Bay website showcases the benefits of the Bay and encourages citizens to be active in protecting the Bay.

New Hampshire Forms Collaboration Against Invasive Plant Species

Eleven state and federal agencies and nonprofit conservation groups, including the New Hampshire Coastal Program, recently established the Coastal Watershed Invasive Plant Partnership (CWIPP), an exciting new partnership to protect New Hampshire’s coastal watershed from the spread of invasive plant species. The partnership’s goal is to cooperate on assessing the extent and controlling these destructive plants.

Approximately 60 attendees helped kickoff the partnership at the Great Bay Discovery Center in May. They heard Department of Environmental Services Commissioner Tom Burack, Coastal Program Manager Ted Diers and others speak about the threat of invasive plant species and the value of this partnership.

The signatories to the official agreement used “Phragmites,” a locally made pen made from the stalk of

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CWIPP Signatories

- New Hampshire Department of Environmental Services, N.H. Coastal Program
- New Hampshire Fish and Game Department
- New Hampshire Department of Transportation
- New Hampshire Department of Agriculture Markets & Food
- New Hampshire Department of Resources and Economic Development
- Rockingham County Conservation District
- Natural Resources Conservation Service
- United States Forest Service
- The Nature Conservancy
- Great Bay National Estuarine Research Reserve
- University of New Hampshire Cooperative Extension

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one of our most prolific coastal invaders, common reed (*Phragmites australis*), to sign the Partnership Agreement that formally began the partnership.

After the signing ceremony, attendees were treated to an invasive species plant tour and then watched a weed wrench demonstration to take down an invasive honeysuckle. There was no shortage of invasive plants examples onsite at the Great Bay Estuarine Research Reserve, illustrating firsthand how widespread and prolific these destructive plants are in our coastal watershed. The invasives tour included purple loostrife (*Lythrum salicaria*), oriental bittersweet (*Celastrus orbiculatus*), Japanese knotweed (*Polygonum cuspidatum*), multiflora rose (*Rosa multiflora*), common reed (*Phragmites australis*) and honeysuckle (*Lonicera spp.*).

Native plants are being strangled, choked, shaded out, or toppled by invasive shrubs, vines and trees. Invasive plants know no boundaries. They span landscapes and properties, making collaboration essential. In addition to the signing members, organizations, landowners and

municipalities will participate in the Partnership, bringing together resources and expertise to complete invasive species management projects and restore native habitats.



Signatories to the Coastal Watershed Invasive Plant Partnership agreement formalized their commitment to fight the spread of invasive plant species in New Hampshire's coastal watershed. Photo Courtesy of NHCMP

The Partnership is based on the model of a cooperative weed management area, an organizational structure popular in the western U.S., incorporating the following: defined geographic area; involvement and representation from all stakeholders; governed by a steering committee; committed to cooperation; and guided by a comprehensive management plan.

Several similarly modeled invasive plant species partnerships have formed throughout New England, but this is the first time such a partnership has been formalized through a

partnership agreement. Signatories to the agreement commit to work together on invasive plant species management for five years. The New Hampshire Coastal Program staff have been pivotal in initiating and coordinating the partnership, and will continue to facilitate the group.

A copy of the partnership agreement is posted at www.des.nh.gov/press.asp. For additional information, contact Cathy Coletti at Catherine.Coletti@des.nh.gov.

Texas Amends its Beach/Dune Rules

Texas has 367 miles of Gulf-fronting beaches and over 3,300 miles of bay shoreline. With nearly two-thirds of the state's shoreline protected as natural areas, the Texas coast supports significant and rare species such as the Kemp's ridley sea turtle and the piping plover. However, the number of Texans living near the coast is increasing, with 25% of Texans now living in the 18-county coastal region.

One of the most significant issues facing Texas is coastal erosion. About 64 percent of the Texas Gulf coast is experiencing long-term critical erosion. On average, the state loses 235 acres of Texas Gulf shoreline each year.

The Texas [Open Beaches Act](#) and the [Dune Protection Program](#) were enacted to protect and preserve the public beaches and critical dune areas. The Texas Open Beaches Act (OBA) uses a rolling public beach easement, mean high tide line to the line of vegetation, which can change landward in areas that are eroding and seaward in areas that are accreting. Since 1959 when the OBA was enacted, development and use of the Texas coast has grown tremendously and at the same time, many sections of the Gulf shoreline have been impacted by erosion.

Due to beach erosion and storm events, over 100 private residences, originally built on private uplands,

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are now located on the public beach in Texas. Many of these houses and other damaged structures hindered access and use of the public beach and pose imminent threats to public health and safety.

Texas is taking steps that will allow local governments to enact construction setbacks for building on the barrier islands that border the Gulf of Mexico. In Sept. 2007, amendments to the OBA and the Dune Protection Act (DPA) were enacted in House Bill (HB) 2819. Although there are many provisions to the bill, the items getting the most attention are the setbacks, and the additional enforcement abilities given to the Commissioner to maintain a safe and accessible public beach.

HB 2819 authorizes the Commissioner to determine what constitutes an imminent threat to public health and safety, or interference with the public beach easement. Additionally, it authorizes the Commissioner to order the removal of structures that encroach on the public beach easement and to assess administrative penalties, costs for the removal of structures, or the sale of salvageable parts. It also encourages local governments to develop erosion response plans that incorporate setback lines for new construction and authorizes the Commissioner to consider whether a local government creates a setback that takes into account the erosion rates when reviewing local funding requests for coastal improvement projects.

Although some homeowners have expressed concern about the proposed amendments, many citizens have expressed their support of the proposed rules. It is the intent of the law that the public will benefit because of reduced public expenditures associated with loss of structures and public infrastructure due to storm

damage and erosion, disaster response costs, and loss of life. Communities will also be protected by implementation of measures such as improving foredune ridges and beach access points to protect against storm surge.



Example of structures on an eroded beach in Texas. Photo by Carrie Hall, NOAA

Importantly, the proposed amendments provide for exemptions where the owner has demonstrated that no practicable alternatives to construction seaward of the building set-back line exist. The amendments also allow for some beneficial use of property seaward of the set-back line. For more information, please contact Eddie Fisher at Eddie.Fisher@glo.state.tx.us

Moving Toward More Ecologically Sound Beach Management in California

Sandy beaches are the most common habitat along California's 1100 miles of coastline. California's natural beaches are among the most diverse in the world with over 70 species calling the beach their home. However, recent research along the state's beaches has found that the widespread practice of beach grooming poses a serious threat to this biodiversity. As a result, the California Coastal Commission (CCC) is teaming up with local beach managers, researchers, and others to encourage more ecologically sustainable beach management practices.

Beach grooming typically involves pulling a rake behind a large tractor to remove trash and "unsightly" wrack. Although some grooming occurs north of Point Conception, over 45% of sandy beaches in Southern

California are subject to regular grooming. While grooming may "beautify" the beach, aggressive mechanized grooming removes significant amounts of wrack and sand and disturbs or destroys countless beach organisms as well as beach nesting habitat. For example, Dr. Karen Martin, with Pepperdine University, has documented adverse impacts of grooming on grunion nesting areas, a small, protected fish unique to Southern California that spawn out of water and lay their eggs on the sandy beach. Separate studies by Dr. Jenny Dugan of the Marine Science Institute at the University of California at Santa Barbara demonstrated the importance of beach wrack for maintaining healthy beach ecosystems.

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For the past several years Dr. Martin has hosted a bi-annual meeting of beach managers to discuss ecologically sound management practices to educate beach managers and state agencies about the importance of protecting, restoring, and enhancing natural beach resources. As a result of these meetings, California and local governments are beginning to reexamine the practice of mechanized beach grooming and explore and implement alternatives. To protect grunion spawning grounds, almost all public beaches across the state now only groom above the highest high tide mark during the spring and summer nesting season. The highest high tide mark is adjusted and staked every two weeks to help the operators of the grooming tractors stay higher on the shore than the recently deposited eggs.

State agencies and beach managers continue to consider alternative grooming practices to preserve wrack. The CCC has formed a beach grooming work group to study this issue and is an active participant in the bi-annual beach managers' meetings. Several beach grooming alternatives are being discussed, promoted, and in several cases implemented (either voluntarily or through permit conditions). These alternatives include: no grooming; hand grooming; seasonal grooming; zonal or rotational grooming; and threshold grooming (wrack removal beyond a certain density or height considered problematic). To educate the public and practitioners about these alternative practices and their benefits, the CCC and the beach manager's group plan to create a state-wide natural beach ecosystem awareness campaign and to develop a state-wide best beach management practice guide.

The continued existence of California beaches as functional, diverse ecosystems will depend on direct conservation efforts. An important component will be continuing to replace traditional mechanized grooming practices with ecologically sensitive beach management practices. For additional information, contact Dr. Jonna Engel, jengel@coastal.ca.gov.



Grunion grooming protocol at Mission Beach in San Diego to avoid nesting areas below high tide line. Photo courtesy of Karen Martin

CELCP Updates NOAA's Coastal and Estuarine Land Conservation Program

State CELCP Plans

In order to be eligible to participate in the FY09 CELCP competition, each coastal state has to prepare a CELCP plan that identifies priority conservation areas within the state. Four states already have approved CELCP plans (Washington, New York, North Carolina and Massachusetts). Between April and June, 2008, eight additional states submitted draft CELCP plans to NOAA for review (Virginia, New Jersey, Mississippi, Michigan, Louisiana, Guam, American Samoa and Alaska). Many states have previously submitted drafts and have received comments to include in their revision; this quarter, four states submitted revised plans to NOAA (Texas, Ohio, Florida and Rhode Island). These documents are currently being reviewed by CELCP staff and CZM specialists. To see several approved and draft CELCP plans, please visit the CELCP website at: <http://coastalmanagement.noaa.gov/land/welcome.html>.

CELCP Land Acquisitions this Quarter

On April 7th, 2008, the Town of Southold in New York acquired *58.3 acres along the Long Island Sound* using CELCP funds. This property was the largest undeveloped tract remaining within a large residential community, and includes unique primary and secondary dunes and rare ecological communities, such as cranberry bogs.

On April 18th, 2008 the Middle Peninsula Chesapeake Bay Public Access Authority acquired *209 acres in the Dragon's Run Watershed of Virginia*. This property is contiguous with another previously acquired CELCP property. The Dragon's Run watershed is one of the least developed swamp and woodland communities remaining in Virginia.

On May 20th, 2008 the Georgia Coastal Management Program acquired *4,162 acres along the Altamaha River in Georgia*. This property is primarily composed of palustrine forested wetlands and evergreen forests. It is home to long leaf pine, gopher tortoises and several rare and threatened plant species.

On June 12th, 2008 the Louisiana Department of Wildlife and Fisheries acquired *4,636 acres north of Lake Pontchartrain in Southeast Louisiana*, encompassing a portion of the Tangipahoa River and Bedico Creek. This property is primarily baldcypress/tupelogum swamp and freshwater marsh, and will be managed as part of the Joyce Wildlife Management Area.

– Spotlight on NOAA Resources –

Working Towards a Multipurpose Marine Cadastre

The Multipurpose Marine Cadastre Project (MMC) is a multi-agency effort to build a marine information system for the outer continental shelf and state waters. The data and information contained in this system are used to address a range of issues, including the demand for alternative energy.

What makes this effort unique is its distributed data architecture, which places the data management responsibility with the respective federal, state, or local agency. This structure gives users easy access to a variety of data sets from numerous data providers. The National Oceanic and Atmospheric Administration (NOAA) Coastal Services Center and the U.S. Minerals Management Service have been leading the effort, organizing the underlying framework, providing data, and initiating partnerships with data providers and data users.

The geographic information system (GIS)-based project currently provides data through ArcIMS, ArcReader and Google Earth applications. To service more advanced GIS analysis, a data download capability is provided to allow users to select from all available data sets.

The first task of the marine cadastre project was to provide the core marine cadastral data that supports the Outer Continental Shelf Mapping Initiative. This initiative began as a result of the Energy Policy Act of

2005, a mandate to explore alternative energy sources.

The marine cadastre project also provides other region-specific data used to address issues that involve aquaculture, submerged lands leasing, marine conservation and comprehensive marine planning. Future plans include adding additional data on a case-by-case basis to support multiple offshore uses. Data publishing guidelines are being developed to encourage additional data providers to join the effort.

The marine cadastre project is already enjoying some success. The Minerals Management Service's Alternative Energy Program and their private sector partners intend to use the mapping applications and supporting data for their alternative energy projects. The State of Massachusetts has recently been charged with developing a state-wide marine cadastre and will also be using relevant data from the project, which will include federal and state boundaries, National Marine Sanctuary locations, municipal harbor plans and designated port area jurisdictions.

The marine cadastre project is envisioned as the spatial data framework for marine resource management and state-wide ocean planning. For additional information about the project, contact David Stein with NOAA's Coastal Services Center at Dave.Stein@noaa.gov, or visit www.csc.noaa.gov/mbwg/hm/multipurpose.html.

OCRM Requesting Comments on Program Change Procedures

On Tuesday, May 20, 2008, NOAA published in the Federal Register an Advanced Notice of Proposed Rulemaking titled Changes to the Coastal Zone Management Act Program Change Procedures, 73 Fed. Reg. 29093-29094 (May 20, 2008). OCRM is requesting input from states, federal agencies and the public on revised program change regulations to establish a clearer and more efficient and transparent process for program change review. Additional details about the proposed rulemaking and how to submit comments can be found in

the notice. All comments must be received by August 18, 2008 and can be submitted by mail or email to CZMA.ProgramChanges.ANPR@noaa.gov.

A copy of the notice is available on OCRM's website: <http://coastalmanagement.noaa.gov/consistency/rule.html>. All comments received will also be posted there. For additional information, contact Kerry Kehoe at kerry.kehoe@noaa.gov or Carleigh Trappe at carleigh.trappe@noaa.gov.



The quarterly *Coastal Management Program Newsletter* was developed in response to state requests for assistance in improved communication/lesson sharing among the state and territory coastal management programs. Please let us know about interesting things going on in your coastal zone you would like to share with others. If you have any projects that you would like to highlight, please send a brief description to Allison.Castellan@noaa.gov. The submission deadline for the next newsletter is October 1, 2008.

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