

# Seawall Compensation: Regulatory Options Development (SCROD)

NOAA Coastal Management Fellowship Project  
with CT DEEP Office of Long Island Sound Programs (OLISP)



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Presented by Ian Yue

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## Project Goal

Develop a program of **compensation for shoreline armoring** under Connecticut's coastal regulatory program so that additional structures — such as seawalls and revetments — would be **offset** by the removal of existing structures, promoting a policy of **no-net-increase in hardened shorelines**.





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## Project Basis

- OLISP has a longstanding policy *promoting non-structural shorelines*.
- In the wake of Sandy and Irene, the CT legislature made a number of amendments to the Coastal Management Act in 2012 and 2013.
- One amendment provides OLISP with the legal foundation for a program of mitigation through compensation, opening the door for a policy of *no-net-increase in armoring*.



## Statutory Authority

To construct a *shoreline flood and erosion control structure* in Connecticut (among other criteria)...

- ... no other “*feasible, less environmentally damaging alternative*” may exist
- ... “*reasonable mitigation measures and techniques*” are taken to compensate/mitigate remaining adverse impacts of shorefront alteration

*Connecticut General Statutes §22a-92*



## Statutory Authority

Under Connecticut General Statutes §22a-92(e),

*“on-site or off-site removal of existing shoreline flood and erosion control structures from public or private shoreline property to the same or greater extent as the area of shoreline impacted by the proposed structural solution”*

is now considered a *“reasonable mitigation measure [or] technique”*.



## Relevance to Living Shorelines

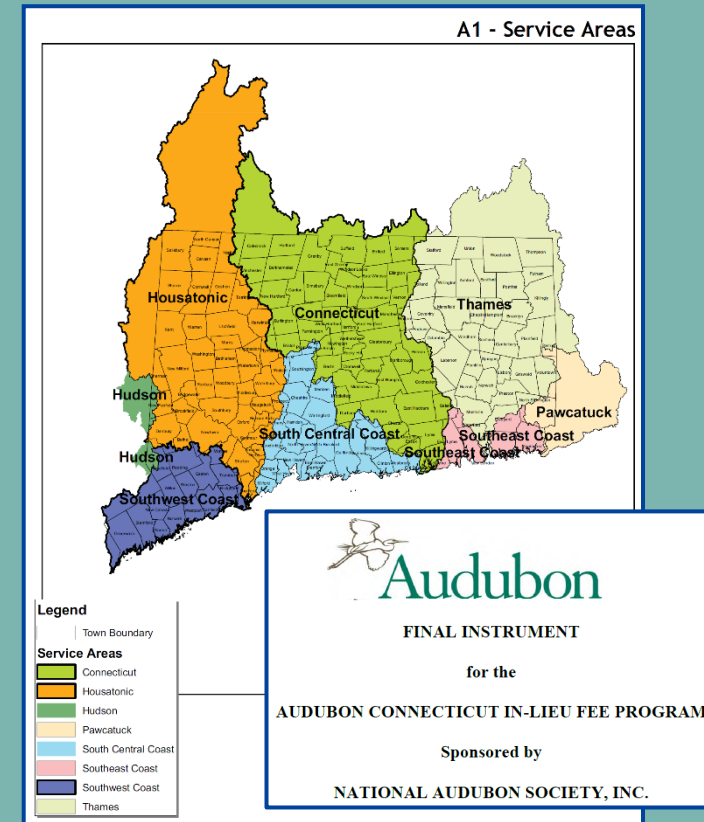
- This program could allow for the establishment of living shorelines in areas where seawalls are currently located
  - State-owned properties
  - Private properties
- Fellowship project also allows for the flexibility to incorporate living shorelines into a compensation scheme



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## Project Progress: CT Statutes & Regulations

- Familiarization with the Connecticut Coastal Management Act
- Education on OLISP's statutory authority vs. municipal authority
- Research and report on USACE/Audubon's In-Lieu Fee Program (Connecticut's only ILF/banking program) for wetland mitigation and how their Program's concepts could relate to SCROD





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## **Project Progress:** Case Studies of Seawall Mitigation in other U.S. States

- Correspondence with coastal management contacts in Hawaii, Maryland, Oregon, and California to understand existing seawall mitigation measures
- Report on California's "sand loss" and "loss of recreational value" seawall fees and their Project of Special Merit to expand the scope of structural mitigation





## Project Needs

- Elements to be considered in the compensation program design (Ecosystem services? Wind/wave impact? Sediment transport? Economic incentives? etc.)
- Identification of contractors (and other interested parties) who may have experience or interest in compensatory work
- Other considerations? I may not know what I don't know!



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