



## Leadership Programs: Offering Depth to the Coastal Arena

by Kristen M. Fletcher

*The leadership instinct you are born with is the backbone. You develop the funny bone and the wishbone that go with it.*  
Elaine Agather, Businesswoman

A leader can be described as a person who guides or inspires others. Leadership, on the other hand, is more amorphous, harder to define, although the American Heritage Dictionary defines it as the “capacity or ability to lead” while Dictionary.com states that leadership is “an act or instance of leading; guidance; direction.” Whether one considers leadership to be an individual act or an individual’s ability to inspire, motivate and offer direction to others, few would debate that leadership is vital to the fields of work in sustaining ocean and coastal resources.

Leadership development programs are not new to ocean and coastal fields. Scientists, policy-makers, students and executives are offered training opportunities at conferences, through their companies or universities, and through professional organizations like The Coastal Society. But, what distinguishes leadership programs that share information and resources (a valuable contribution) from those that truly “develop,” that dig deeper, push us to grow as individuals and offer insight that translates into the ability to inspire?

In the interest of full disclosure, I must admit up front that I am a Senior Fellow of the

*continued on page 4*

## CHOW 2007

By Ellen Gordon

Capitol Hill Oceans Week (CHOW) was held this year on June 5, 6 and 7. Now in its seventh year, this annual event provides a forum for key stakeholders to discuss important ocean and coastal issues. The program facilitates the exchange of knowledge and ideas about ocean issues and policies. Topics this year included:

- ~ A Legislative Agenda: Charting the Course
- ~ Hydrography: It’s Not just for Charting Anymore
- ~ Sounds in the Seas: Acoustics and Marine Mammals
- ~ Census of Marine Life: Incorporating Biological Data in Ocean Observations
- ~ The Economics of Coastal Communities
- ~ Ecosystem-based Management: A Comprehensive Approach
- ~ NOAA Past and Present: A Conversation with NOAA’s Administrators
- ~ Ocean Management: Planning for the Future

The keynote speaker for the kickoff panel on the legislative agenda was the Honorable Leon Panetta. He served as White House Chief of Staff to President Clinton from 1994-1997; prior to that he was Director of the Office of Management and Budget and before that, he represented California’s 16th District in the U.S. House of Representatives for eight years. Mr. Panetta was also Chair of the Pew Oceans Commission, which culminated in a report to the nation in May 2003, advocating for fundamental change in the nation’s pos-

*continued on page 5*

### INSIDE

Message from the President.....	2
From the Editor's Desk .....	3
TCS21.....	3
NewsNotes.....	6
Chapter Voices.....	8
Annual Report.....	10
TCS Internships.....	12
Chapter Updates.....	13
Upcoming Conferences.....	14
Board of Directors.....	15



Dear TCS Member,

*As I write this quarter's letter to you, I am sitting on the ferry returning from Block Island to the mainland of Rhode Island. (I know what you're thinking but despite its small size, Rhode Island has plenty of mainland!) While I was on Block Island for the purpose of introducing conservation easements and other marine conservation tools to law students, I took note of the wide variety of people enjoying their treasured parts of the island from beaches, bike paths, and hiking trails to shops and ice cream parlors.*

*The island is experiencing the usual summer inundation, full of coast-lovers that our conservation guide sheepishly terms "tourons," arriving in droves around July 4th and visiting until Labor Day, our holiday-defined calendar for summer. The students and our host shared stories of childhoods spent on the coast, an emotional connection to a place often passed from generation to generation. Others found their love for the ocean later – but find it, they did! Surfing, sailing, seahorses and seagulls draw people to precious coastal resources by the millions.*

*But, to look closer at Block Island is to see change at a scale that a 10 square mile island is possibly too small to handle: from the population, which swells from approximately 800 in the winter to 12,000 in the summer, to the size of homes, swelling from a more-than-modest 1,200 square feet for year-round residents to multi-thousand square feet for newly-constructed homes often enjoyed seasonally. Two proposals for increased private dock slips has drawn regional attention to this island and, of course, kept the lawyers busy.*

*And, this is Block Island, Rhode Island – a state and region with resources, both natural and financial. Imagine then a similarly sized island in the Pacific without a supportive tax base or sophisticated fundraising techniques or tested legal tools to conserve key tracts of land and ecosystem services. It begs those of us who work on coastal resource issues not to separate people, economics, and culture from the environment as they are intricately and necessarily intertwined.*

*The TCS 21 Conference Planning Committee is discussing creative ways to address these issues through analysis of the human footprint on coastal areas at our 2008 conference in the unique urban environment of Redondo Beach, along the coastal edge of Los Angeles County, California. Redondo Beach has a population of over 63,000, a total area of 6.35 square miles, and a median home price of approximately \$785,000. What better place to discuss the impacts and permanence of our footprints than a coastal city dotted with fifteen parks, a large recreational and commercial harbor (including the 1,500-slip private craft port known as King Harbor), piers, and miles of bathing and surfing beach – all located twenty miles from downtown Los Angeles? Challenges abound including mitigation of the impacts of this city and LA County to the coastal and marine environment, ensuring public access to the coastline, and addressing questions of equity in a wealthy county in California which is often considered "a region unto itself."*

*In the midst of this urban environment, the conference planners hope to push the traditional boundaries of our thinking about coastal resources and the footprints that we inevitably leave on the natural environment and our fellow humans. It is difficult for those of us in the marine world to imagine living within 20 miles of the coast yet never breathing fresh salty sea air or experiencing the magic of ocean waves. But, indeed, there are people who lack the resources to get to the coast, who don't understand its significance in their lives, because they live in communities facing pollution, failing schools, or violence. At TCS 21, we will enter a dynamic part of the U.S. with challenges that mirror those in many parts of the world, offering us an excellent opportunity to share lessons and techniques and to travel outside of our comfort zone of sand beneath our feet to other views of coastal life.*

*I invite you to become a part of this discussion pre-conference, to join the planning committee or just offer suggestions for topics, panels, or meeting techniques that will challenge conference attendees to learn, stretch and grow. It's*

*continued on page 3*

The views expressed herein are those of the authors and do not necessarily represent TCS nor its Board.



The summer solstice has passed (here in the northern hemisphere) and the “dog days of summer” have arrived. In the piedmont country where I live, green is the dominant color, tomatoes are just beginning to come ripe off the vine, local peaches started showing up yesterday at the farmers markets and the sweet corn should begin next week. It is a time of fresh, local abundance, kids free from school, and dreams of lazy summer vacations at the beach.

As promised in the last issue, we're kicking off a new periodic feature, Chapter Voices. Although the Bulletin always includes brief updates from the chapters, this column will be a specific opportunity for a lengthier report on anything a chapter is involved in that might be of interest to other students and to TCS members in general. The inaugural piece written by Christine Patrick, former co-President of TCS-URI, explains the rather complex history of the right-of-way that the URI chapter has been trying to adopt.

You'll also find a brief announcement (and glorious island photo) of our very newest chapter, at the University of Hawaii. They are already a busy group; we'll have a lengthier description of their activities in the next issue of the Bulletin. I hope you'll enjoy all our regular reports and articles as well.

- Ellen Gordon, TCS Editor  
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*continued from page 2*

*a great way to get involved in TCS and advance its important mission, whether you have a few hours a month to share ideas on the monthly committee conference call or want to dedicate more time by taking on a leadership role in the program or planning.*

*As the ferry nears the mainland, I will sign off with best wishes to each of you for a wonderful summer,*

- Kristen M. Fletcher  
TCS President

*GOT CONFERENCE? Ideas, that is! Please e-mail me at [kfletcher@rwu.edu](mailto:kfletcher@rwu.edu) and I will add you to the growing list of talented planning committee volunteers!*

## TCS21

The Coastal Society's 21st International Conference  
Sunday, June 29-Wednesday, July 2, 2008  
Crowne Plaza Redondo Beach, Los Angeles, California

Calling all volunteers: Those with ideas, energy and/or interest in serving on the TCS21 Planning Committee are asked to send an email to Kristen Fletcher, [kfletcher@rwu.edu](mailto:kfletcher@rwu.edu) regarding their interest. Planning Committee conference calls will take place approximately once a month beginning in May 2007. Thanks! We look forward to seeing everyone next summer!



Environmental Leadership Program (ELP), having been a fellow from 2003 to 2005. The two-year fellowship included committing to 4 retreats, the writing and maintenance of a personal leadership plan, interacting with fellows in and outside one's area, and the optional undertaking of an activity fund project. Moved by the experience, my activity fund project for 2004 was the Institute for Future Coastal Leaders at TCS 19 in Newport, designed as a "mini-ELP" for students attending the conference, to introduce students of different disciplines to facilitation and problem-solving skills in the context of coastal management.

Though reasons for participating in a leadership development program differ, many people are looking for more out of their career opportunities and a way to connect with others in their field who might offer different perspectives. TCS Member Kate Killerlain Morrison was recently named a 2007 ELP Fellow in the program's Boston Regional Network. Morrison is participating in a leadership development program because "such training was not available to me as a state government contract employee and [I] was seeking guidance after the passing of my mentor. ELP was attractive because it combines traditional leadership training (public speaking, working with the media, negotiation, etc.) with difficult discussions about the evolving environmental movement, combined with social justice issues of gender, race and class." TCS Member Wendy Waller, also

a 2007 ELP Fellow in Boston, joined "for the opportunity to push myself (or get pushed!) out of my comfort zone and increase my exposure to other people wanting to make things happen too."

ELP is but one of several programs targeting environmental professionals at all career stages from graduate study to middle and late career, recognizing that both green and more seasoned individuals have leadership potential and can serve as assets to the environmental community. For example, the Switzer Environmental Fellowship Program supports highly talented graduate students in New England and California whose studies are directed toward improving environmental quality and who demonstrate leadership in their field, providing a one-year \$15,000 cash award for graduate study as well as networking and leadership support.

Other programs are more focused, through a particular field, skill set, or group of people in order to address emerging environmental needs. Begun in 1998, the Aldo Leopold Leadership Program trains environmental scientists to be more effective communicators of scientific information through three years of expert instruction and consultation, hands-on communication projects, and peer networking. Also using the strategy of focused training, the Sustainability Institute's Donella Meadows Leadership Fellows Program provides training for women in systems thinking, organizational learning and leadership for sustainability, and environmental and social issues. Universities, governments and nonprofits from developing nations can also take advantage of unique programs for their employees like the Watson International Scholars of the Environment Program at Brown University, which convenes environmental leaders from faculties, governments and NGOs throughout the developing world. The program offers a 3.5 month intensive program in sustainable ecosystem management to enhance mastery of critical concepts, relevant tools and transferable processes necessary for successfully managing ecosystems.

These types of leadership programs also recognize the maintenance necessary to sustain leaders, both individual maintenance as well as that of the program. ELP notes that it "considers the active two-year fellowship as only the first phase of a lifecycle of support and participation in ELP" with fellows becoming part of a dynamic network of Senior Fellows once the initial 2-year fellowship is completed. The Beahrs Environmental Leadership Program at the University of California, Berkeley, supports post-pro-



Chris Hawkins

continued on page 5



Leadership Programs  
continued from page 4

gram collaborative projects within its growing alumni base through its Small Grants Initiative, funding projects in developing nations through collaboration with UC Berkeley.

These programs recognize their own need for collaboration and organizational development, to stay relevant to the changing needs of the environmental movement. Created in 2001, the Environmental Leadership Collaborative gave leadership development organizations a formal network to develop and expand the leadership capacity of the environmental movement. The organizations referenced above “believe that effective leaders spur environmental progress, and that these leaders ... need to be equipped to build the networks, partnerships, and public leadership necessary to push for broad environmental change.”\* The Collaborative now has eighteen member organizations that share resources and information, collaborate on projects related to environmental leadership development, and jointly market the various leadership programs.

Leadership Development Programs are growing in diversity and sophistication. No longer a one-time training on management, these programs recognize the interaction, resources and time for reflection necessary for leaders to address evermore complex environmental problems. Coastal and ocean fields can take advantage of this wealth of opportunities through its emerging and existing leaders.

For information on the Environmental Leadership Collaborative and its member organizations noted in this article visit, <http://www.elcleaders.org/> and its members’ page at <http://www.elcleaders.org/participants.html>.

\*Environmental Leadership Collaborative, *Leadership for Sustainability: Developing Leaders for the Environment* at 5 (2005) [available at <http://www.elcleaders.org/ELCreport.html>].

Kristen Fletcher is Director of the Marine Affairs Institute and the Rhode Island Sea Grant Legal Program at Roger Williams University School of Law where she conducts and directs legal research and outreach on marine resource and management issues including the Public Trust Doctrine, submerged lands conservation, and fisheries law and policy. She also is proudly serving as President of The Coastal Society.



Sarah Pautzke

CHOW continued from page 1

ture toward its oceans. His rather extensive political and ocean resume made him a logical keynote speaker.

Mr. Panetta charged the audience with ensuring, “...that we do everything possible to protect this remarkable resource that occupies 75% of our planet.” He made it clear that we must find ways to mobilize the attention of the public on the problems confronting our ocean; e.g., ensuring that anyone who delights in whale-watching also comes to understand the crisis confronting our oceans, indeed confronting our whole planet, and becomes active in seeking out solutions. He made clear his belief that the soul of our country depends on our building a consensus that looks toward the future--our children’s future.

Since the publishing of the Commission reports, Mr. Panetta suggested that some encouraging steps have been taken; there have been some successes. But there is much left to be done; he recommended three major changes that must begin soon:

- 1) Strengthening ocean governance
- 2) Affirming the Law of the Sea
- 3) Acknowledging climate change

The panel that followed his presentation was comprised of several hill staffers, representatives from two non profits, as well as executive branch agencies. Each panelist offered their view of the legislative agenda. While their outlook varied, all expected a full agenda over the next couple of years.

The remainder of the week brought a varied array of discussions, luncheons and awards ceremonies. Hosted by the National Marine Sanctuary Foundation, the event is their largest effort of the year, and is intended to strengthen and build bridges between the private and public sectors, with the goal being betterment of the ocean. <http://www.nmsfocean.org/chow2007/indexpasttense.html#1>



### Scientist Says Sea Level Rise Could Accelerate

From EUCC News: Data from satellites is showing that sea level rises and polar ice melting might be worse than earlier thought, a leading oceanographer said on March 12. Eric Lindstrom, head of oceanography at the National Aeronautics and Space Administration (NASA) stated this at the sidelines of a global oceans conference in Hobart. "All indications are that it's going to get faster." Rapid advances in science in the past five years on polar ice-sheet dynamics had yet to filter through into scientific models, Lindstrom said. He also pointed to huge splits in Antarctic ice shelves in 2002, then seen as once-in-100-year events that created icebergs bigger than some small countries. The mega icebergs were first thought not to affect global sea levels because the ice broke off from shelves already floating on the surface of the ocean. But the disintegration of ice shelves that had blocked the flow of ice from the Antarctic continent could allow sudden flows by glaciers into the ocean, raising sea levels. What we're learning is that ice isn't slow. Things can happen fast," Lindstrom said. "If the (polar) ice sheets really get involved, then we're talking tens of meters of sea level - that could really start to swamp low-lying countries," he said. [www.planetark.com/dailynewsstory.cfm/newsid/40821/newsDate/13-Mar-2007/story.htm](http://www.planetark.com/dailynewsstory.cfm/newsid/40821/newsDate/13-Mar-2007/story.htm)

### U.S. Accuses Europe of Overfishing Tuna in Atlantic

Excerpted from New York Times article by James Kanter: U.S. officials would like the European Union to do more to stop the overfishing of Atlantic bluefin tuna. Bluefin tuna that spawn in the Mediterranean and the Gulf of Mexico mix extensively in the North Atlantic, so European catches may consist of significant numbers of bluefin tuna originating in waters around the United States. Europeans must "get control of their fleets, and if they reach their quotas they've got to shut down the fisheries," said William Hogarth, the director of the fisheries service of the National Oceanic and Atmospheric Administration. However, tuna experts like Carl Safina, Pew Fellow and the president of the Blue Ocean Institute, place much of the blame for the collapse in west Atlantic bluefin tuna stocks on the United States, which, he said, continues to allow fishing in spawning areas in the Gulf of Mexico. Because of the criticism, the European Union governments decided to put expert observers on 20 percent of each country's vessels over 15 meters, or about 49 feet, to check catches and spot vessels using illegal fishing practices. European Union governments also pledged to ban the use of aircraft to locate shoals of tuna. But conservationists sharply criticized the overall plan, largely because the bluefin tuna quota shared between many European nations was roughly twice the

limit stipulated by the International Commission for the Conservation of Atlantic Tuna's scientific advisers. Conservationists like Mr. Safina are calling for an Atlantic-wide, five-year moratorium on bluefin tuna fishing and the closing of spawning areas in the Gulf of Mexico to fishing techniques that could kill bluefin. [http://www.nytimes.com/2007/06/25/business/25tuna.html?\\_r=1&oref=slogin](http://www.nytimes.com/2007/06/25/business/25tuna.html?_r=1&oref=slogin)

### Britain Looks to Boost Wind, Wave and Tidal Power

Excerpted from EUCC News: Britain published new plans on March 15 to streamline the development of offshore wind, wave and tidal power projects, while still protecting wildlife, as part of the fight against global warming. While onshore wind farms are sprouting up all over Britain in the race to develop clean sources of power, offshore wind, which is much more expensive is only now starting to develop. Wave and tidal are even further behind. The white paper policy document, proposes a strategic marine planning system to set national objectives and priorities for offshore developments. It also aims to speed up the marine licensing process and creates a new oversight body, the Marine Management Organization, to ensure that proposals for wind and wave power developments are in the right place and do not threaten wildlife. Carbon-free energy resources along the coast involve hazards for wildlife. [www.planetark.com/dailynewsstory.cfm/newsid/40891/story.htm](http://www.planetark.com/dailynewsstory.cfm/newsid/40891/story.htm)

### More than 1/3 of U.S. Estuaries in Poor Condition

Excerpted from Reuters News Service article by Lisa Lambert: More than a third of the coastal waters that link America's rivers and oceans are in poor condition, the Environmental Protection Agency said recently in a report, with Puerto Rico and the Northeast coast faring the worst. The EPA analyzed 1,239 sites in its first survey of the country's 28 major estuaries, In estuaries in Northeastern states, between 10 and 20 percent of the water was polluted, and more than 15 percent of the sediment was contaminated, the survey found. More than 10 percent of the organisms and fish in the estuaries facing the northern Atlantic Ocean suffered from chemical contamination. Estuaries in the Southeastern states were in the best condition, the report said. Less than 10 percent of the water was polluted and about 5 percent of the sediment showed signs of toxins. The survey also found that the entire San Juan Bay Estuary in Puerto Rico was in poor condition. Estuaries provide more than 75 percent of the US commercial fish catch, according to the EPA, and the fisheries are worth more than US\$1.9 billion. <http://www.planetark.com/dailynewstory.cfm?newsid=42456&newsdate=07=June-2007>

*continued on page 7*



continued from page 6

### **The Department of Energy Announces Wind Energy Partnership With Texas and Massachusetts**

From CSO Weekly: The Department of Energy (DOE) announced plans to provide up to \$4 million to help launch wind-turbine testing centers in Massachusetts and Texas. DOE said increased testing of blades as long as 100 meters, twice the length of blades that are currently available, is needed to help wind power provide 20 percent of U.S. generating capacity. Wind capacity is growing quickly but accounts for less than 1 percent of U.S. electric power. The Commonwealth of Massachusetts Partnership and the Lone Star Wind Alliance will each get up to \$2 million worth of testing equipment to develop the facilities, DOE said. The two groups are entering agreements with DOE's National Renewable Energy Laboratory to establish the centers. Both are expected to begin operations in 2009. The total costs for the projects are \$20 million each, with the balance of the funding coming from state-based groups. The Massachusetts group is pledging \$13 million in grants and loans and also has created a \$5 million reserve for future blade research and testing. The Texas group has pledged roughly \$18 million in state and private capital.

### **Chinese Hunger for Reef Fish Emptying Asian Seas**

From EUCC News: Turquoise fish with red dots stare at hungry tourists from a tank at a restaurant in Hong Kong, the capital of the world's live reef fish industry, a lucrative trade devastating reefs across the Pacific Ocean. China is where the demand for live reef fish is particularly heavy, and where it is also expected to grow. A lot of the reef fish that come into Hong Kong are re-exported into China. Considered a delicacy, demand for coral fish has exploded in line with China's booming economy and some species such as the hump head wrasse are already endangered. Restaurant fish tanks in Hong Kong are filled with exotic fish species gathered from all around Southeast Asia, Australia and even remote Pacific islands, such as Fiji and Vanuatu. With the marine stock already exhausted in nearby waters, Hong Kong traders are reaching far and wide for increasingly rare fish such as groupers, snappers and hump head wrasse, spreading the unsustainable fishing habit across the Pacific. Large parts of reefs in the Philippines, Indonesia and Malaysia are becoming void of marine life as a result of over fishing and the use of cyanide to catch fish alive. [www.planetark.com/dailynewsstory.cfm/newsid/41079/story.htm](http://www.planetark.com/dailynewsstory.cfm/newsid/41079/story.htm)

### **Overfishing of Big Sharks Threatens Entire Ecosystem and Fishing Itself**

From EUCC News: Overfishing of big sharks in the North-

Atlantic has cut stocks by 99 percent, dooming North Carolina's bay scallop fishery and threatening other species including shrimp and crabs, researchers reported on March 29. With most of the great predatory sharks - bull, great white, dusky and hammerhead - gone from Atlantic waters, the rays and skates the sharks normally feed on had a population explosion, the scientists said in the journal Science. Bull, dusky and hammerhead sharks have declined by more than 99 percent between 1970 and 2005. This coincided with a rise in Asian demand for shark fins for medicinal uses and for food. Shark fins currently sell for about US\$22 a pound. Now that the ravenous rays and skates have feasted on bay scallops, they are likely to look for food in protected areas along the coast where other fish and shellfish shelter in their early months of life. If rays and skates prey on these shellfish and some of the young grouper and snapper fish that begin their lives in the seagrass, these species could also be threatened, Peterson said. The overfishing of sharks may be a consequence of a previous overfishing of cod. When fishing agencies looked for an unexploited resource to replace cod as a mainstay, they settled on shark about 25 years ago. [www.planetark.com/dailynewsstory.cfm/newsid/41158/story.htm](http://www.planetark.com/dailynewsstory.cfm/newsid/41158/story.htm)

### **Supreme Court Decides Endangered Species Not A Factor In Clean Water Act Transfer Decisions**

Excerpted from a Marten Law Group article by Jessica Ferrell: A closely divided U.S. Supreme Court held, 5-4, that the Endangered Species Act ("ESA") does not require the U.S. Environmental Protection Agency ("EPA") to consider ESA-listed species when transferring Clean Water Act ("CWA") permitting authority to states. In *National Association of Home Builders v. Defenders of Wildlife* ("Defenders"), the Court reversed the Ninth Circuit Court of Appeals on grounds that transferring CWA authority is non-discretionary, and federal agencies need not consider ESA-listed species when taking non-discretionary actions under statutes, such as the CWA, that do not independently require such consideration. Although EPA has already transferred CWA permitting authority to most states, Defenders could extend well beyond CWA transfer decisions. The rule applied in the opinion requires federal agencies to consult with the appropriate wildlife service regarding species impacts only with respect to non-discretionary actions, and subjects only those actions to the ESA's prohibition against jeopardizing listed species and critical habitat. The decision raises questions about application of the "no discretion, no consultation" rule arising from Defenders elsewhere - particularly in the ongoing court-supervised remand under ESA Section 7(a)(2) regarding the Federal Columbia River Power System. As a practical matter,

continued on page 8



*continued from page 7*

Defenders allows EPA to continue transferring NPDES authority to states without completing consultation under the ESA. Environmentalists and others worry that the decision could have broader implications, creating a loophole in the federal government's duty to protect listed species and critical habitat. After Defenders, it is unclear what federal actions – aside from affirmative actions that are unquestionably discretionary – will be subject to consultation and the ESA's no-jeopardy mandate. <http://www.martenlaw.com/news/?200770627-cwa-transfer-decision>



Christine Patrick

Black Point, Narragansett, RI

## Right-of-Way Adoption

*By Christine Patrick, Past Co-President  
TCS - University of Rhode Island (URI)*

In the fall of 2006, TCS-URI Co-Presidents Dan Robinson and Chrissy Patrick started a project to adopt a right-of-way in Rhode Island, a project that turned out to be far more complicated than they expected. With the input of the TCS-URI officers and members, Dan and Chrissy began efforts to adopt the Rhode Island right-of-way with the most resonance to students of Marine Affairs. The obvious choice was Black Point, in Narragansett, RI, a property equally well-known to many Rhode Island residents less transient than URI students. The controversy over the property that took place in the 1980s and 90s had been studied extensively by Dennis Nixon, a lawyer and Marine Affairs professor who also serves as the Associate Dean of the College of Environment and Life Sciences at URI. Although the right-of-way had been a central issue in the controversy, almost twenty years later its status is still not definitively determined.

In 1984, a subsidiary of the Downing Properties Company purchased sixty-seven oceanfront acres in Narragansett, which contained the 44.6 acres known as Black Point. In July 1986, responding to Downing's request, the Town of Narragansett made a special zoning exception to allow for the condominiums that Downing wished to build. However, this exception came with fifteen stipulations, including the requirement that construction begin within a year, and that Downing had to maintain the public right-of-way on the property. Downing immediately appealed the right-of-way portion of the new restriction, challenging it on several grounds. While the appeal was pending, the year specified for beginning building was quickly passing. In April of 1987, the Rhode Island Superior Court found that the Town of Narragansett did not have the authority or jurisdiction to designate rights-of-way; only the state's Coastal Resources Management Council (CRMC) did. However, July 1987 passed without Downing having begun construction, breaking one of the fifteen stipulations.

In November 1987, the Town of Narragansett changed the zoning of the area, severely restricting building in the coastal zone and preventing the possibility of condominiums being built. Meanwhile, the CRMC held public meetings on the potential right-of-way on the property. These meetings eventually culminated in the CRMC designating the Black Point right-of-way in May 1989. Downing immediately filed a lawsuit contesting this decision in Superior Court, but the end of Downing's plans for the Black Point area was drawing near. With the appeal pending, on July 7, 1989, the Rhode Island Department of Environmental Management (DEM) condemned the property and gave notice that the state would take it by eminent domain.

What followed in Rhode Island courts was a battle over how much DEM owed Downing for the property. This series of cases, which did not end until 1996, are well-known; the appeal that Downing filed, opposing the CRMC's designation of the right-of-way in May 1989, disappeared from notice.

Although one might expect that the right-of-way is obviously settled now that the DEM oversees the public land, the reality is far more clouded. The CRMC lists the Black Point right-of-way as "on appeal" in its own records, and a Rhode Island

*continued on page 9*





continued from page 8

Sea Grant website similarly notes, perhaps based on CRMC records, that “the CRMC decision is being challenged through the courts.” Unlike other rights-of-way, Black Point does not appear on the Narragansett Tax Assessor’s official maps, though it is clear on the maps that the relevant plats are owned by the State of Rhode Island. In addition, Dan and Chrissy could not locate any court records that stated the appeal had been dropped or resolved.

Still, as Dean Nixon noted in a 1990 article on the Black Point area, given the evidence presented in public meetings and court cases, “it would be difficult to construct a hypothetical situation” for the right-of-way not existing. “If the court will not recognize dedication [of a right-of-way] here, the doctrine must be considered all but dead in Rhode

Island,” he wrote. In addition, although Downing had previously argued that a right-of-way on the property would severely diminish its value, during the takings cases in the 1990s, they reversed course and claimed that the designated right-of-way was acceptable and would not reduce the value of the land. Therefore, they argued, DEM owed them more than had already been paid to them.

While it is clear that Black Point is now state property and therefore a public accessway, the right-of-way question is not answered. Rights-of-way, after all, exist on the property itself and are not connected to the property owner. Therefore, should DEM ever decide to sell Black Point, the right-of-way question would certainly need to be answered. Moreover, the CRMC is charged with maintaining and expanding public access to the shore and it is in the agency’s interest to resolve a right-of-way on appeal.

The University of Rhode Island Chapter of The Coastal Society has written a letter to the Acting Assistant Director of DEM, asking that DEM work with CRMC to finally, after so many years, resolve the status of the Black Point right-of-way. While the chapter waits for the conclusion of this question, it will move forward in another arena. Working with the CRMC and the Town of Narragansett, it will soon officially adopt the Bass Rock right-of-way, an uncontested access point just under two miles north of Black Point.

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Downing Ocean Road, Inc., et al. v. Narragansett Zoning and Platting Board of Review, et al. MP No. WM 86-403, Superior Court of Rhode Island, Washington; 1987 R.I. Super. LEXIS 187. April 7, 1987, Decided and Filed.

Ocean Road Partners et al. v. State of Rhode Island et al. No. 91-616, Supreme Court of Rhode Island, 612 A.2d 1007; 1992 R.I. LEXIS 179. July 15, 1992, Decided and Filed.

Rhode Island Coastal Resources Management Council Subcommittee on Rights-of-Way. June 2006. Designation of Public Rights-of-Way to the Tidal Areas of The State. <http://www.crmc.state.ri.us/pubs/pdfs/row2006.pdf> (accessed 6/29/07).

Rhode Island Sea Grant. A Daytripper’s Guide to Rhode Island. <http://seagrant.gso.uri.edu/daytrip/narragansett.html> (accessed 6/29/07).

Rubin, Michael and Dennis Nixon. 1990. Shoreline Access in Rhode Island: A Case Study of Black Point. *Marine Law Review* 42 (1): 95-113.

Town of Narragansett Tax Assessor’s Office. Map To4 (accessed 11/06).

Christine Patrick is Past Co-President of the TCS-URI Chapter and current TCS-NOAA intern in NOAA’s Habitat Protection Division in Silver Spring, MD. In February 2008, Christine will begin the Dean John Knauss Marine Policy Fellowship.



Christine Patrick

Footpath to Bass Rock



## 2007 Annual Report of The Coastal Society

*The Coastal Society is an organization of private sector, academic, and government professionals and students dedicated to actively addressing emerging coastal issues by fostering dialogue, forging partnerships, and promoting communication and education.*

TCS 20th International Conference Held May 14 - 17, 2006, St. Pete Beach, Florida

The conference theme, "Charting a New Course: Shaping Solutions for the Coast," was reflected in the plenary sessions which focused on innovative solutions to problems faced in coastal and ocean management, especially those placed on the coasts by our energy needs. Despite a full schedule of concurrent sessions presenting solutions to challenges in land use, conflicting ocean use governance, integrating science into coastal decision-making, mitigating hazards and changing behaviors, there was time for the nearly 300 attendees to visit field sites to see first hand solutions to balanced use, restoration, conservation and beach nourishment problems. The conference was sponsored by a broad range of state and federal agencies and non-governmental organizations indicating its importance to coastal management professionals in public, private and academic sectors. TCS members gathered for breakfast at the Annual Membership Meeting and learned of the future plans for expanding activities and involving members. Following the conference a special issue of the TCS Bulletin reported the conference events and presentations.

The first *Robert W. Knecht Award for Outstanding Professional Promise* was created to recognize a rising professional in the field of coastal and ocean management who, early in his or her career, best emulated the vigor, dedication, vision and generosity of Robert W. Knecht. The award reflects the TCS goal of helping students transition into their career field. It was awarded at the conference to Kate Killerlain-Morrison, Massachusetts Coastal Zone Management Program.

The next biennial meeting will be held in June, 2008, at the Crowne Plaza Redondo Beach, within easy access of the Los Angeles, CA airport.

Coastal Resource Recovery Fundraiser Awards Made

In response to the devastation wrought by Hurricanes Katrina and Rita, TCS initiated a new fundraising effort to contribute to existing coastal resource protection, restoration and education projects underway in Louisiana, Mississippi, and Alabama. Approximately \$2,100 was raised at the TCS 20 conference, and awarded via a competitive selection process to coastal resource projects run by the Alabama Coastal Foundation, the Coalition to Restore Coastal Louisiana, and the Mississippi Coast Audubon Society. These organizations will be reporting back to TCS via articles in the *Bulletin*. TCS plans to continue to raise funds and award them competitively to assist local coastal communities in areas of need.

Healthy Financial Outlook

TCS began the year with \$20,555 in assets, and ended on 12/31/06 with \$62,031, due to a successful conference. Funds collected for the Coastal Resource Recovery Fund are kept separate from the operating funds, although they are included in the total assets. TCS lent financial support to its chapters through sponsorship of chapter events and student travel funding to the TCS conference. It also supported events during the annual Coastal and Ocean Managers Week in Washington, DC. The Board has adopted a biennial budget for 2007-2008 to plan for both a conference and non-conference year.

Member Services and Involvement

Membership in TCS grew from 338 at year end 2005 to 356 at year end 2006. Part of this increase was from conference attendees and part from student chapter growth. More members are using the convenience of the online credit card option via PayPal to join or renew their membership. Member communications has gone almost entirely to electronic format, including membership renewal reminders, weekly announcements and the quarterly newsletter. A survey of the membership in the fall asked for preferences in membership services and benefits, and feedback on the future direction of TCS. The results were used to guide the TCS Board in their planning and will be reported to the membership in 2007.

*continued on page 11*



continued from page 10

#### New Officers and Directors Elected

The following individuals were elected to serve TCS beginning January 1, 2007:

President-Elect: Jeff Benoit, Director of Coastal and Ocean Programs at SRA, International (VA)

Secretary: Amy Blizzard, Assistant Professor, Planning Program, Department of Geography, East Carolina University (NC)

Director: Rick Burroughs, Professor, Department of Marine Affairs, University of Rhode Island (RI)

Director: Tali Engoltz, Coastal Resource Scientist, Coastal Management Program, New Jersey Department of Environmental Protection (NJ)

Director: Susan White, NOAA National Centers for Coastal and Ocean Sciences' Hollings Marine Lab, Charleston (SC)

#### Chapters

There are five chapters affiliated with TCS: Cascadia (CA, OR, WA, BC), Duke University, University of Washington, East Carolina University, and University of Rhode Island. The chapters had an active year of hosting speakers, holding networking events, presenting papers and posters on research done, fund raising for local charities, and conducting community service projects. The chapters supported TCS by helping to plan and attending the conference. A special workshop was held during the conference to connect chapters with each other and to share ideas about both chapter functions and ways to strengthen the relationship with TCS. Look for more chapters to request affiliation with TCS in the next year.

#### Initiatives Begun

The following initiatives were begun or continued in 2006, and will be carried over into 2007:

**Bulletin** – The *TCS Bulletin* will continue to be published quarterly. The publisher for the past two years, the Urban Harbors Institute, produced a fresh new look to the publication, and kept the TCS web site and conference web site up to date. TCS routinely issues an RFP for editor and publisher of the *TCS Bulletin* every two years. Contracts were awarded to Ellen Gordon (continuing) and the University of Massachusetts at Amherst, respectively.

**Conference Planning** – Evaluation of the 2006 conference has lead TCS to merge the abstract submission, hotel arrangements and registration function under a single conference coordinator to centralize the functions previously handled by three paid contractors for fiscal savings. The 2008 conference will be held June 29 – July 3 in Redondo Beach, CA, near Los Angeles.

**Strategic Planning** – The TCS Board of Directors began planning for a Board retreat in early 2007 to evaluate the current committee structure, create an updated strategic plan and find ways to involve TCS members in Society activities. Members participated in this retreat preparation by completing an on-line survey about the areas of activity and membership benefits TCS should provide on behalf of its membership. Results of the survey and retreat will be published in the *TCS Bulletin*.

**New Student Chapter** – The Hawaii Chapter submitted the necessary documentation for inclusion as a TCS chapter, and demonstrated a strong commitment, having already established their leadership group, partnering with other organizations and individuals, and holding events. The Board will deliberate and vote on inclusion in early 2007.



Chris Hawkins



### The Coastal Society-National Oceanic and Atmospheric Administration/National Marine Fisheries Service Internship

Competition for the sixth annual TCS-NOAA Internship was keen, as usual. With a dozen strong TCS student members as candidates, the decision was especially difficult. The final choice was Christine “Chrissy” Patrick from the University of Rhode Island’s School of Marine Affairs. Chrissy brings a strong academic background from URI and Williams College plus four years of professional experience with the American Fisheries Society and the Metcalf Institute for Marine and Environmental Reporting. After she joins the NOAA/National Marine Fisheries Service’s Office of Habitat Conservation in late July, Chrissy will work on a mix of tasks on communications strategies for habitat programs, a national evaluation of habitat conservation efforts, potential opportunities in alternative ocean energy sectors, developing an Atlantic coast partnership under the National Fish Habitat Action Plan, and reviewing the environmental effects of shellfish aquaculture. Chrissy’s six-month internship will end in January 2008, when she’ll begin her Knauss Sea Grant Fellowship. At NMFS, she’ll be working with Tom Bigford (former TCS officer), Jeff Smith (former TCS-NOAA Intern and now NOAA employee), and others in the Office’s Habitat Protection Division.

### The Coastal Society-Surfrider Internship

TCS and The Surfrider Foundation are pleased to announce that they have selected TCS member Dan Robinson from the Department of Marine Affairs at the University of Rhode Island as their TCS/Surfrider Foundation intern. Dan is a long time member of the Surfrider Foundation and is active in the Rhode Island chapter. He is also a recent co-president of The Coastal Society URI Chapter. Dan will be joining the Surfrider Foundation this summer to research the “Erosion Response” beach health indicator for the State of the Beach report. [www.surfrider.org/stateofthebeach](http://www.surfrider.org/stateofthebeach)



Karl Cygler

TCS-URI joined with the Surfrider Foundation Rhode Island Chapter to clean up beaches on Saturday, March 24, and focused on Bass Rock, their soon-to-be-adopted right-of-way. There, they found almost a complete desk among the rocks (pictured are TCS-URI Secretary Azure Westwood and past Co-President Dan Robinson). Four weeks later they found even more trash, including an instructional page on how to write a ransom note. Fortunately, it came from a URI criminal justice course. For more about Bass Rock, read Chapter Voices, page 8.



## New TCS Chapter!

The Coastal Society is proud to announce the addition of a new chapter. The Coastal Society of Hawaii (TCSH), located at the University of Hawaii, Manoa, is now officially part of TCS. Run by University of Hawaii students, and advised by a board of professionals from the academic, private and public sectors, this group seeks to “inspire coastal stewardship and create a sense of community by engaging people in thought provoking dialogue.” With many activities already ongoing, you can look forward to a full report on TCSH in the next issue of the Bulletin! [www.geography.hawaii.edu/projects/tcsh/](http://www.geography.hawaii.edu/projects/tcsh/)



Caren Diamond

Haena Beach, HI

### University of Washington (UW)

Our successful Brown Bag Lunch series continued on April 30th with Bill Stewart, owner of Agua Verde Restaurant. Bill gave a presentation to the School of Marine Affairs (SMA) community from the 'rare' private sector perspective on sustainable seafood purchasing and running a recreation & tourism venture. On May 7th, Cynthia Decker, Executive Director of the NOAA Science Advisory Board and a former Knauss fellow presented information on her career path and the various jobs she had prior to her current position. Finally, on May 22, Jody Kennedy, Surfrider's Washington State Policy Coordinator, came to talk to us about her marine affairs career. Before joining the Surfrider Foundation, Jody worked with the San Juan Islands Marine Resources Committee on developing an ecosystem-based management plan for the San Juan County Marine Stewardship Area. Jody is a graduate of UW and got her Master's degree from the Daniel J. Evans School of Public Affairs.

The UW Coastal Society's spring quarter Blue Drinks was held Wednesday, May 9, 5-7pm at the Fisheries second floor sundeck (at the south part of the building). Blue Drinks has been a hit, so we expanded to a bigger venue

with a better view to fit our growing attendance and the heavenly spring weather. Alaskan Brewing donated a full keg of their new ocean-themed India Pale Ale and Agua Verde donated food for our event. More than 80 people attended, including folks from the School of Law, Earth and Space Science, the Evans School of Public Affairs, School of Aquatic and Fishery Science, and SMA. Faculty who attended were excited to note that some alumni were present who had not participated in any other event since graduating—another mark of Blue Drinks success.

TCS also organized a group of fourteen SMA students plus three community members to join forces with over 800 volunteers statewide to participate in the Washington Coast Cleanup on April 20-21. We cleaned up a stretch of beach from South Kalaloch beach to the Kalaloch resort. An overnight camping trip was held the night before the cleanup at Kalaloch campground. About 23 tons of trash was removed from Washington beaches. <http://olympiccoastcleanup.us/>

Lastly, a fundraiser for the chapter is underway. We are selling hooded sweatshirts to the SMA community, with about 30 pre-ordered for this year's class, and some remaining for sale to next year's class.

**Coastal Zone 07**

July 22-26, 2007, Portland, OR  
 Brewing Local Solutions to Your Coastal Issues.  
[www.csc.noaa.gov/cz](http://www.csc.noaa.gov/cz)

**Coastal Institute Asia: Integrated Ecosystem Management Program**

July 23-August 10, 2007, Bangkok, Thailand  
[http://www.crc.uri.edu/CI\\_Asia\\_Brochure%20FINAL.pdf](http://www.crc.uri.edu/CI_Asia_Brochure%20FINAL.pdf)

**2007 Conference of the International Association for the Study of the Commons**

July 31-August 3, 2007, Corner Brook, Newfoundland  
<http://www.swgc.mun.ca/iasc2007/index.asp>

**Nature Canada Conference**

August 1-5, 2007, Wolfville, Nova Scotia  
<http://www.Nature2007.ca>

**Climate Change and the Coast: Think Global Act Local**

August 20, 2007, Mandurah, Western Australia, Australia  
<http://www.coastalmanagement.com/events.shtml>

**4th Annual Energy Ocean Conference**

August 21-23, 2007, Oahu, Hawaii  
<http://www.energyocean.com>

**Balancing Private Rights in the Coastal Zone in the Era of Climate Change**

September 20-21, 2007, Columbia, SC  
<http://www.law.georgetown.edu/gelpi/ConfBrochure07.pdf>

**15th International Conference on Aquatic Invasive Species**

September 23 - 27, 2007, Nijmegen, The Netherlands  
<http://www.icaiss.org/index.html>

**European Symposium on Marine Protected Areas**

September 25-28, 2007, Murcia, Spain  
 Present and discuss the results from ongoing European and international marine protected area (MPA) research, aiming to contribute to the development of a range of new tools required to design, implement, monitor and evaluate the effects of different types of MPAs.  
<http://www.mpasymposium2007.eu/index.html>

**International Conference on Port Development and Coastal Environment**

September 25-28, 2007, Varna, Bulgaria  
<http://www.bsca.bg>

**Scientific Workshop on the Impact of Global Climate Change on the Arctic Coastal Zones**

October 1-3, 2007, Tromsø, Norway  
 Theme: Arctic Coastal Zones at Risk. Organized by LOICZ, AMAP and IASC.  
<http://w3k.gkss.de/events/arctic07/>

**International Conference on Management and Restoration of Coastal Dunes**

October 3-5, 2007, Santander, Spain  
<https://www/iccd07.com>

**26th Annual International Submerged Lands Management Conference**

October 29-November 2, 2007, Williamsburg, VA  
<http://www.submergedlands2007.com>

**International Conference on Coastal Management 2007**

October 31-November 2, 2007, Cardiff, United Kingdom  
 The purpose of this conference, through nine key themes, is to highlight innovation and best practice in the field of coastal management.  
<http://www.coastalmanagement2007.com/>

**ERF 2007: Science and Management: Observations, Syntheses, Solutions**

November 4-8, 2007, Providence, RI  
<http://erf.org/erf2007/>

**Living with Climate Change: Are There Limits to Adaptation?**

February 7-8, 2008, London, UK  
<http://www.tyndall.ac.uk/research/programme3/adaptation2008/index.html>

**Solutions to Coastal Disasters Conference 2008**

April 13-16, 2008, Turtle Bay Resort, Oahu, Hawaii,  
 Conference topics will focus on science, management tools, management challenges and options, and coastal land use policy related to a range of coastal hazards.  
<http://content.asce.org/conferences/cd2008/>



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## MEMBERSHIP APPLICATION TO THE COASTAL SOCIETY

(Please print out and complete all blanks.)

Name: \_\_\_\_\_  
Last First Middle Initial

Organization: \_\_\_\_\_

Street: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Home Address (if preferred mailing address):

\_\_\_\_\_  
\_\_\_\_\_

Day Phone: (\_\_\_\_) \_\_\_\_\_ E-Mail: \_\_\_\_\_

Present Occupation: \_\_\_\_\_

Primary Interest: \_\_\_\_\_

Sponsored/Referred by: \_\_\_\_\_

Signature: \_\_\_\_\_ Today's Date: \_\_\_\_\_

### Type of Membership:

Individual Regular: \_\_\_ \$35 U.S. 1-year \_\_\_ \$68 U.S. 2-year \_\_\_ \$99 U.S. 3-year

Student: \_\_\_ \$15 U.S.

U.S. Library: \_\_\_ \$50 U.S.

Corporate/Agency: \_\_\_ \$250 U.S.

### Dues Payment:

Select membership category and number of years (discount for 2 or 3 years).

To pay by check: Make check payable to: The Coastal Society. Please mail check and application to: PO Box 3590, Williamsburg, VA 23187-3590.

To pay by credit card: We cannot accept credit card information other than through the PayPal option. Please go to the TCS online membership form if you wish to pay by credit card (<http://www.thecoastalsociety.org/membersub.html>).

Thank you for your support.

*The Coastal Society is an organization of private sector, academic, and government professionals and students dedicated to actively addressing emerging coastal issues by fostering dialogue, forging partnerships, and promoting communication and education.*