

**Town of Portsmouth**

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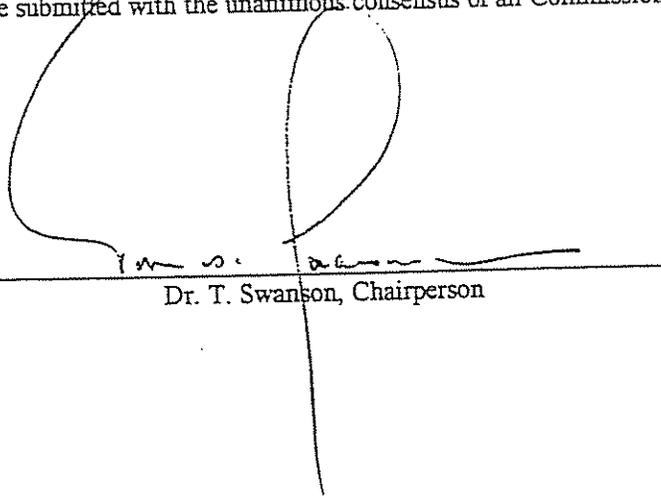
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***PORTSMOUTH  
HARBOR and COASTAL WATERS  
MANAGEMENT PLAN***

## SIGNATURE PAGE

The Portsmouth Coastal Waters Management Planning Commission, does hereby submit to the Portsmouth Town Council the attached Harbor and Coastal Waters Management Plan and revised Harbormaster Ordinance for consideration by the Council for approval and adoption on this, the \_\_\_th day of \_\_\_\_\_, 1993.

The Plan represents the efforts of many months of commission workshops and public hearings that identified issues of concern to the citizens of the Town, made recommendations for addressing those issues and sought to find a balance of the multiple uses of the waters of the Town. Although each member of the commission does not agree in entirety with each section of the plan and ordinance the documents represent compromises and the Plan and Ordinance presented here are submitted with the unanimous consensus of all Commission members.



Dr. T. Swanson, Chairperson

## ACKNOWLEDGMENTS

The following, as members of the Portsmouth Coastal Waters Management Planning Commission, have contributed to the development of the Portsmouth Harbor and Coastal Waters Management Plan and to revising the Harbormaster Ordinance.

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**1.0 INTRODUCTION.** During the past several years the number of people using the coastal waters bordering the shores of Portsmouth has increased substantially. Most of these new users of the water are recreational boaters. They are seeking locations to moor or dock their boats, they need parking for their trailers and cars and they are increasing the demand for ancillary commercial and harbormaster related services. Changes like these, and the anticipation of ever growing numbers of people moving closer to the shoreline point to comprehensive planning as a good way of charting the direction and requirements for the future of the coastal waters of a community. The Portsmouth Harbor and Coastal Waters Management Plan examined the state of the waters of the Town and make recommendations for managing them into the future.

**1.1 DEFINITION AND PURPOSE.** Title 46, section 4 of the General Laws of Rhode Island grants municipalities the authority to establish Harbormaster ordinances and rules and regulations pertaining to the administration of their harbors. The objectives of the Portsmouth Coastal Waters Management Plan are:

- a. to provide a comprehensive evaluation of the activities occurring within the coastal waters of the Town of Portsmouth;
- b. to provide a guideline for the management of existing and future activities on and in the coastal waters of the Town;
- c. to provide recommendations concerning the shoreside compatibility with the activities occurring on the waters and vice a versa;
- d. to establish appropriate ordinances and/or regulations, consistent with applicable local, state and federal regulatory requirements, that implement portions of the plan;
- e. to serve as a frame of reference for local and state decision-makers concerning waterfront development and coastal water programs or projects; and
- f. to promote that the primary responsibility for management and control of the coastal waters of the Town be delegated to the Town.

**1.2 METHODOLOGY.** Prior to 1987 harbor management planning was essentially non-existent at the Town level. Management of the Town's coastal waters was entirely state and federally mediated by organizations such as the Department of Environmental Management (DEM), the Coastal Resource Management Council (CRMC), the United States Coast Guard (USCG) and the Army Corps of Engineers (COE). The Town emergence on the waterfront occurred in 1972 when it acquired a twenty-eight foot heavy weather designed vessel. The vessel would allow the Police Department to make rescue calls to Prudence Island in mid-winter. The boat was employed intermittently, as needed, for official police transportation to the outlying islands. The requirement for a harbormaster and enabling powers came to the forefront when the original boat's operator retired and a police volunteer succeeded him.

The first generation of the Harbormaster Ordinance, which officially established the Harbormaster and delineated his powers and duties, was developed in March 1987 by the Town Solicitor and the Chief of Police. There was immediate public outcry over the language of the Ordinance, its narrow scope and with the allowance of the placement of commercial moorings in front of riparian properties. One month after the Town Council adopted the Ordinance, the Council saw fit to establish a seven man commission called the Portsmouth Harbormaster Commission. The name was changed to the Harbor Study Commission (HSC) since the Commission's principal objective was to establish a vehicle whereby the Town could manage it's Coastal Waters as well as continually advise the Town council on broader issues related to the water and coastline. The commission held numerous public hearings, reviewed other town ordinances and attended various CRMC hearings and workshops. On the basis of these hearings, studies and the inclusion of new ideas and concepts specific to Portsmouth's requirements, a revised and updated Harbormaster Ordinance was developed. This Ordinance was adopted by the Town Council in February 1988 and received administrative approval in June 1988 subject to seven conditions. Its approval carried the contingency that the Town of Portsmouth undertake a comprehensive management plan concerning recreational boating use and development within it's waters.

The Town Council was briefed by the Rhode Island Sea Grant Marine Advisory Service (RISGMAS) acting as a member of the CRMC harbors management project team, on the Harbor

Management Planning Project. The Town Council then reactivated the Harbor Study Commission to begin work on the project. The commission held its first meeting in March 1989. The name of the commission was changed to the Coastal Waters Management Planning Commission (CWMPC); a result of the unique characteristics of the Town's waters. By May of 1988, it became apparent that the small group of seven members was inadequate to accomplish the above tasking and the commission requested membership supplementation from the Town Council.

At the same time, the State Planning Council of the Rhode Island Department of Administration required the Town to develop an update to its Land Use Comprehensive Plan. Community participation being the most essential ingredient to a successful Comprehensive planning process spawned the Portsmouth Citizens Advisory Committee (PCAC). With its manpower and budget the PCWMPC decided to team up with the PCAC to survey public opinion as well as help with the task of resource inventory.

By November 1989, the membership had been supplemented to include seventeen members: 1) a Town Council member; 2) the Harbormaster; 3) a riparian boat owner who agreed to be the Chairman of the Commission; 4) an attorney who also chairs the PCAC land use subcommittee; 5) a riparian boat owner who also serves as a liaison to the Glen Farm Committee and partakes in non commercial diving and shellfishing; 6) a concerned private boat owner who served on the original HSC; 7) an environmental engineer/surveyor; 8) a riparian developer who is a non-resident holder of a major piece of undeveloped waterfront property; 9) a Representative of Little Harbor Marine serves as a spokesman for marina management and development; 10) an environmentalist and member of the PCAC land use committee; 11) a concerned riparian boat owner and sportfisherman nonresident with property holdings in the Town; 12) an environmentalist who serves as liaison to the Open Space Committee; 13) a recreational boater and past member of the HSC; 14) a concerned resident who serves active duty in the USN; 15) a commercial shellfisherman; 16) a Marine industry owner as well as serves on the PCAC waterfront subcommittee; and 17) a concerned resident who is also a student in the MAS. When the expanded Commission convened, a few residents claimed that active developers and nonresidents had no place in the planning process. However, after reading the document developed here which serves simply and fundamentally as recommendations to the Town Council, it should be evident that a deliberate effort was put forth by the Commission to find fair and equitable solutions for the multiuses of the Coastal Waters without benefiting any particular user group.

Public input into the Plan and the subsequent third generation Harbormaster Ordinance was solicited through public meetings, workshops, hearings and via surveys distributed by the PCAC to 1200 randomly selected households in Portsmouth. The workshops and the survey offered any citizen or interest group the opportunity to express their opinions on the management of Portsmouth's coastal waters. From these inputs, issues were identified for inclusion into the Plan and the Commission established goals and policies for dealing with these issues that would be presented as recommendations to the Town Council. Drafts of the Plan and Ordinances were made and revised in accordance with public comments on the documents.

The Harbormaster Ordinance (third generation) sets forth the rules, regulations and policies for the administration of the Town's Waters. Implementation of the Plan will occur through the enforcement of the Ordinance by the Harbormaster and other appropriate authorities. Implementation will also occur through review of proposed waterfront projects by the Portsmouth Coastal Commission guided by the established goals and policies of the Portsmouth Coastal Waters Management Plan. Adherence to the Plan will be further maintained by all state agencies throughout their review processes of any proposed waterfront projects.

A final plan and third generation of the Harbormaster Ordinance were approved by the Town Council and have been forwarded to the CRMC.

1.3 ACRONYMS.

Army Corps of Engineers	COE
United States Coast Guard	USCG
Coastal Resources Management Council	CRMC
Coastal Resources Management Program	CRMP
Coastal Waters Management Planning Commission	CWMP
Department of Environmental Management	DEM
Energy Facility Siting Board	EFSB
Environmental Protection Agency	EPA
Food and Drug Administration	FDA
Federal Emergency Management Agency	FEMA
Geographic Informational System	GIS
Harbor and Coastal Waters Management Commission	HCWMC
Harbor and Coastal Waters Management Plan	HCWMP
Harbormaster Ordinance	HO
Individual Sewage Disposal System	ISDS
Interstate Shellfish Sanitation Conference	ISSC
Length Overall	LOA
Marine Advisory Services	MAS
Marine Fisheries Council	MFC
Mean High Water	MHW
Mean Low Water	MLW
Portsmouth Citizens Advisory Committee	PCAC
Portsmouth Coastal Commission	PCC
United States Coast Guard	USCG
United States Navy	USN

2.0 HARBOR DESCRIPTION AND RESOURCE INVENTORY

2.1 LAND DESCRIPTION AND HISTORY. Portsmouth is Rhode Island's second oldest community. Situated in the lower Narragansett Bay and upper Sakonnet River, the town of Portsmouth is distributed among several islands. Portsmouth has a shore line of 49 miles, the longest of any Rhode Island town.

2.1.1 GEOLOGY. Narragansett Basin was formed over 300 million years ago and covers most of eastern Rhode Island. The basin is composed of sedimentary rocks: conglomerate, sandstone, shale and some coal. The real molder of the Bay was the ice of the Pleistocene Epoch, starting two million years back and extending to only fifteen thousand years ago. The deep gorge of the East Passage was formed by glacial action. The Rhode Island shoreline is undergoing a slow, but steady process of erosion under the carving of ocean storms and is submerging at approximately one foot in one hundred years because the level of the sea is rising.

2.1.2 INDIAN SETTLEMENTS. Indians inhabited this region for thousands of years prior to European settlement. The first European to make contact with the Indians was Giovanni da Verrazano in 1524; in 1614 an active Dutch trading business was conducted with the Indians.

2.1.3 AQUIDNECK ISLAND. The most densely populated segment of the town of Portsmouth on Aquidneck Island is located in the north end of Aquidneck Island and encompasses an area of 23.3 square miles. The main topographical feature is a central ridge broken by a series of hills and by several small valleys. In the Northeast is The Cove, a large irregular inlet with several islands and a breachway or channel connecting it with the Sakonnet River. Portsmouth was founded in 1638 by a group of religious dissenters. The first settlement on Aquidneck Island, called Pocasset, was located near Founder's Brook and Town Pond at the northern end of Aquidneck island. At that time Town Pond was a sheltered harbor pond that later silted up. In the early eighteenth century, because of the silting of the Town Pond, the village site was moved. The new site called Newton (now Portsmouth center) was located on Sakonnet River with land sloping from Butts Hill to a natural deep water harbor. After further filling in the twentieth century by Army Corps of Engineers dredging activities, Town Pond is now a small body of

water behind the Ramada Inn on Route 24 surrounded by marsh. Because of the lack of a good harbor Portsmouth's economy was not based on maritime endeavors.

2.1.4 PRUDENCE ISLAND. Prudence Island topographically consists of two hills connected by a low isthmus. The island is mainly covered with a scrubby vegetation. The northern part contains Pine Hill (elevation 72 ft), Potter cove and several picturesque salt marshes and coves. The northern section of Prudence Island, all of Patience Island and Hope Island was included in the Narragansett Bay National Estuarine Research Reserve. The reserve is one of eighteen across the country. The purpose of the Reserve is resource protection and the support of research monitoring and education programs related to the site. The southern section, rising to a maximum elevation of 180 feet along the east side contains summer colonies along the east and west sides, but otherwise is mostly uninhabited. Prudence Island became part of Portsmouth in 1647. In 1776 and 1777, most residents left Prudence Island and most of the homes were burnt by the British. After the war, Prudence Island returned to its agricultural existence. Prudence Island was a popular summer resort in the nineteenth century. The southern part of the island was used by the Navy as a storage depot in World War II. The State acquired the property from the Navy and it became part of the Bay Islands Park. The northern portion was bought by the State from private owners in 1978 to become part of the Bay Islands Park System. Prudence currently supports a year-round population of 150 residents and a summer population of about 2,000 people.

2.1.5 HOG ISLAND. Hog island is low, mainly covered with a scrubby vegetation and surrounded by shoals. The grass on Hog Island was granted to Portsmouth freemen in 1638 and pigs roamed freely on Hog. The island was convenient for herding because no fences were needed and wolves and foxes could not wander in. Hog Island has a relatively large summer population.

2.1.6 HOPE ISLAND. Hope Island, the westernmost island of Portsmouth, is low narrow, and uninhabited. Formerly a naval ammunition store, it is now a state owned wildlife refuge and national estuarine sanctuary. Hope Island was a gift from Miantonomi to Roger Williams. It is unique among the Bay Islands by having a rocky shore line. Hope island was acquired by the state in the early 1970's and is important as a wading bird management area. Currently cormorants nest in the abandoned telephone poles in the west side of the island and congregate on Gooseberry Island as adults; gulls and terns tend to roost on the west end. The inlet to the West bears evidence of Oyster proliferation in the 1990's.

2.1.7 PATIENCE ISLAND. Patience Island is scrub covered and has only four summer houses. Patience Island was purchased by Roger Williams in 1637 and became part of the Town of Portsmouth. The island was never fully developed and is returning to its natural state to become part of the Bay Islands Park. It was bought from owners in 1979 as part of a negotiated agreement with the State of Rhode Island.

2.1.8 GOULD ISLAND. Gould Island, the only island in the Sakonnet River, is an uninhabited wild life refuge maintained by the Rhode Island Audubon Society.

2.1.9 DESPAIR ISLAND. Despair Island is low, mainly covered with a scrubby vegetation and surrounded by shoals. Its outcroppings of rocks are used extensively by nesting birds, especially gulls and terns.

2.1.10 DYER ISLAND. Dyer Island is low, has little or no vegetative cover other than grasses and surrounded by shoals. It is located between Prudence and Aquidneck Islands. Dyer Island belonged to the William Dyer who was an early settler or to the William Dyer who was the husband of Mary Dyer, friend of Ann Hutchinson, an early colonial religious critic. It is believed that the Island was presented to Dyer as a gift from the settlers. The American oysters have been found on the east shore of Dyer Island in the early 1990's.

2.1.11 FERRIES AND BRIDGES. In 1640, the town established a ferry, known as Howland's Ferry, after the family who operated it through most of the eighteenth century. The ferry operated at the narrows of the Sakonnet River between Portsmouth and Tiverton. The Bristol Ferry, established in 1680, ran between Portsmouth and Bristol and was one of most important ferries, affording direct communications between Aquidneck Island and Providence. In 1876 a steamboat service was run from "Prudence Park" on the west side of the island to Providence. In 1904, the present ferry to Bristol was started by Halsey Chase. A wharf was built on east side in 1909 by the Herreshoffs; later a wharf was built on Sandy Point. In 1921 Prudence Island Navigation Company was chartered, establishing regular service to the islands and initiating the island's growth. Today the Prudence Island ferry makes passenger and freight trips to Prudence Island on a regular basis and stops, in the summer, at

Hog Island. A ferry also ran from Glen Road to Fogland Point in 1738 and another ran from Lawton Valley to the southern end of Prudence Island.

A toll bridge was built across the Sakonnet River at Howland's Ferry in 1795 by the Rhode Island Bridge Company. The bridge was washed away in 1796 and, in 1798, closed until 1808. The bridge was rebuilt after its destruction in the Great September Gale of 1815 and received its present name, the Stone Bridge. After the draw washed away in 1869, the bridge was sold to Tiverton and Portsmouth who turned it over to the State of Rhode Island. The structure was rebuilt and reopened in 1871 as a free bridge. After a series of mishaps caused by storms and ships, the bridge was closed for a final time in 1957 when it was replaced by the new Sakonnet River Bridge. The Stone Bridge exists now only as two rip rap jetties, one in Portsmouth, one in Tiverton, which are maintained as fishing piers. In 1864 the Old Colony and Newport Railroad opened a line between Fall river and Newport. The single track crossed the Sakonnet River over a stone causeway and drawbridge similar to the one at the Stone Bridge. In 1898 the railroad bridge was replaced by the present cantilevered iron span originally activated by a steam engine to swing the bridge open to allow passage for vessels. The bridge is currently inactive after years of disrepair and a recent barge collision, but serves as popular fishing platform. The completion of the Mount Hope Bridge in October 1929 ended the ferry service between Bristol Ferry and Bristol, Rhode Island, but continued a service which existed for almost three centuries. The bridge which is entered in the National Register was important in the evolution of the technology and aesthetics of bridge building.

2.1.12 SUMMER RESORTS AND ESTATES. Improved transportation facilities in the late nineteenth and early twentieth centuries caused development of several summer colonies and large summer estates on the Aquidneck portion of Portsmouth's eastern shore as well as on Hog, Patience and Prudence Islands. At the end of the nineteenth century Prudence Island started as a summer colony. Most cottages were built near the water or had views of the bay and river. The Ferry landing at Bristol ferry was the nucleus of the small summer community in the late nineteenth century. The colony included cottages for guests and summer residents a railroad station telegraph office and a hotel. An amusement park and summer colony was started in Island Park near the Stone Bridge, but was destroyed by the 1938 hurricane and never rebuilt. A dense collection of small summer cottages still stand, mostly north of Park Avenue, also clusters of summer houses remain at the Hummocks, below the Sakonnet River highway bridge and at the northeastern end of the island at Common Fence Point. Located on Aquidneck Island along and near the Sakonnet River several large waterfront estates were established. Most noteworthy were the Glen Farm and Sandy Point Farm.

2.1.13 GOVERNMENT/INDUSTRY. The U.S. Navy currently maintains a reservation and pier in Melville. Prior to being declared surplus, the southern end of Prudence Island was a U.S. Navy ammunition depot as was Hope Island. Coal was discovered in Portsmouth in the early 1800's. The first mine was in the Stone Bridge area and later a mine was established at Arnold's point near the shore of the Narragansett Bay, the location today of the Kaiser Aluminum plant. The coal was reputed to be of poor quality and was mined on an on-again, off-again basis for the course of the century. The Taunton Copper Company built a smelting works near the mine in 1866 and used its coal along with copper ore imported principally from Cuba to produce nearly two million pounds of copper annually. There were a series of kilns and blast furnaces at the factory and as a result Arnold's Point was the scene of a great deal of activity throughout the nineteenth century. In 1925 the Weyerhaeuser Timber Company built a large complex including sheds and a saw mill near Arnold's Point. The Kaiser Aluminum and Chemical Corporation was built near Arnold's Point in 1966. The last functioning industry in the area was Pearson Yachts which maintained an outflow pipe to the Bay. Pearson Yachts suspended operation in 1991.

2.1.14 LIGHTHOUSES. Early ferries were aided in navigating the bay's waters by several lighthouses. Two of these lighthouses still stand in the bay. The Sandy Point Lighthouse established on Prudence in 1852, is owned and operated by the Federal Government (U.S. Coast Guard). In 1901, the Hog Island Shoals Lighthouse was built at a strategic point near the entrance to Mount Hope Bay.

2.1.15 NATIONAL ESTUARINE SANCTUARY PROGRAM. The Coastal Zone Management Act was amended in 1976 to establish the Natural Estuarine Sanctuary Program. The goal of the program is to preserve representative areas that cover the full range of the nation's estuarine ecosystems. A series of natural field laboratories were created to gather data and make studies of the natural and human processes occurring within the estuaries of the coastal zone. It is anticipated that twenty-seven to thirty sanctuaries are necessary to achieve this goal. As of May 1983, fifteen sanctuaries have been established. In October 1980, the Narragansett Bay National Estuarine Sanctuary became the ninth in the country and the first in the Virginian Biogeographic region which extends from Cape Hatteras to Cape Cod.

2.1.16 SHELLFISHING. Shellfishing in Portsmouth's waters has been and in some cases still is productive. Hard shell calms are now the only shellfish that is actively harvested commercially and privately. Scalloping has become nonexistent since Hurricane Carol. The oyster population which was wiped out after the 1938 hurricane shows signs of comeback in the waters. Blue shell crabs were abundant in all Portsmouth waters until the filling in of Town Pond and the filling in of the Common Fence Point marshes by the Army Corps of Engineers. Presently blue crabs might be found in Blue Bill Cove in Island Park and at the locally known "Crab Pond" in the Cardi Corporation land.

2.1.17 FINFISHING. Portsmouth's location in Narragansett Bay places it in what has been historically an excellent finfishing area. Added to this is the fact that Portsmouth has two of Narragansett Bay's major winter flounder breeding areas in the waters off Island Park and the waters off Hog Island. Substantial runs of tautog (blackfish) occur during the spring and somewhat in the fall at the Stone Bridge and the Railroad Bridge. Striped bass, bluefish, squeteague (weakfish) and scup can be caught throughout Portsmouth's waters. It is believed that the current commercial fishing pressure has significantly reduced the Bay's winter flounder population. Recent pogy seining is believed to have reduced the bluefish activity; squeteague populations appear to be cyclic and are now in a low; however the striped bass population has rebounded as a result of controls in fishing pressure.

Five fish oil and fertilizer companies operated at one time, several at Common Fence Point and two on Prudence Island. The facilities included acres of waterfront property and buildings. The most profitable of these was Joseph Church. In 1879 Joseph Church and his seven sons, incorporated as Joseph Church and Sons, and built a 100 acre menhaden fish processing facility on Common Fence Point. They employed 250 men, from throughout the region, and operated seven fishing steamers. There was a long dock parallel to the water's edge at the Common Fence Point Fisheries on which was built a two story building, this facility serviced the pogy steamers and served as a repair shop. Up to 70 pogy steamers between 100 and 175 feet in length would anchor for the winter in the Basin. The only remnant of this industry is the marine railroad at the Point Boat Yard.

2.1.18 MARINAS. There are currently seven marinas in Portsmouth (see section 2.4.4 for a list of marinas), however, prior to 1960 only the Point Boat Yard and the Stone Bridge Marina existed. On the west side of Aquidneck Island is the Melville area which is presently home to the East Passage Yachting Center and Little Harbor Marine Corporation which was the site of Lovell General Hospital during the Civil War. The hospital was dismantled and auctioned off and the site was used as a recreational area. The Navy converted the area to a coaling station and a PT base during WWII. The site was also used to manufacture submarine netting during the war to protect the bay from enemy submarines. After WWII the area steadily declined and was turned over to the current commercial activities. Five boat yards and marinas are located on the northeast side of Aquidneck Island. The Point Boat Yard was the site of the Church fish oil works. Brewers Sakonnet Marina is built on land originally plotted for houses. It was a wetlands with a creek running through the middle of the property which allowed boats to access the Point Boat Yard doors. Historically the Brewers Sakonnet Marina and the Point Boat Yard were for the support of the fishing industry. The Light House Marina was empty residential housing lots before dredging and construction of the marina. The original construction of the marina and the declassification of the water standards to allow the construction was strongly opposed by the local residents. The Light House Marina is now under new management and called Brewer's South. The Stone Bridge Marina has been a boat yard since the 1940's. Pirates Cove Marina was built in the 1960's at the same time as Route 24.

2.1.19 RECREATIONAL AREAS. The Town of Portsmouth's scenery and shore attractions - fishing, bathing, seafood and sailing - were the reasons that attracted many of the newcomers and tourists that helped the town grow and develop. Today the people of the town are planning for the future. They are working to ensure that the scenery and shore attractions that made Portsmouth an enjoyable place to live, work and visit can be successfully managed for the benefit of everyone. Teddy's Beach at the Stone Bridge and Sandy Point Beach are listed as official recreation areas; while Park Avenue in Island Park and McCorry Point are considered "unofficial" recreation areas. For a more complete overview of recreational areas see Appendix A.

## 2.2 PHYSICAL CHARACTERISTICS OF THE HARBOR AND WATERS.

2.2.1 WATER DEPTH. The water depths in the Narragansett Bay, the Mount Hope Bay, the Sakonnet River and delineated on the attached NOAA charts 13221. The depth varies significantly from extremely shallow areas of 2

to 3 feet to depths of 40 to 60 feet in parts of the basin and areas north of the railroad bridge and in the vicinity of Dyer Island/Melville.

2.2.2 AREAS SUBJECT TO EXTREME FETCH AND WAVE VELOCITIES. FEMA maps from 1983 indicate that all the land adjacent to the coastal waters of the Town of Portsmouth are designated V-zones. Flood hazard areas for the Town of Portsmouth are shown in Appendix (A); Map 2.

2.2.3 SHOALS AND OTHER NAVIGATIONAL HAZARDS (*as of 1990*).

- a. Shoal water exists approximately 100 feet SE of the Pirate Cove Marina breakwater. No buoy marks these shallows.
- b. A large rock exists just west of buoy C13, NW of Gould Island. Buoy is not properly located.
- c. A shoal exists on the south end of Dyer Island. Marked by red buoy #22. The shoal on the south end of the island is marked by black cans #9, #37, and #41.
- d. Hog Island shoals are marked by a red nun #22 on the southwest; the Hog Island Shoal Light; green can #3 on the east; red/green nun on the north and a red flashing buoy on the northwest.
- e. Hope Island shoals are marked on the northeast by green can #1. A "boiler" south of the island is no longer marked.
- f. Shoals exist in Cogshell Cove between Patience and Prudence Islands. The shoals are not marked.
- g. Common Fence Point Shoals are marked by green cans #3 and #19 and by red light buoy #4.

2.2.4 DREDGED CHANNELS.

a. Federally Maintained Channel. Dredging of a channel 40 feet deep, generally 600 feet wide from deep water in Narragansett Bay just south of Prudence Island Light to the turn below Field Point at Providence was completed in January 1976. Care was taken in delineating Town water perimeters not include any Federally dredged channels.

b. Fairways. Fairways for use by vessels also exist within the waters of the town. Access from the main shipping channel to the commercial wharves and docks along the Portsmouth waterfront has been an historic practice. Due to the nature of the tides, currents and wind conditions it is necessary to ensure that these fairways remain available for the safe ingress and egress of vessels requiring the services of commercial facilities such as the Melville Piers and the Prudence and Hope Island Ferry piers. Fairways should also be established for the safe and easy movement of recreational vessels to and through the Portsmouth Basin mooring field. Also within the basin, access to and from the facilities of the Pirate Cove Marina and Boat Yard should be ensured. Areas outside of the Portsmouth Basin also require consideration for fairways. Most importantly is the entrance to Brewers and the Point Marinas on Common Fence Point and to the Little Harbor Marine and East Passage Yachting Center in Melville.

## 2.3 COASTAL RESOURCES.

2.3.1 CRMP WATER USE DESIGNATIONS. The RI Coastal Resources Management Council established water type designations for the coastal waters of the state. The waters under the jurisdiction of the Town of Portsmouth include designations of Types 1, 2, 3, 4 and 6 and are as follows:

- a. Type 1 Waters (Conservation Areas)
  - Prudence Island (except those listed below as Type 2)

- Hog Island from fifty feet north of marsh at southeast area of island, south and west to the north tip to the island
- Gould Island
- Sakonnet river south of Robin Road to the Middletown Town Line
- Hope Island

b. Type 2 Waters (Low Intensity Use)

- Prudence Island
  - Potter Cove
  - Outlet of Mill Creek south to the State Park/Private Line
  - Rocky extension north of Prudence Park south to the outlet of a small stream north of Crow's Swamp
- Dyer Island
- Hog Island from north tip south to a point 50 feet north of marsh
- Aquidneck Island
  - The eastern side of the pier at Weyerhaeuser Lumber north to Common Fence Point; south to the north side of Brewer's Marina.
  - The Cove (Blue Bill Cove)
- Sakonnet River south from the abutments of the Old Stone Bridge to Robin Road
- Sakonnet River to a line with Tiverton non-type 3 or 4

c. Type 3 Waters (High Intensity Boating)

- Aquidneck Island
  - East Passage Yachting Center
  - Sakonnet River south of the north side of Brewer's Marina to Stone Bridge abutments

d. Type 4 Waters (Multi-Purpose Waters)

- Aquidneck Island
  - East Passage from fifty feet south of the southernmost pier at Melville Industrial Facility south to Middletown line
  - All water of the Narragansett Bay within the jurisdiction and beyond other CRMC designations not so listed

e. Type 5 Waters (Commercial and Recreational Harbors)

- None

f. Type 6 Waters (Industrial Waterfronts and Commercial Navigation Channels)

- Aquidneck Island at the East Passage from the southernmost entrance of the East Passage Yachting Center south to a point fifty feet south to the southernmost pier at the Melville Industrial Facility

2.3.2 WATER QUALITY. The RI Department of Environmental Management established water quality standards for the waters of the state. Portsmouth has coastal waters in three DEM categories, SA, SB and SC. All of the Town of Portsmouth's waters are SA with the following exceptions:

a. SB Waters

(Shellfish harvesting for human consumption after deparation; bathing and other primary contact recreation and fish and wildlife habitat)

- Potters Cove (Prudence Island)
- Hog Island (Northern Point)

b. SC Waters

(boating, other secondary contact recreational activities; fish and wildlife habitat, industrial cooling and good esthetic value)

- Sakonnet River (Elmhurst Academy)
- Sakonnet River (just North of Sherwood Terrace Road)
- Cogshall Point (Dyer Island Area)
- Arnold Point

2.3.3 TOWN WATER ZONES. Five designated water zones were adopted by the Town of Portsmouth. The purpose of the water zones is to link current open land spaces with undeveloped water space, to preserve the highest quality water, to preserve space for riparian property owners use, to provide for Resident and nonresident mooring and anchorage resources. The five Town of Portsmouth designated water zones are:

a. PRISTINE WATERS:

Goal: To link current open land spaces with undeveloped water space. To preserve the highest quality water as well as to protect commercial and recreational shellfishing grounds. The conservation of water space development would enhance swimming and beaches.

Impact: No moorings could be placed subject to the final decision of the Moorings Appeal Committee. Anchoring would be a permitted use. No discharges would be allowed. No marina construction would be allowed.

Classifications Involved: RIDEM SA // CRMC, I, II, IV.

LOCATIONS OF PRISTINE WATERS

- 1) Hope Island Sanctuary boundary waters out to 18 ft, at MLW.
- 2) No. Prudence - Patience Sanctuary boundary waters out to 18 ft. at MLW (Beginning from a line perpendicular from the shore at Jenny Pond, Prudence Island around Pine Hill Pt. northward around Northwest Pt., Patience Island to the Northern tip of Prudence Island ending perpendicular to Gull Point, Prudence Island)
- 3) Southwest Point of Prudence Island to the southern side of the Submarine T-dock at the U.S. Naval Reservation out to 18 ft. MLW.
- 4) Waters north of C23 in the East Passage to the northern limit of the Naval Reservation out to 18 ft. MLW.
- 5) Southwesternmost extent of the Towns Waters to Dyer Island and back to Carrs Point. Also the waters on the west & north side of Dyer Island (no depth limit).
- 6) Coggeshall Point north to Willow Lane Spit out to 18 ft. MLW.
- 7) Waters north of Willow Lane to Arnolds Point.

- 8) Easternmost point of Hog Island around Southwest Point to Northwest Point out to the 6 ft. MLW line.
- 9) Weyerhauser Pier northeast to Porter Lane to 18 ft. at MLW.
- 10) Town Pond to Attleboro Road in Common Fence Pt. out to 10 ft. MLW.
- 11) Old Orchard Cove northwest to Long Neck Cove including Tommy Island.
- 12) Boundary waters of Little Gould Island out to 20 ft. MLW.
- 13) Sandy Point south to the Southernmost border of the Town's Waters.
- 14) Cull waters in Island Park bounded by the open space in the Special management area for shellfish transplantation.

b. RESTRICTIVE WATERS

**Goal:** To link areas of limited access to low-intensity water space development. To preserve space for riparian property owners use.

**Impact:** Unless there is access, mooring space is limited. Mooring space will exist without dense mooring field creation. Allow the maintenance of the existing water quality condition.

Classification: RI DEM SA/ SB / SC // CRMC Type I, II, IV

LOCATIONS OF RESTRICTIVE WATERS

- 1) West Cove of Prudence Island from Jenny Pond south to the northern border of Crows Swamp out to 18 ft. at MLW.
- 2) Northern Tip of the USN Reservation northward to the East Shore across from Jenny Pond out to 18 ft. at MLW.
- 3) End of Baker Rd. to the end of Therien Rd. out to 18 ft. MLW.
- 4) Hog Island from West Rd. north and east to the Southern extent of So. Riverside Drive.
- 5) Porters Lane to the end of Bayview Ave out to 18 ft. MLW.
- 6) Water off Attleboro Ave. to the tip of Common Fence Pt.
- 7) Water from the tip of Common Fence Pt. to the tip of Cedar Is.
- 8) Blue Bell Cove bounded by Marinet Rd. (west) over to the last home at the start of Long Neck Cove.
- 9) Stone Bridge to Morningside Lane drawn diagonally, with the exception of the Pristine Water abutting
- l) West Cove, Prudence Island from Jenny Pond south to the northern border of Crows Swamp out to 18th the open space in the cull. (Area of Special Management due to Shellfish Transplant Beds).
- 10) Morningside Lane southward to McCorry Pt. 500 yards out into the Sakonnet River.
- 11) McCorry Point Tip to Sandy Pt. out 500 yards into the Sakonnet River.

c. SPECIAL AREA RESTRICTED USE (SRU) WATERS

**Goals:**

- i. To return the designated area to a viable year-round functional shellfishing/transplant bed.
- ii. To ensure that the water quality remains such that primary contact activities, (i.e. swimming) can be accomplished without hazard

**Impact:** Point source discharge must be detected and abated; residents that adjoin an SRU area (Park Avenue and Morningside Lane) would have to cease being sources of pollution. A selective pull area would be established requiring moorings be pulled out of the water at the end of the boating season. No overboard discharge from boats occupying an SRU area would be permitted. Adherence to these requirements will improve water condition.

Classifications involved: RIDEM SA // CRMC II

**LOCATION OF SPECIAL AREAS OF RESTRICTED USE**

Intersection of Morningside Lane at the shorefront, southeasterly to a point on the edge of the Portsmouth waters one hundred (100) feet off Teddy's Beach.

Note: Within the above designated SRU there is a small area of pristine water in the northeast corner of the SRU waters at the shoreside intersection of Atlantic Avenue and Park Avenue, extending seaward and proceeding parallel to the SRU borderline and then running parallel to the SRU borderline perpendicular to where Mason Avenue meets Park Avenue.

d. INTENSIVE USE WATERS

**Goal:** To provide for resident and nonresident mooring resources as well as anchorage for transients. All the while preserving individual riparian property owners rights.

**Impact:** Mooring fields would be identified and their growth managed. Minimal impact on waters just outside the established perimeters. Marina construction is allowed.

Classifications involved: RIDEM SA/SB/SC // CRMC I,II,III,IV,VI

**LOCATIONS OF INTENSIVE USE WATERS**

- 1 ) Potters Cove, Prudence Is. (Special Management Area)
- 2) Anchorage Area So. Potter Cove to the shore across from Jenny Pond, Prudence Is.
- 3) Anchorage Area north of the "T" dock, Prudence Is. at the USN Reservation.
- 4) Weaver Cove northward to Coggeshall Pt. and outward to the east side of Dyer Is.
- 5) Town Boat Launching Ramp area off Willow Lane.
- 6) Paradise Island cove on Hog Is.
- 7) Tip of Cedar Is. to the RR bridge.
- 8) RR Bridge to the Stone Bridge out to the co-jurisdictional channel.
- 9) Sandy Point Avenue north to the south end of Heidi Drive
- 10) West side of Weyerhauser pier

d. SPECIAL INTENSIVE USE AREA (POTTER'S COVE)

**Goals:**

- i. To provide an area for intensive mooring activity while improving the water quality to the highest level.
- ii. To return this cove to a viable shellfishing ground during non-boating season

**Impacts:**

- i. Reduction to the current number of boats moored in the cove during the boating season
- ii. Establish a pumpout alternative for boats moored in the cove
- iii. Require that the moorings in the cove be pulled out of the water at the end of the boating season.
- iv. No overboard discharge will be permitted from boats occupying the cove

Classifications involved: RIDEM SA/SB (in season) // CRMC II

LOCATION OF SPECIAL INTENSIVE USE AREA (POTTER'S COVE)

A straight line from the middle of the southern tip of Bull Point running generally southwesterly to the boundary between the State and private lands on Prudence Neck. Boundaries of this area are protected by the provisions of the Federal Estuarine Sanctuary Program.

*A map of the Portsmouth Coastal Waters Zoning is provided in Appendix (A), Map 3*

2.3.4 ENVIRONMENTALLY SENSITIVE AREAS.

a. Natural Estuarine Sanctuary. The Narragansett Bay National Estuarine Sanctuary is located in the geographic center of Narragansett Bay and within the boundaries of the Town of Portsmouth. The sanctuary is composed of 1,035 acres of land on Prudence, Patience, and Hope Islands and 1,591 acres of water adjoining the islands out to the 18-foot isobath.

b. Official Conservation Areas.

- Patience Island, North and South Ends of Prudence Island (Bay Islands Park)
- Gould Island (Sakonnet River): Audubon Sanctuary
- Musselbed Shoal Barrier Beach
- Barrier beaches on Common Fence Point bounded by Common Fence Blvd, Kennedy Field and the "Skating Pond".
- Town Pond and Golf Course wetlands

c. Unofficial Conservation Areas.

- The shoreline and tidal areas of Common Fence Point.
- Fossil band in the shale vein on the west shore of Portsmouth on Aquidneck Island.

*A map of Portsmouth's environmentally sensitive areas is shown in Appendix (A); Map 6.*

2.3.5 RECREATIONAL AND COMMERCIAL FISHING AREAS.

a. Commercial Fishing Areas. All the waters of Narragansett Bay, Mount Hope Bay and the Sakonnet River have traditionally supported some type of commercial fishing and shellfishing activities. As

described in the history section of this plan, the most profitable and prosperous commercial fishing enterprise to occur in Portsmouth was related to the menhaden industry. Occasional fishing for menhaden continues, but shellfishing has become the most prominent fishery in Town waters.

b. Recreational Fishing Areas. All the waters of Narragansett Bay, Mount Hope Bay and the Sakonnet River have traditionally supported recreational fishing activities from both shore and boat. Some popular recreational fishing areas are the Stone Bridge, the Railroad Bridge, Sandy Point, McCorry Point, Musselbed Shoals and the Cove.

2.4 CURRENT USES.

2.4.1 HARBOR STRUCTURES. There are various types of structures associated directly with the use of the coastal waters along the shores of the Town. The overwhelming majority of these include a maritime shipping capability at Melville; former Weyerhaeuser property; recreational boating slips; commercial fishing docks, private piers for recreational use, and out-haul poles. Most of these facilities are located within the Portsmouth/Tiverton Basin and north along the coastline bordering Narragansett Bay, Mount Hope Bay. The Stone Bridge and the remains of the Railroad Bridge is used for fishing. It is understood that the Railroad Bridge will be refurbished to allow rail service to Aquidneck Island.

2.4.2 ANCHORAGES. Portsmouth has anchorages in the East Passage north of Coggsall Point (Anchorage B) and anchorage on the south end of Prudence Island (anchorage B-1)

2.4.3 CURRENT MOORING AREAS AND BOAT SLIPS. A survey of Portsmouth's mooring areas was performed in 1989. The results are shown in Appendix (B), 1. The mooring areas were redefined in 1991 using newly established mooring field boundaries and ISSC limits were established. The mooring zones as defined in 1991 are also shown in Appendix (B), 2.

2.4.4 MARINAS. There are currently six marinas in Portsmouth. They are as follows:

<u>Marina</u>	<u>Location</u>
Little Harbor Marine	Melville
East Passage Yachting Center	Melville
Brewer's Sakonnet Marina	Common Fence Point
Point Boat Yard	Common Fence Point
Brewer's South (Lighthouse Marina)	Common Fence Point
Pirate Cove Marina	Hummocks
Stone Bridge Marina	Island Park

2.4.5 SHORELINE ACCESS POINTS. There are 17 CRMC designated rights-of-way along the Portsmouth shores. They are located at the following locations:

<u>Street Designation</u>	<u>R-O-W Designation No.</u>
Mt. View Road	V-1
Anthony Road	V-2
Narragansett Road	V-3
Cedar Avenue	V-4
Point Street	V-5
Green Street	V-6
Seaconnet Boulevard (Northeasterly Corner of Land of Wm. Herbert)	V-7
Seaconnet Boulevard	V-8
Seaconnet Boulevard (Northeasterly Corner of Land of Donald Ibbotson)	V-9
Seaconnet Boulevard (Northeasterly Corner of Land of Virginia Arruda)	V-10
Ruth Avenue	V-11
Fountain Street	V-12
Aquidneck Avenue	V-13
Atlantic Avenue (Easterly End of Corey's Lane)	V-14
Atlantic Avenue (Easterly End of of Tallman Avenue)	V-15
Child Street	V-16
Morningside Lane	V-17

Other access sites which have not been fully documented, but have been recently reviewed and accepted by the Town Council and are based on the 1990 Conservation Commission Report include: the town beaches at Sandy Point and the Stone Bridge; access points at The Cove, McCorry Point, various rights of way throughout Common Fence Point and commercial facilities at the Pirate Cove, Point, Brewers, East Passage and Little Harbor Marine Boat Yards. A list of these access sites is given in Appendix (C). Results of the Portsmouth Survey conducted in 1990 (Appendix D) indicates that Portsmouth residents feel that they have sufficient access to Portsmouth's waterfront.

2.4.6 SHORELINE ZONING DISTRICTS. The Portsmouth waterfront is divided into a number of zoning districts as defined in the Town zoning ordinance. The districts are: R40, R20, R10, heavy industry, light industry, open space, waterfront (one only at the Melville marina area) and commercial (one at Island Park). There are no R30 zones in Portsmouth on the waterfront and most waterfront zones are residential. The Town of Portsmouth has proposed overlay districts which will protect watershed and environmentally sensitive areas. A breakdown of Portsmouth's shoreline zoning districts is given in the Land Use Plan map (Map 5) in Appendix (A).

2.5 PROJECTIONS OF FUTURE GROWTH. The Town of Portsmouth is a community rapidly gaining recognition as a commuter location to cities as far as Boston. With a long tradition of waterfront related activities, and a some undeveloped interior land, it is seen as one of the communities that can support growth in the future. It is an easy drive to the beaches of Newport and south coastal Massachusetts as well as Cape Cod. It is close to the industrial community of Fall River, and is still only 40 minutes from Providence.

Results of a recent buildout analysis conducted by the Town of Portsmouth in September 1990 are:

	<u>1990</u>		<u>Build Out</u>		<u>% Increase</u>
Population	16,615		40,950		146%
Residential Development	6,440 dwelling units		15,337 dwelling units		138%
Commercial & Industrial Development	2.3 million sq. ft.		15.8 million sq. ft.		587%

(\* based on a development potential of 8,897 new housing units under current zoning ordinance)

With this increase comes the desire on the part of many of the new coastal area residents to participate in waterborne or water-related activities. Lacking any suitable year-round protected mooring grounds, other than within the Portsmouth Basin, the town will have to restrict the number of moorings and slips in its waters to maintain water quality and due to physical limitations. By doing that it can be expected that there will be an increased demand for boat ramps and general waterfront access. Likewise, shoreside locations for dry storage boat racks may be needed as well as other innovative facilities.

As the potential for new fisheries develop, and as the water quality of Mount Hope Bay improves, facilities will be needed for commercial shellfishermen. The town will need to establish a town dock. Related to all these activities is parking. Parking, already a problem during the summer on the streets that parallel the water, will get worse. Creative solutions to this problem will ensure the continued enjoyment of the Portsmouth waterfront in its most congested areas.

**3.0 ISSUES, GOALS AND POLICIES.** As described in the section on methodology, the issues of concern to the citizens of the Town of Portsmouth were identified through a survey, public workshops and technical advisory input. The issues presented here may not be an exhaustive study of every area of interest, but represent a cross-section of topics that received repeated mention during the data gathering process. The issues are:

- a. Water Quality
- b. Moorings
- c. Commercial Fishing
- d. Public Access
- e. Parking
- f. Waterfront Development
- g. Fairways
- h. Coordination of Jurisdictional Responsibilities
- i. Paying for Harbor and Waters Management
- j. Boating Safety
- k. Energy/Government Facility Siting
- l. Establishment of the PCC

From these issues, the HCWMP Commission developed the accompanying goals and related policies and modified them based on public input. All of the items presented in the following section considered the immediate and the long-term factors impacting each issue.

### 3.1 WATER QUALITY.

**ISSUE:** There is concern for the maintenance of the water quality in Narragansett Bay, Mount Hope Bay, the Sakonnet River and the adjoining tidal areas within the jurisdiction of the Town of Portsmouth.

Water quality is a frequently mentioned concern by many in current surveys. It also formed the basis for many of the other concerns discussed at the public hearings and in committee meetings. For many years the residents of Portsmouth have been aware of the potential impacts of sewage pollution from the Fall River Sewage Treatment Plant, heavy metals pollution from industries in Fall River, oil pollution from shipping terminals in Melville and Portsmouth, the outfall pipes from Elmhurst School, Sherwood Terrace, Pearson Yachts and Raytheon as well as the failures of residential septic systems along the Portsmouth and Tiverton waterfronts. The commercial quahoggers know too well the impacts of the closing of shellfish beds from pollutants and local residents want to preserve, protect and improve the quality of the waters for multiple uses.

The waters of the town have been classified by the DEM Division of Water Resources into three categories. SA waters, those considered the cleanest, consist of all the waters of the Sakonnet River, from the Stone Bridge south to the Atlantic Ocean with the exception of two small areas on the Portsmouth shore. DEM recommends that waters classified SA are to protect the following uses: bathing and contact recreation; shellfish harvesting for direct human consumption; and fish and wildlife habitat. The waters in the Portsmouth/Tiverton Basin and north to the Rhode Island/Massachusetts state line, Potter Cove (Prudence Island) and Hog Island (northern point) have been primarily categorized SB. According to DEM waters classified SB are to protect the following uses: shellfish harvesting for human consumption after depuration; bathing, other secondary contact recreational activity and fishing. The Sakonnet River (Elmhurst Academy) and Sakonnet River (Sherwood Terrace), Cogsehl Point (Dyer Island) and Arnold Point have been classified SC, the lowest designation, primarily due to sewage outflows. Waters designated SC are designed to protect the following uses: boating, other secondary contact recreational activities; fish and wildlife habitat; industrial cooling; and good aesthetic value.

**GOAL:** The Town of Portsmouth should strive to preserve, protect and improve the water quality of the coastal waters under its jurisdiction.

There are many factors that affect the quality of these waters. Consideration must be given to all of them when establishing policies and action plans for achieving the stated goal.

**POLICY:** The Town shall undertake to:

- a. implement a waste water management district ordinance, within the next five years, that requires property owners within 200 feet of any coastal feature to have their sewage systems pumped on a biannual basis (or upon sale), and repaired or replaced if found to be unsatisfactory (contingent upon establishment of prompt DEM/CRMC constructive problem resolution procedures resulting from this action).
- b. increase utilization of the CDBG financial assistance (operated for Portsmouth by the Church Community Foundation) for lower and moderate income households that have been cited for violation(s).
- c. support the presence of mobile pumpout vessels in the Town waters.

delete d.

- e. assist the Portsmouth Coastal Commission in developing a handout for boaters using Portsmouth waters that describes the rules and regulations as well as lists the location of pumpout and other services;
- f. ensure that, in order to abate discharge into coastal waters, marine pumpout facilities plans are submitted to the PCC and DEM water resources by January 1, 1995 (implementation of the plans will be by future State legislation).
- g. make application to the EPA to designate Portsmouth waters as a "no discharge" area once pumpout facilities have been established. implement a point source pollution ordinance to insure no new discharge into coastal waters;
- h. ensure that any zoning changes or amendments, or any new construction projects along the coastal waters include provisions that stipulate there will not be any degradation to the existing water quality or

any adverse effects on the circulation and flushing patterns of tidal waters, or diminished value of the tidal waters and shoreline features for use as habitats by fish, shellfish, wildlife and wildfowl.

i. assign the building inspection office to act as follow-up and liaison between the property owner and DEM in cases of failed septic systems.

j. insure that whenever a dwelling is to be converted to year-round use it must conform to current State ISDS standards as amended in December 1991 (no dwelling within 200 feet).

k. implement a more complete storm water runoff regulation and a soil erosion/sediment control ordinance.

l. utilize the Resource Protection Overlay District of the Land Use Comprehensive Plan on lands adjacent to coastal waters which are designated as "PRISTINE".

### 3.2 MOORINGS.

**ISSUE:** Concern exists for the determination of the appropriate location and numbers of moorings to be allowed within Portsmouth coastal waters and the overall impact of the increasing numbers of recreational boats in general.

**GOAL:** The Town should provide for the efficient utilization and allocation of mooring space consistent with the CRMC, HCWMP and the current Harbormaster Ordinance (Appendix F) as resolved on 3/26/90.

#### **POLICY:**

a) the Town shall implement a revised harbormaster ordinance which reflects water zoning and the newly created ISCC formula limits for moorings

b) the Assistant Harbormaster when assigning mooring spaces will take into account water zoning and ISCC limits

c) the Harbormaster office shall file a mooring census on a yearly basis to the CRMC

d) the Town shall implement the Potters Cove special area management plan; the Town shall enforce the ban on overnight anchorage in Cogshall Cove and Sheepspen Cove (as adopted by the Town Council on 9/21/92)

e. the new PCC consider applying to the EPA for mooring field certification

f) the PCC will furnish the CRMC with coordinates (in State plane grid) for the mooring fields (*upon receipt of appropriate GIS software*)

### 3.3 COMMERCIAL FISHING.

**ISSUE:** Concern for the preservation of facilities and access to the waters for commercial fishermen.

**GOAL:** To preserve commercial fishing as a viable, traditional economic activity that is a valuable water-dependent use within the town.

#### **POLICY:** The Town shall undertake to:

a. make every appropriate effort to ensure the continued presence and viability of the existing commercial fishing industry within the town;

- b. ensure that existing moorings and/or docking facilities for shellfishermen are protected and easily accessible;
- c. study the possibilities of obtaining federal or state funds for the acquisition of land to provide adequate shoreside facilities, such as launching ramps, for the commercial fishing industry in the town;
- d. support a ban on commercial fishing activities; in particular fishing for winter flounder in Narragansett Bay breeding areas located in Portsmouth's waters (Island Park flats and Hog Island).

### 3.4 PUBLIC ACCESS.

**ISSUE:** Concern for the preservation of public access to the shore, in all forms. The recent Portsmouth Town survey indicated that less than 50% of the participants felt that there was a lack of access to the Town's shore. Section 2.4.5 and Appendix (C) lists public access areas to the Town's shores.

**GOAL:** To improve the quality of existing usable opportunities.

**POLICY:** The Town shall undertake to:

- a. where feasible, ensure that the citizenry shall have access to that land between the MHW mark and the MLW mark of the tidal waters of the town and be able to traverse said lands unobstructed. Insofar as the Constitution of the State of Rhode Island indicates that the citizens of the state own the land between the MHW mark and the MLW mark the Town of Portsmouth should consider the following for inclusion within the appropriate town ordinances and/or regulations:

Any development of several single or multi-unit homes on a tract of land which includes waterfront property, or any construction on any one of three contiguous registered lots, each with waterfront property, or any commercial development on a waterfront tract that has not demonstrated that it requires to obstruct access to the shoreline for reasons of safety or security, shall be encouraged to grant an easement for public access in the development plan before submitting the plan to the Town of Portsmouth for approval and acceptance.

- b. discuss with the appropriate personnel at RI DOT, the potential for utilizing RI DOT property adjacent to the Sakonnet River Bridge in the Hummocks for the construction of a boat ramp and parking. A management plan and permit/fee system for the facility shall be established.
- c. pursue Town boat ramps/coastal parks development contingent upon availability of funds;
- d. analyze the possibility of acquiring private land and/or development rights along the waterfront for the purpose of increasing public access;
- e. inspect all street ends and CRMC Rights-of-Way to assess their ability to be developed for public access to the water and delete unofficial, unusable rights of way and annually apply for grants to upgrade and maintain rights of way;
- g. investigate and pursue with the appropriate agencies the possibility of locating seasonal dinghy, storage racks, bicycle racks at the town beach and other Town owned access sites;
- h. recommend that the Town Planner investigate and pursue the acquisition of the funds necessary to construct a "town dock" and/or improve the existing structure located at the Glen House Manor;
- i. maintain, establish and enforce rules for the use of the Stone Bridge as a fishing pier.

### 3.5 PARKING.

**ISSUE:** Distinct, but related to public access, concern for the controls on, and the amount of available public parking in the immediate vicinity of the shoreline.

**GOAL:** To provide adequate parking at areas of intensive use for residents, their guests and coastal visitors, including parking for boat trailers.

**POLICY:** The Town shall undertake to:

- a. establish an appropriate parking plan during the warm weather and boating season for usable rights of way;
- b. ensure that harbor and coastal waters ordinances REQUIRES commercial marina operators to comply with the parking requirements of the RI CRMP, section 300.4 E. 1. a and b.
- c. investigate and pursue the potential acquisition of non-waterfront land which is in the vicinity of intensive use zones to serve as a seasonal parking lot for coastal water users;
- d. amend or adopt, if necessary, appropriate parking ordinances to ensure effective and safe parking conditions for all residents, their guests, and commercial businesses, taking into account the seasonal change in demand for parking space while continuing to provide for the public use and enjoyment of the urban waterfront by preserving the maritime character of the municipal harbor and by encouraging marine uses which create additional opportunities for public access;
- e. amend or adopt, if necessary, appropriate parking policies which provide for the unobstructed public access to Federal navigation channels, anchorages and Portsmouth harbor facilities.

### 3.6 WATERFRONT DEVELOPMENT.

**ISSUE:** Concern for the potential of uncontrolled growth, (commercial, industrial and residential development) along the shoreline of the town.

**GOAL:** To manage the shorefront property of the town in a manner that preserves the character, water quality, air quality, natural attributes of the land/water interface, promotes marine-related and marine dependent activities and minimizes changes to the coastline.

**POLICY:** The Town shall undertake to:

- a. insure that new marina development shall be limited to intensive use class waters only
- b. review parking areas and paving materials used in coastal developments to limit point source pollution;
- c. establish a waterfront protection district which is part of the resource protection proposal in the Comprehensive Land Use Plan;
- d. create site plan reviews for local marina developments.
- e. zone Barrier Beaches as undevelopable

### 3.7 ENERGY/GOVERNMENT FACILITY SITING.

**ISSUE:** Concern of Town residents over siting of non-water dependent facilities within or adjacent to the Portsmouth coastal zone

**GOAL:** to protect water quality, to protect natural resources such as environmentally sensitive areas and marine habitats and to maintain and protect the scenic features of the coastal lands.

**POLICY:**

- a. the Town shall prohibit the bulk storage of combustible and/or hazardous materials within the coastal zone that exceeds quantities required for single family residential usage; or marine operations.
- b. any facility not directly connected with or requiring waterfront activity/usage shall demonstrate a need for such a facility and provide the necessary environmental impact assessment materials.
- c. development plans and environmental impact statements shall be submitted for review and approval of the PCC prior to CRMC submission.
- d. furnish an advisory opinion on the waterfront impact of proposed facilities to the RI EFSB

3.8 IMPLEMENTATION. The final element required in the PCWMP is the Implementation Schedule. The schedule is a summary of actions required to accomplish the goals set forth in the PCWMP. The implementation schedule provided in Appendix (E) is an element by element listing of actions to be taken, time frames, and costs.

3.9 FAIRWAYS.

**ISSUE:** Need to have specific, designated local navigational areas, free of obstructions, for the safe ingress and egress of boats from commercial and recreational docks, wharves and moorings.

Because of the multi-use nature of the waters of the Town of Portsmouth, and particularly due to the increasing congestion of boating activities of all types in the Portsmouth Basin, there is a significant demand for the town to establish and designate local navigation fairways to help protect the safety of the citizens and visitors to the town and their personal property.

**GOAL:** To establish and designate navigation fairways that provide safe ingress and egress for boats to the commercial and recreational docks, wharves and moorings within the waters of the Town of Portsmouth.

**POLICY:** The Town shall undertake to:

- a. establish and designate navigation fairways that provide safe ingress and egress for boats to the commercial and recreational docks, wharves and moorings within the waters of the Town of Portsmouth.
- b. coordinate the effort with the Tiverton Harbor Commission

3.10 COORDINATION OF JURISDICTIONAL RESPONSIBILITIES.

**ISSUE:** Need for the understanding of boundaries between Portsmouth, Middletown, Bristol, Jamestown, Tiverton and the United States Government, as they relate to the limits of authority for Town officials.

Because of the increased activity on and in the waters of the Sakonnet River and Mount Hope Bay, the towns of Portsmouth and Tiverton, in particular, have begun to take a more active role in asserting the jurisdiction of local harbor masters to maintain safety and to administer water-related rules and regulations in these waters. Of special concern is the Portsmouth Basin, an area of high-density boating activity

during the boating season, that requires the careful attention and coordination of both communities to ensure the safety of the public in that area.

**GOAL:** To maintain constant communications with the Town of Tiverton for the purposes of coordinating jurisdictional responsibilities on the water bodies shared by Portsmouth, Bristol, Middletown, Tiverton and the United States Navy. To maintain familiarity and communications with the other nearby towns concerning development of harbor plans, ordinances and water activities that may impact or interact with the waters of the Town of Portsmouth.

**POLICY:** The Town shall undertake to:

- a. make available one, non-voting, ex-officio membership on the PCC for representatives of adjacent Towns and the US Navy;
- b. endeavor to secure a non-voting, ex-officio membership on adjacent towns and the US Navy's coastal waters management commissions;
- c. obtain copies of appropriate harbor plans, ordinances or other documents relating to the waters and waterfront activities of the nearby communities;
- d. participate, when possible, in public meetings that occur in the nearby towns pertaining to the waters and waterfront of the nearby towns;
- e. ensure the Portsmouth Harbormaster's Department maintains effective communications with the harbormasters of the nearby towns.

### 3.11 BOATING SAFETY.

**ISSUE:** The congestion of boats in the Portsmouth basin, the increasing number of water-skiers and jetskiers in the Cove and the diversity of uses occurring on the waters, requires a more intense and time consuming commitment on the part of the harbormaster and his/her staff to ensure the safety of both the commercial and recreational boating public.

**GOAL:** To provide safe boating for all participants in Portsmouth waterways.

**POLICY:** The Town shall establish a boating safety policy to include:

- a. safe water recreation rules and regulation through public education
- b. establishment of restricted speed zones in mooring fields and adjacent to public recreation areas.
- c. establish safety zones around recreation, navigation and commercial/private boating activity areas which restrict the use of vessels engaged in water skiing, jet skiing, para-gliding and other such activities.
- d. adopt State guidelines for jetski use in Town waters

### 3.12 PORTSMOUTH COASTAL COMMISSION.

**ISSUE:** Once the Comprehensive Plan has been adopted, the Planning Commission task has been filled. The implementation and review board component needs to be directed to a permanent commission.

**GOAL:** To establish a permanent coastal commission for the Town of Portsmouth.

**POLICY:**

- a. The Town should establish a Coastal Commission, the body of which shall consist of seven (7) members of staggered terms, appointed by the Town Council after qualification review; in order to insure that the Committee has diverse interests, the body of the Committee shall include, but not be limited to, one each of the following: a riparian land owner, a boat owner, an environmentalist, a marina operator/water-related businessperson, a commercial fisherman and/or sportfisherman, a person with technical expertise applicable to the commission goals, a concerned citizen.
- b. implement the Coastal Waters Management Plan;
- c. continually monitor applicability of the Coastal Waters Management Plan to the requirements of the current state and federal regulations and provide ongoing plan assessment for the Town's Comprehensive Plan updates in accordance with established update/review cycles;
- d. establish an amendment policy with a limit of no more than two amendments for each year.
- e. review all coastal applications before submission to the CRMC and/or Town to ensure that the planned construction will have no substantial impact on the Portsmouth waterfront.

### 3.13 PAYING FOR HARBOR AND WATERS MANAGEMENT.

**ISSUE:** Concern for the costs and financial burdens of implementing and maintaining effective and efficient management controls on the waters of the Town of Portsmouth.

For many years Portsmouth has been able to utilize the services of the Portsmouth Police Department and/or volunteers for enforcing the rules and regulations of the harbormaster's office and for taking care of the administrative requirements that are required by the harbormaster and/or his/her staff. When there was less activity on the waters of the Town, this was reasonable. Conditions have changed over the years; the involvement or the potential involvement of the harbormaster and his/her staff in boating safety offenses, criminal offenses and social and legal issues related to the water has grown dramatically in the last ten years.

**GOAL:** To provide sufficient and dedicated funding for the purposes of managing the coastal waters of the Town of Portsmouth and the activities that occur on and in those waters.

**POLICY:** The Town shall undertake to:

- a. establish by ordinance or other appropriate means a dedicated fund based on water usage permit fees and fines;
- b. review on an annual basis the need to compensate the harbormaster and assistant harbormaster; establish term limits for all assistants.
- c. ensure the establishment of a budget adequate to pay all the appropriate costs of the Harbor and Coastal Waters Management Commission and the Harbormaster's Department.

APPENDIX (A)

MAPS OF PORTSMOUTH'S COASTLINE

Appendix (A) includes the following maps of Portsmouth's coastline:

Map 1. Recreational Areas

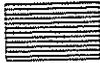
Map 2. Flood Hazard Areas

Map 3. Town Water Zones

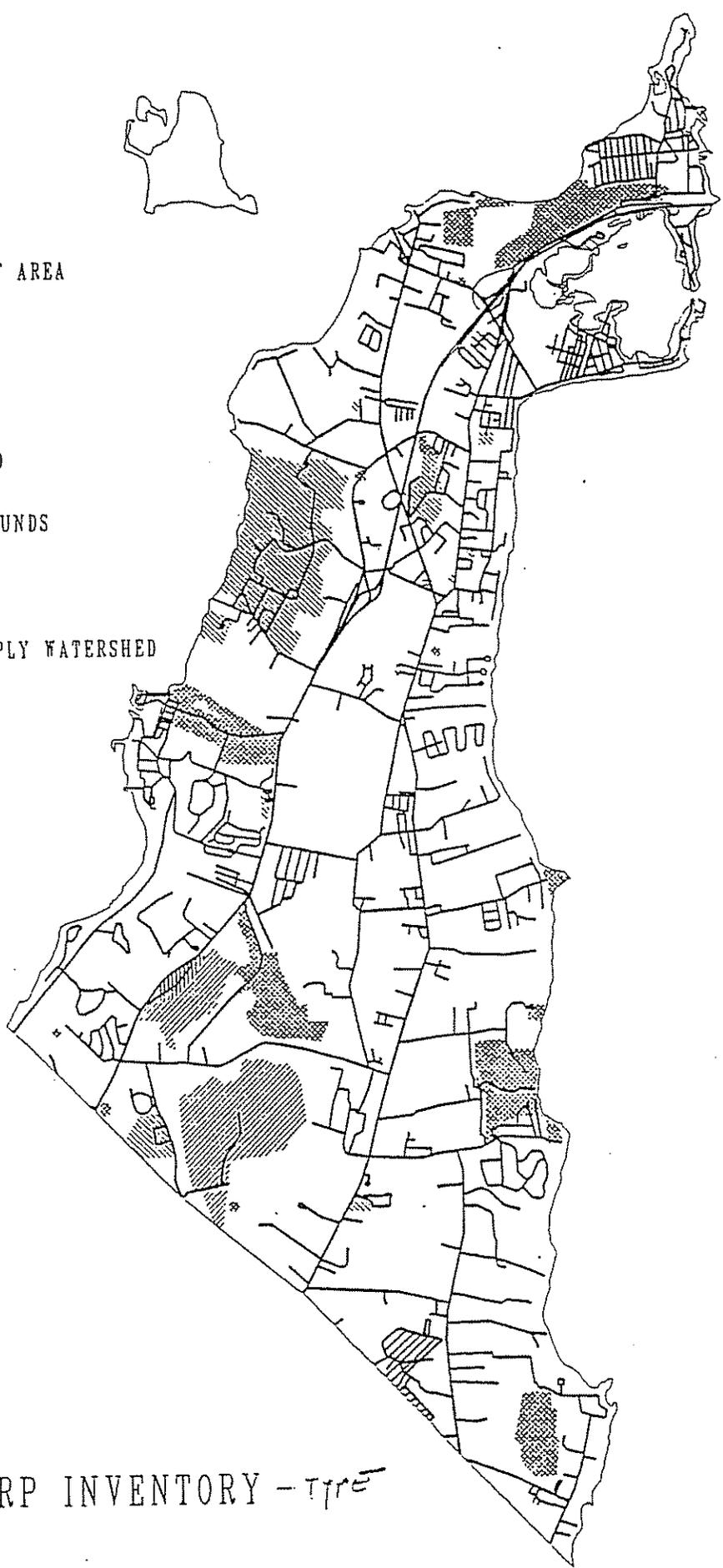
Map 4. Town Mooring Fields

Map 5. Land Use Plan (Town Zoning Districts)

Map 6. Environmentally Sensitive Areas

-  MANAGEMENT AREA
-  STATE PARK
-  LOCAL PARK
-  PLAYGROUND
-  SCHOOL GROUNDS
-  OTHER
-  WATER SUPPLY WATERSHED

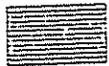
SCALE 1in = 1mile



DRAFT SCORP INVENTORY - TYPE



 "A" ZONE

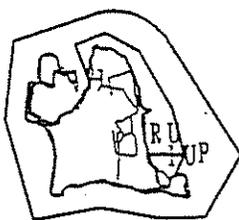
 "V" ZONE

SCALE 1in = 1mile

# FLOOD HAZARD AREAS

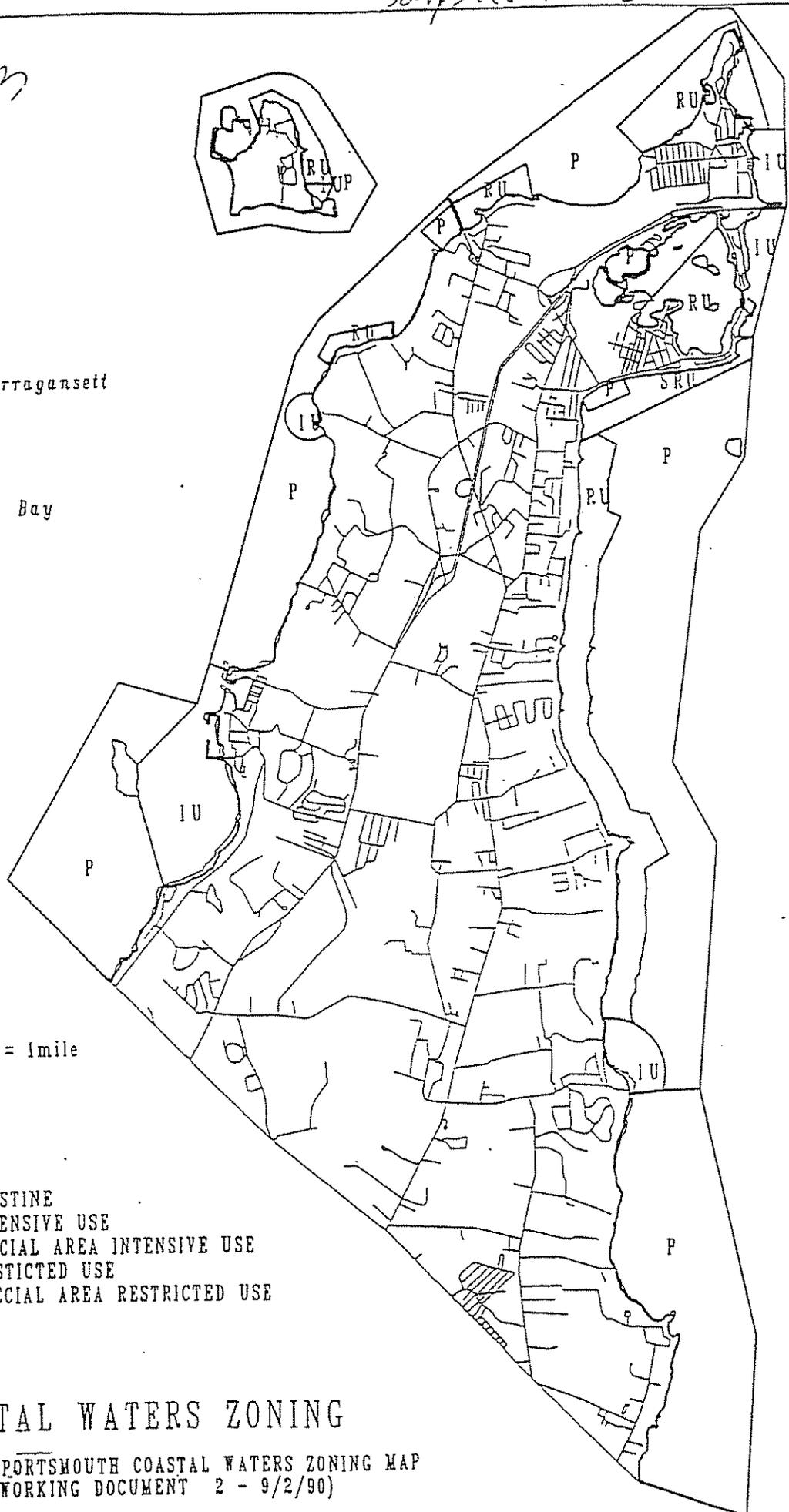
SOURCE: FEMA DATA FROM RIGIS

Page 3



Narragansett

Bay

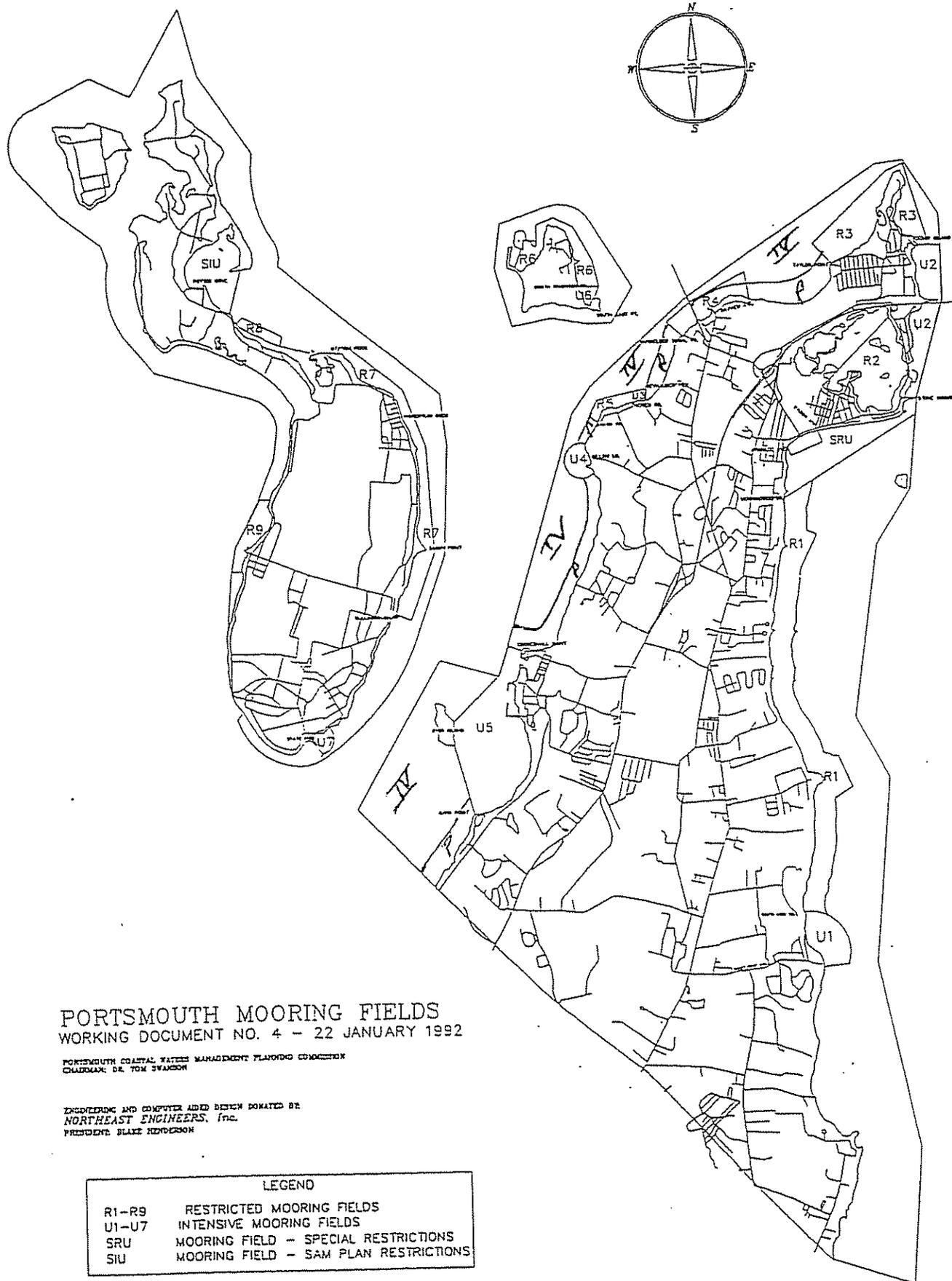


SCALE 1" = 1mile

- P PRISTINE
- IU INTENSIVE USE
- SIU SPECIAL AREA INTENSIVE USE
- RU RESTRICTED USE
- SRU SPECIAL AREA RESTRICTED USE

### COASTAL WATERS ZONING

SOURCE: PORTSMOUTH COASTAL WATERS ZONING MAP  
(TITLED WORKING DOCUMENT 2 - 9/2/90)



**PORTSMOUTH MOORING FIELDS**  
 WORKING DOCUMENT NO. 4 - 22 JANUARY 1992

PORTSMOUTH COASTAL ZONE MANAGEMENT PLANNING COMMISSION  
 CHAIRMAN: DR. TOM SWANSON

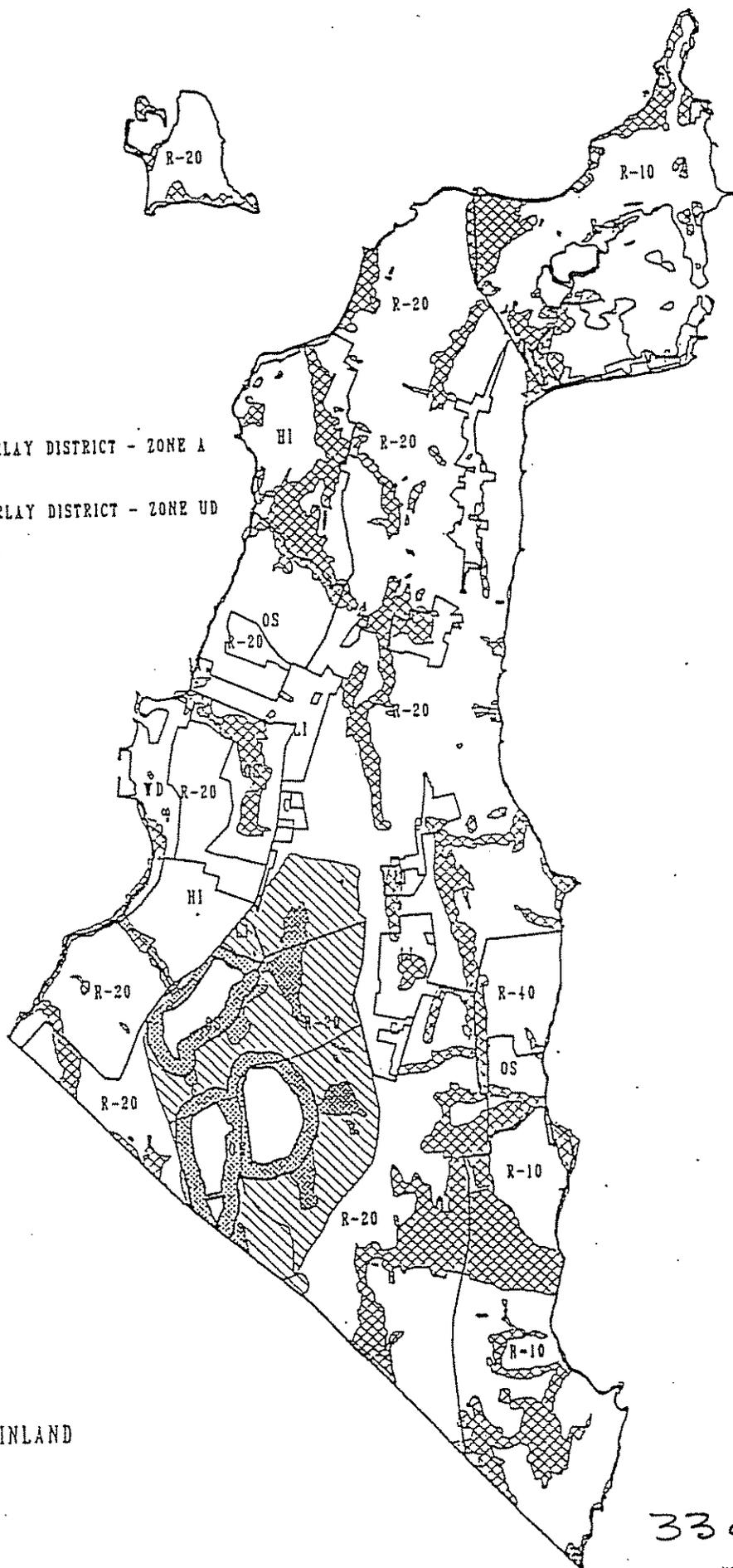
ENGINEERING AND COMPUTER AIDED DESIGN DONATED BY  
 NORTHEAST ENGINEERS, Inc.  
 PRESIDENT: BLAKE HENDERSON

LEGEND	
R1-R9	RESTRICTED MOORING FIELDS
U1-U7	INTENSIVE MOORING FIELDS
SRU	MOORING FIELD - SPECIAL RESTRICTIONS
SIU	MOORING FIELD - SAM PLAN RESTRICTIONS

R-10 RESIDENTIAL R-10  
 R-20 RESIDENTIAL R-20  
 R-30 RESIDENTIAL R-30  
 R-40 RESIDENTIAL R-40  
 OS OPEN SPACE  
 C COMMERCIAL  
 LI LIGHT INDUSTRIAL  
 HI HEAVY INDUSTRIAL  
 YD WATERFRONT DISTRICT

 WATERSHED PROTECTION OVERLAY DISTRICT - ZONE A  
 WATERSHED PROTECTION OVERLAY DISTRICT - ZONE UD  
 WETLANDS OVERLAY DISTRICT

SCALE 1in = 1mile

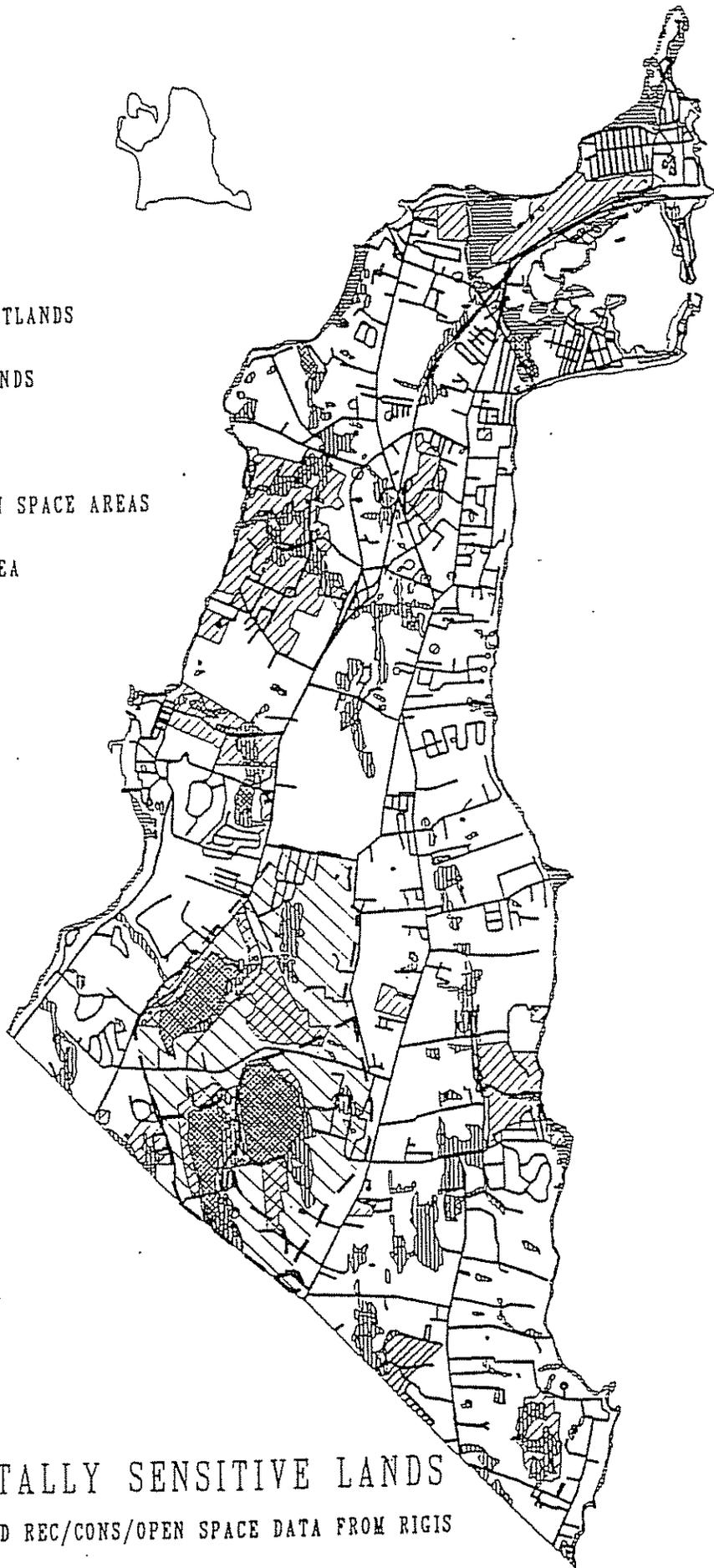


TOWN OF PORTSMOUTH - MAINLAND  
LAND USE PLAN

33 of 62

-  FRESHWATER WETLANDS
-  COASTAL WETLANDS
-  OPEN WATER
-  REC/CONS/OPEN SPACE AREAS
-  WATERSHED AREA

SCALE 1in = 1mile



ENVIRONMENTALLY SENSITIVE LANDS  
 SOURCE: WETLANDS AND REC/CONS/OPEN SPACE DATA FROM RIGIS

APPENDIX (B)

PORTSMOUTH MOORINGS

## 1989 PORTSMOUTH MOORING FIELD/BOAT SLIP SUMMARY

AREA	LOCATION	# OF MOORINGS		WATER STD	COMMER. SLIPS	PUMP-OUTS	PRIVATE DOCKS	SLIPS
		REGIS.	UNREGIS.					
"S"	Southern Sakonnet	14		SA*	n/a			
"A"	Middle Sakonnet	106	5	SA*	n/a			
"B"	The Basin	37	1	SB	n/a		42	53
"K"	Basin Commercial	36		SB	140			
"C"	The Cove	36		SA	n/a			
"D"	CFFt. -Commercial	20		SB	n/a			
"LH"	CFFt. -Commercial	17		SB	410			
"N"	Common Fence Point	83		SB	n/a			
"M"	Mt. Hope Bay	44		SA-dry	n/a	2		
"H"	East Hog Island	1		SA	n/a			
	NE Hog Island	0		SB	n/a			
"W"	West Hog Island	8		SA*	440			
"PI"	Prudence Is. General	92		SA	n/a			
"PC"	Potters Cove	77		SA-seasonal	n/a			
Totals:		571	6		990	2	42	53

\* Denotes small areas in in an SA body of water that carry out the SC std.

- 1) Elmhurst School Triangle
- 2) Sherwood Terrace Triangle
- 3) Pearson Triangle
- 4) Mellville Triangle

# 1991 PORTSMOUTH MOORING FIELD/MSD SUMMARY

Survey Accurate August 1991 (before Hurricane Bob)

Field	Designated Areas Buoy Ltr.	Location of Mooring Field	# of Moorings		ISDS Limits	Boats on Moorings <sup>a</sup>	
			regs.	unregs.		w/MSD's	w/o MSD's
U1	"S"	Sandy Pt. Ave. to So. Heidi Dr.	21	0	62	7	14
R1	"S,A"	So. Heidi Dr. to Morningside Dr.	126	0	255	20	106
SRU	"A"	Morningside Dr. to Mid-Channel Sakonnet River, except pristine block	48	0	77	0	48
U2	"B,K"	Stone Bridge to Cedar Island	146	0	175	52	94
R2	"C"	NE/SE semicircle Blue Bell Cove	85	0	30	2	83
R3	"D,L,H,N"	Cedar Is. to C.F. Pt. to Taylors Ln.	58	0	140	11	47
R4	"M"	Bayview Ave. to Musselbed Shoal Rd.	16	0	33	7	9
U3	"W"	Weyhauser Pier to Pond outlet	0	0	7	0	0
R5	"W"	Therian Road to Baker Road	12	1	14	3	9
U4	"W"	Willow Lane Semicircle	0	0	15	0	0
U5	"W"	Coggeshall Pt. to Dyer Is. to Carr Pt.	0	0	451	0	0
U6	"H"	South East Pt. to S. Riverside Dr.	1	1	3	1	1
R8	"PI"	Nag Creek to South Potters Cove	0	0	9	0	0
SIU	"PI"	Potters Cove (see Note 1)	125	0	39	98	27
R9	"PI"	West Shore of Prudence Island	3	1	65	0	4
Totals for 18 mooring fields:			641	3	1375	201	442

Note 1: In 1991, only Potters Cove had enough boats capable of lowering the water quality (via ISSC limitations)

APPENDIX (C)

PORTSMOUTH WATERFRONT ACCESS SITES

Appendix (c) is a list of access sites which have not been fully documented, but have been recently reviewed and accepted by the Town Council and are based on the 1990 Conservation Commission Report include: the town beaches at Sandy Point and the Stone Bridge; access points at The Cove, McCorry Point, various rights of way throughout Common Fence Point and commercial facilities at the Pirate Cove, Point, Brewers, East Passage and Little Harbor Marine Boat Yards

# PORTSMOUTH/AQUIDNECK ISLAND RIGHTS OF WAY

#	Area	Waters Accessed	Access	Width (ft.)	Map	CRMC/DEM ID	ADJ. LOTS
1		Mount Hope Bay	Mount View Road	20	1	124V-1	
2		Sakonnet River	Mount View Road	20	1	124V-1	
3	Common Fence Pt.	Sakonnet River	Anthony Road	20	1	125/V-2	12-13
4	Common Fence Pt.	Sakonnet River	Narragansett Road	20	1	126/V-3	
5	Common Fence Pt.	Sakonnet River	Narragansett Road	wide	1		39-40
6	Common Fence Pt.	Sakonnet River	Sakonnet Drive to Anthony Road		2		28, 29
7	Common Fence Pt.	Mount Hope Bay	North Water St.		2		5, 6, 7
8	Common Fence Pt.	Mount Hope Bay	Island Road		2		179
9		Mount Hope Bay	Tidal Flat				1, 2
10				5	2		69-70
11		Sakonnet River	Narragansett Blvd.	5	2		70-71
12		Sakonnet River	Narragansett Blvd.	5	2		76-77
13		Sakonnet River	Narragansett Blvd.	5	2		85-86
14		Sakonnet River	Narragansett Blvd.	5	2		15-Rd.
15					10		17, 18
16	Hummocks	Tiverton Basin	Cliff Avenue	4	10		33583
17	Hummocks	Cove	Seaconnet Ave	12	15		59-58
18	Bluebell Point	Bluebell Cove		10	15		41-41
19				10	5		20-20
20				4	15		
21	Hummocks	Tiverton Basin	Point Road		21		115-114
22		Seaconnet River	Seaconnet Blvd.	30	21	130(V-7)	119-120
23		Seaconnet River	Edith Ave.	30	21	131(V-8)	125-126
24		Seaconnet River	Giould St.	30	21	132(V-10)	130-131
25	Island Park	Seaconnet River	Island Park Ave.	30	21	133(V-11)	131&159
26		Seaconnet River	Seaconnet to Ruth Ave.	30	21	134(V-12)	
27			Fountain/Thorpe Ave. to water		21		377/20
28			Fountain Ave.		20	13(V-12)	
29			Island Ave.	30	21		
30	Island Park	Bluebell Cove	Park Ave.		21		66, 67, 68

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# PORTSMOUTH/AQUIDNECK ISLAND RIGHTS OF WAY

#	Area	Waters Accessed	Access	Width (ft.)	Map	CRMC/DEM ID	ADJ. LOTS
31	Island Park	Bluebell Cove	Park Ave	10	21		52A, 56, 53, 54, 55
32	Island Park		Cedar Ave.		21		47, 48
33			Bench & Cedar	6	21		33, 34
34			Cedar Ave.	50	20	127(V-04)	133, 134
35			Point St.	30	20	128(V-05)	154, 155, 153
36			Point St. to Tidal Flat	6	20		156, 157
37				6	2	129(V-06)	170, 171
38			Boyd's Lane to Riverside		25		50
39			Aquidneck to President Ave.	12	24	136(V-13)	168, 169
40			Tallman	40	24	138(V-150)	174
41			Tallman Avenue	40	29	138(V-15)	73
42			Cory's Ct.	40	29	137(V-14)	85 & 86B
43			Child St.	29	29	139(V-16)	86, 86, 87
44			Morningside Lane	40	29	140(V-17)	91-94, 96, 97
45			Common Drive, E. Power St.		31		50A, 50B, 51
46			Long Shore Road	12	34		75, 63A
47			Macomber & Peggy's Lane	25	36		3, 52
48			2 Cul-de-Sac	20	40		
49			Drainage easements		42A		71, 72
50			Drainage Easements		42A		76, 77
51			Questionable ROW		42		23, 24
52			Questionable ROW		42		26, 27
53			Fairview Lane	40	46		
54			Windstone Estates	25	46		25, 26
55			William (McCorrie Lane)	20	48A		
56	McCorrie Point			5	49		
57			Residential (?)	20			40, 35
58			Elnhurst Property	20	59		40, 35
59			Fisher Circle	10	59		15
60			Indian Ave.	25	62		
61	Indian Avenue				68		43 thru 49A

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# PORTSMOUTH/AQUIDNECK ISLAND RIGHTS OF WAY

#	Area	Waters Accessed	Access	Width (ft.)	Map	CRMC/ DEM ID	ADJ. LOTS
62	Cove	Narragansett Bay	24 Acres		8		3
63	Tidal Flats	Narragansett Bay			7		8
64	Mt. Hope Bridge	Narragansett Bay	Baylies Ave.		6		8
65	Mt. Hope Bridge	Narragansett Bay	7.25 Acres		12		12
66		Narragansett Bay	Porter's Lane		11		15
67		Narragansett Bay	Possible ROW		15		2, 4, 3
68		Narragansett Bay		10	16		26, 25, 27
69		Narragansett Bay	Baker Road	10	16		8, 7, 9
70		Narragansett Bay	Baker Road		26		
71		Narragansett Bay	Willow Lane		26		
72		Narragansett Bay	Corey's Lane		32		
73		Narragansett Bay			37		
74	Melville Net/Fuel Dep	Narragansett Bay	Potential Boat Ramp		43		5
75	Melville	Narragansett Bay			50		7
76	Melville	Narragansett Bay			55		

PRUDENCE ISLAND RIGHTS OF WAY

#	Access	Width (ft.)	Map	CRMC/DEM ID
1	State of R. I., Potter Cove Rock	72	1	5
2	Luther Blount, Division Road	74	16	3
3	Barbara C. Little (continues to Plot 74)	76	6A	3
4	Type 2, Pier Road	77	112 - 113	
5	Paved boat launching ramp at north end of town parking lot	77	111	1
6	Clarence Barre, former Town dump	74	23	3
7	waterfront property commonly held by plot property owners	75	69	7
8	same as above	77	109	7
9	Waterfront property held in common	77	114	4
10	extension of Broadway, stone dock	79		1
11	extension of Cherry Tree Lane	81		1
12	Town dock and beach	81	5A	1
13	ROW to lighthouse	81	between 35 & 37	6
14	Between lots 35 & 37	82	South of 39	2
15		82		2
16	extension of John Oldman Road	82		2
17	wooded, no vehicle access or footpath.	83	3	5
18	Beach St. extension	84		1
19		84	84	5
20	paved boat launching ramp "T" wharf (see Plot 84, lot 84)	86		5

Type Key

1. Decided to Portsmouth-in use
2. Decided to Portsmouth-closed or encroached on by abutting owner(s)
3. Possibl-ROW -contested or uncertain.
4. Prudence Improvement Association property
5. State of R.I.
6. U.S. Government
7. Homestead Plot property

APPENDIX (D)

SELECTED RESULTS  
OF THE  
COASTAL WATERS MANAGEMENT SECTION  
OF THE  
PORTSMOUTH SURVEY

Appendix (D) includes selected results from the Portsmouth Survey conducted in 1990.

## Coastal Waters Management

22. GOAL Create the first comprehensive management plan for the development and/or preservation of tidal waters adjacent to the municipality of Portsmouth to include issues of water quality, boat moorings, commercial fishing, public access, parking, waterfront development, fairways, non point pollution, marina development, co-jurisdictional responsibilities, funding, boating safety, and litter. (write "Question 22" and your comment in space provided in the back of this booklet.)

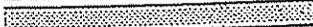
Selection	Responses	Percentage	797 Respondents
(1) Strongly agree.	221	28.3	
(2) Agree.	400	49.4	
(3) Disagree.	66	8.8	
(4) Strongly Disagree.	17	2.3	
(5) No opinion.	83	11.4	

### USE of WATERS

22.1 What is your USAGE of Portsmouth's coastal waters? (Select as many as apply.)

Selection	Responses	Percentage	1557 Respondents
(1) Swimming/diving	551	35.4	
(2) Sailboat	156	10	
(3) Powerboat	179	11.5	
(4) Shell fishing/lobstering	142	9.1	
(5) Fishing	259	16.6	
(6) Commercial	17	1.1	
(7) None	209	13.4	
(8) Other.	44	2.8	

22.2 How frequently do you use Portsmouth coastal waters for all purposes indicated above during the warm season (May through October.)

Selection	Responses	Percentage	884 Respondents
(1) Daily.	125	14	
(2) Twice Weekly.	138	15.6	
(3) Weekly.	185	21.1	
(4) Twice monthly.	77	9.1	
(5) Monthly.	64	7.4	
(6) Rarely.	155	17.4	
(7) Never.	140	15.6	

22.3 If you are a boat owner, where do you keep your boat during the boating season?

Selection	Responses	Percentage	501 Respondents
(1) Don't own a boat.	567	70.9	
(2) Portsmouth slip.	25	3.1	
(3) Portsmouth mooring.	61	7.5	
(4) In waters other than Portsmouth	30	3.9	
(5) Trailer.	84	10.5	
(6) Other.	34	4.1	

22.4 Do you fully comply with laws prohibiting discharge of marine toilets in Narragansett Bay area waters?

Selection	Responses	Percentage	813 Respondents
(1) Don't own or use a boat a boat.	565	69.3	
(2) Always comply fully.	213	26.8	
(3) Usually comply.	26	28	
(4) Rarely comply.	5	0.6	
(5) Never comply.	4	0.5	

22.5 Marine toilet holding tank pumpout services should be free to boat owners.

Selection	Responses	Percentage	846 Respondents
(1) Strongly agree.	89	10.3	
(2) Agree.	171	20.7	
(3) Disagree.	335	39.4	
(4) Strongly Disagree.	138	15.8	
(5) No opinion.	115	13.8	

22.6 Are you satisfied with the quality and/or quantity of public access to Town waters?

Selection	Responses	Percentage	877 Respondents
(1) Yes.	423	49.1	
(2) No.	289	33	
(3) Don't know /No opinion.	165	18	

PLANNING

22.7 Town should establish a coastal waters review group as a new board of the town, or as a sub-group to the Zoning Board of Review, to propose policies to establish ordinances and programs to preserve, protect and improve coastal water quality, commercial and recreations water use, and shore support services and facilities.

Selection	Responses	Percentage	868 Respondents
(1) Strongly agree.	167	18.2	
(2) Agree.	421	49.4	
(3) Disagree.	168	18.9	
(4) Strongly Disagree.	48	5.4	
(5) No opinion.	72	8.1	

22.8 Commercial waterfront development or expansion plans, including marinas, should be required to pass the Town's site plan review process.

Selection	Responses	Percentage	877 Respondents
(1) Strongly agree.	489	46.1	
(2) Agree.	398	45.9	
(3) Disagree.	27	3.3	
(4) Strongly disagree.	9	1	
(5) Don't Know /No opinion.	34	3.7	

22.9 Enforce an anti-litter campaign through fines and public education.

Selection	Responses	Percentage	886 Respondents
(1) Strongly agree.	435	48.2	
(2) Agree.	398	46.1	
(3) Disagree.	27	3	
(4) Strongly Disagree.	7	0.8	
(5) No opinion.	19	1.9	

22.10 Town residents should pay an annual mooring registration fee?

Selection	Responses	Percentage	877 Respondents
(1) Agree	385	43.4	
(2) Oppose.	295	34.2	
(3) Don't know/ no opinion	197	22.4	

22.11 The Town should pay for its Coastal Waters Program by: (Pick one best method)

Selection	Responses	Percentage	846 Respondents
(1) 10 cents per \$1,000. of taxable value	14	1.8	
(2) 5 cent per 1,000 of taxable value.	27	3.3	
(3) Boat mooring and violations fines.	294	35.1	
(4) A marina slip tax	108	12.3	
(5) A real estate transfer tax paid	16	1.8	
(6) Some combination of (2), (3), (4) and (5)	297	34.6	
(7) Other	30	3.8	
(8) None of the above	60	7.3	

APPENDIX (E)

IMPLEMENTATION PLAN  
FOR THE  
HARBOR AND COASTAL WATERS MANAGEMENT PLAN

The Implementation Plan for the Harbor and Coastal Waters Management Plan is provided in the matrix on pages 51 through 55. An explanation of Columns E through I (IMPLEMENTATION TIME FRAMES) for the matrix is as follows:

**IMMEDIATE: 0 to 2 YEARS**

1. Procedural items like setting up coordination, committees, etc.
2. Major and minor regulatory items which have sufficient precedent in Rhode Island to model after and for which adequate information is available to accomplish quickly
3. Planning items, particularly identification, mapping etc., and studies for more complex regulatory items.

**SHORT RANGE: 2 to 5 YEARS**

1. More complex regulatory items
2. Initial Stages of actions requiring funding
3. Planning and engineering studies
4. Planning for longer term actions that have significant cost

**INTERMEDIATE TERM: 5 to 10 YEARS**

1. Action on items with significant cost, particularly those requiring considerable advance planning.
2. Action on more complex regulatory items.

**LONG TERM: 10 to 20 YEARS**

1. Items that can be identified as required at some indefinite time in the outyears.

**CIP**

CIP is the Capital Improvement Program for major equipment and building expenditures. A Capital Improvement Program is not done within the HCWMP, although the Plan contains a commitment to adopt this form of major cost item programming. Therefore the CIP is not contained within any time frame. Because the CIP items are larger items for which a cost has not been determined, a "CIP" is shown instead of the cost estimate. Below are items that will start during one of the above time frames and will continue indefinitely:

1. New committees
2. New services
3. Continuous Planning Items

**ESTIMATED COSTS**

Costs projected are gross estimates and assume that none of the projects are performed by volunteers or services provided "in-kind." The tasks listed represent a mixture of land use and water use projects.

Estimated costs are indicated within the time frames shown; these are approximate costs and are given as a range in which the anticipated cost will lie. The cost ranges are given in \$K (\$1,000.00) and \$M (\$1 million).

Items which involve simpler studies or plans are estimated to cost 0 to \$5,000. Actual costs depend on the performing activity and if printing services or the purchase of GIS mapping is required.

Items which involve setting up study committees or standing committees are estimated at 0 to \$5,000 depending upon the need for printing services, studies, etc.

Regulatory items are estimated at 0 to \$5,000 and are based heavily on legal fees, printing services, advertising costs, etc.

Listed below are the abbreviations for those responsible for carrying out the actions (under the WHO column)

AB	Agricultural Impact Advisory Board
BI	Building Inspector
CC	Conservation Commission
DEM	RI Department of Environmental Management
DH	Department Heads generally
DOT	Department of Transportation
EDC	Economic Development Committee
FD	Fire Department
HA	Housing Authority
HII	Hog Island Inc.
HM	Harbor Master
OSC	Open Space Committee
PB	Planning Board
PCC	Portsmouth Coastal Commission
PD	Police Department
PIPC	Prudence Island Planning Commission
PIUC	Prudence Island Utilities Company
PUC	R.I. Public Utilities Commission
PWFD	Portsmouth Water and Fire District
SD	School Department
TA	Town Administrator
TC	Town Council
TE	Town Engineer (to be hired)
TP	Town Planner
TS	Town Solicitor
ZB	Zoning Board

**ELEMENT IMPLEMENTATION**

**TIMEFRAMES & COSTS (K=\$1,000)**

NO.	LAND USE SECTION	CW SECTION	TASK	WHO PRIMARY	SUPPORT	TIMEFRAMES & COSTS (K=\$1,000)				CIP or ANNUAL
						0-2 YEAR	2-5 YEAR	5-10 YEAR	10-20 YEAR	
<b>WATERFRONT/COASTAL ELEMENT</b>										
1	F.	3.12.a	Establish the Portsmouth Coastal Committee	TC						1-2K
2	D.	3.1.e	Promote new Harbor Management Plan (hand out)	PCC						1-2K
3	A.6	3.6.e	Zone barrier beaches undevelopable	PB	TP	1-2K				
4		3.1.F	Marine Pumpout Plans on file with PCC	PCC	HM	0-1K				
5		3.2.a,b	Adopt & implement Revised HMO/ISSC limits	PCC	TC	0-1K				
6		3.2.c	File Mooring Census with CRMC	HM	PCC	0-1K				
7		3.10.a,b	Representation Abutting Town/Military Waterfront Boards	PCC		0-1K				
8		3.10.c	Secure copies of adjacent Town HMO's	PCC	HM	0-1K				
9		3.13.a,c	Funding PCC/Management Plan Elements	TC	TS	5-10K				
10		3.13.b	Review Salaries/Terms for Harbor Officials	TA	PCC	0-5K				
11		3.11.a	Establish a safe boating policy/brochure	PCC	HM	0-5K				
12		3.11.b,c	Establish speed zones and water safety zones	PCC	HM	0-3K				
13		3.1.g	Point Source Pollution Ordinance	PCC	TS	0-1K				
14		3.1.d	Ordinance MSD Inspection (Overboard Discharge)	PCC	HM	0-1K				

15	3.4.i	Establish rules Stone Bridge fishing pier	PCC	TP	0-5K
16	3.12.e	Develop Amendment Policy for CWMP	PCC	TC	2-5K
17	3.12.f	Setup locally all coastal applications	PCC	PB	2-5K
18	3.9.a	Establish fairway definition and coordinate with Tiverton	PCC	HM	0-2K
19	A. & B.	Zoning compatible with coastal water zones	PB	TP	1-2K
20	C.5.	Stronger stormwater runoff regs. for shore.	PB	TP	L & A above
21	C.6.&A.5.	Land adjacent to SA or Type 1 in Overlay District	PB	TP	1-2K
22	C.7.	Ordinance governing boat pumpout facilities	PCC	TS	1-2K
23	3.12.c,d	Continual Update of CWMP	PCC	TP	5-10K
24	3.2.F	Mooring field coordinates determination	PCC	HMM	3-7K
25	3.2.c	ACE Mooring Field Certification	PCC	HM	0-5K
26	3.1.g	EPA no Discharge Application	PCC	TS	5-10K
27	3.4.II	Develop Town Dock	TP	TS	5-100K
28	C.2.	Code enforcement for direct septage into coastal waters (utilization CDBG's as needed)	BI	TC	15-25K
29	E.	Usable public rights-of-way & maintenance	CC	DPW	2-5K
30	C.3.	Require properties in coastal zone to pumpout septic system when property is sold	TP	TA	
31	C.4.	Conversion to year 'round conform 1991 ISDS std.	TS	TC	
32	3.11.d	Support State jetski regulations	PCC	HM	

NATURAL RESOURCES-RESOURCES PROTECTION DISTRICTS ELEMENT

33	A.1.	Identify sensitive lands	PB	TP	1-2K	
34	C.	3.1.m/3.1.c Adopt "Resource Protection Overlay Districts"	PB	TP	1-2K	
NATURAL RESOURCES-SEPTIC ELEMENT						
35	A.	3.1.a Town septic requirements in critical areas (waste water District Ordinance)	TP	TE	3-5K	
36	B.	Localized treatment where septic infeasible	TE	TP		CIP

LAND USE ELEMENT

(Note: Town Planner involved in all of these)

37	E.	3.1.m Coastal Resources Overlay District	PB	ZBR	1-2K	
38	D.	High Water Table Overlay District	PB	ZBR	1-2K	
39		3.3.c/3.4.c Secure State/Local funding sources for boat ramp engineering	TC	TC	0-110K	
40		3.6.a Restrict marina development to IU abutting land	TP	TS	0-2K	
41		3.6.b Develop paving/parking lot material guide	TP	PCC	0-2K	
42		3.7.b,c,d Needs/environmental assessment review for energy/government facilities prior to CRMC	PCC	TS	0-10K	
43		3.7.e Advisory opinions to the EFSB	PCC	TS	0-15K	
44		3.4.a Easement required multi-unit developments	TP	TS	3-5K	

45	3.4.b	Hummocks boat ramp proposal	PCC	TP	3-60K
46	3.4.c	Classification of ROW's	TP	CC	3-100K
47	3.4.g	Assess potential/develop dingy/bicycle storage facility	TP	PCC	3-5K
48	3.5.a,b,d,e	Develop seasonal parking plan linked to ROW's	TP	PD	1-2K
49	3.5.c	Investigate acquiring land abutting IU zones	TP	TS	5-20K
50	3.6.d	Marina Site Plan review	PCC	ZB	3-10K
51	3.7.a	Establish Ordinance for Combustibles/Hazardous Storage on the waterfront	PCC	TP	3-15K
52	3.4.d	Acquire development rights to waterfront	TP	TS	3-75K

#### PRUDENCE ELEMENT

#### VI. Natural Resources

53	B.1.	3.1.iii	Resource Protection districts and regulations	PB	TP	1-2K
54	B.1.		Reduce Pollution via mooring program	CWRC		1-2K
55	B.2.	3.1L	Storm Drainage along Narragansett Ave.	DPW		50-150K
56		3.2.d	Implement Potter Cove Special Area Management Plan	PCC	TP	1-3K
57	B.5.	3.1.K	Conversion of Summer Houses - ISDS permit	TS	TC	0-5K

#### VII. Waterfront and Coastal

X. Land  
Use

**HOG ISLAND ELEMENT**

**VI. NAUTURAL RESOURCES**

58	B.1.	3.1.m	Resource Protection districts and regulations	PB	TP	1-2K
59		3.3.d	Commercial fishing ban during breeding periods	HIM	PCC	2-10K

APPENDIX (F)

REVISED PORTSMOUTH HARBORMASTER ORDINANCE

Appendix (E) is the Portsmouth Harbormaster Ordinance revised in accordance with the results and goals of the Harbor and Coastal Waters Management Plan.

## TOWN OF PORTSMOUTH REVISED HARBORMASTER ORDINANCE

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### AN ORDINANCE RELATING TO THE WATERS OF THE TOWN OF PORTSMOUTH.

#### Section I. INTENT

It is the intent of this Ordinance to establish regulations for the use of the Public Waters Within the Jurisdiction of the Town of Portsmouth, Rhode Island, and to ensure that this limited area available for use is preserved for present and future generations.

#### Section II. DEFINITIONS

- A. "Approved Inspector" shall mean any person approved as an inspector of tackle by the Harbormaster.
- B. "Boat" shall include ship, vessel, or any other type of watercraft.
- C. "Boat Owner" shall mean any owner of a boat.
- D. "Commercial Mooring" shall mean any mooring installed for the purpose of leasing or renting said mooring.
- E. "Guest Mooring" shall mean a mooring granted to a Town Resident under the previous Ordinance for use by his guests.
- F. "Harbormaster" shall mean the Harbormaster appointed by the Administrator and approved by the Town Council.
- G. "Mooring" shall mean the mooring space and ground tackle required to permanently anchor a boat.
- H. "Mooring Area" shall mean those portions of the Town Waters identified on the Harbormaster's chart for the purpose of mooring boats.
- I. "Mooring Assignment Appeal Committee" shall consist of the Harbormaster and four other persons appointed by the Town Council
- J. "ISSC" Interstate Shellfish Sanitation Conference Formula. Use of the formula is intended to establish limits of polluting boats within an area in order to prevent further pollution and to improve water quality. Note: this formula was developed prior to the utilization of pumpout facilities.
- K. "Mooring Space" shall mean the area of water required to permanently anchor a boat.
- L. "Non-Resident" shall mean any individual, business, or corporation which does not meet the definition of a resident.
- M. "Person" shall include individuals, corporations, societies, associations, and partnerships.

N. "Private Mooring" shall mean any mooring registered to an individual and used exclusively for his own purposes.

O. "Pulley Line" shall mean a system of pulleys arranged between a depth of five feet of water (mean low water) or less and the shore for the purpose of anchoring a dinghy.

P. "Registered Mooring Holder" shall mean the holder of an approved mooring space assigned to him by the Harbormaster.

Q. "Resident" shall mean any person above the age of majority who owns real property in the Town of Portsmouth or is a yearround renter of a house or apartment in the Town of Portsmouth.

R. "State Mooring" shall mean any mooring in the Town Waters installed and maintained by the State.

S. "Town Waters" shall mean the Public Waters within the Jurisdiction of the Town of Portsmouth.

T. "Town Water Zones" are defined and delineated in the Comprehensive Plan.

### Section III. ASSIGNMENTS OF MOORING SPACES

All assignments of mooring space shall be made by the Harbormaster. Moorings shall be assigned in chronological order of receipt of a completed application. Any appeals to assignment of mooring space shall be made in writing to the Chief of Police, Portsmouth R.I. The Mooring Assignment Appeals Committee shall resolve the appeal.

A liability waiver for the Town of Portsmouth shall be signed by the applicant at the time of registration releasing the Town from any damage incurred by the applicants vessel and/or mooring tackle.

### Section IV. ANCHORAGES AND MOORINGS

The Town Council of the Town of Portsmouth shall set by resolution the maximum number of moorings allowed within the identified mooring areas will be those generated by the CWMPC based on ISSC guidelines. The Harbormaster shall have full power and authority to direct the placement of all moorings within the Town Waters as determined by the CWMPC guidelines.

No person shall place or cause to be placed a mooring within Town Waters without receiving a mooring permit for the placement thereof by the Town, issued in strict compliance with the provisions of this ordinance. Any such mooring placed without the approval of the Harbormaster may be removed and any such expenses incurred shall be charged to such person placing the mooring. The Harbormaster shall direct the placement of the mooring tackle.

The Harbormaster having due regard to the draft of each vessel and the facility of navigation, shall designate upon a chart of Town Waters all mooring areas approved as such by the Town Council, and to such chart the Harbormaster shall affix or append a list or key designating the name and address of the owner of each vessel and the size and type thereof and/or remaining vacancies. The Harbormaster shall file such a chart in the office of the Town Clerk and shall thereafter maintain the same current and accurate. The Harbormaster shall also maintain a current and accurate copy of said chart in a place readily accessible to mariners seven (7) days a week for their convenience in consulting the same during hours when the Town Clerk's Office would not normally be open. The

Harbormaster shall on or before June 15th of each year make a complete and accurate revision of both the original master copy and copy thereof. He will file one copy on an annual basis with the CRMC and with the PCC.

If mooring space is available, the Harbormaster shall issue to each "boat owner" a license to use a mooring space within a mooring area. Said license shall be properly keyed to such charts identified above and shall expire on the first day of April in each succeeding year after its issuance. The Harbormaster shall, during the month of February of each year, cause reregistration forms to be mailed or delivered to all persons who were registered holders at the end of the prior year, at the address then listed on their last registration or re-registration application. It shall be the burden of the registered holder to notify the Harbormaster of any change of address. Responses must be returned to the Harbormaster on, or before, the first day of April. It shall be the duty of the Harbormaster to ensure that such mooring space is maintained at the spot designated by the Harbormaster upon the chart and in said license and not elsewhere. The Harbormaster may remove the mooring or vessel or both at his discretion and may charge the expense of so doing to the person so placing the mooring or maintaining anchorage in a location other than as designated by the Harbormaster.

Renewal applications for private mooring spaces without identification of the boat to be moored will be accepted for two consecutive renewals only. That rate shall be at the prevailing rate of the previous registration. Additional renewals shall be with the approval of the Mooring Assignment Appeals Committee for reasons of good cause only. Such applications shall be accompanied by the appropriate fee.

All requests for new mooring space shall be made by submitting an application containing all information required, addressed to the Portsmouth Harbormaster, Portsmouth Police Department, PO Box 67, East Main Road, Portsmouth, R.I. 02871. All such applications should be completely filled out and submitted with the appropriate fee.

The Harbormaster may remove from any public wharf, dock or pier in Town Waters any vessel not engaged in receiving or discharging a cargo or passengers. The Harbormaster may also determine the extent, time and manner of accommodation respecting the position of vessels which should be extended by the owners or master thereof to each other and to require such accommodation to be extended.

Mooring specifications in this ordinance shall not pertain to pulley lines, however any such systems shall fall under the Harbormaster's jurisdiction.

#### Section V. COMMERCIAL MOORINGS

Any application for a commercial mooring shall be approved only if said mooring was in place prior to 27 June 1986. Commercial Moorings shall be renewed on a yearly basis. Nothing in this Ordinance shall be construed as preventing a registered mooring holder from renting ground tackle from a commercial enterprise.

#### Section VI. MINIMUM MOORING SPECIFICATIONS

1. Only mushroom anchors or cement blocks with reinforcing rods and connecting eyes that have a base at least one half the width of the block will be acceptable.
2. All shackles will be properly seized.
3. All shackles, swivels and other hardware will be proportionate in size to the chain.

4. The total scope of the mooring should be three times the depth of the water at high tide. The bottom and top chain shall each consist of half the length of chain.

5. It is recommended that the pennant be shackled into the top chain below the buoy so that the buoy does not carry the strain.

6. The maximum length of the pennant shall be two and one half times the distance from the bow chock to the water plus the distance from the bow chock to the cleat. Where chafing may occur, adequate chafe gear should be used.

**7. Minimum Mooring Specifications**

LOA	Mushroom	Bottom Chain	Top Chain	Nylon/Dacron	<u>Pennants</u>	Stainless Wire
Under 16'	75 lbs	3/8 in.	5/16 in.	1/2 in.		1/4 in.
16 - 19'	150 lbs	3/8 in.	5/16 in.	1/2 in.		1/4 in.
20 - 22'	200 lbs	1/2 in.	5/16 in.	5/8 in.		1/4 in.
23 - 25'	250 lbs	1/2 in.	5/16 in.	3/4 in.		1/4 in.
26 - 30'	300 lbs	5/8 in.	3/8 in.	3/4 in.		1/4 in.
31 - 35'	400 lbs	5/8 in.	3/8 in.	3/4 in.		3/8 in.
36 - 40'	500 lbs	3/4 in.	1/2 in.	7/8 in.		3/8 in.
41 - 50'	600 lbs	3/4 in.	1/2 in.	1.0 in.		1/2 in.
51 - 65'	750 lbs	1.0 in.	1/2 in.	1.25 in.		1/2 in.

\* Vessels over 65 feet shall comply with the Harbormaster's directions.

8. Any change in these minimum mooring requirements should be in favor of heavier mushrooms and bottom chains.

9. Cement clumps may be allowed at ten times the weight required for anchors with digging qualities.

**Section VII. ACCESS**

The Harbormaster and or his/her assistant will site moorings with regard to Water Zone Classification and will not allow the number of mooring spaces to exceed the limits established by the PCWMPC in accordance with the ISSC formula. Specifically there will be no mooring space development into Pristine Town Waters. There will be development permitted into zones of Restrictive and Intensive Use Waters provided that a written documentation of access to those waters accompanies the mooring space application.

**Section VIII. REGISTRATION FEES**

Residents of the Town of Portsmouth shall not be charged a fee for a mooring(s). Registration fees for Commercial and non-residents shall be defined on a yearly basis by the Town Council. The current rates for non\_resident and commercial moorings are as follows:

Non-Resident: \$0.45 per pound of required anchor weight

Commercial Mooring: \$100.00 each

#### Section IX. WAITING LISTS

The Harbormaster shall maintain separate waiting lists of applications for mooring spaces for persons with and without boats. Applications will be accepted for persons who do not currently own boats, however, space will be granted to boat owners only. A non-boat owner applicant may retain his eligibility on the mooring waiting list for a period of two years from the date a mooring space would first have been available to him. A person on the non-boat owner list who obtains a boat shall be assigned the next available mooring space according to receipt of a completed application. Moorings will be granted in a ratio of not less than three Portsmouth Residents to each non-resident in all cases of assignment of mooring spaces from waiting lists.

#### Section X. FORFEITURE OF MOORING SPACE

Any registered holder shall be deemed to have forfeited his registered mooring space by reason of the following:

- A. Removal of Tackle and notification to the Harbormaster that the space is available.
- B. Failure to re-register for such space by April 1st of each season.
- C. Failure to replace any piece of mooring tackle not complying with the mooring tackle standards hereinafter set forth within sixty (60) days after being advised by the Harbormaster of non-compliance.
- D. Failure to resurface or replace mooring within sixty (60) days after being advised by the Harbormaster that the mooring is in need of attention.
- E. Failure to comply with any of the requirements of this Ordinance.

Forfeiture of mooring space and/or removal of ground tackle may be appealed to the Mooring Assignment Appeals Committee.

#### Section XI. ABANDONMENT OF TACKLE

Any registered holder of mooring space who is abandoning his mooring space, and owns the ground tackle of that mooring space, may offer to sell the tackle occupying such space to the next person assigned to said mooring space. If such tackle is not sold or rented, it shall be removed by the registered mooring holder. The next person assigned to such space is under no obligation to buy or rent the mooring tackle from the previous holder of that mooring space or the owner of the ground tackle of that mooring space. Failure to remove such tackle upon written notification, may require the Harbormaster to authorize the removal of said tackle at the expense of the owner of the tackle.

#### Section XII. WINTER MOORING SPARS

Winter mooring spars shall be readily visible in a vertical position above the water at all times and shall be removed not later than June 1st of the next succeeding year. Winter spars shall not be set until, on or after October 1st of each calendar year.

### Section XIII. ANCHORING

A. No vessel will be allowed to anchor in Town Waters utilizing her own ground tackle and be left unattended. The owner or operator and party may go ashore, but shall not leave the area. They shall be available to tend to the vessel in the event of heavy weather.

B. When anchoring in a mooring area, it shall be the anchored vessel's responsibility to remain clear of all moored vessels taking into account all possible changes of wind or tide situation.

### Section XIV. RAFTING

Rafting on a single mooring shall be allowed as a temporary accommodation if it does not interfere with adjacent single moorings or anchorages. Owners of boats in a raft shall be available to tend to the vessels in the event of heavy weather.

### Section XV. NUMBERING

Each mooring in Town Waters will be assigned number by the Harbormaster. This number will be painted in contrasting color on each mooring buoy and winter marker in block letters at least four (4) inches in height.

### Section XVI. GUEST MOORING

Only those Guest Moorings allowed under the previous Ordinance shall be renewed on a yearly basis at a cost of \$25 dollars. No new Guest Moorings shall be granted.

### Section XVII. MOORING INSPECTION

The registered holder of a mooring shall maintain his mooring in a safe condition. Any chain, shackle, swivel or other component which has become warped or worn by one-third its normal diameter, shall be replaced. Failure to maintain a safe mooring hereunder shall be cause for revocation of said mooring by the Harbormaster. The Harbormaster or his designated agents may inspect any mooring at any time to determine compliance with this section.

In all cases, the holder of a mooring registration shall have his mooring inspected by a qualified inspector at least once every two years. He shall notify the Harbormaster in writing of the date the inspection was performed.

### Section XVIII. SPEED OF VESSELS

No vessels of any description shall be navigated or operated at a speed in excess of five (5) miles per hour, or in such a manner to cause an excessive wake, within the waters of the Portsmouth Basin and northerly to a point abeam of Cedar Island, so called. For the purposes of this Ordinance the Portsmouth Basin shall be deemed to be that expanse of water between Portsmouth and Tiverton, south of the railroad bridge and north of the Stone Bridge Abutment.

Penalties for violation of this section shall be as follows:

Violation Fees:

First Offense	Warning Ticket
Second Offense	\$18.50 Fine
Third Offense	\$20.00 Fine
Subsequent Offenses	\$20.00 Additional Fines

**Section XIX. WATERSKIING AND/OR JETSKIING**

Water skiing and/or jetskiing is prohibited in the following areas:

- A. Portsmouth Basin
- B. Blue Bell Cove, north of Hen Island and south of Spectacle Island.
- C. Within one hundred yards of any beach and/or conservation area.

Jetskiing in the above areas shall be limited to that necessary to maintain headway through the water but no greater than five miles per hour.

**Section XX. SKIN AND SCUBA DIVING**

No person shall skin or scuba dive within fifty yards of the channels in the Portsmouth Basin without the expressed consent of the Harbormaster.

All persons diving in the Town Waters shall properly mark their diving areas.

**Section XXI. PROHIBITED ACTS**

Every person who shall violate the provisions of this ordinance, every owner, master or person in charge of any vessel who shall neglect or refuse to obey the directions of the Harbormaster in matters within the authority of the Harbormaster and every person who shall resist or oppose such Harbormaster, in the execution of his duties, shall upon conviction thereof, be fined not exceeding fifty dollars (\$50.00) for each offense.

Each day that such neglect or refusal to obey shall continue after notice thereof is given by the Harbormaster to an owner, master or person in charge of such vessel or mooring deemed to be in violation of this Ordinance shall constitute a separate offense.

TOWN OF PORTSMOUTH REVISED HARBORMASTER ORDINANCE

Any person who shall remove from a location assigned by the Harbormaster any moorings belonging to another without the authority of the owner and Harbormaster shall, upon conviction thereof, be fined not exceeding one hundred dollars (\$100.00) for each offense.

Section XXII. This ordinance shall take effect upon its passage.

APPROVED  
BY  
TOWN COUNCIL ACTION  
ON June 30, 1993  
C. ZINNO  
TOWN CLERK

# Town of Portsmouth

2200 East Main Road / Portsmouth, Rhode Island 02871

Carol Zinno  
Town Clerk

(401) 683-2101

94-1-25A

Type II CRMC typification desired for the following five (5) coastal water areas on the West Shore of Portsmouth proper.

Areas will extend 500 ft seaward from the mean high water line (MHW) following the general coastal trend and with the following boundaries:

- Area I     South: perpendicular from the shore at the Middletown/Ports. line  
West: 500 ft. seaward from the MHW following the coastal trend  
East: MHW line  
North: Terminating on a line draw from Carr pt. to the Southwest Point of Dyer Island ( IU Zone )
- Area II     South: perpendicular from Coggeshall pt. ( IU Zone)  
West: 500 ft. seaward from the MHW following the coastal trend  
East: MHW line  
North: Terminating at the southern end of the IU Zone circle at Arnolds' Pt. ( willow lane)
- Area III     South: Northern end of the IU Zone circle at Arnolds' pt.  
West: 500 ft. seaward of the MHW following the coastal trend  
East: MHW line  
North: perpendicular located off end of Baker Road ( RU Zone)
- Area IV     South: East side of the former Weyerhaeuser Wharf  
West: 500 ft. seaward from the MHW following the coastal trend  
East: MHW line  
North: perpendicular from shore at end of Musselbed shoal road ( RU Zone )

94-1-25A

Area V     South: perpendicular from shore at end of Bayview Ave. ( RU Zone)  
West: 500 ft. seaward from the MHW following the coastal trend  
East: MHW line  
North: perpendicular from shore at Taylor. pt. in Common Fence Pt.  
          ( RU Zone)

To Be Added To: 93-6-30

APPROVED  
BY  
TOWN COUNCIL ACTION  
ON January 25, 1994  
C. ZINNO  
TOWN CLERK

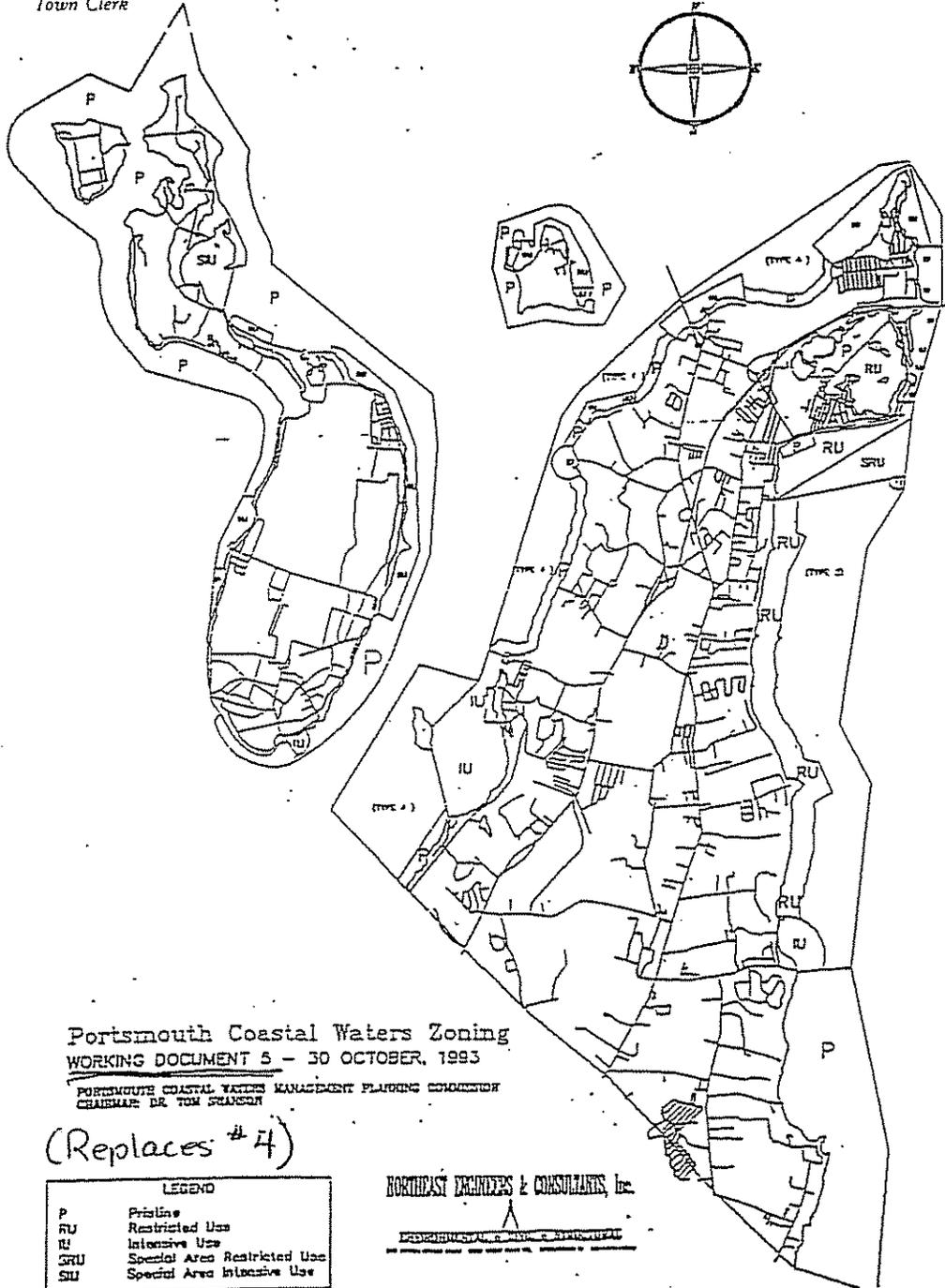
# Town of Portsmouth

2200 East Main Road / Portsmouth, Rhode Island 02871

Carol Zinno  
Town Clerk

(401) 683-2101

94-1-25B



Portsmouth Coastal Waters Zoning  
WORKING DOCUMENT 5 - 30 OCTOBER, 1993

PORTSMOUTH COASTAL WATERS MANAGEMENT PLANNING COMMITTEE  
CHAIRMAN: DR. TOM SWANSON

(Replaces #4)

APPROVED  
BY  
TOWN COUNCIL ACTION  
ON January 25, 1994

C. ZINNO  
TOWN CLERK

To Be Added To: 93-6-30